

MBTA 3A Zoning Requirement: Marblehead

By July 14th, 2025, Marblehead is required to zone 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. Marblehead is classified under the 3A Zoning Act as an Adjacent Community. Adjacent communities are defined as communities that are adjacent to municipalities that contain MBTA stations such as Swampscott or Salem.

What are the requirements for Marblehead?

The new zoning overlay district(s) that allows multi-family housing by right must:

- Be equal to at least 1% of the Town's total land area (Marblehead is 2,771 acres in size, so it cannot be less than a total of 27 acres).
- Zone multi-family housing as a matter of right and not require the need for a special permit, variance, zoning amendment, waiver, or other discretionary approval.
- Have a minimum density of 15 units per acre.
- Zone for 10% of the total number of housing units, Marblehead has 8,965 total housing units so a minimum building capacity of 897 units is required

It is important to note that this is NOT a building mandate. The MBTA 3A Communities Law doesn't require the production of any units. It simply requires zoning that allows property owners the option to construct multifamily housing without discretionary permits. The zoning can also be in areas that are already developed; it does not need to be located on vacant lots.

Marblehead's Proposed compliance plan:

- Consists of three separate zoning overlay districts: Sub-District #1 – Tioga Way, Sub-District #2 – Pleasant Street, Sub-District #3 – Broughton Road
- Preserves the character of Marblehead: Proposal uses an incremental step approach – Zoning areas that already have or allow multi-family by special permit; Old & Historic Districts not included.
- Takes into consideration existing multi-family and mixed-use development: ~ 360 units already exist out of the 897 unit requirement.
- The proposed plan is compatible with Marblehead's infrastructure capacity to accept additional development.