



City of Woburn Massachusetts

City Hall
10 Common Street
Woburn, MA 01801

Tel: 781-897-5901
www.cityofwoburn.com

Michael P. Concannon
Mayor

June 13, 2024

Dear City Council Members:

Pursuant to my request, Council President, Jefferey Dillon, has volunteered to sponsor for the Council's consideration the following described four proposed zoning amendments to the 1985 Zoning Ordinance, as amended. If ultimately adopted by the City Council the subject amendments will provide for the City's compliance requirements in regard to the State's MBTA-3A Communities legislation. Further, the subject amendments aim to enhance our City's transit-oriented development, improve housing affordability, and support sustainable growth in alignment with the City's commitment to smart-growth development. Your thoughtful review and approval of the subject zoning changes are necessary steps toward creating a more vibrant and accessible community for all our residents.

The proposed zoning amendment consists of five changes to the Woburn Zoning Ordinance:

1. Add new SECTION 34 to the Woburn Zoning Ordinance – Non-Age Restricted Multi-Family Housing Overlay District (MBTAOD);
2. Add a definition of "AS OF RIGHT" to Section 2 of the Woburn Zoning Ordinance (DEFINITIONS);
3. Revise the definition of "MULTI-FAMILY DWELLING" in Section 2 of the Woburn Zoning Ordinance (DEFINITIONS; and
4. Add a definition of "NON-AGE RESTRICTED MULTI-FAMILY HOUSING" to Section 2 of the Woburn Zoning Ordinance (DEFINITIONS).
5. Revised Section 6.1 – Table of Dimensional Regulations, by adding dimensional requirements for the Non-Age Restricted Multi-Family Housing, per G.L. 40A, 3A and associated Notes thereto.

Sincerely,

Michael P. Concannon
Mayor, City of Woburn

Jeff Dillon
Council President, City of Woburn



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Michael P. Concannon
Mayor

June 13, 2024

Dear Council:

Pursuant to my request, Council President, Jefferey Dillon, has volunteered to sponsor for the Council's consideration the following described Petition to Amend the Zoning Map of the City of Woburn in order to comply with the State's MBTA 3A Communities legislation. Please note further, this proposed map amendment enhances the City's transit-oriented development, improves housing affordability, and supports sustainable growth in alignment with the City's commitment to smart-growth development.

I am pleased to submit for your consideration:

LOCATION OF PROPERTY: SEE EXHIBIT A ATTACHED HERETO

ASSESSORS MAP REFERENCE: SEE EXHIBIT A ATTACHED HERETO

DESCRIPTION OF PARCELS: Ten parcels of land located on the east side of the commuter rail line, starting at the Wilmington town line and running south to the southern border of the Anderson Station parcel.

PRESENT ZONING DISTRICT: IP and IP2

PROPOSED ZONING DISTRICT: MBTAOD

NAME AND ADDRESS OF PROPERTY OWNERS: SEE EXHIBIT A ATTACHED HERETO

Sincerely,

Michael P. Concannon
Mayor, City of Woburn

Jeff Dillon
Council President, City of Woburn



City of Woburn Massachusetts
OFFICE OF THE CITY CLERK

Woburn City Council
Notice of Hearing

Notice is hereby given that there will be a **Public Hearing** under the provisions of the Woburn Zoning Ordinances and Chapter 40A, Section 5 of the General Laws on **August 6, 2024 at 7:00 p.m.** in the City Council Chambers, City Hall, Woburn, Massachusetts, on a petition by **President Dillon, per request of the Mayor, to amend the following:**

- 1. The 1985 Woburn Zoning Ordinance, as amended, by:**
 - a. adding new Section 34 – Non-Age Restricted Multi-Family Housing Overlay District (MBTAOD);**
 - b. adding to Section 2 - Definitions the term “AS OF RIGHT”;**
 - c. replacing the Section 2 definition of “MULTI-FAMILY DWELLING”;**
 - d. adding to Section 2 - Definitions the term “NON-AGE RESTRICTED MULTI-FAMILY HOUSING”;**
 - e. amending the Section 6.1 Table of Dimensional Regulations by adding “Non-Age Restricted Multi-Family Housing (MBTAOD), per G.L. 40A, 3A”;**
 - f. amending Section 6.2 Additional Dimensional Regulations to add Note 9 entitled “Non-Age Restricted Multi-Family Housing (MBTAOD); and**
- 2. The Woburn Zoning Map as follows: that the ten (10) parcels of land as shown on a plan entitled “Proposed MBTA Non-Age Restricted Multi-Family Overlay District (MBTAOD)” dated June 13, 2024, Map and Data prepared by: City of Woburn Engineering Department/GIS Program, which include: 100 Atlantic Avenue (10-01-07) ; Industri-Plex (05-01-01); New Boston Street R (09-02-02); Lot 1A Industriplex (05-01-10); 315 New Boston St (04-07-08); 317 New Boston St (04-07-07); New Boston St R (04-07-01); 323 New Boston St (04-07-06); 324 New Boston St (04-05-01); and 331 New Boston St A (04-07-05), are now subject to MBTA Non-Age Restricted Multi-Family Overlay District (MBTAOD).**

A copy of the petition is on file at the Office of the City Clerk, City Hall, Woburn, Massachusetts. Any persons interested may review said petition and appear at the hearing. If special services, assistance, or accommodations are required to participate in this meeting, please contact the City Clerk within sufficient time prior to the scheduled meeting time.

