

MOTIONS – 2024 SUBSEQUENT TOWN MEETING

MOTION UNDER ARTICLE 16 2024 SUBSEQUENT TOWN MEETING

Move that the Town vote to amend its zoning bylaw for the purposes of complying with G. L. c.40A, §3A, as follows:

1. Inserting a new line “5.7 Inclusionary Zoning Regulations” with the appropriate page number, into the Table of Contents as follows:

Table of Contents

SECTION 5.0	<u>USE REGULATIONS</u>	
5.1	Application of Use Regulations	27
5.2	General Requirements	27
5.3	Table of Uses	27
5.4	Accessory Uses	33
5.5	Accessory Buildings or Structures	39
5.6	Uses by Special Permit	40
5.7	Inclusionary Zoning Regulations	[page number]

2. Inserting a new definition in Section 2.0, in the appropriate alphabetical order, to read as follows.

Affordable Unit: A Dwelling Unit which could be purchased or rented by a qualified household whose annual income is at or below 80% of the Area Median Income and at a cost generally of no more than 30% of gross household income, as determined by the Department of Housing and Urban Development (HUD). Such Dwelling Unit is to be subject to an affordable housing restriction to preserve its affordability in the long-term and to the maximum allowances under MGL Ch.40B. Such units must be eligible for addition to the Subsidized Housing Inventory.

3. Amending Section 3.1 and Section 3.2, by inserting text shown in ***bold and italicized text*** and deleting text identified with strikethroughs, as follows:

3.1 Districts

The Town is hereby divided into the following zoning districts as shown on the Reading Zoning Map:

Type	Full Name	Short Name
Residence	Single Family 15 District	S-15
Residence	Single Family 20 District	S-20
Residence	Single Family 40 District	S-40
Residence	Apartment 40 District	A-40
Residence	Apartment 80 District	A-80
Business	Business A District.....	Bus A
Business	Business B District.....	Bus B
Business	Business C District.....	Bus C
Business.....	Business D District.....	Bus D
Industrial	Industrial	Ind
Overlay	Flood Plain District.....	F
Overlay	Municipal Building Reuse District	MR
Overlay	National Flood Insurance.....	NF
.....	Flood Management District	
Overlay	Aquifer Protection District.....	AQ
Overlay	Planned Unit Development	PUD
Overlay	Planned Residential Development.....	PRD
Overlay	Gateway Smart Growth District.....	GSGD
Overlay	Downtown Smart Growth District	DSGD

3.2 Zoning Map

Districts are shown, defined and bounded on a map, dated ~~April 8, 2013~~ **November 14, 2024** and entitled "Reading Zoning Map," as amended, consisting of an index map and 61 detailed maps, prepared, signed and approved by the Community Planning and Development Commission (CPDC), which constitutes a part of the Zoning Bylaw.

Appended to the Reading Zoning Map and incorporated therein are:

- The "Flood Insurance Rate Map, Massachusetts Middlesex County, Massachusetts" consisting of 7 panels, dated June 4, 2010, which are appended to the Reading Zoning Map as Exhibit 1; and
- The map entitled "Figure 2 Town of Reading, Massachusetts Zone II and Zone III Areas" prepared by Weston & Sampson Engineers, Inc. resulting from a study for the Town of Reading entitled "100 Acre Wellfield Zone II Study" dated July 1996, which shows certain aquifer protection areas consisting of aquifers or recharge areas which is appended to the Reading Zoning Map as Exhibit 2.

The Reading Zoning Map shall be kept on file and current by the Town Engineer, who shall supply copies to the Town Clerk, the Town Planner, the Building Inspector, the Board of Appeals and the CPDC.

4. Amending Table 5.3.1 by inserting a column for the Business D District, with the text shown in ***bold and italicized text*** to be added, as follows:

5.3 Table of Uses

5.3.1 Table of Uses for Business and Industrial Districts

PRINCIPAL USES	BUS A	BUS B	BUS C	<i>BUS D</i>	IND	PUD-B Overlay	PUD-I Overlay
Residential Uses							
Single Family Dwelling	Yes	No	No	<i>Yes</i>	No	No	No
Two Family Dwelling	Yes	No	No	<i>Yes</i>	No	No	No
Multi-Family Dwelling	Yes	No	Yes ¹	<i>Yes</i>	No	No	No
Age restricted Multi-Family Dwelling	No	No	Yes	<i>No</i>	No	No	No
Boarding House	No	No	No	<i>No</i>	No	No	No
Public and Institutional Uses							
Child Care Facility	Yes	Yes	Yes	<i>Yes</i>	Yes	Yes	Yes
Adult Day Care	Yes	Yes	Yes	<i>Yes</i>	Yes	Yes	Yes
Religious or Educational Use Eligible for the Protection of Massachusetts General Laws Chapter 40A Section 3	Yes	Yes	Yes	<i>Yes</i>	Yes	Yes	Yes
Other Religious or Educational Use	Yes	Yes	Yes	<i>Yes</i>	Yes	Yes	Yes
Medical Facility	SPP	SPP	No	<i>SPP</i>	SPP	SPP	SPP
Nursing Home	SPP	SPP	Yes ²	<i>SPP</i>	No	No	No
Assisted Living Facility or Senior Independent Living Facility	SPP	SPP	Yes ²	<i>SPP</i>	No	No	No
Non-Profit Philanthropic Institution or Cultural Facility	SPP	SPP	SPP	<i>SPP</i>	SPP	SPP	SPP
Civic or Private Club	Yes	Yes	No	<i>Yes</i>	No	No	No
Community Center	Yes	Yes	Yes	<i>Yes</i>	No	SPP	No
Business and Service Uses							
Restaurant	Yes	Yes	No	<i>Yes</i>	Yes	SPP	Yes
Fast Food Restaurant	Yes	Yes	No	<i>Yes</i>	SPP	SPP	No
Restaurant with Drive-through Window	SPP	No	No	<i>SPP</i>	SPP	No	No
Bar or Tavern	No	No	No	<i>No</i>	No	No	No
Retail Store, up to 35,000 square feet	Yes	Yes	No	<i>Yes</i>	Yes	Yes	Yes
Retail Store, more than 35,000 square feet	No	No	No	<i>No</i>	No	SPP	SPP
Retail Store with Drive-through Window	SPP	No	No	<i>SPP</i>	SPP	SPP	No
Convenience Store	Yes	Yes	No	<i>Yes</i>	Yes	Yes	SPP
Marijuana Establishment	No	No	No	<i>No</i>	No	No	No
Office	Yes	Yes	Yes	<i>Yes</i>	Yes	SPP	No
Health, Exercise or Fitness Club	Yes	Yes	Yes	<i>Yes</i>	Yes	Yes	Yes
Place of Assembly	SPP	SPP	SPP	<i>SPP</i>	SPP	SPP	SPP
Retail Services	Yes	Yes	Yes	<i>Yes</i>	Yes	Yes	Yes

