



OFFERED BY **Executive Office of Housing and Livable Communities**

Multi-Family Zoning Requirement for MBTA Communities

This page includes information about Section 3A of MGL c. 40A.

The MBTA communities law, also known as Section 3A of the Zoning Act, creates zoning that encourages new missing middle housing in areas served by public transit. Housing enabled by the MBTA communities law provides opportunities for people to live, work and thrive in walkable neighborhoods closer to transit. Below please find resources and information about how cities and towns are implementing the law.

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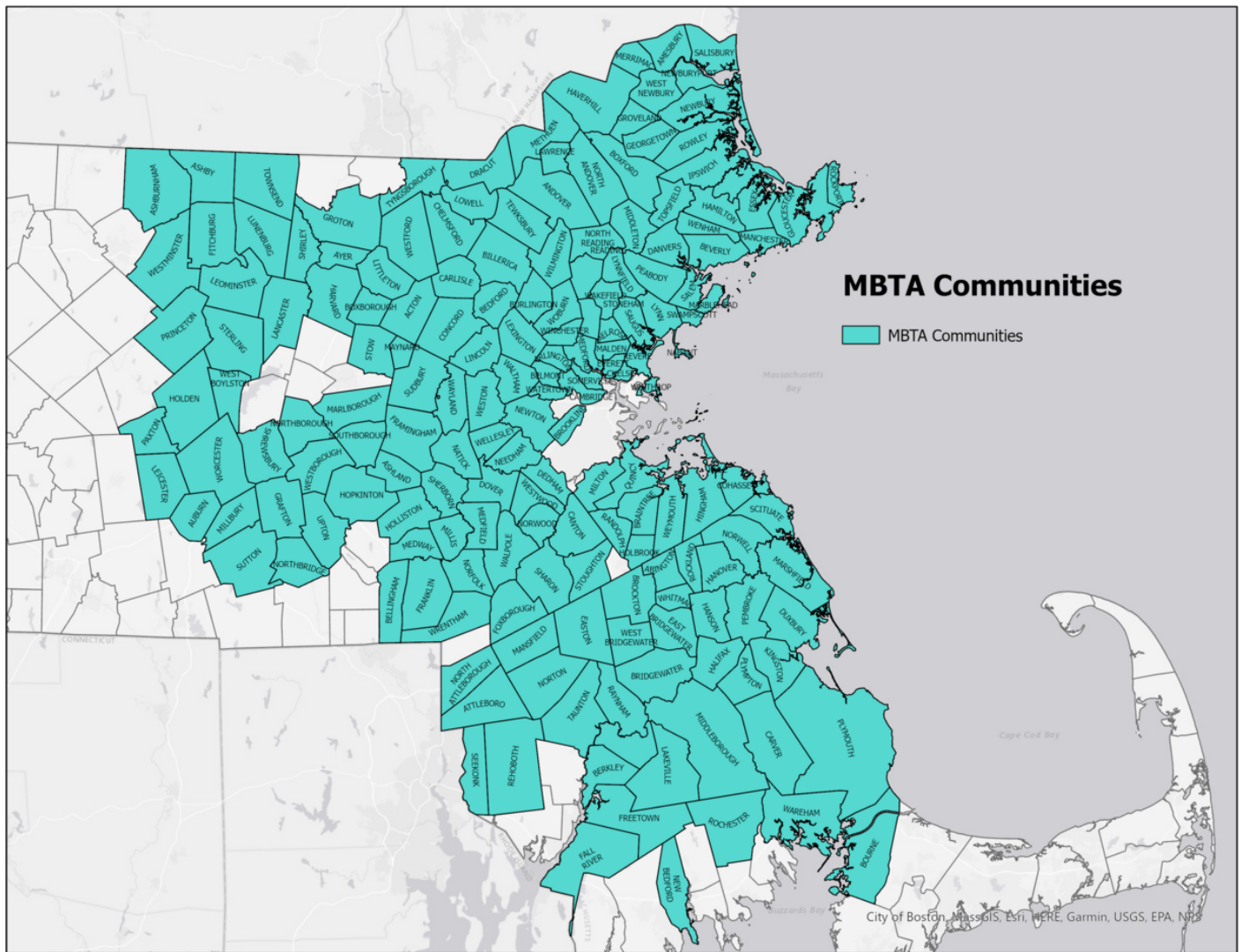
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What is an "MBTA Community"?