July 2, 2024

Lindsay E. Higgins
City Clerk and Clerk of the City Council

ORDERED

Be it Ordained by the City Council of the City of Woburn, that the Woburn Zoning Ordinance as amended, be further amended as follows:

1. Add the following new Section 34 – Non-Age Restricted Multi-Family Housing Overlay District (MBTAOD) and for this Section to read in its entirety as follows:

Section 34 – Non-Age Restricted Multi-Family Overlay District (MBTAOD)

34.1 Establishment, Applicability and Purpose

1. **Underlying Zoning.** The MBTA Non-Age Restricted Multi-Family Overlay District (hereinafter referred to as MBTAOD) is an overlay district superimposed on underlying zoning districts. The regulations for use, dimensions, and all other provisions of the Zoning Ordinance governing the underlying zoning district shall remain in full force, except for uses allowed as of right in the MBTAOD.
2. **Applicability of MBTAOD.** An applicant may develop multi-family dwellings located within the MBTAOD in accordance with the provisions of this Article.
3. **Purpose.** The purpose of the MBTAOD is to allow multi-family dwellings as of right in accordance with G.L. c. 40A, § 3A.

34.2 Permitted Uses.

In the MBTAOD, non-age restricted multi-family dwelling unit use, as defined by G.L. c. 40A, §3A, shall be allowed as of right, subject to the following sections of the 1985 City of Woburn Zoning Ordinance, as amended (hereinafter referred to as the Zoning Ordinance): Section 12 - Site Plan Review, Section 5 - Use Regulations and Section 6 - Dimensional Regulations. The Planning Board shall be the Site Plan Review authority. Hereinafter, such uses shall be referred to as “3A compliant housing.” Any component of this Zoning Ordinance that may be interpreted as requiring a special permit, variance, zoning amendment, waiver or other discretionary zoning approval for 3A compliant housing shall not apply to said 3A compliant housing.

34.3 MBTAOD Dimensional Standards

1. **Dimensional Regulations.** Notwithstanding anything to the contrary in the Zoning Ordinance, the dimensional requirements applicable in the MBTAOD, and as applied to 3A compliant housing shall be as set forth in Section 6 - Dimensional Regulations.

2. **Height.** The limitation on the height of buildings shall not apply in the MBTAOD to chimneys, ventilators, towers, elevator shafts, silos, spires, or similar features of buildings, which features are in no way used for living purposes and do not constitute more than the equivalent of 20% of the roof area of the building.

34.4 **Parking**

1. Refer to Section 8 – Off Street Parking and Loading Facilities Regulations, which incorporate the following described parking requirements for multi-family developments within the MBTAOD.

2. **Number of parking spaces.** The minimum number of off-street parking spaces shall be 1.5 spaces per dwelling unit, either in surface parking or within garages or other structures.

3. **Parking Materials.** The parking surface may be concrete, asphalt, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.

4. **Parking Area.** The parking area located within the lot must reasonably and safely accommodate the entering and exiting of dwelling unit vehicles.

5. **Parking Area Location.** Parking areas shall be located to the rear or side of the principal building. Parking shall not be located between the building and any lot line adjacent to the public right-of-way.

6. **Buffers.** The surfaced areas of off-street parking areas shall be set back equal or greater to any accessibility minimums from all buildings and side and rear property lines, except as may be approved by the Planning Board. Buffers between property lines and parking areas shall be landscaped. Buffers between the buildings (rear and side) and parking areas shall include landscaping or walkways.

