

DIMENSIONAL REGULATIONS

SECTION 6. DIMENSIONAL REGULATIONS

6.1 Dimensions

Minimum lot area, frontage, lot width, yard, and corner clearance requirements and maximum lot coverage, height and floor/area ratio requirements shall be as prescribed in Section 6, Table III, Dimensional Regulations.

6.2 Interpretation

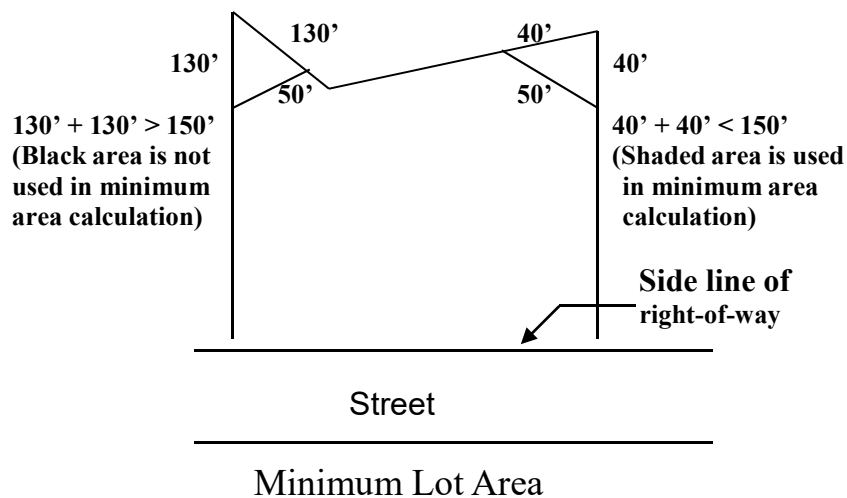
For purposes of interpretation the following shall apply:

6.2.1 *Lot area:* In determining lot area, no part thereof within the street lines or within a private way or right-of-way for travel by motor vehicles shall be included. Street lines shall determine lot boundaries.

6.2.2 *Minimum lot area:*

6.2.2.1 When computing minimum lot area for any lot laid out and submitted for approval by the Planning Board, in accordance with Chapter 41 of the General Laws, after September 1, 1991, a minimum of fifty (50) percent of such lot area required in that zoning district shall be provided by land located outside of the Flood Plain Conservancy District and Wetlands Conservancy District.

6.2.2.2 When the distance between any two (2) points on lot lines is less than fifty (50) feet, measured in a straight line, the smaller portion of the lot which is bounded by such straight line and such lot lines shall not be considered in computing the minimum lot area unless the distance along such lot lines between such two (2) points is less than one hundred fifty (150) feet.



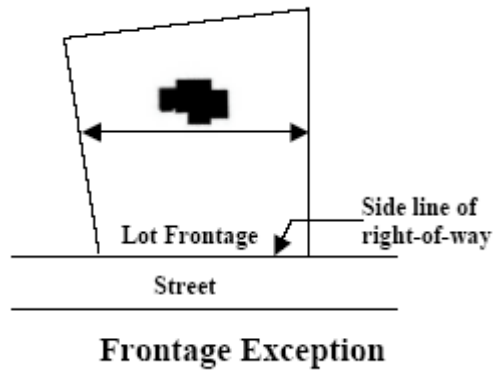
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6.2.3 *Frontage:* Frontage, as defined in Subsection 1.3.11, shall be measured in a continuous line along the sideline of the street between the points of intersection of the side lot lines with said sideline of the street.

6.2.4 *Frontage exception:* A dwelling in Residence AA, A and B Districts may be constructed on a lot having eighty (80) percent of the minimum lot frontage, provided that the lot width at the nearest point on the front wall of the dwelling to the sideline of the right-of-way shall not be less than the minimum lot frontage and, that the angle formed by the intersection of the side lot line and the sideline of the right-of-way shall not be less than 45 degrees.