PRINCIPAL USES	BUS A	BUS B	BUS C	BUS D	IND	PUD-B Overla y	PUD-I Overla y
Consumer Service Retail Establishment	Yes	Yes	No	Yes	Yes	Yes	Yes
Professional Services	Yes	Yes	Yes	Yes	Yes	SPP	No
Facility for skilled trades	Yes ³	Yes ³	No ³	Yes³	Yes ³	SPP	Yes
Financial Institution	Yes	Yes	Yes	Yes	Yes	SPP	Yes
Computer Services Facility	Yes	Yes	Yes	Yes	Yes	SPP	Yes
Hotel or Motel	SPP	Yes	Yes	SPP	Yes	Yes	Yes
Tourist or Trailer Camp	No	No	No	No	No	No	No
Funeral Establishment	Yes	Yes	No	Yes	Yes	SPP	No
Animal Hospital	Yes	Yes	No	Yes	Yes	SPP	No
Animal Kennel	SPP	No	No	SPP	SPP	SPP	SPP
Pet Grooming	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Self-Service Storage Facility	No	No	No	No	Yes	No	SPP
Wholesale Business with No Warehouse	Yes	SPP	Yes	Yes	Yes	Yes	SPP
Wholesale Business with Warehouse	No	No	No	No	Yes	No	SPP
Junkyard	No	No	No	No	SPP	No	SPP
Automotive Uses							
Sale or Lease of Motor Vehicles	Yes	No	No	Yes	Yes	No	Yes
Short-Term Rental of Motor Vehicles or mobile equipment	Yes	No	No	Yes	Yes	No	Yes
Service Station	Yes	Yes	No	Yes	Yes	No	Yes
Service Station Minimart	Yes	No	No	Yes	Yes	No	Yes
Automotive Repair	Yes	Yes	No	Yes	Yes	No	Yes
Car Wash, Self-Service	SPP	No	No	SPP	No	No	No
Car Wash with mechanical equipment for cleaning automobiles and/or other vehicles	SPP	No	No	SPP	SPP	No	No
Commercial Parking Facility	Yes	Yes	No	Yes	Yes	No	No
Auto Graveyard	No	No	No	No	No	No	No
Industrial Uses							
Computer Services	No	No	Yes	No	Yes	SPP	Yes
Life Science Facility	No	No	Yes	No	Yes	Yes	Yes
Research and Development Facility	No	Yes	Yes	No	Yes	Yes	Yes
Publishing and Printing	No	Yes	Yes	No	Yes	Yes	Yes
Communication Facilities	SPP	SPP	Yes	SPP	Yes	SPP	SPP
Personal Wireless Service Facility (PWSF)	SPP	SPP	SPP	SPP	SPP	SPP	SPP
Service Facility or Accessory Building Providing Enclosed Storage	No	No	No	No	Yes	No	Yes
Trucking Terminal	No	No	No	No	No	No	No
Light Manufacturing	No	No	No	No	Yes	No	Yes
Manufacturing	No	No	No	No	Yes	No	Yes

PRINCIPAL USES	BUS A	BUS B	BUS C	BUS D	IND	PUD-B Overlay	PUD-I Overlay
Energy Production, Renewable sources	No	No	No	No	SPP	No	SPP
Energy Production, Conventional sources	No	No	No	No	SPP	No	SPP
Wholesale Bakery or Food Production	No	No	No	No	SPP	No	SPP
Recreational Uses							
Commercial Amusements	SPS	SPS	No	SPS	SPS	SPS	SPS
Indoor Recreation	No	No	No	No	SPS	No	SPS
Place of Assembly	Yes	SPP	No	Yes	Yes	Yes	Yes
Other Uses							
Public Utilities	Yes	SPP	Yes	Yes	Yes	SPP	Yes
Registered Medical Marijuana Dispensary	No	No	No	No	SPP	No	No
Adult Uses	No	No	No	No	SPP	No	No
Live/Work Facility	SPP	SPP	SPP	SPP	No	No	No
Mixed-Use	SPP	No	SPP	SPP	No	No	No
Agriculture Use Eligible for the Protection of Massachusetts General Laws Chapter 40A Section 3	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Other Agriculture Use	SPP	SPP	SPP	SPP	SPP	SPP	SPP
Structures Accessory to Agriculture Use Eligible for the Protection of Massachusetts General Laws Chapter 40A Section 3	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Commercial Earth Removal	SPA	No	No	SPA	SPA	No	SPA
Mining	No	No	No	No	No	No	No
Uses Substantially Similar to a By-Right Use	SPA	SPA	SPA	SPA	SPA	SPA	SPA