34.5 **MBTAOD Development Standards**

1. **Site Design.** Site plans for developments in the MBTAOD shall include the following:

a. **Connections.** Sidewalks shall provide a direct connection among building entrances, the public sidewalk (if applicable), and vehicular and bicycle parking.

b. **Vehicular access.** If no conflict with public safety review, curb cuts shall be minimized, and shared driveways encouraged.

c. **Plantings.** Planting is encouraged to include the use of native vegetation.

d. Outdoor Lighting Plan. Plans must show the location and type of outdoor lighting and lighting fixtures, said lighting to be designed to minimize glare and light spillover onto adjacent properties and streets. All exterior lighting shall be designed and installed so as to be shielded or downcast, and to avoid light trespass onto adjacent properties. Lighting fixtures shall be selected in accordance with dark sky compliance principles. Plans shall depict the light intensity (foot-candle) in an appropriate grid. All exterior lighting shall be limited to 15 feet in height and shall cast a maximum of 8-foot candles of light on the ground. Lighting shall also be directed so as not to blind vehicular or pedestrian traffic, shine into adjacent buildings or spill over to abutting properties.

e. Stormwater Management. Refer to Section 12 – Site Plan Review of the Zoning Ordinance.

f. Offsite Improvement Plans. Site Plans, reviewed by the Planning Board in accordance with Section 12 of the City’s 1985 Zoning Ordinance, as amended shall depict full design, grading and layouts for any work required within a public right-of-way to support the project. This includes, but is not limited to, pedestrian, traffic and utility improvements.

2. Buildings: General.

a. Entries. Entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk or right of way.

3. Buildings: Shared Outdoor Space. All 3A compliant housing shall have outdoor space that residents can access, as determined by the Planning Board. Such space may be located in any combination of the ground floor, courtyard, rooftop, or terrace. Space shall either be shared among all residents or allocated on a unit-by-unit basis.

a. Buildings: Corner Lots. A building on a corner lot shall have one primary entrance.

34.6 Site Plan Review

1. Applicability. Site Plan Review (hereinafter referred to as SPR) is required for any building with three or more dwelling units. An application for SPR shall be reviewed by the Planning Board for consistency with the purpose and intent of Section 34.5 - MBTAOD Development Standards.

2. Submission Requirements. As part of any application for SPR for a project within the MBTAOD, as same applies to 3A compliant housing, the Applicant must submit the following documents:

a. SPR application, refer to Section 12 – SPR for application submission requirements.

3. **Timeline for processing and final action.** In accordance with the provisions set forth in Section 12 – SPR.

4. **Site Plan Approval.** Site Plan approval for 3A compliant housing exclusive to a MBTAOD shall be granted upon determination by the Planning Board that the following conditions have been satisfied. Note: the Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied:

- a. the Applicant has submitted the required information as set forth in the City’s requirements for SPR; and
- b. the project as described in the application meets the MBTAOD Development Standards.

5. **Severability.** If any provision of this ordinance is found to be invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected, but shall remain in full force and effect. The invalidity of any provision of this Ordinance shall not affect the validity of the remainder of the Zoning Ordinance.

2. Amend Section 2 – DEFINITIONS as follows:

- a) Add a new term “**AS OF RIGHT**” and for this term to be defined as:

“**AS OF RIGHT**”: “Development that may proceed under the zoning in place at the time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.”

- b) Amend the present definition for “**MULTI-FAMILY DWELLING**”, by deleting the present language for this term, which reads in its entirety: **TBD (added 9/23/2009)**, and replace same by adding the following definition for “**MULTI-FAMILY DWELLING**”, which shall read in its entirety as:

MULTI-FAMILY DWELLING: A building (other than an ‘attached dwelling,’ as defined herein) designed or intended or used as the home of three or more households, each in a separate dwelling unit, living independently of each other and who may have a common right in halls and stairways.