Lot Width: (not less than	
Required frontage)	
Res. AA	200'
Res. A	150'
Res. B	125'

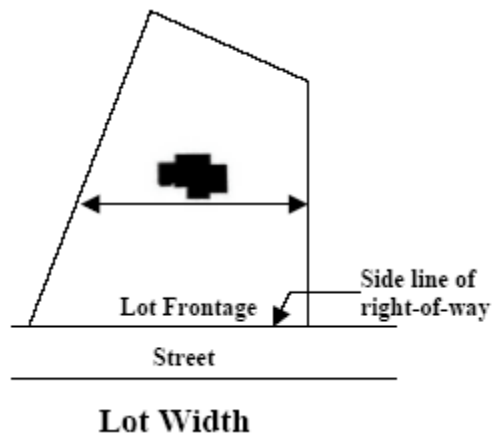
Frontage Exception: (not less	
Than 80% of required frontage)	
Res. AA	160'
Res. A	120'
Res. B	100'



6.2.5 *Lot width:* Each lot shall have, in addition to the required frontage, a width of not less than eighty (80) percent of the required frontage at all points between the sideline of the right-of-way along which the frontage of the lot is measured and the nearest point on the front wall of the dwelling upon such lot and, that the angle formed by the intersection of the side lot line and the sideline of the right-of-way shall not be less than 45 degrees. Such width shall be measured along lines, which are parallel to such sideline.

Lot Frontage:	
Res. AA	200'
Res. A	150'
Res. B	125'
Res. C	80'

Lot Width:	
Res. AA	160'
Res. A	120'
Res. B	100'
Res. C	64'



6.2.6 *Front yards:* Front yards shall be measured between the sideline of the right-of-way and the nearest point of any structure, with the exception of uncovered steps and ramps or the construction of walls and fences. In all cases, corner lots shall be considered to have two (2)

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front yards and two (2) side yards. A lot having frontage on two (2) streets shall have two (2) front yards, each of which shall comply with the requirements of the front yard provisions.

In the West Concord Business and West Concord Village Districts, there shall be a maximum front yard of ten (10) feet, that is, no portion of a building shall be set back from the front lot line by more than ten feet unless a special permit is granted to allow a greater front yard depth. A special permit shall be granted by the Planning Board only upon a written determination as provided in Section 11.6 and that the larger front yard serves a public purpose.

6.2.7 Side yards: Side yards shall be measured from the nearest point of any dwelling or structure to each side lot line, provided that nothing shall prevent the projection of uncovered steps and ramps or the construction of walls and fences. In the residential districts or for single-family dwellings in the Business or Medical-Professional districts, the width of one side yard may be reduced by an amount not to exceed three (3) feet if the width of the other side is correspondingly increased. Notwithstanding the foregoing, a building of accessory use may be placed not less than five (5) feet from a sideline so long as such building is not to be located nearer the sideline of the right-of-way than the rearmost point of the dwelling or any structure attached thereto.

In the Residence C and Residence B Districts, any part of the principal structure that extends into the three (3) foot side yard exception area shall be no greater than fifteen (15) feet in height as defined in subsection 6.2.11. The Board may grant relief from the fifteen foot height limitation in the three (3) foot side yard exception area provided the Board finds that there are no reasonable alternatives available and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

6.2.8 Rear yards: Rear yards shall be measured from the nearest point of any dwelling or structure attached thereto to the rear lot line provided that nothing shall prevent the projection of uncovered steps and ramps or the construction of walls and fences. In the residential districts or for single-family dwellings in the Business or Medical-Professional districts, no building of accessory use shall be placed nearer to the rear lot line than five (5) feet.

6.2.9 Landscape buffer: Side yards, rear yards and the other lot lines noted in Table III shall be suitably landscaped. Such landscaping shall be designed to reduce the visual impact of the principal use upon adjacent property by the use of trees, shrubs, walls, fences, or other landscape elements. Where the developed area adjoins land developed for residential use, suitable landscaping shall consist of a substantially sight-impervious screen of evergreen foliage at least eight (8) feet in height or planting of shrubs and trees complemented by a sight-impervious fence of at least five (5) feet, but not more than eight (8) feet, in height, or such other type of landscaping as may be required under site plan approval. In all developments, to the extent practicable, existing trees shall be retained and used to satisfy the provisions of this Section 6.

6.2.10 Corner clearance: Between the sidelines of the intersecting streets and a straight line joining points on such sidelines ten (10) feet distant from their point of intersection or, in

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the case of a rounded corner, a straight line joining the points of intersection of their tangents, no building or structure may be erected and no vegetation may be maintained three (3) feet above the plane through their curb grades.

6.2.11 Height: The height of a building shall be measured as the vertical distance from the mean ground level of each side of the building to either the highest point of the exterior in the case of a flat roof or to the mean average finished grade between the plate and the ridge in the case of a pitched roof. Chimneys, spires, towers, and other projections not used for human occupancy or storage may extend above the height limits herein fixed except wind turbine facilities, which can only exceed the maximum height requirement by special permit granted by the Board.