ACCESSORY USES	BUS A	BUS B	BUS C	Bus D	IND	PUD-B Overlay	PUD-I Overlay
Agriculture Use Eligible for the Protection of Massachusetts General Laws Chapter 40A Section 3	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Other Agriculture Use	SPP	SPP	SPP	SPP	SPP	SPP	SPP
Structures Accessory to Permitted Agriculture Use	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Structures Accessory to Agriculture Use Eligible for the Protection of Massachusetts General Laws Chapter 40A Section 3	Yes	Yes	Yes	Yes	Yes	Yes	Yes

ACCESSORY USES	BUS A	BUS B	BUS C	Bus D	IND	PUD-B Overlay	PUD-I Overlay
Attached Accessory Apartment Contained Within an Existing Single-Family Dwelling – no addition to gross floor area	Yes	Yes	No	Yes	No	No	No
Detached Accessory Apartment Associated with Single-Family Dwelling	SPA	SPA	No	SPA	No	No	No
Home Occupation	SPP	SPP	No	SPP	SPP	No	No
Bed and Breakfast	Yes	Yes	Yes	Yes	No	No	No
Family Child Care Home ⁴	SPP	SPP	SPP	SPP	No	No	No
Animal Kennel	No	No	No	No	No	No	No
Retail and/or Personal Services solely for employee use, within manufacturing or office	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Manufacturing and Industrial Operations	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Storage of commercial building materials, equipment, or vehicles over 10,000 pounds ⁵	No	No	No	No	No	No	No
Storage of commercial landscaping equipment, materials, supplies, and/or commercial vehicles over 10,000 pounds	No	No	No	No	No	No	No
Short-Term Rental of Motor Vehicles or mobile equipment	Yes	No	No	Yes	Yes	No	Yes
Outdoor Commerce, Dining, Programming, or Storage ⁶	MSPR	MSPR	MSPR	MSPR	MSPR	MSPR	MSPR
Service Facility or Accessory Building Providing Enclosed Storage	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Commercial Automotive Repair or Service Station	No	No	No	No	No	No	No
Preservation of a Carriage House, Stable, or Barn for Use as a Detached Accessory Apartment	Yes	No	No	Yes	No	SPP	No
Beacon	No	No	No	No	No	No	No

Notes:

- ¹ Townhouse style Multi-Family Dwelling only in Business C Planning Subdistrict A.
- ² Permitted only in Business C Planning Subdistricts B and D.
- ³ Requires on-site garage for all vehicles and enclosed storage for all materials.
- ⁴ The total number of children under age sixteen (16) in a family child care home shall not exceed ten (10), including participating children living in the residence.
- ⁵ Except by a contractor performing construction work on the premises.
- ⁶ Also allowed by MSPR in the Downtown Smart Growth District (40R Overlay). Not applicable to Home Occupation or Special Home Occupation uses in any district.

5. Amending Section 5.6.7, Section 5.6.7.2, Section 5.6.7.3, Section 5.6.7.6, and Section 5.6.7.7, by inserting text shown in **bold and italicized text** and deleting text identified with strikethroughs, as follows:

5.6.7 Mixed-Use Regulations

In a Mixed-Use project, the uses may be combined either horizontally or vertically. In a Mixed-Use project, the uses may be combined within the same structure, as described herein, or separated into different structures if approved by the CPDC. Mixed-Use projects along ~~south~~ Main Street shall be designed to comply with the South Main Street Design Best Practices. The CPDC may, by Special Permit, authorize a Mixed-Use project within the Business A, ~~or Business C,~~ **or Business D** zoning districts, provided that the following requirements are met:

5.6.7.2 Commercial Component

- a The ~~g~~Gross ~~f~~Floor ~~a~~Area dedicated to commercial space within a Mixed-Use project shall be not less than ~~20~~**25**% of the ~~g~~Gross ~~f~~Floor ~~a~~Area of the structure or structures comprising the project, after spaces for access, circulation, egress, mechanicals, and utilities are netted out.
- b **The** CPDC may waive **the commercial percentage requirement to** ~~or~~ allow flexibility for certain dimensional or the requirements for a Mixed-Use project that provides **viable** space for existing commercial tenants, ~~so as to maintain current viable businesses on the premises post redevelopment.~~ **In no instance shall a waiver for commercial space that totals less than 12.5% of total Gross Floor Area be considered.**

5.6.7.3 Residential Component

- a In the portion of a Mixed-Use project that fronts on Main Street, residential units shall be located at the rear or on upper floors only.
- b Affordable ~~u~~Units shall be provided in projects of ~~ten (10)~~ **thirteen (13)** or more residential units, as follows:
 - 1 A minimum of ~~12.5~~**10**% of units shall be made affordable to households earning at or below 80% of Area Median Income, as determined annually by the United States Department of Housing and Urban Development (HUD).
 - 2 Fractional numbers shall always be rounded up (i.e., 1.4 shall be rounded up to 2).
 - 3 The CPDC may waive or allow flexibility for certain dimensional requirements of Section 6.0 and Table 6.3 for a Mixed-Use project that provides at least 10% of units affordable to households earning at or below 50% of Area Median Income, **OR** that provides at least 15% of units affordable to households earning at 80% of Area Median Income.

