

*NOTE: proposed amendments to existing code have been separated into their own standalone document.*

## **9.7 3A MULTI-FAMILY OVERLAY DISTRICT (3A-MFOD).**

**9.7.1 Purpose.** The purpose of the 3A Multi-Family Overlay District (3A-MFOD) is to allow Multi-Family housing development as of right in accordance with G.L. c. 40A, § 3A and the Regulations issued by the Executive Office of Housing and Livable Communities (HLC), as may be amended from time to time. This overlay district, in combination with the Downtown Residential, Willow Street Mixed-Use, and Bay Road Mixed-Use sub-districts of the Town Center District, as described in Section 9.8, together comprise the Town-wide compliance with the requirements of G.L. c. 40A, § 3A. In addition, Section 9.7 is intended to:

1. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels.
2. Increase the municipal tax base through private investment in new residential developments.
3. Develop affordable housing in support of the Town's inclusionary housing goals as outlined in Section 8.3.

**9.7.2 Applicability.** The 3A-MFOD shall be superimposed over underlying existing zoning district(s). The 3A-MFOD shall not replace any underlying zoning district(s). The regulations for use, dimension, and all other underlying provisions of the Zoning By-law(s) governing the respective underlying zoning district(s) shall remain in full force, except for uses and dimensions allowed as of right in the 3A-MFOD. Uses that are not identified in Section 9.7.3 are governed by the requirements of the underlying zoning district(s).

The 3A-MFOD covers one continuous area surrounding Asbury Street as shown on the 3A-MFOD boundary map, which can be found in the official Town of Hamilton Official Zoning Map dated June 26, 2025. If an applicant's property sits entirely within a 3A-

MFOD sub-district, then they may elect to use the zoning provisions of the applicable 3A-MFOD sub-district as described in Section 9.7.3 and 9.7.4.

If the applicant elects to proceed under the zoning provisions of the underlying district, the Zoning By-laws applicable in the underlying district shall control and the provisions of the 3A-MFOD shall not apply. If the applicant elects to proceed under the zoning provisions of the 3A-MFOD, they may develop Multi-Family housing as of right within the district in accordance with the provisions of the 3A-MFOD overlay district. When a building permit is issued for any project approved in accordance with this Section 9.7, the provisions of the underlying district(s) shall no longer be applicable to the land shown on the site plan which was submitted pursuant to Section 10 for such Project.

**9.7.3 Permitted Uses.** Multi-Family housing is allowed by-right for all parcels within the 3A-MFOD, subject to site plan review pursuant to Section 10.6, provided however that site plan review for Multi-Family cannot be denied.

**9.7.4 Dimensional Standards.** The table of dimensions below determines the dimensional requirements for land within the 3A-MFOD.

**TABLE OF DIMENSIONAL STANDARDS:  
3A MULTI-FAMILY OVERLAY DISTRICT**

*See Footnotes to Table of Dimensional Standards for clarifying information.*

Minimum Lot Size (feet)	80,000
Minimum Lot Frontage (feet)	175
Minimum Lot width and depth (feet) (for Dwellings, see also Sections 4.2.2, 4.2.6 and 4.3)	100 at Building
Maximum Building Height (feet)	35
Maximum Number of Stories	3.0
Maximum Building Coverage of Lot (%)	20
Minimum Front Yard (feet) (See also Section 4.2.4)	25/50 <sub>1</sub>
Minimum Side Yard and Rear Yard (feet)	15
Maximum Floor Area Ratio (FAR)	0.45

Maximum Building Footprint (feet)	8,000 <sub>2</sub>
-----------------------------------	--------------------

**Footnotes to Table of Dimensional Standards:**

1. Twenty-five (25) feet from the Street line, or fifty (50) feet from the Street center line, whichever is greater
2. As defined in Section 9.8.2. Applies to any single Building. Multiple Buildings on one lot are permitted.

**9.7.5 Design and Building Standards.**

1. *Roof Form.* All Buildings shall have pitched roofs, or the appearance of pitched roofs, with a steepness no less than 9:12 and not greater than 14:12.
2. *Permitted Building Materials.* Building materials must comply with the requirements of Section 9.8.6.4 of the Zoning By-law.

**9.7.6 Severability.** If any provision of Section 9.7 is found to be invalid by a court of competent jurisdiction, the remainder of Section 9.7 shall not be affected but shall remain in full force. The invalidity of any provision of Section 9.7 shall not affect the validity of the remainder of Hamilton's Zoning By-law.