In the Medical-Professional District south of Route 2, no portion of a building shall exceed thirty-five (35) feet in height unless such portion sets back from each street and such Medical-Professional District boundary line an amount equal to the sum of (1) the applicable minimum yard requirement and two (2) feet for each foot of height in excess of thirty-five (35) feet, provided that in no case shall any portion of a building exceed one hundred ten (110) feet in height.

In the Residence AA, Residence A, Residence C and Residence B Districts, the height of a building shall be measured as the vertical distance from the 'base elevation' to the peak of the roof, or the highest point of the exterior in the case of a flat roof. The 'base elevation' is the average of the elevations of the ground where the two corners of the lowest foundation wall of any existing structure meet the ground. In the absence of an existing structure, the base elevation shall be the average elevation (measured as indicated in the previous sentence) of the ground at the location on the site where the new building is to be placed, prior to any grading or mounding.

In the Residence AA, Residence A, Residence C, and Residence B Districts, any accessory structure located within the required minimum side or rear yard shall be limited in height to not more than twenty-four (24) feet to the peak of a pitched roof or eighteen (18) feet to the highest point of the exterior in the case of a flat roof.

The Board may grant relief from the above definition for the height of a building in the Residence AA, Residence A, Residence C and Residence B Districts provided the Board finds that a literal application of this requirement would be unreasonable because there are no reasonable alternatives available and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

In the Residence C and Residence B Districts any part of the principal structure that extends into the three (3) foot side yard exception as defined in subsection 6.2.7 shall be no greater than fifteen (15) feet in height.

In the West Concord Business and West Concord Village Districts, the minimum height of the side and rear portions of a principal building shall be fifteen (15) feet; the front façade shall have a minimum height of eighteen (18) feet.

6.2.12 Maximum lot coverage: The total ground area covered by the principal and accessory structures (and in the I, IP, LIP, and LB#4 and #8 districts, all paved areas) shall not exceed the maximum coverage of the total lot area as noted in Section 6, Table III.

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6.2.13 *Maximum floor area ratio:* The total gross floor area of all buildings on a lot shall not exceed the maximum square footage per acre of lot area as noted in Section 6, Table III, except as provided in G.L. c.40A, sec. 9C for a child care facility as an accessory use. Excluded from the gross floor area in the Residence Districts are basements, open or screened porches, decks and accessory structures with no permanent foundation or less than 100 square feet in area. The Board may grant relief from the Maximum Floor Area Ratio in the Residence Districts provided the Board finds that a literal application of this requirement would be unreasonable because there are no reasonable alternatives available and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw. Non-residential principal uses in the Residence AA, A, B & C Zone Districts shall be exempt from the Maximum Floor Area Ratio in Table III.

6.3 Special Dimensional Exceptions

6.3.1 *Single lot exemption:* Any increase in area, frontage, width, yard or depth requirement of this Bylaw shall not apply to a lot for a single-family dwelling which, at the time of recording or endorsement, whichever occurs sooner, was not held in common ownership with any adjoining land, conformed to then existing requirements and had less than the proposed requirements but at least five thousand (5,000) square feet of area and fifty (50) feet of frontage.

6.3.2 *Hammerhead lots:* In the residential districts, the Board by special permit may authorize hammerhead lots in accordance with the following:

6.3.2.1 Each hammerhead lot shall contain:

- (a) A minimum lot area of not less than five (5) times the minimum lot area of the zoning district within which it is situated (Residence C: Fifty thousand (50,000) square feet; Residence B: One hundred thousand (100,000) square feet; Residence A: Two hundred thousand (200,000) square feet; Residence AA: Four hundred thousand (400,000) square feet);
- (b) A minimum frontage and a minimum lot width of fifty (50) feet;
- (c) A minimum front, side, and rear yards of fifty (50) feet; and
- (d) An area of land which permits the placement of a circle with a diameter of not less than 200 feet in the Residence C and Residence B Districts and with a diameter of not less than 300 feet in the Residence A and Residence AA Districts without the circumference of said circle intersecting any lot lines and within which circle the planned single-family dwelling shall be located.

6.3.2.2 A special permit shall be granted under this section only if the Board shall find:

- (a) The hammerhead lot results in a pattern of development sufficiently advantageous to the Town to depart from the requirements of this Bylaw otherwise applicable;
- (b) The plan submitted clearly shows the hammerhead lot conforms with all the dimensional regulations provided above and the applicant has demonstrated that access from the lot frontage to the planned single-family dwelling is sufficient for the needs of vehicular traffic;

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- (c) No more than two hammerhead lots have contiguous frontage; and
- (d) A deed restriction has been shown on the plan of land to be recorded providing that the hammerhead lot is subject to a special permit recorded therewith and shall not be further subdivided.