5.6.7.6 Curb Cuts and Driveways

- a A Mixed-Use project should strive to limit the number and length of curb cuts on Main Street. ~~Where feasible, the Site Plan may consider alternative access points from side streets.~~
- b CPDC may waive or allow flexible for certain dimensional or the requirements for a Mixed-Use project that provides for a future driveway connection to an adjacent parcel or parcels shall be given favorable consideration on requests for waivers, dimensional or otherwise.

5.6.7.7 Waivers

- a Upon request from the Applicant, the CPDC may consider waiving dimensional and/or other requirements from Sections ~~5.6.7~~ and 6.0, and Table 6.3, to

promote design flexibility and achieve appropriate density, affordability, mix of uses or design quality if it finds such waiver(s) maintain the intent, purpose and objectives of these Sections. ***In no instance shall a waiver for excess height, as prescribed in Section 6.0, be considered.***

- b** The ***Affordability*** provisions of Section ~~5.6.7.3~~~~5.6.8.2~~ and ~~5.6.8.3~~ ***for a Mixed-use project in Business-A, Business-C, or Business-D*** shall not be waived.

6. Inserting a new Section 5.7, Inclusionary Zoning Regulations, as follows:

5.7 Inclusionary Zoning Regulations

5.7.1 Purpose

This Inclusionary Zoning Bylaw has been adopted for the following purposes:

To increase the supply of housing in the Town of Reading that is permanently available to, and affordable by, low- and moderate-income households and to encourage a greater diversity of housing accommodations to meet the needs of families.

To maintain a satisfactory proportion of the Town's housing stock as Affordable Units.

To achieve the goals set in the Town's long-term visioning plans, including but not limited to, the Housing Production Plan and Master Plan.

5.7.2 Administration and Standards

5.7.2.1 Administration

When Inclusionary Zoning requirements apply the Applicant shall submit to the Approving Authority a use restriction or regulatory agreement for the designated Affordable Units. That agreement shall establish an affordability restriction for the maximum period allowed by law. The use restriction or regulatory agreement shall include a right of first refusal for the Town of Reading upon the transfer of such restricted units.

As required the Applicant shall also submit a site approval letter from either the subsidizing agency or other agency authorized by the Executive Office of Housing and Livable Communities (EOHLC) under Housing Appeals Committee Regulations.

The following requirement shall be a condition of developments which require Affordable Units in order to prevent a disproportionate number of non-affordable units being occupied prior to the completion and occupancy of the Affordable Units.

- a. No market rate units exceeding 25% of the total units shall be occupied unless 25% of the Affordable Units have been completed and occupancy permits issued therefor.
- b. No market rate units exceeding 50% of the total units shall be occupied unless 50% of the Affordable Units have been completed and occupancy permits issued therefor.
- c. No market rate units exceeding 75% of the total units shall be occupied unless 75% of the Affordable Units have been completed and occupancy permits issued therefor.

- d. No market rate units exceeding 95% of the total market rate units shall be occupied unless 100% of the Affordable Units have been completed and occupancy permits issued therefor.

Both the Zoning Enforcement Officer and the Community Development Director shall be responsible for the administering and enforcing the requirements of this section.

5.7.2.2 Standards

Affordable Units shall be dispersed and integrated equitably throughout the development and shall be compatible in design, construction, and quality of exterior and interior materials with Market Rate Units. Affordable Units shall be dispersed proportionately among unit sizes and bedroom counts; and shall be located such that the Affordable Units have equal access to shared amenities and equal avoidance of any potential nuisances within the development.

5.7.3 District Requirements and Applicability

5.7.3.1 Business-A Zoning District

Affordable Units shall be required in Multi-family projects located in the Business A Districts, as follows:

- Twelve and One-half percent (12.5%) of all Dwelling Units constructed in a project of 13 or more units shall be Affordable Units, whether rental or ownership units. This shall apply to any new construction and to projects involving the substantial rehabilitation, expansion, reconstruction or conversion of existing structures that increases number of residential units on the lot to 13 or more units. No project may be divided or phased to avoid this requirement.
- Any required Affordable Units shall be made affordable to households earning at or below 80% of the Area Median Income, as determined annually by the United States Department of Housing and Urban Development (HUD).
- Fractional numbers shall always be rounded up (i.e., 1.4 shall be rounded up to 2).

5.7.3.2 Business-D Zoning District

Affordable Units shall be required in Multi-family projects located in the Business D Districts, as follows:

- Twelve and One-Half percent (12.5%) of all Dwelling Units constructed in a project of thirteen (13) or more units shall be Affordable Units, whether rental or ownership units. This shall apply to any new construction and to projects involving the substantial rehabilitation, expansion, reconstruction or conversion of existing structures that increases number of residential units on the lot to 13 or more units. No project may be divided or phased to avoid this requirement.