"MBTA community" is defined by reference to Section 1 of MGL c. 161A:

- one of the "14 cities and towns" that initially hosted MBTA service;
- one of the "51 cities and towns" that also host MBTA service but joined later;
- other "served communities" that about a city or town that hosts MBTA service; or
- a municipality that has been added to the MBTA under G.L. c. 161A, sec. 6 or in accordance with any special law relative to the area constituting the authority.

In total, 177 MBTA communities are subject to the requirements of Section 3A of the Zoning Act. While served by the MBTA, Boston is exempted from the Zoning Act, including section 3A. This is illustrated in the map below.



Why is multi-family zoning near transit and in neighboring communities important?

Massachusetts is in a housing crisis.

- Massachusetts has among the highest, and fastest growing, home prices and rents of any state in the nation.
- Rising costs have dramatically increased financial pressures on low- and middle-income families, forcing them to sacrifice other priorities in order to pay housing costs. High housing costs are a primary driver of homelessness.
- These high costs are a disadvantage as we compete economically against peer states. The risk of future job growth moving outside Massachusetts is rising due to the high costs of living.

How does creating zoning for multi-family housing help the housing crisis?

The lack of zoning for multi-family housing is a barrier for new housing development in Massachusetts. By allowing multifamily housing near transit, we can create new housing in walkable neighborhoods closer to transit. This is not just good housing policy, it is good climate and transportation policy, too. The result of transit-oriented development is:

- More housing closer to the places that we go every day, such as local shops, jobs, schools, restaurants, parks, etc.
- Better access to work, services, and other destinations by increasing mobility and utilization of public transit

- Reduced reliance on single occupancy vehicles, which helps in our larger effort to confront the climate crisis, reduce our region's traffic congestion, and makes our roads safer and our air cleaner.

What is the law?

The requirement is codified as Section 3A of MGL c. 40A:

Section 3A. (a)(1)An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; (iii) the MassWorks infrastructure program established in section 63 of chapter 23A, or (iv) the HousingWorks infrastructure program established in section 27½ of chapter 23B.

(c) The executive office of housing and livable communities, in consultation with the executive office of economic development, the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, shall promulgate guidelines to determine if an MBTA community is in compliance with this section.

Attorney General Advisory

On March 15, 2023, Massachusetts' Attorney General Andrea Campbell issued an Advisory concerning the enforcement of the requirements imposed on cities and towns by Chapter 40A, Section 3A.

The law requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right, and that meets other criteria set forth in the statute. Failure to comply with the law results in a loss of eligibility for the community, for certain funding programs.

The Attorney General's Advisory states "All MBTA Communities must comply with the Law." The Advisory further states that "MBTA Communities cannot avoid their obligations under the Law by foregoing this funding."

In addition, the Advisory cautions that "Communities that fail to comply with the Law may be subject to civil enforcement action" and, "Communities that fail to comply with the Law's requirements also risk liability under federal and state fair housing laws. The Law requires that MBTA Communities "shall have" a compliant zoning district and does not provide any mechanism by which a town or city may opt out of this requirement."