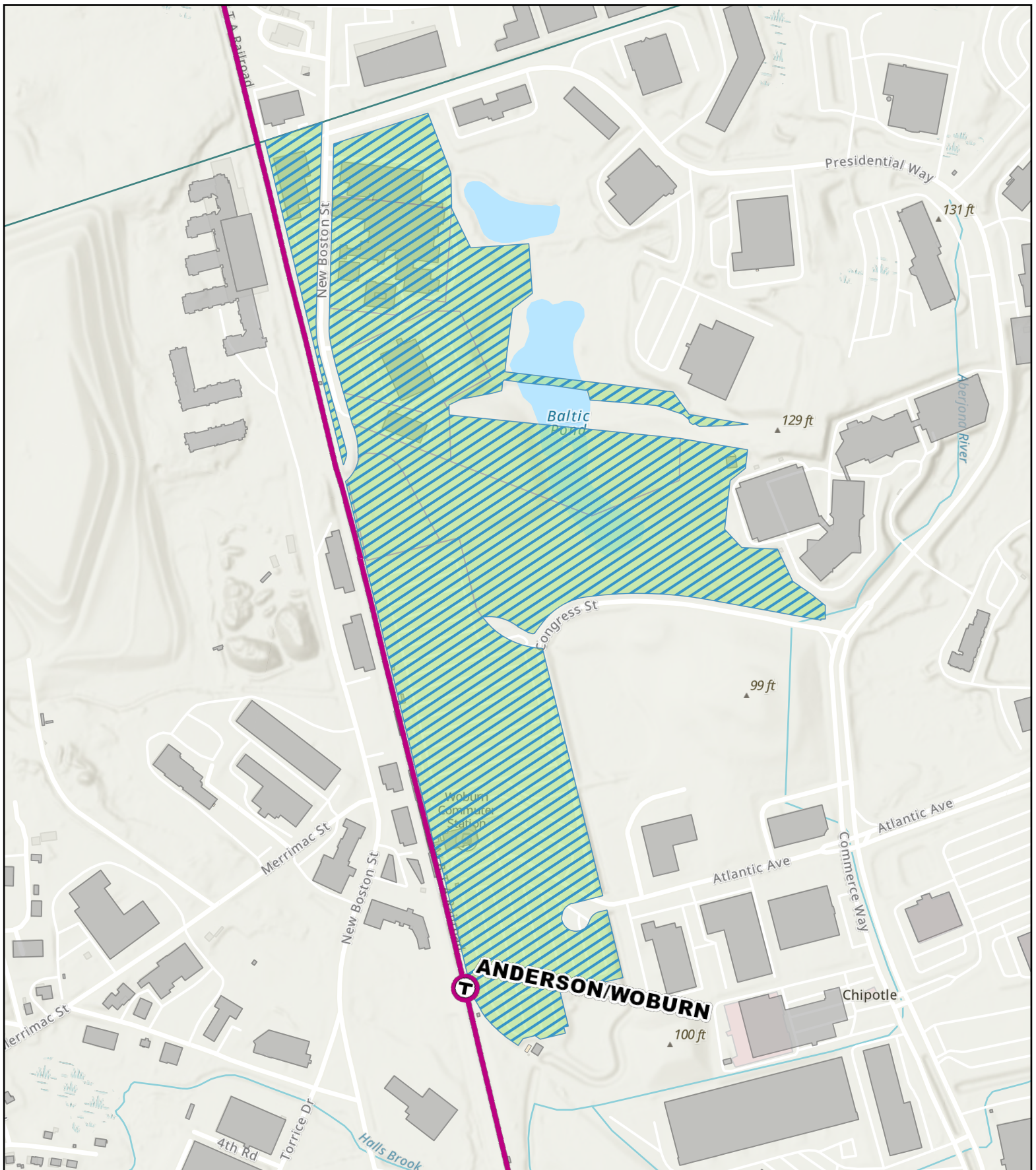
- c) Add a new term “**NON-AGE RESTRICTED MULTI-FAMILY HOUSING**”, and for this term to be defined as:

NON-AGE RESTRICTED MULTI-FAMILY HOUSING: Housing designed or intended or used as the home of three or more households, each in a separate dwelling unit, living independently of each other, who may have a common right in halls and stairways and such housing being compliant with the provisions of G.L. c. 40A, § 3A.

3. Revise Section 6.1 - Table of Dimensional Regulations of the Zoning Ordinance, as amended, by adding the following new district titled: “**Non-Age Restricted Multi-Family Housing (MBTAOD), per G.L. C. 40A, 3A**” and for the following setback provisions to apply to said district, together with the following appurtenant notes thereto:

District	Use	Lot Size	Lot Width	Street	Front Yard	Side Yard	Rear Yard	Landscaped	Height Feet	Height	Building Ground
Floor Area		Minimum	Minimum	Frontage	Setback	Setback	Setback	Useable Open		Stories	Coverage
Ratio								Space			
MBTAOD	MBTA Non-Age Restricted Multi-Family Housing, Per G.L 40A, 3A	4,000 sf	40 feet	100 feet	25 feet	25 feet	30 feet	40%	80 feet	7	30%

- a) Revise Section 6.2 **Additional Dimensional Regulations**, by adding the following new note “9” titled: 9 -Non-Age Restricted Multi-Family Housing (MBTAOD), and for this Note to read in its entirety as:
- The MBTAOD is a special overlay district to allow multi-family dwellings as of right in accordance with G.L. c. 40A, § 3A, subject only to site plan review by the Planning Board, and is shown on the Zoning Map entitled ‘MBTA Non-Age Restricted Multi-Family Overlay District.’ Within such district, all provisions of the Zoning Ordinance applicable to the underlying districts shall continue to apply except as provided in Section 34 of the Zoning Ordinance.
 - The MBTAOD is located as shown on a separate map entitled ‘MBTA Non-Age Restricted Multi-Family Overlay District Map, dated _____, 2024;” and
 - Amend the Woburn Zoning Map by adopting the “MBTAOD Map, dated _____, 2024, a copy of which is on file with, and available for inspection, at the Office of the City Clerk.



Proposed MBTA Non-Age Restricted Multi-Family Overlay District (MBTAOD)

June 13, 2024