- Any required Affordable Units shall be made affordable to households earning at or below 80% of the Area Median Income, as determined annually by the United States Department of Housing and Urban Development (HUD).
- Where the computation of required number of Affordable Units results in a fractional number computations of required number of Affordable Units shall round up to the closest integer, unless that integer results in Affordable Units exceeding 12.5% of the projects total units in which case the computation shall round down to the next closest integer.

Table 5.7.3.2 Business D District’s Affordable Unit Requirements

Total Units	Affordable Units Required
1-12	0
13-15	1
16-24	2
25-31	3
32-39	4
40-47	5
Additional Units to be calculated as described	

7. Amending Section 6.2.4, Section 6.2.5.1, and Section 6.2.6.1, by inserting text shown in ***bold and italicized text*** and deleting text identified with strikethroughs, as follows:

6.2.4 Gross Floor Area

~~6.2.4.1~~ In Apartment 40 and Business A Districts, the gross floor area of a Multi-Family Dwelling, that is not part of a Mixed-Use project, shall not exceed forty percent (40%) of the lot area.

6.2.4.12 In the Apartment 80 Districts, the gross floor area of a Multi-Family Dwelling shall not exceed the lot area.

~~6.2.4.23~~ The ~~g~~**G**ross ~~f~~**F**loor ~~a~~**A**rea dedicated to commercial space within a Mixed-Use project shall be not less than ~~20~~**25**% of the ~~g~~**G**ross ~~f~~**F**loor ~~a~~**A**rea of the structure or structures comprising the project, after spaces for access, circulation, egress, mechanicals, and utilities are netted out ***unless a waiver pursuant to Section 5.6.7 is granted.***

6.2.5 Landscaped Area

6.2.5.1 In Apartment 40, ~~and Business A,~~ **and Business D** Districts, not less than ~~twenty-five percent (25%)~~ **fifteen** percent (~~25~~**15**%) of the area of a lot containing a Multi-Family Dwelling, that is not part of a Mixed-Use project, ***being redeveloped*** shall be a landscaped area.

6.2.5.2 In Apartment 80 Districts, not less than thirty-five percent (35%) of the area of a lot containing a Multi-Family Dwelling shall be a landscaped area.

6.2.6 Buildings Per Lot

6.2.6.1 In the Apartment 80, Business A, Business C, **Business D**, Industrial and PUD-I Districts, a lot may have more than one principal building.

- 6.2.6.2** Where two or more principal buildings are permitted on the same lot:
- a** The minimum distance between the buildings shall be determined, at the discretion of the Building Inspector, as follows:
 - 1** The total distance between the proposed building(s) and any proposed or existing building(s) on the lot is adequate to meet Building Code and Fire Code requirements, accounting for fire-rating and other fire prevention/suppression features; and
 - 2** The Fire Department has sufficient access between the buildings.
 - b** The area between the buildings shall be maintained and kept clear by the property owner.

8. Amending Table 6.3, by inserting text shown in **bold and italicized text** and by deleting text identified with strikethroughs, as follows:

6.3 Table of Dimensional Controls

Use	Minimum Lot Width (Feet)	Minimum Area (Square Feet)	Minimum Frontage (Feet)	Required Front Yard ¹ (Feet)	Required Side Yard (Feet)	Required Rear Yard (Feet)	Maximum Coverage % of Lot	Maximum Building Height ² (Feet)
One or Two Family Dwelling								
In S-15 District	60	15,000	100	20	15	20	25	35
In S-20 Districts	80	20,000	120 ³	20	15	20	25	35
In S-40 Districts	80	40,000	200	20	15	20	25	35
In A-40 Districts		10,000	80	20	15	20	25	40
In Bus-A Districts		NA	NA	15 ⁴	10 ⁴	20 ⁴	25	45
<i>In Bus-D Districts</i>		<i>NA</i>	<i>NA</i>	<i>15</i>	<i>10</i>	<i>25</i>	<i>25</i>	<i>45</i>
Multi-Family Dwelling								
In A-40 Districts		40,000	80	30	30	30	25	40
In A-80 Districts		80,000	NA	60	60	60	12.5	60
In Bus-A Districts		40,000	NA	15	30	30	25	40
<i>In Bus-D Districts⁹</i>		<i>10,000</i>	<i>60</i>	<i>10</i>	<i>10</i>	<i>25</i>	<i>70</i>	<i>35</i>
In S-15 Districts		100,000 +	100	20	15	20	25	35

Use	Minimum Lot Width (Feet)	Minimum Area (Square Feet)	Minimum Frontage (Feet)	Required Front Yard ¹ (Feet)	Required Side Yard (Feet)	Required Rear Yard (Feet)	Maximum Coverage % of Lot	Maximum Building Height ² (Feet)
In S-20 Districts		100,000 +	120	20	15	20	25	35
In S-40 Districts		100,000 +	200	20	15	20	25	35
In A-40 Districts		100,000 +	80	20	15	20	25	40
In A-80 Districts		100,000 +	NA	20	NA	NA	NA	60
Mixed-Use								
In Bus-A Districts		NA	NA	5	10 ⁴	20 ⁴	60	45
In Bus-C Districts		NA	NA	10 ⁴	10 ⁴	10 ⁴	60	55 ⁵
In Bus-D Districts		NA	NA	5	10	25	70	45
Hotel or Motel								
In Bus-A Districts		NA	NA	50 ⁴	10 ⁴	20 ⁴	60	45
In Bus-B Districts		NA	NA	NA	NA	20	85	45
In Bus-C Districts		NA	NA	10 ⁴	10 ⁴	10 ⁴	60	55 ⁵
In Bus-D Districts		NA	NA	50	10	25	60	45
In Ind Districts		NA	NA	50 ^{6 & 8}	20 ⁶	20 ⁶	60	60 ⁷
Other Permitted Principal Use								
In S-15 Districts		15,000	100	20	15	20	25	35
In S-20 Districts		20,000	120	20	15	20	25	35
In S-40 Districts		40,000	200	20	15	20	25	35
In A-40 Districts		10,000	80	20	NA	NA	NA	40
In A-80 Districts		80,000	NA	20	NA	NA	NA	60
In Bus-A Districts		NA	NA	15 ⁴	10 ⁴	20 ⁴	60	45
In Bus-B Districts		NA	NA	NA	NA	20	85	45
In Bus-C Districts		NA	NA	10 ⁴	10 ⁴	10 ⁴	60	55 ⁵

