

MEMORANDUM

To Members of the Planning and Permitting Committee
Alicia Hunt, Director of Planning, Development & Sustainability
Danielle Evans, Senior Planner
Brenda Pike, Climate Planner

From Paula Ramos Martinez, Senior Urban Designer/Planner

Date May 23, 2024

Project 23146 – Medford – Zoning

Subject Definitions Memo

Cc: Emily Keys Innes, AICP, LEED AP ND, President
Jimmy Rocha, GIS Analyst/Data Scientist
Jonathan Silverstein, Blatman, Bobrowski, Haverty & Silverstein, LLC

This memorandum provides two sets of changes to Section 94-12.0 Definitions for the members of the Community Development Board to consider at their meeting of June 5, 2023 and, if in agreement, forward to City Council for adoption. The members of the Planning and Permitting Committee of the City Council discussed these proposed changes in their meetings on May 8 and May 22.

We have divided the changes into A. Modifications to existing terms and B. New definitions to be added. The modified/new terms have been numbered within each section to aid the Community Development Board's discussion of the proposed changes.

A. Terms to be modified:

Update the following definitions in the Medford, Massachusetts Code of Ordinances. Chapter 94 ZONING. SECTION 94-12.0 DEFINITIONS.

- Accessory.
- Dwelling, multiple.
- Dwelling, single family, attached.
- Dwelling, single family, detached.
- Dwelling, two family.
- Dwelling, unit.
- Mobile home

- Yard

The new additions in the current definitions will be shown in **bold and underline** and the eliminated part will be shown in strikethrough.

1. Accessory:

Accessory use: A use customarily incidental to, and on the same lot or group of lots as a conforming principal use, ~~and as referred to in this chapter also means a use which does not alter or impair the character of the premises on which it is located or of the neighborhood.~~

2. Dwelling, multiple:

~~*Dwelling, multiple*: A building or structure designed for or containing three or more dwelling units; or a building or structure designed for or containing one or more dwelling units in addition to a nonresidential use, but not including a group of three or more attached single-family dwellings, a lodging house, a hotel or motel, a dormitory, fraternity or sorority house.~~

~~*Class A*: Not over three stories in height.~~

~~*Class B*: Not over 75 feet or six stories in height.~~

***Dwelling, multiple*: A building with three (3) or more residential dwelling units or two (2) or more buildings on the same lot with more than one (1) residential dwelling unit in each building. This term shall include, but is not limited to, triplex, quadraplex, and townhouse structures containing three (3) or more dwelling units.**

***Class A*: Not over three stories in height.**

***Class B*: Not over 75 feet or six stories in height.**

3. Dwelling, single-family, attached:

~~*Dwelling, single-family one unit, attached*: An attached residential building intended and designed to contain or containing one dwelling unit.~~
Also known as rowhouse.

4. Dwelling, single-family, detached:

~~*Dwelling, single-family one unit, detached*: A detached residential building intended and designed to contain or containing one dwelling unit.~~

5. Dwelling, two family:

~~*Dwelling, two-family units*: A detached residential building intended and designed to contain ~~to~~ or containing two dwelling units. **Also known as duplex.**~~

6. Dwelling unit:

Dwelling unit: Dwelling unit means a room or group of rooms forming a habitable unit for one family **household** with facilities used or intended to be used for living, sleeping, cooking, sanitation, and eating.

7. **Mobile home:**

~~*Mobile home:* A dwelling unit built on a chassis and containing complete electrical, plumbing, and sanitary facilities, and designed to be installed on a temporary or permanent foundation for living quarters.~~

Manufactured home: A factory-built structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities.

