



MAPC PLANNING

CHAPTER 40R

2016 Changes

New “Starter Home Zoning District” (SHZD)



Top row left, bottom row right, Old Village Square Medfield, MA, 6.3 units per acre

DEFINITION & DESCRIPTION

- At least 3 contiguous acres of developable land area, adopted as an overlay district
- A Starter Home is “a single family home not exceeding 1,850 square feet.” A municipality may also allow an ADU of 600 square feet or less.
- **Description:**
 - Minimum of 4 units/acre
 - 20% of units must be affordable to households earning less than 100% AMI, but a community could require higher standards of affordability so that units count towards their Chapter 40B 10% requirement
 - 50% of homes must have three bedrooms
 - Bonus payments from the State for SHZD same as other types of 40R for zoning approval and building permits

Important:

SHZDs are not subject to local environmental or health regulations that exceed State regulations, unless:

- “DEP has determined that specific local conditions warrant imposition of more restrictive local standards,” or
- “The imposition of such standards will not render infeasible the development contemplated under the comprehensive housing plan, housing production plan, or housing production summary submitted” (Section 6)

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CHANGES TO CHAPTER 40R



Above: Southfield Development | Single family homes on small lots | Weymouth, MA
7.3 units per acre

SMART GROWTH OVERLAY DISTRICTS (SGODS) | STARTER HOME ZONING DISTRICT (SHZD)

CHANGES TO DEFINITION

1. “Eligible Locations, areas that by virtue of their infrastructure, transportation access, existing underutilized facilities, or location make highly suitable locations for residential or mixed use smart growth zoning districts or starter home zoning districts, including, without limitation (1) areas near transit stations, including rapid transit, commuter rail and bus and ferry terminals; or (2) areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns, and existing rural village center.”
2. “Highly suitable locations” are now incorporated into the introduction to 2 types of approved eligible locations.
3. NEW “Area of Concentrated Development, a center of commercial activity within a municipality, including town and city centers, other existing commercial districts in cities and towns, and existing rural village districts.”
4. Changed definition of “Mixed Use Development” to require inclusion of residential uses.

Note:

- DHCD will accept a Housing Production Plan (approved by DHCD) or a Housing Plan Summary (defined in 40R) as a basis for establishment of a SGOD or a SHZD.
- DHCD can place conditions on their approval of a District.
- In addition to the above legislative changes, there is also a significant funding/operational change: DHCD anticipates that zoning incentive payments and development bonus payments will likely be available through the state’s capital investment plan, meaning these payments to communities may be used ONLY for capital expenditures.

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