6.3.3 *Reduced frontage, lot width, lot area and/or side and rear yard setback lots:* For the purpose of preserving existing historically significant structures or dwellings on a lot wholly or partially in the residential district, the Board by special permit may authorize the division of land into two or more building lots so that one or more building lot(s) contains reduced frontage, lot width, lot area and/or side and rear yard setback provided that the existing historically significant structure or dwelling remains on one of the lots created and a standard Approval Not Required Plan or Preliminary Definitive Subdivision plan is submitted showing that the lots could otherwise be created without exceptions from the Subdivision Rules and Regulations.

6.3.3.1 The Planning Board shall submit to the Board written recommendations including at least:

- (a) An evaluation of the standard Approval Not Required Plan or the Preliminary Definitive Subdivision Plan,
- (b) An evaluation and opinion of the appropriateness of the design for any additional structure in relation to the existing historically significant structure,
- (c) An evaluation of the proposed development as to whether the lot layout and design constitute a suitable development for the neighborhood within which it is located, and
- (d) A recommendation for the granting or denial of the special permit, including recommendations for modifications, restrictions or requirements to be imposed as conditions for granting the special permit.

6.3.3.2. The Historical Commission shall submit to the Board a written evaluation of the historical significance of the existing structure or dwelling, an opinion of the appropriateness of the proposed lot layout and setbacks requested, and an evaluation or recommendation of the significant structural features that should be included in a preservation plan.

6.3.3.3. A special permit shall be granted under this section only if the Board shall find:

- (a) The reduced frontage, lot width, lot area and/or side and rear yard setback lot(s) results in a pattern of development sufficiently advantageous to the Town to depart from the requirements of this Bylaw otherwise applicable;
- (b) A restriction has been shown on the plan of land to be recorded providing that the reduced frontage, lot area and/or side and rear yard setback lot(s) and any other lots created are subject to a special permit recorded therewith and shall not be further subdivided.
- (c) The existing historically significant structure or dwelling shall be preserved consistent with a preservation plan approved as part of or as a condition to the special permit.

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6.3.4 *Dedication of Land to the Town of Concord for Municipal or Other Public Uses:*

6.3.4.1 In the Limited Industrial Park District, in order to encourage the dedication to the Town of Concord of the fee interest in land for municipal or other public uses, the Board by special permit may authorize:

- (a) A reduction in the minimum lot area, frontage, lot width or yard requirements otherwise applicable where a parcel of land is subdivided, a portion is dedicated to the Town for municipal or other public uses, and the remaining land and building(s) do not comply with the requirements in Section 6 Table III - Dimensional Regulations.
- (b) An increase in the maximum lot coverage or floor area ratio requirements otherwise applicable where a parcel of land is subdivided and a portion is dedicated to the Town for municipal or other public uses, or where the owner of two or more parcels of land in the Limited Industrial Park District dedicates one or more parcels of such land to the Town for municipal or other public uses, provided in either case that the increased maximum lot coverage and floor area ratio applicable to the land not dedicated to the Town does not exceed either (1) the maximum lot coverage and floor area ratio otherwise applicable to the aggregate of the land dedicated to the Town and the land held by the owner but not dedicated or (2) twice the maximum lot coverage and floor area ratio otherwise applicable to the land not dedicated to the Town.

6.3.4.2 The Planning Board and Natural Resources Commission shall submit to the Board written recommendations including at least an evaluation of the proposed reduction or increase in the dimensional regulations, an evaluation of the land proposed to be dedicated to the Town for municipal or other public uses, and a recommendation as to whether the special permit should be granted.

6.3.4.3 A special permit shall be granted under this section only if the Board shall find:

- (a) The proposed reduction in minimum lot area, frontage, lot width or yard requirements and the proposed increase in maximum lot coverage and floor area ratio are consistent with the purposes of this Bylaw generally;
- (b) Any proposed increase in the maximum lot coverage or floor area ratio will not result in more development in the Conservancy Districts than would have been permitted but for the operation of Subsection 6.3.4; and
- (c) The dedication to the Town of Concord of the fee interest in land for municipal or other public uses results in a pattern of land use sufficiently advantageous to the Town to depart from the requirements of this Bylaw otherwise applicable.

