

**QUESTIONS for CPDC:**

1. Does CPDC believe enforcing two front yard requirements is best and correct interpretation?
  - a. Building Commissioner has interpreted so and prefers such.
  
2. If so, what is the impact to Accessory Structures in front yards? Ensure that we are not adding excess hardship to those with corner lots?
  - a. The intent is that it should not as two side-yard requirements are to remain.
  - b. Some applicable existing language:
    - i. Structure: Any combination of parts or materials assembled and joined or mixed together in some definite manner or pattern at a certain location for any purpose or use, whether or not affixed to the land. Structures include swimming pools, tennis courts, sports courts and courts for athletic and recreational activity and the equipment and paraphernalia associated with any such court, but shall not include fences, garden walls and paved areas used solely for vehicular or pedestrian access.
    - ii. Section 5.5.1.1:
      - a. An accessory building or structure shall not be permitted within a Required Front Yard, with the exception of flagpoles and fences.
      - b. Any accessory building or structure, including a garage that is less than 10 feet from a principal structure on the lot shall be considered "attached to" the principal structure, and shall be subject to the dimensional limits and requirements applicable to a principal structure.
    - iii. Section 5.5.1.3
      - a. A swimming pool, tennis court, sports court, or similar home recreational facility shall be permitted at any size, provided that it is not located in the Required Side Yard and Required Rear Yard setbacks for a principal structure in the same zoning district. A Home Recreational Facility may be located within a Required Side Yard or Required Rear Yard setback; provided, however, that it shall be no larger than the greater of 600 square feet or 25% of the gross floor area of the principal structure.
  
3. Any concerns of making existing structures non-conforming?
  - a. Will likely result in Special Permit process through ZBA for construction projects involving 'front yards' with "pre-existing non-conformities"
  
4. Should 'through lots' with streets at opposite ends also meet two front requirements?
  - a. **Concern of impacting accessory structures in what could be a true backyard? Specifically 5.5.1.1(a) above**
  - b. Currently would be applied as front and rear which are both a 20' requirement.
  
5. Any desire for landscaping and fencing requirements/restrictions on corner lots for sight lines and visibility?

**Lot, Corner:** A lot at the junction of and fronting on two (2) or more intersecting streets.

**Lot, Through:** A lot, other than a corner lot, which the front and rear lot lines have frontage.

**Yard, Front:** The area extending away from the lot line on which a lot has frontage and across the full width of the lot. In all cases, corner lots and through lots shall be considered to have two front yards and two side yards. A lot having frontage on two or more streets shall have two or more front yards, each of which shall comply with the requirements of the front yard provisions.

**Yard, Rear:** The area extending away from the rear line of a lot and across the full width of the lot.

**Yard, Required:** The minimum applicable front, rear or side yard as specified in Sections 6.2.3, 6.3 and 6.4 of the Zoning Bylaw that is required to be unoccupied by structures above grade except for specified uses or structures.

**Yard, Side:** The area extending away from any side line of a lot between the lot line on which the lot has frontage and the rear line of the lot.

**Commented [MA1]:** See 29, 37 Bancroft Ave; 25 Haven St, etc.

**Commented [MA2]:** If it has frontage is it then NOT considered rear?

**Commented [MA3R2]:** If so, maybe say 'Parallel or Adjacent' lot lines? Lots are not always square though...

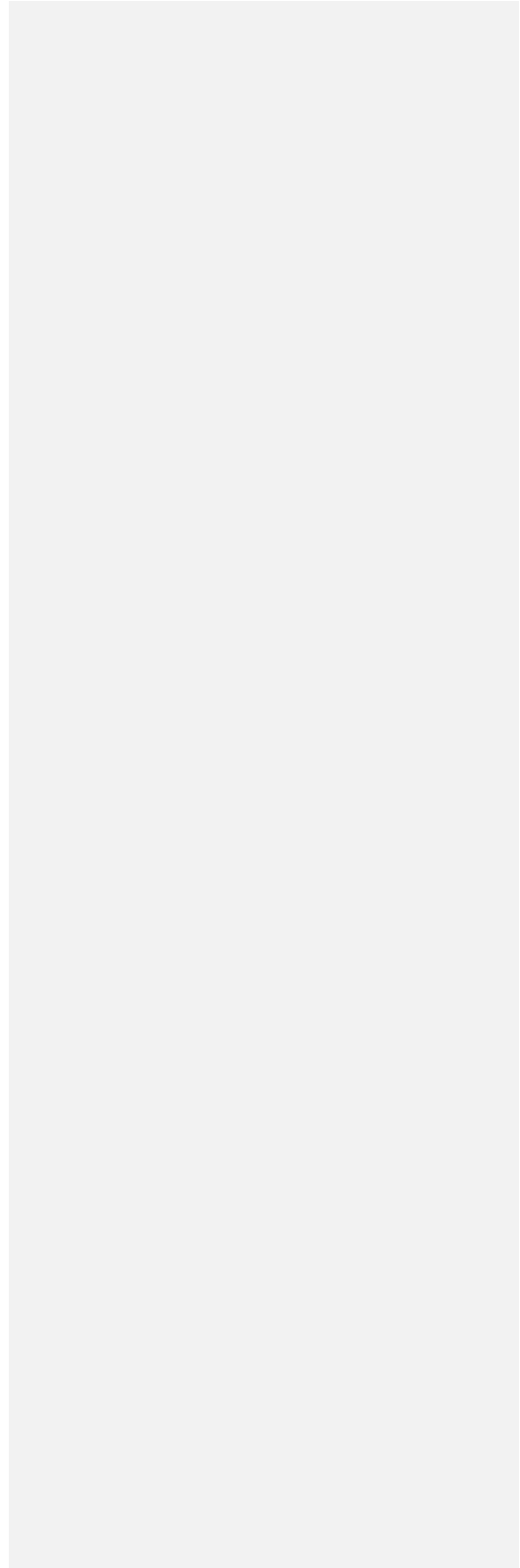
**Commented [MA4]:** Important distinction. Should try to not overburden corner lots with more 20' setback requirements than necessary.