The Attorney General's press release and the text of the Advisory are available here:

AG Campbell Advisory Press Release

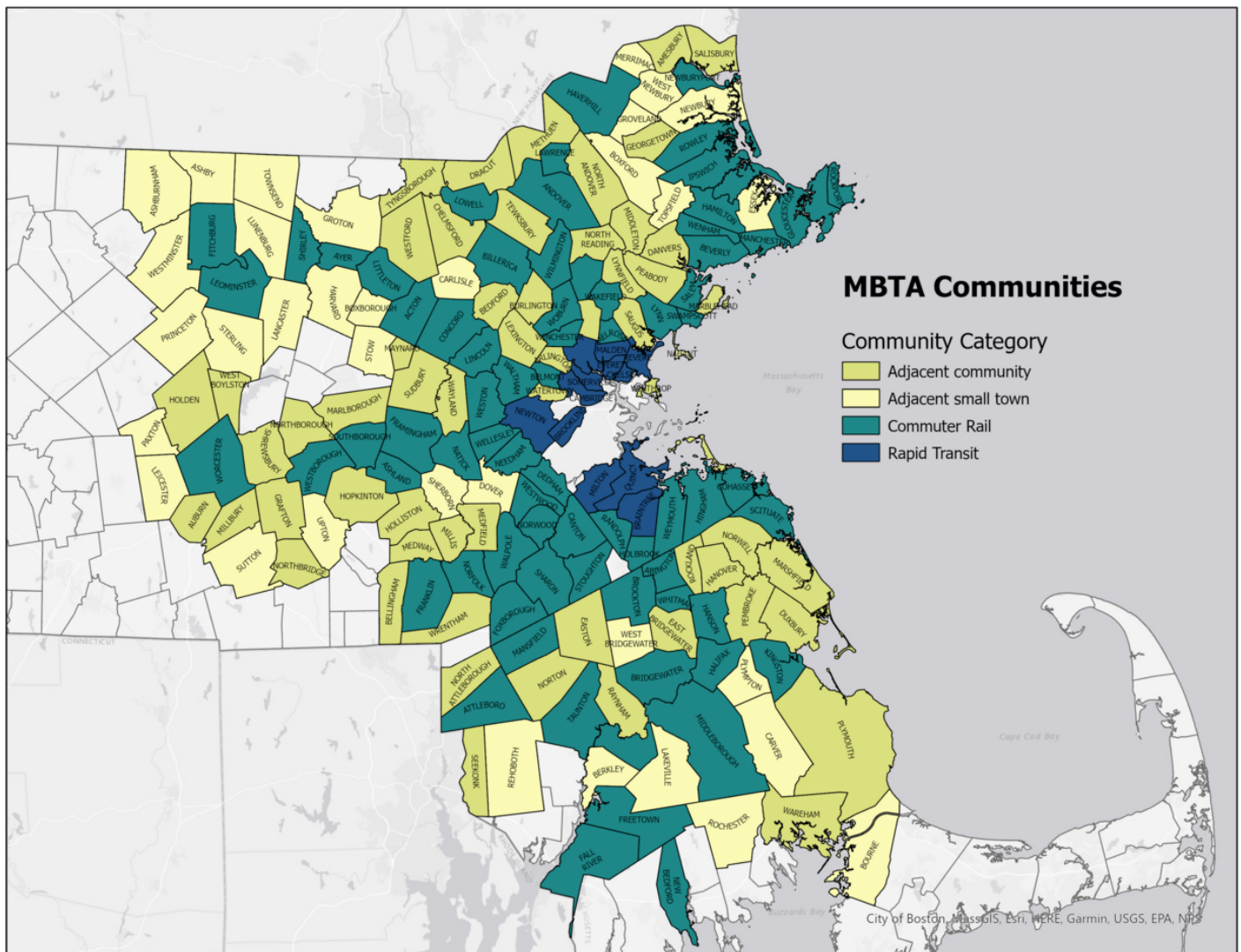
(</news/ag-campbell-issues-advisory-on-requirements-of-mbta-communities-zoning-law>)

Read the Attorney General's advisory about the enforcement of MBTA Communities zoning law

(<https://www.mass.gov/doc/advisory-concerning-enforcement-of-the-mbta-communities-zoning-law/download>)

MBTA Community Categories

All communities served by the MBTA must zone to allow for multifamily housing as of right, with a greater obligation for communities with better access to transit stations.



