



Medford City Council  
Medford, Massachusetts

## **Planning and Permitting Committee, March 26, 2025**

### **Voting Members**

Kit Collins, Chair  
Matt Leming, Vice Chair  
Isaac B. "Zac" Bears  
Anna Callahan  
George A. Scarpelli

This meeting will take place at 6:00 P.M. via Zoom only.

Zoom Link: <https://us06web.zoom.us/j/89000028307>

Call-in Number: +19292056099,,89000028307# US

Live: Channel 22 (Comcast), Channel 43 (Verizon), [YouTube](#), and [medfordtv.org](http://medfordtv.org).

To submit written comments, please email [AHurtubise@medford-ma.gov](mailto:AHurtubise@medford-ma.gov).

### **CALL TO ORDER & ROLL CALL**

### **ACTION AND DISCUSSION ITEMS**

#### **24-033 - Offered by President Bears and Vice President Collins**

Zoning Ordinance Updates with Innes Associates Team

### **PAPERS IN COMMITTEE**

To view Papers in Committee, please email [ahurtubise@medford-ma.gov](mailto:ahurtubise@medford-ma.gov).

### **Adjournment**



Medford City Council  
Medford, Massachusetts

**MEETING DATE**

March 26, 2025

**SPONSORED BY**

Isaac Bears, Council President, Kit  
Collins, Council Vice President

**AGENDA ITEM**

**24-033** - Zoning Ordinance Updates with Innes Associates Team

**FULL TEXT AND DESCRIPTION**

This is the twenty-second zoning updates project meeting with Innes Associates. The following will be discussed:

- Medford Square initial zoning proposal and discussion
- Updates to ADU zoning ordinance required by state law and further discussion of other ADU zoning proposals
- Review of upcoming zoning updates project topics from January 2025 to June 2025
- General discussion of updates to the Zoning Ordinance

Be it Resolved by the Medford City Council that the Planning and Permitting Committee invite staff from the Office of Planning, Development, and Sustainability and Innes Associates, the Medford City Council's Zoning Consultant, to discuss our upcoming comprehensive review and update of the Zoning Ordinance.

Vice President Collins moved to refer the paper to the Planning and Permitting Committee (Councillor Scarpelli second)—referred to the Planning and Permitting Committee.

**RECOMMENDATION**

**FISCAL IMPACT**

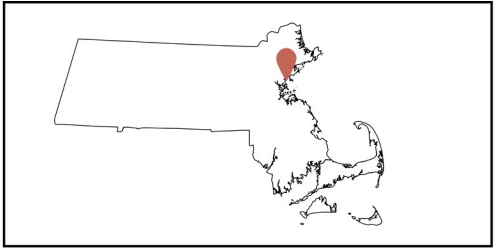
**ATTACHMENTS**

1. 25-03-26 MedfordSquare\_ZoningMap\_v1
2. 25-03-26 MedfordSquare\_SectionStudy\_v1