**Commented [MA5]:** Might not need this in definition – see proposed Section 6.2.2.2

Town of Reading

Zoning Bylaw

Use Regulations



**6.0 INTENSITY REGULATIONS**

No use shall be established, nor building or structure erected in any district unless it conforms to the dimensional regulations of the Zoning Bylaw, or has been granted the relief allowable by law. No existing lot, building or structure shall be made non-conforming or become more non-conforming with the dimensional regulations of the Zoning Bylaw unless granted the relief allowable by law.

**6.2.2 Yards**

**6.2.2.1** In Residence Districts, yard requirements shall not apply to projecting eaves, cornices, chimneys, steps, bow or bay windows, windowsills and belt courses that do not increase the gross floor area of the building.

**6.2.2.2** For the purpose of determining setback requirements for corner lots and through lots, yards that have frontage on streets shall be considered front yards. Yards that do not have frontage on corner lots shall be considered side yards.

**Commented [MA6]:** Would this (or similar) alone be enough?

**6.3 Table of Dimensional Controls**

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

Use	Minimum Lot Width (Feet)	Minimum Area (Square Feet)	Minimum Frontage (Feet)	Required Front Yard <sup>1</sup> (Feet)	Required Side Yard (Feet)	Required Rear Yard (Feet)	Maximum Coverage % of Lot	Maximum Building Height <sup>2</sup> (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
<b>Mixed-Use</b>								
In Bus-A Districts		NA	NA	5	10 <sup>4</sup>	20 <sup>4</sup>	60	45
In Bus-C Districts		NA	NA	10 <sup>4</sup>	10 <sup>4</sup>	10 <sup>4</sup>	60	55 <sup>5</sup>
<b>Hotel or Motel</b>								
In Bus-A Districts		NA	NA	50 <sup>4</sup>	10 <sup>4</sup>	20 <sup>4</sup>	60	45
In Bus-B Districts		NA	NA	NA	NA	20	85	45
In Bus-C Districts		NA	NA	10 <sup>4</sup>	10 <sup>4</sup>	10 <sup>4</sup>	60	55 <sup>5</sup>
In Ind Districts		NA	NA	50 <sup>6 &amp; 8</sup>	20 <sup>6</sup>	20 <sup>6</sup>	60	60 <sup>7</sup>
<b>Other Permitted Principal Use</b>								
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 <sup>4</sup>	10 <sup>4</sup>	20 <sup>4</sup>	60	45
In Bus-B Districts		NA	NA	NA	NA	20	85	45
In Bus-C Districts		NA	NA	10 <sup>4</sup>	10 <sup>4</sup>	10 <sup>4</sup>	60	55 <sup>5</sup>
In Ind Districts		NA	NA	20 <sup>6 &amp; 8</sup>	20 <sup>6</sup>	20 <sup>6</sup>	60	60
<b>Exempt Uses – School and Church</b>								
In S-15 Districts		15,000	100	15	30	30	25	35

Use	Minimum Lot Width (Feet)	Minimum Area (Square Feet)	Minimum Frontage (Feet)	Required Front Yard <sup>1</sup> (Feet)	Required Side Yard (Feet)	Required Rear Yard (Feet)	Maximum Coverage % of Lot	Maximum Building Height <sup>2</sup> (Feet)
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 <sup>4</sup>	30 <sup>4</sup>	30 <sup>4</sup>	60	45
In BUS- B Districts		NA	NA	NA	30	30	85	45
In BUS-C Districts		NA	NA	10 <sup>4</sup>	30 <sup>4</sup>	30 <sup>4</sup>	60	55
In Ind Districts		NA	NA	20 <sup>6 &amp; 8</sup>	20 <sup>6</sup>	20 <sup>6</sup>	60	60

- 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.
- 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.
- 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.
- 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.
- 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.

Use	Minimum Lot Width (Feet)	Minimum Area (Square Feet)	Minimum Frontage (Feet)	Required Front Yard <sup>1</sup> (Feet)	Required Side Yard (Feet)	Required Rear Yard (Feet)	Maximum Coverage % of Lot	Maximum Building Height <sup>2</sup> (Feet)
<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> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul> <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>								

**6.4 Special Cases**

**6.4.1 Transitional Areas**

The following additional requirements shall apply to buildings in Business A or Business B Districts located within one hundred fifty (150) feet of a Residence District; to buildings in a Business C District located within one hundred (100) feet of a Residence District; and to buildings in Industrial Districts whose lots share a lot line with a Residence District:

**6.4.1.1 Table of Additional Dimensional Controls for Transitional Areas**

District	Distance From Residence District	Required Yards		
		Front Feet	Side Feet	Rear Feet
Business A and B	Sharing a lot line with	5	10	NA
	Within 150 feet	5	NA	NA
Business C	Within 100 feet	5	NA	NA
Industrial	Sharing a lot line with	NA	50	50