8. **Yard:**

~~*Yard:* An open, uncovered space on the same lot with a building.~~

~~*Yard, front:* The yard lying between the front lot line and the principal structure and bounded by the side lot lines. The minimum front yard is measured horizontally between the nearest point of the principal structure and the front lot line.~~

~~*Yard, rear:* The yard lying between the rear of the principal structure and the rear lot line and bounded by the side lot lines. The minimum rear yard is measured horizontally between the nearest point of the principal structure and the rear lot line.~~

~~*Yard, side:* The yard lying between the side of the principal structure and the side lot line, and bounded by the front and rear yards. The minimum side yard is measured horizontally between the nearest point of the principal structure and the nearest adjacent side lot line.~~

Yard: An area unobstructed from the ground up, on the same lot with a principal building, extending along a lot line and inward to the principal building.

A. **Front yard: A yard extending for the full width of the lot between the front line of the nearest building wall or building part not specifically excluded on section 94-4.2.2 and section 94-4.2.3 and the front lot line.**

B. **Side yard: A yard, unoccupied except by an accessory structure or use as herein permitted, between the line of the building wall or building part not specifically excluded on section 94-4.2.2 and section 94-4.2.4 and a side lot line extending from the front yard to the rear yard.**

C. **Rear yard: A yard, unoccupied except by an accessory structure or accessory use as herein permitted, extending for the full width**

of the lot between the rear line of the nearest building wall or building part not specifically excluded on section 94-4.2.2 and section 94-4.2.5 and the rear lot line.

B. Terms to be defined:

New definitions that we propose to include in the Medford, Massachusetts Code of Ordinances Chapter 94 ZONING. SECTION 94-12.0 DEFINITIONS.

- Doggy daycare
- Institutional use
- Factory-built home.
- Junkyards
- Mixed-use
- Motor vehicles. Class III
- Neighborhood café
- Tiny Home, moveable
- Tiny home, stationary
- Yard, setback

1. Doggy daycare.

Doggy daycare: A facility providing care for dogs on a daily basis without overnight accommodation. The facility may include indoor and outdoor areas for the dogs where they will be under supervision. For clarity, this definition does not include animal boarding facilities.

2. Factory-built Home.

Factory-built, Home: standardized units primarily built inside of a factory, then assembled on site in accordance with local building codes.

3. Institutional use.

Institutional use: the use of land or structures for the non-profit charitable, benevolent, spiritual, instructional or custodial activities of government, education, religious, health care, social service, fraternal/sorority or similar organizations.

4. Junkyards.

Junkyard: The use of any area or any lot, whether inside or outside of a building, for the storage, keeping, or abandonment of junk, scrap or discarded materials, or the dismantling, demolition, or abandonment of automobiles, other vehicles, machinery, or parts thereof, including, but not limited to:

- A. Discarded, worn-out, or junked plumbing, heating supplies, household appliances and furniture.

B. Discarded, scrap, and junked lumber.

C. Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, or plastic debris, waste, and all ferrous material.

D. Discarded motor vehicle parts or more than two unregistered motor vehicles.

5. Mixed-use.

Mixed-use development: development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, industrial or other uses.

6. Motor vehicle. Class III.

Class III Motor Vehicle Sales: principal business is: (1) buying used vehicles for purpose of remodeling, taking apart, or rebuilding and selling the same, or (2) buying or selling parts from used vehicles or tires, or the assembling of used vehicle parts.

7. Neighborhood café.

Neighborhood café: means an establishment that serves a limited menu of food items and does not contain more than 2,000 square feet of gross floor area.

8. Tiny home, moveable.

Tiny House, Moveable: a transportable dwelling unit built on a frame or chassis with not more than 400 square feet, excluding lofts, projections from bay windows, open decks, porches or exterior utility and storage compartments, intended for residential use on an individual house lot where single-family dwellings are allowed or as an accessory dwelling unit.

9. Tiny home, stationary.

Tiny House, Stationary: a dwelling that is 400 square feet or less in floor area excluding lofts, projections from bay windows, open decks, porches or exterior utility and storage compartments, intended for residential use on an individual house lot where single-family dwellings are allowed or as an accessory dwelling unit.

10. Yard, setback.

Yard Setback: the minimum horizontal distance between a specified lot line, measured along a straight line and at a right angle to such lot line, and the nearest point of a building or structure.