Use	Minimum Lot Width (Feet)	Minimum Area (Square Feet)	Minimum Frontage (Feet)	Required Front Yard ¹ (Feet)	Required Side Yard (Feet)	Required Rear Yard (Feet)	Maximum Coverage % of Lot	Maximum Building Height ² (Feet)
<i>In Bus-D Districts</i>		NA	NA	15	10	25	60	45
In Ind Districts		NA	NA	20 ^{6 & 8}	20 ⁶	20 ⁶	60	60
Exempt Uses – School and Church								
In S-15 Districts		15,000	100	15	30	30	25	35
In S-20 Districts		20,000	120	15	30	30	25	35
In S-40 Districts		40,000	200	15	30	30	25	35
In A-40 Districts		10,000	80	NA	30	30	NA	40
In A-80 Districts		80,000	NA	NA	30	30	NA	60
In BUS-A Districts		NA	NA	10 ⁴	30 ⁴	30 ⁴	60	45
In BUS- B Districts		NA	NA	NA	30	30	85	45
In BUS-C Districts		NA	NA	10 ⁴	30 ⁴	30 ⁴	60	55
<i>In Bus-D Districts</i>		NA	NA	10	30	35	60	45
In Ind Districts		NA	NA	20 ^{6 & 8}	20 ⁶	20 ⁶	60	60

Use	Minimum Lot Width (Feet)	Minimum Area (Square Feet)	Minimum Frontage (Feet)	Required Front Yard ¹ (Feet)	Required Side Yard (Feet)	Required Rear Yard (Feet)	Maximum Coverage % of Lot	Maximum Building Height ² (Feet)
<p>1 In Residence Districts, irrespective of the requirements set forth in this Table, the required front yard for any building other than a Multi-Family Dwelling shall be ten (10) feet or the average of the actual front setbacks of the buildings on the adjacent lots on either side, whichever is greater. For the purposes of this requirement, if an adjacent lot is vacant, it shall be deemed to be occupied by a building with a required front yard as specified in this Table.</p> <p>2 Maximum height limits shall not apply to appurtenances such as: chimneys, elevators, poles, spires, tanks, towers or similar structures not intended to be used for human occupancy.</p> <p>3 In Single Family 20 Districts, the required frontage shall be reduced to not less than eighty (80) feet if the street line is a curve having a radius of not more than two hundred (200) feet, and the lot has a width of not less than one hundred twenty (120) feet, measured along the rear of the required front yard.</p> <p>4 In Business A and C Districts, the required yard measured from a street which is not designated as the front lot line shall be twenty (20) feet for any building other than a Multi-Family Dwelling, which shall be 30 feet. A Mixed-Use project proposed on a corner lot may have a five (5) feet setback from both streets. A Mixed-Use project with a permanent shared parking arrangement with any non-residentially zoned abutting property may have a 0' setback from said abutting property.</p> <p>5 Fifty-five (55) feet, except ninety-five (95) feet if the structure is located within four hundred (400) feet of the property line adjacent to Route 128, as the property line exists on May 1, 2000, including ramps, and south of Jacob Way and excluding areas within two hundred (200) feet of the residential zoning district to the west, all as more specifically shown on a plan entitled: "Plan Showing Height Limitation and Setback Areas, Business C District in Reading, Mass.," dated March 27, 2000, Scale 1" = 60', by Hayes Engineering, Inc., on file with the Reading Town Clerk.</p> <p>6 Where an Industrial District lot directly adjoins another Industrial District lot, the applicable Required Side Yard or Required Rear Yard where the adjacency occurs can be reduced or eliminated, at the discretion of the Building Inspector, if the following conditions are met:</p> <p>a The total distance between the proposed building(s) and existing building(s) on adjacent lots is adequate to meet Building Code and Fire Code requirements, accounting for fire-rating and other fire prevention/suppression features; and</p> <p>b The Fire Department has sufficient access between the proposed building(s) and existing building(s) on adjacent lots. The area(s) between any proposed building(s) and the lot line(s) shall be maintained and kept clear by the property owner.</p> <p>7 Except as provided in Section 6.2.3.1</p> <p>8 In an Industrial District, the Required Front Yard shall be five (5) feet for canopies over any drive-through facility.</p> <p>9 In Business D Districts Multi-family uses shall not exceed a maximum of 25 units per acre on a lot. Where the computation of maximum units results in a fractional number, a fraction above one-half shall be rounded to the next whole number and a fraction of one-half or below shall be rounded down to the whole number.</p>								