Section 3A Regulations

Section 3A Regulations

(<https://www.mass.gov/doc/section-3a-regulations/download>)

Section 3A Regulations Redlined

(<https://www.mass.gov/doc/section-3a-regulations-redlined/download>)

MBTA Community Categories and Requirements

(<https://www.mass.gov/doc/section-3a-regulations-community-categories-and-reqs/download>)

Compliance Methodology-Model

(<https://www.mass.gov/doc/section-3a-regulations-compliance-model-methodology/download>)

MBTA Community Categories and Requirements

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Search:

Community	Community category	2020 Housing Units	Minimum multi-family unit capacity*	Unit capacity % of Total Housing units	Minimum land area**	Developable station area***
Abington	Commuter Rail	6,811	1,022	15%	50	307
Acton	Commuter Rail	9,219	1,383	15%	50	246
Amesbury	Adjacent community	7,889	789	10%	50	-
Andover	Commuter Rail	13,541	2,031	15%	50	587
Arlington	Adjacent community	20,461	2,046	10%	32	58

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[MBTA Communities Community Categories and Capacity Calculations for web_June2025.csv](#)

(https://www.mass.gov/files/csv/2025-06/MBTA%20Communities%20Community%20Categories%20and%20Capacity%20Calculations%20for%20web_June2025.csv)

* Minimum multi-family unit capacity for most communities will be based on the 2020 housing stock and the applicable percentage for that municipality's community type. In some cases, the minimum unit capacity is based on the extrapolation of the required minimum land area multiplied by the statutory minimum gross density of 15 dwelling units per acre. In cases where the required unit capacity from these two methods would exceed the housing stock, the required unit capacity has instead been capped at that 25% level.

** Minimum land area is 50 acres for all communities in the rapid transit, commuter rail and adjacent community types. There is no minimum land area requirement for adjacent small towns. Where 50 acres exceeds the minimum land area in a town, a cap has been instituted that sets minimum land area to 1.5% of developable land area in the town.

*** Developable station area is derived by taking the area of a half-mile circle around an MBTA commuter rail station, rapid transit station, or ferry terminal and removing any areas comprised of excluded land.

Additional Resources

[MBTA Communities - Community Category Designations and Capacity Calculations](#)

(<https://www.mass.gov/doc/mbta-communities-community-category-designations-and-capacity-calculations/download>) (English, XLSX 35.4 KB)

Compliance Model

The compliance model is the primary tool for measuring a zoning district for compliance with Section 3A. There are several zoning requirements in Section 3A related to district size and location, multi-family unit capacity, gross density, and other benchmarks. The compliance model ensures a standard way of evaluating and estimating multi-family zoning districts on these metrics across all MBTA communities.

The compliance model was developed to create *reasonable estimates* that can be used to verify compliance with Section 3A. It is not intended to be as rigorous as a full, detailed build out analysis. Therefore, while the outputs from the model provide good estimates relative to the compliance metrics, they do not provide absolute measures of development potential. The development of the model was completed with the input and assistance of consultants and other experts and key stakeholders.

There is technical assistance available for municipalities seeking support as they use the model. Additional resources, guides, and examples will be posted to this page as they become available.

[Compliance Model & Components](#)
(/info-details/mbta-communities-compliance-model-components)

[Compliance Model User Guide & Methodology Documents](#)
(/info-details/mbta-communities-compliance-model-user-guide-methodology-documents)

Complying with Section 3A

The Regulations establish timelines for municipalities to adopt compliant zoning districts and submit compliance applications to EOHLC. MBTA communities that are noncompliant with Section 3A are ineligible for funding from certain funding sources provided by the Commonwealth. There are two forms of compliance, "district compliance" and "interim compliance."

District Compliance

District Compliance is achieved when an MBTA community adopts a multi-family zoning district that meets all the requirements of the regulations and is determined by the Executive Office of Housing and Livable Communities (EOHLC) to be compliant. The deadline to submit a district compliance application to EOHLC varies by community category as shown in the table below.