6.3.4.4 If a special permit is granted, the Board shall impose a condition that neither the special permit nor the conveyance of land to the Town shall be recorded until the Board of Selectmen vote to accept the proposed dedication of land to the Town for municipal or other public uses. A special permit granted hereunder shall be deemed to have been substantially used upon (1) the vote of the Board of Selectmen to accept the proposed dedication of land

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to the Town for municipal or other public uses and (2) upon the recording of both the special permit and the deed to the Town of Concord of the fee interest in the land for municipal or other public uses.

CONCORD ZONING – TABLE III – DIMENSIONAL REGULATIONS

<i>Zoning Districts</i>	<i>Minimum Lot Area in Sq. Ft.</i>	<i>Minimum Lot Frontage in Feet</i>	<i>Frontage Exception in Feet</i>	<i>Minimum Lot Width in Feet</i>	<i>Minimum Front Yard in Feet³</i>	<i>Minimum Side Yard in Feet</i>	<i>Minimum Rear Yard in Feet</i>	<i>Corner Clearance in Feet</i>	<i>Maximum Height in Feet</i>	<i>Maximum Lot Coverage %</i>	<i>Maximum Floor Area Ratio</i>
Residence AA	80,000	200	160	160	40	15	Lesser of: 30' or 25% of lot depth	10	35 ²	-----	.24+(1200÷ actual lot area in sq. ft.)
Residence A	40,000	150	120	120	40	15	" "	10	35 ²	-----	.24+(1200÷ actual lot area in sq. ft.)
Residence B	20,000	125	100	100	20	15 ¹	" "	10	35 ²	-----	.24+(1200÷ actual lot area in sq. ft.)
Residence C	10,000	80	80	64	20	15 ¹	" "	10	35 ²	-----	.24+(1200÷ actual lot area in sq. ft.)
Business	-----	-----	-----	-----	10	none, except where a business or industrial use abuts a residential district: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	35	-----	-----
Concord Center Business	-----	-----	-----	-----	0	none, except where a business or industrial use abuts a residential district: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	35	-----	-----
Thoreau Depot Business	-----	-----	-----	-----	0	none, except where a business or industrial use abuts a residential district: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	35	-----	-----
Nine Acre Corner Business	-----	-----	-----	-----	10	none, except where a business or industrial use abuts a residential district: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	35	-----	-----

¹ Refer to Zoning Bylaw Subsection 6.2.7 for Residence C and Residence B Districts.

² Refer to Zoning Bylaw Subsection 6.2.11 for Residence AA, A, B and C Districts

CONCORD ZONING – TABLE III – DIMENSIONAL REGULATIONS

<i>Zoning Districts</i>	<i>Minimum Lot Area in Sq. Ft.</i>	<i>Minimum Lot Frontage in Feet</i>	<i>Frontage Exception in Feet</i>	<i>Minimum Lot Width in Feet</i>	<i>Minimum Front Yard in Feet³</i>	<i>Minimum Side Yard in Feet</i>	<i>Minimum Rear Yard in Feet</i>	<i>Corner Clearance in Feet</i>	<i>Maximum Height in Feet</i>	<i>Maximum Lot Coverage %</i>	<i>Maximum Floor Area Ratio</i>
West Concord Business	-----	-----	-----	-----	0	none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	Maximum height 35 Minimum height side and rear 15; minimum height front façade 18	-----	-----
West Concord Village	-----	-----	-----	-----	0	none, except where a business or industrial use abuts a residential dist.: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	Maximum height 35; Minimum height side and rear 15; minimum height front façade 18	-----	-----
Limited Business 1	-----	150	-----	-----	100	100' from residential district boundary lines.		-----	25	2 0	-----
2	-----	-----	-----	-----	10	-----	-----	-----	27.5	-----	-----
3	-----	-----	-----	-----	10	-----	-----	10	35	-----	-----
4	-----	-----	-----	-----	100	100' from all lot lines of which 20' shall be a landscaped buffer.		-----	35	35, the same to include the gross ground of all buildings and all paved areas.	-----
5	-----	-----	-----	-----	10	-----	-----	-----	25	5 ^	-----
6	-----	-----	-----	-----	100	100' from all lot lines of which 20' shall be landscaped buffer.		-----	35	50, the same to include all paved areas and 25% maximum lot coverage by all structures.	-----
7	40,000	80	-----	-----	10	10' from all lot lines of which 5' shall be landscaped buffer.		-----	35	1	-----
8	5 acres	-----	-----	-----	20	20	20	-----	40 ft., but not more than three stories	50, the same to include all paved areas and 25% maximum lot coverage by all structures.	-----

³ In the West Concord Business and West Concord Village Districts, the maximum front yard is ten (10) feet unless a special permit is granted for a greater front yard depth.