9. Amending Section 6.5.2 and Section 6.5.7, by inserting text shown in **bold and italicized text** and deleting text identified with strikethroughs, as follows:

6.5.2 Side yards required by the Intensity Regulations set forth in Section 6.0 of the Zoning Bylaw shall be landscaped. Such side yards shall be planted with a combination of grass, shrubs of appropriate height and shade trees. If there is not an adequate amount of side yard area to landscape, a fence may be allowed as an alternative; provided, however, that chain link fencing shall not be permitted. ~~No parking area or driveway shall be allowed within such side yard.~~

6.5.7 ~~Proposed development shall provide trees~~ **within the front-yard** along a public way shall be spaced at **a minimum rate of one tree per every** intervals of fifty (50) feet **of frontage of the property**; provided, however, that no trees shall be planted within fifty (50) feet of an intersection or future intersection. Trees on one (1) side of a street may be set either opposite or diagonally to trees on the opposite side. ~~Trees~~ **planting locations** shall be planted two and a half (2½) feet behind the sidewalk or six (6) feet behind the gutter line and always within the right-of-way. The location of all the proposed trees must be reviewed by the Tree Warden on site and approved prior to installation.

Alternatively, a payment-in-lieu of providing front-yard trees as required above, into a fund established by the Town of Reading for the placement of trees that shade and provide to the pedestrian realm, at a rate of \$750 (in 2024 dollars; indexed to inflation for years beyond 2024) per required tree may be provided.

10. Amending Section 9.0, by inserting text shown in **bold and italicized text** and deleting text identified with strikethroughs, as follows:

9.0 PARKING

Off-Street Parking and Loading and Unloading Requirements:

Principal Use	Minimum Number of Off-Street Parking Spaces Required	Minimum Number of Off-Street Loading and Unloading Spaces Required
Apartment Multi-family Dwelling	One and one-half spaces for each dwelling unit.	One space for each twenty (20) rental units.

11. Amending Section 10.5.5.1 by and deleting text identified with strikethroughs, as follows:

10.5 Downtown Smart Growth District (DSGD)

10.5.5.1 Allowed Uses

The following uses shall be permitted as-of-right in the DSGD upon Plan Approval pursuant to the provisions of this article:

- 1** Multi-family Residential
- 2** Office *

- 3 Retail *
- 4 Restaurant *
- 5 Institutional *
- 6 Consumer Service *

* Only as part of a Mixed-Use Development; see Section 10.5.7 below

In addition to the allowed uses listed above, the following uses are permitted as-of-right for Development Projects within the DSGD subject to the requirements of this Article.

- 7 Open Space
- 8 & Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking
- 9 Accessory uses customarily incidental to any of the above permitted principal uses

12. Amending Section 10.5.6 and Section 10.5.6.1, by inserting text shown in **bold and italicized text** and deleting text identified with strikethroughs, as follows:

10.5.6 Dimensional and Other Requirements

Applications for Plan Approval shall be governed by this Section 10.5 and the Design Standards for the Downtown Smart Growth District.

Building Type	Mixed-Use with Commercial 1st Floor	Other Mixed-Use or Residential Only
Maximum Floor Area Ratio (FAR) (Gross Floor Area / Lot Size)	2.8	2.4
Minimum Lot Frontage	50 feet	
Maximum Lot Coverage	N/A	
Minimum Open Space	5%	
Minimum Lot Area	6,000 SF	
Number of Buildings per lot	N/A	
Maximum Building Frontage	300 feet	
Minimum Front Setback ¹	50 feet	
Maximum Front Setback ¹	10 feet	

Building Type	Mixed-Use with Commercial 1st Floor	Other Mixed-Use or Residential Only
Minimum Side / Rear Setback ² abutting a Residential Zone	15 feet	
Minimum Side / Rear Setback ² in DSGD or abutting Business-B	0 feet	
Total minimum setback from one or more lot lines (any combination of front, rear, or sides), inclusive of a 15' setback when directly abutting a lot containing a single-family, 2-family or 3-family dwelling, either within or outside of the District.	30 feet	
Interior Setback (between buildings on same lot)	15 feet	

¹ See 7.1.1 of the Design Standards for front façade setback requirements

² See 7.1.2 of the Design Standards for building step-back requirements

Setbacks: Where projects are within a Transitional Area (as defined in this Bylaw and in the Design Guidelines), setbacks may be further increased by the AA to no greater than 30 feet upon a finding based on the project's massing, scale, or architectural design, that the project fails to be compatible with the character of nearby residential buildings.

Step-backs: Where projects are within a Transitional Area (as defined in this Bylaw and in the Design Guidelines), step-back requirements may be further increased by the AA to no greater than 25 feet upon a finding based on the project's massing, scale, or architectural design, that the project fails to be compatible with the character of nearby residential buildings.

10.5.6.1 Residential Density Allowances

The following residential densities shall be allowed on all lots and within all buildings within the DSGD pursuant to the requirements of this Section 10.5:

Multifamily Residential ~~20~~ **35** Units per acre

- a The Approving Authority may provide a waiver as specified in Section 10.5.12 to allow a density in excess of that stated above.
- b The Approving Authority may provide a waiver as specified in Section 10.5.12 to promote the renovation or adaptive reuse of existing buildings.