Community Category	Deadline
Rapid transit community	12/31/2023
Commuter rail community	12/31/2024
Adjacent community	12/31/2024
Adjacent small town	12/31/2025
Rapid transit community that did not submit a district compliance application to EOHLC by December 31, 2023	7/14/2025
Commuter rail community that did not submit a district compliance application to EOHLC by December 31, 2024	7/14/2025
Adjacent community that did not submit a district compliance application to EOHLC by December 31, 2024	7/14/2025

The District Compliance Application must be submitted online at the link below. Instructions for completing the form are provided by separate document below. Please read the instructions and the form in their entirety before completing the District Compliance Application.

Submit a District Compliance Application

(/forms/district-compliance-application-form)

District Compliance Form (PDF)

(https://www.mass.gov/doc/district-compliance-form-pdf/download)

Instructions to Complete District Compliance Application Form

(https://www.mass.gov/doc/instructions-to-complete-district-compliance-application-form/download)

MBTA Communities GIS Data Submittal Standards

(https://www.mass.gov/doc/mbta-communities-gis-submittal-format/download)

MBTA Communities seeking assurance that proposed zoning will meet Section 3A requirements before bringing that zoning to a local legislative session may submit a pre-adoption review application. Please be advised that pre-adoption review applications must be submitted at least 90 days prior to a local legislative session to allow for a timely EOHLC review.

Submit a Pre-Adoption Review Application

(/forms/pre-adoption-review-application-form)

Instructions to Complete Pre-Adoption Application Form

(https://www.mass.gov/doc/instructions-to-complete-pre-adoption-application-form/download)

MBTA Communities GIS Data Submittal Standards

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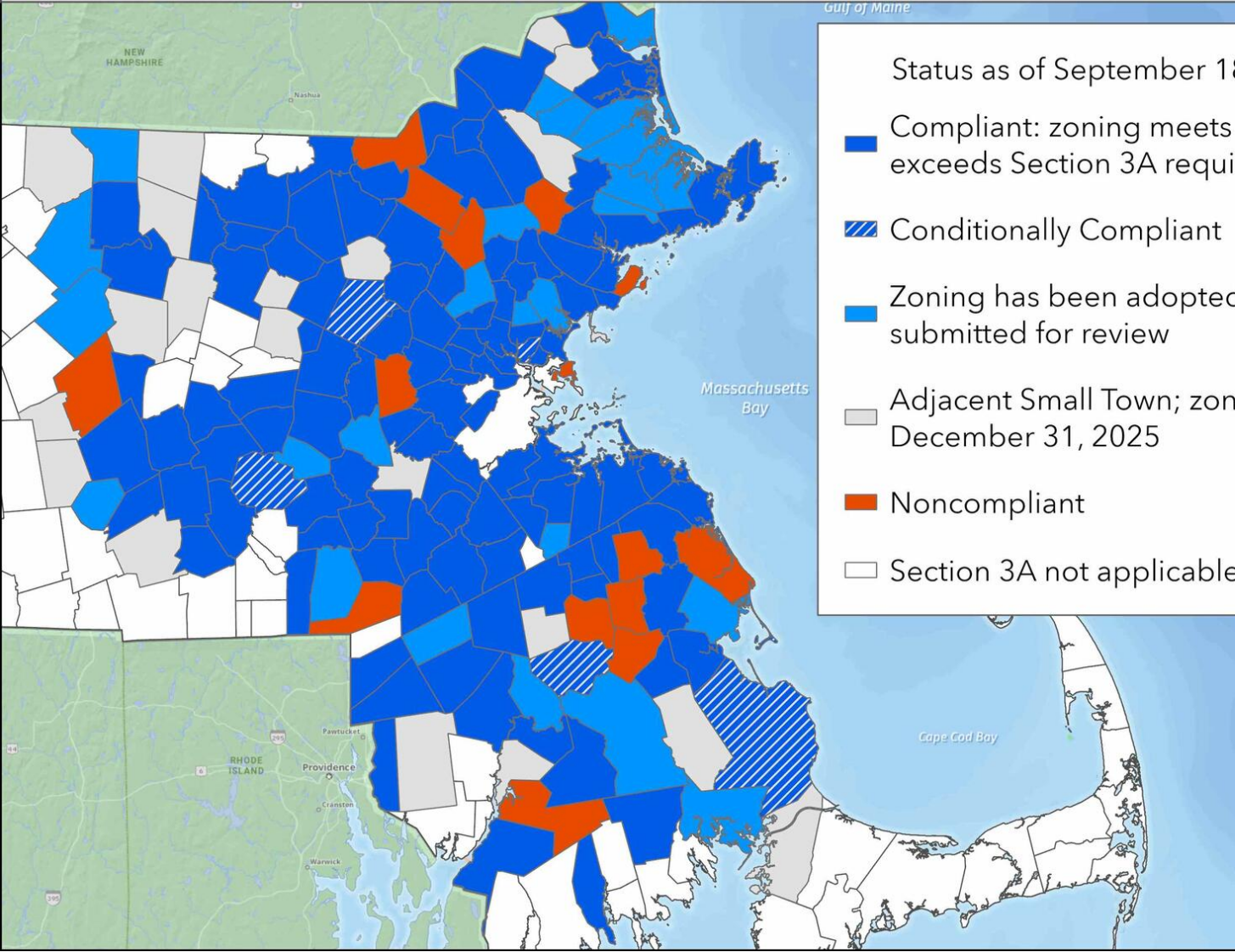
Submission Statuses