CONCORD ZONING – TABLE III – DIMENSIONAL REGULATIONS

<i>Zoning Districts</i>	<i>Minimum Lot Area in Sq. Ft.</i>	<i>Minimum Lot Frontage in Feet</i>	<i>Frontage Exception in Feet</i>	<i>Minimum Lot Width in Feet</i>	<i>Minimum Front Yard in Feet³</i>	<i>Minimum Side Yard in Feet</i>	<i>Minimum Rear Yard in Feet</i>	<i>Corner Clearance in Feet</i>	<i>Maximum Height in Feet</i>	<i>Maximum Lot Coverage %</i>	<i>Maximum Floor Area Ratio</i>
Medical/Prof.	North of Route 2 10,000	80	-----	-----	20	15	Lesser of: 30' or 25% of lot depth	10	North of Route 2: 35	-----	-----
	South of Route 2 80,000	125	-----	-----	40	15	Lesser of: 30' or 25% of lot depth	10	South of Route 2: 35 to 110 in accordance with subs. 6.2.11	-----	-----
Industrial	20,000	100	-----	-----	10	10' in all cases of which 5' shall be landscaped buffer along those side and rear lot lines which abut the residential districts unless otherwise specified under site plan approval.		10	35	75, the same to include the gross ground floor area of all buildings and all paved areas, or open space equal to 50% of the gross floor area of the building, whichever is greater.	-----
Industrial Park A and Industrial Park B	4 acres	50' on a private interior street constructed as part of the development of a site or 200' on an existing public way.	-----	-----	20' from the side lines of private streets constructed as part of a development of a site and 100' from existing public ways. No parking areas may be placed closer than 30' from the side lines of any public way or 20' from the side lines of private streets within the boundaries of the Industrial Park development.	20' except 100' from property lines of parcels zoned residential and in residential use, 50' of which must be a landscaped buffer. No parking areas may be placed within the minimum side or rear yard except where joint parking areas are permitted by the Planning Board through site plan approval.		10	40, but not more than 3 stories, excluding basements.	50%, the same to include all paved areas and 20% maximum lot coverage by all structures.	-----

CONCORD ZONING – TABLE III – DIMENSIONAL REGULATIONS

<i>Zoning Districts</i>	<i>Minimum Lot Area in Sq. Ft.</i>	<i>Minimum Lot Frontage in Feet</i>	<i>Frontage Exception in Feet</i>	<i>Minimum Lot Width in Feet</i>	<i>Minimum Front Yard in Feet³</i>	<i>Minimum Side Yard in Feet</i>	<i>Minimum Rear Yard in Feet</i>	<i>Corner Clearance in Feet</i>	<i>Maximum Height in Feet</i>	<i>Maximum Lot Coverage %</i>	<i>Maximum Floor Area Ratio</i>
Limited Industrial Park #1 and Limited Industrial Park #2	5 acres	50' on a private interior street within the LIP development or 200' on a public way.	-----	-----	100' from public ways in existence prior to January 1, 1981 and 50' from all other streets. No parking area may be placed within the minimum front yard.	20' for buildings for which a building permit was issued prior to February 14, 1980 and for any additions thereto, 50' for all other buildings and for any additions thereto, and 200' from property lines of parcels zoned residential and in residential use, 100' of which must be a landscaped buffer. No parking area may be placed within 20' of the side and rear lot lines except where joint parking areas are permitted by the Planning Board through site plan approval.		10	40, but not more than 3 stories, excluding basements.	35%, the same to include the gross ground floor area of all buildings and all paved areas.	6,000 sq.ft. gross floor area per acre for Educational in LIP #2, R&D and light manufacturing uses, or 3,000 sq.ft. gross floor area per acre for other uses.
West Concord Industrial	20,000	100	-----	-----	10	10' in all cases, of which 5' shall be landscaped buffer along those side and rear lot lines which abut the residential districts unless otherwise specified under site plan approval.		10	35	<u>75, the same to include the gross ground floor area of all buildings and all paved areas, or open space equal to 50% of the gross floor area of the building, whichever measure of lot coverage is greater.</u>	-----
By-Pass	-----	200	-----	-----	-----	-----	-----	-----	-----	-----	-----