

**Instructions for completing Executive Office of Housing and Livable Communities'
(EOHLC) Pre-Adoption Application**

Section 3A of the Zoning Act

MBTA Communities seeking assurance that proposed zoning will meet Section 3A requirements before bringing that zoning to a local legislative session can submit a "Pre-adoption Review Application". This application is an option, not a requirement, and it is available on the [Section 3A website](#) under "District Compliance". Please be advised that a pre-adoption review application must be submitted at least 90 days prior to a local legislative session to allow for a timely EOHLC review.

This application requires information about the MBTA community's specific requirements as provided in Appendix I of the Compliance Guidelines, and information from the Compliance Model demonstrating that the zoning designated for compliance with the law meets the requirements of the statute and the Compliance Guidelines. Demonstrating compliance via the Compliance Model is a mandatory component of this application, but it is not a guarantee of district approval. EOHLC will review Compliance Model results for accuracy, and will review the MBTA community's zoning and other local rules and regulations, without limitation, to ensure compliance with the law. The pre-adoption application may be completed by relevant municipal staff. The district compliance application will need to be signed by the municipal CEO.

The following documentation must be provided with the application by file attachments, web links, or if necessary, files sent under separate cover:

1. A completed Compliance Model Excel workbook file demonstrating the district's "zoning metrics", including land area, estimated unit capacity, gross density, geographic contiguity, and, if applicable, the percentage of district land area and unit capacity (relative to the community's minimum requirements) that is within transit station area, if applicable.
2. A zip folder containing complete GIS shapefile data for the district(s) designated for compliance.
3. A copy of the municipal zoning ordinance or bylaw and zoning map.

Municipalities with inclusionary zoning must include information on the inclusionary zoning requirements, as well as an economic feasibility analysis if the requirements meet certain thresholds. Please refer to the economic feasibility details and instructions for information on how to complete this section of the application. A pre-adoption review can be completed without the economic feasibility analysis.

An applicant can save progress on this application and return to the form later. However, if the user uses the "Save and Resume" feature, uploaded files will not be saved. The user will receive a link to return to the application after saving it. Additionally, please note that links to saved applications expire after 30 days. Please gather and keep files needed for uploading and only upload them when prepared to hit the "SUBMIT" button at the end of the application.

The maximum file size for ALL uploads in this application is 25 MB. There is no additional file size limit per individual file. If a user tries to submit a form with files totaling more than 25 MB, an error message will display and may cause the user to start the application over. If there are challenges uploading files due to size limitations, please email those files directly to emma.snellings@mass.gov and nathan.carlucci@mass.gov.

Once the pre-adoption application is submitted, EOHLC will evaluate it for its compliance with the law and will send a letter summarizing the results of the review to the municipality. If additional materials or evidence are needed, EOHLC may request additional information be submitted.