The compliance status of MBTA communities and their application submissions is available in the link below. An MBTA community may have an Action Plan or District Compliance Application that has been submitted and approved, submitted and under review, or not submitted. This list will be updated as additional applications are approved or submitted.

The column titled “Adopted zoning intended for 3A compliance” includes communities that have applied for district compliance and those that have taken legislative action with the intent of achieving compliance with Section 3A but have not yet applied to EOHLC – we celebrate their achievements! Local action is one part of Section 3A compliance, and these communities need to apply for district compliance with EOHLC in order to receive a determination of compliance.

Please note, submitting a District Compliance Application is not the same as achieving Compliance which occurs when EOHLC makes such an affirmative determination.

141 MBTA Communities submitted and/or adopted zoning to comply with
116 have been determined fully or conditionally compliant by EOHL



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Search:

Municipality	Compliance Status	Compliance Details	Compliance Deadlines	Submitted for Pre-adoption review (Y/N)	Adopted zoning for 3A compliance
Abington	Compliant	-	12/31/2024	Yes	Yes
Acton	Compliant	-	12/31/2024	No	Yes
Amesbury	Compliant	-	12/31/2024	No	Yes
Andover	Compliant	-	12/31/2024	No	Yes
Arlington	Compliant	-	12/31/2024	Yes	Yes

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[Compliance Status Sheet as of 9-18-25.csv](https://www.mass.gov/files/csv/2025-09/Compliance%20Status%20Sheet%20as%20of%209-18-25.csv) (https://www.mass.gov/files/csv/2025-09/Compliance%20Status%20Sheet%20as%20of%209-18-25.csv)

District Approval Letters

(<https://www.mass.gov/doc/mbta-communities-district-compliance-letters/download>)

Submitted 2025 Section 3A Action Plans

(<https://mass.gov/doc/submitted-2025-section-3a-action-plans/download>)

Pre-Adoption Feedback Letters

(<https://www.mass.gov/doc/pre-adoption-feedback-letters-2/download>)

Submitted 2023 Section 3A Action Plans

(<https://www.mass.gov/doc/submitted-section-3a-action-plans/download>)

Additional Resources

As we create and present webinars, slide decks, tutorials, sample tools, guides and other materials to assist MBTA Communities understand and comply with Section 3A, we will provide communities with those resources in the page below.

Resources for MBTA Communities

([info-details/resources-for-mbta-communities](/info-details/resources-for-mbta-communities))

Contact

EOHLC Section 3A Team

Online

EOHLC3A@mass.gov

RELATED

MBTA Communities Catalyst Fund (</how-to/mbta-communities-catalyst-fund>)

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