13. Amending Section 10.5.7 by inserting text shown in ***bold and italicized text*** and deleting text identified with strikethroughs, as follows:

10.5.7 Mixed-Use Development

Development Projects may include a portion not to exceed 50% of the total Gross Floor Area to be used for non-residential uses including Office, Retail, Restaurant, Service or Institutional Uses; provided that Office or Institutional uses may not utilize more than 33% of the total commercial Gross Floor Area.

A minimum of **12.5** ~~10~~% of the Development Project's total Gross Floor Area shall be dedicated to commercial use, the calculation for which may include any private outdoor space that is also dedicated to commercial use.

14. Amending Section 10.5.8.1 by deleting text identified with strikethroughs, as follows:

10.5.8.1 Off-Street Parking

Retail stores, offices and consumer service establishments located within three hundred (300) feet of a public off-street parking facility shall be exempt from off-street parking requirements. In all other cases, off-street parking shall be provided to meet the following minimum requirements:

Retail or Restaurant.....	2 spaces
Office and Institutional.....	2 spaces per 1,000 square feet
Residential Units (studio and 1 bedroom)	1.25 spaces per unit
Residential Units (2 bedroom).....	1.50 spaces per unit
Residential Units (greater than 2 bedroom)	2 spaces per unit
Other Non-Residential, less than 2,000 square feet	0 spaces
Other Non-Residential, 2,000 square feet or more.....	1 space per 2,000 square feet leasable space in excess of 2,000 square feet

As indicated above, off-street parking is not required for Other Non- Residential uses in the district unless such use exceeds 2,000 square feet of net floor area.

15. Amending Section 10.5.12.1 by inserting text shown in **bold and italicized text** and deleting text identified with strikethroughs, as follows:

10.5.12.1 Tiered Schedule for Density Waiver Requests

Applicants specifically seeking a waiver for density in excess of 20 units per acre shall adhere to the following guidelines:

- 1** All projects shall achieve high performance building design that exceeds minimum energy code baseline and is designed to the LEED Certified standard, Passive House standard, Net Zero, or equivalent rating system; that increases energy efficiency and minimizes utility and maintenance costs to end users; and that provides for building resiliency to adopt future technologies and sustainable strategies as they become available;
- 2** For the purposes of determining project density and Payment In Lieu of Open Space, fractional numbers shall always be rounded to the next highest integer;
- 3** Tiered requirements are intended to apply to the entirety of a project, not just the portion within that tiered density;
- 4** Compliance with the tiered schedule below in and of itself does not guarantee the waiver will be granted; CPDC will maintain their right to consider the waiver request in the context of the whole proposal and in consideration of its impacts to the Downtown Smart Growth District. However, a request for a waiver for density in excess of ~~20~~ **35** units per acre shall be considered more favorably, up to a maximum of 50 units per acre, if providing, cumulatively, the following:

Tier 1: ~~21-25 units per acre~~

~~Tier 1 requirements are as follows (provide at least one):~~

- ~~**a** **Open Space:** Open Space provided at grade as well as Private Amenity Space for tenants; or~~

- ~~**b. Commercial:** Commercial tenant space that is not less than 12.5% of the total Gross Floor Area of the building; or~~
- ~~**c. Parking:** A minimum of 2 visitor or guest parking spaces;~~
- ~~**d. Historic:** The preservation or rehabilitation of historic properties or other buildings considered significant to the Town.~~

Tier 12: 236-40 units per acre

Tier ~~1~~ 2 requirements are as follows (provide at least one additional from a category not chosen under Tier 1):

- a. Open Space:** Open Space shall be provided:
 - i. on-site, comprising 10% of the lot area; at least 50% of which is provided at-grade and is publicly accessible; or
 - ii. indirectly, as a Payment In Lieu of providing Open Space as required above, into a fund established by the Town of Reading for the acquisition of land for open space purposes and /or the creation or improvement of pathways, trails and other open space amenities, at a rate of \$75 (in 2022 dollars indexed to inflation), per square foot of offset open space.
- b. Commercial:** Commercial tenant space that is not less than 15% of the total Gross Floor Area of the building; or
- c. Parking:** Additional parking at a rate of 1 space per 1,000 gross square feet of commercial space;
- d. Historic:** *The preservation or rehabilitation of historic properties or other buildings considered significant to the Town.*

Tier 23: 41 to 50 units per acre

Tier ~~2~~ 3 requirements are as follows (provide at least one additional from a category not chosen under Tier 1 or Tier 2):

- a. Open Space:** Open Space shall be provided:
 - i. on-site, in a total amount equivalent to 15% of the lot area, at least 50% of which is provided at-grade and is publicly accessible; or
 - ii. indirectly, as a Payment In Lieu of providing Open Space as required above, into a fund established by the Town of Reading for the acquisition of land for open space purposes and/or the creation or improvement of pathways, trails and other open space amenities, at a rate of \$75 (in 2022 dollars indexed to inflation), per square foot of offset open space.
- b. Commercial:** Commercial tenant space that is not less than ~~20~~5% of the total Gross Floor Area of the building; or
- c. Affordable Units:** Deeper or broader affordability with units that are comparable in space, utilities and livability to other units in the development (i.e., units affordable to households earning at or below 50% of Area Median

Income, or additional units available to households earning at or below 80% of Area Median Income); or

- d. **Parking:** A demonstrated long-term shared parking initiative that makes efficient use of land and existing parking supply.

Revised
Article 16

16. By deleting the existing Appendix C and inserting, in place thereof, the following:

APPENDIX C – Zoning Map