3. 25-03-26 ADU-Draft

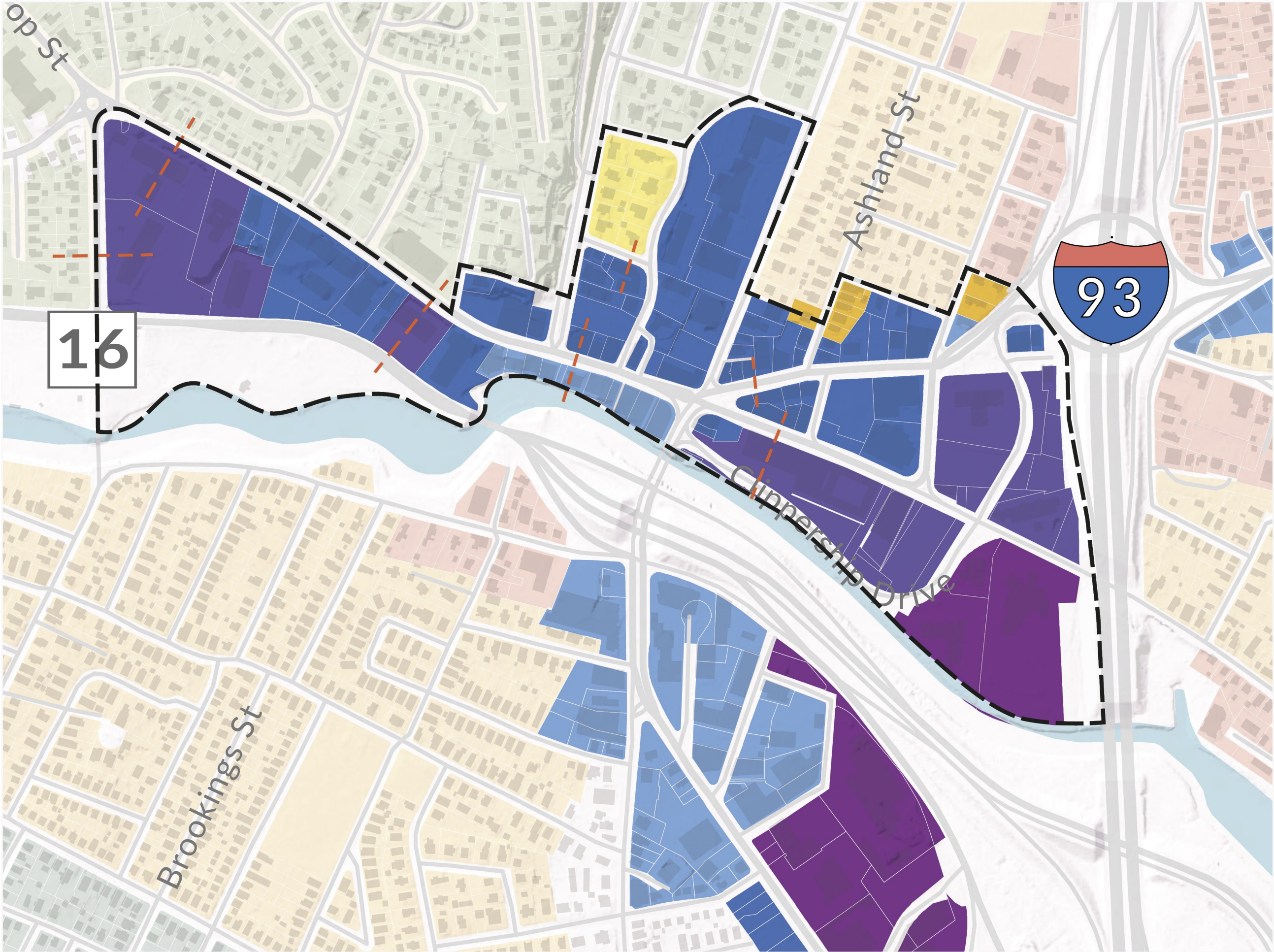


# Medford Square Zoning



## LEGEND

-  **Mixed-Use 1:**  
Small-Mid Scale.  
3stories by right + 1 IZ
-  **Mixed-Use 2A**  
Mid Scale.  
4 stories by right + 2 IZ
-  **Mixed-Use 2B**  
Mid-High Scale.  
6 stories by right + 2 IZ
-  **Mixed-Use 3**  
Mid-High Scale.  
6 stories by right + 6 IZ
-  **Neighborhood Residential 3**
  - Single-unit Dwelling
  - 2-unit Dwelling
  - 3-unit Dwelling
  - Townhouse
  - Historic Conversion (2-4 units)
  - ADU
-  **Urban Residential 1**
  - 2-unit Dwelling
  - Historic Conversion (2-5 units)
  - Townhouse
  - 3-unit Dwelling
  - Multiplex (4-6 units)
  - ADU (1/2/3-unit Dwelling)



This map was produced in March 2025 by Innes Associates for the City of Medford using data from MassGIS: "Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services".

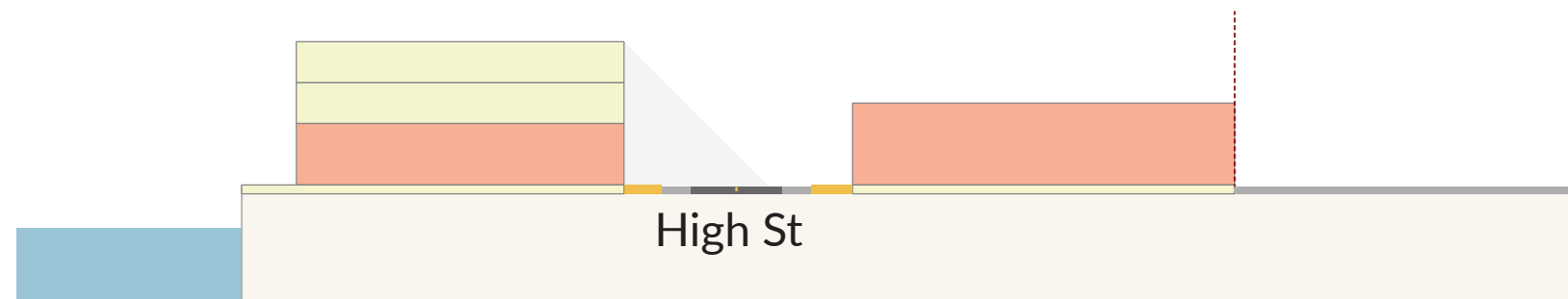




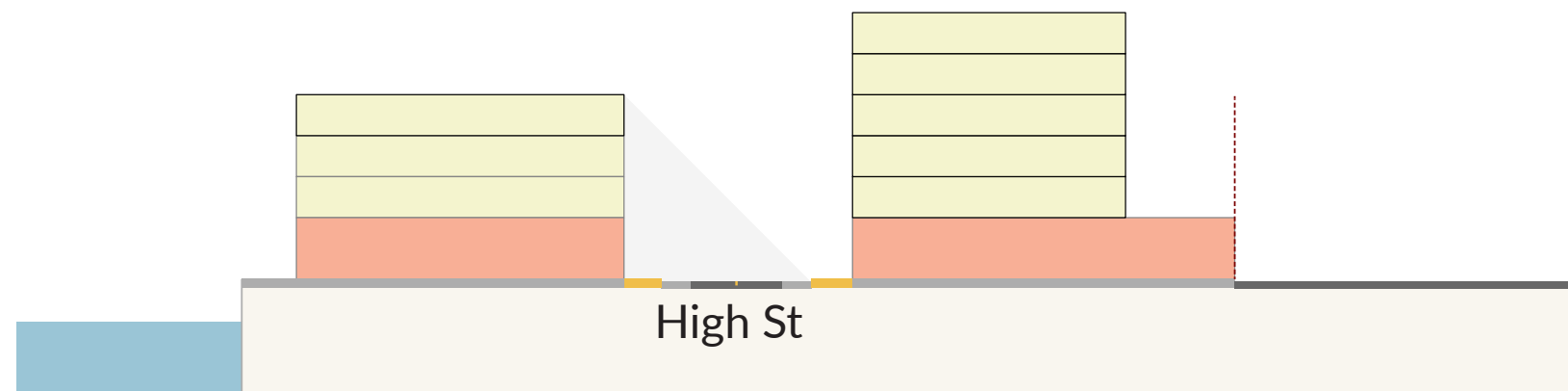
# Medford Square Zoning Section Study

## High St

### Existing Section



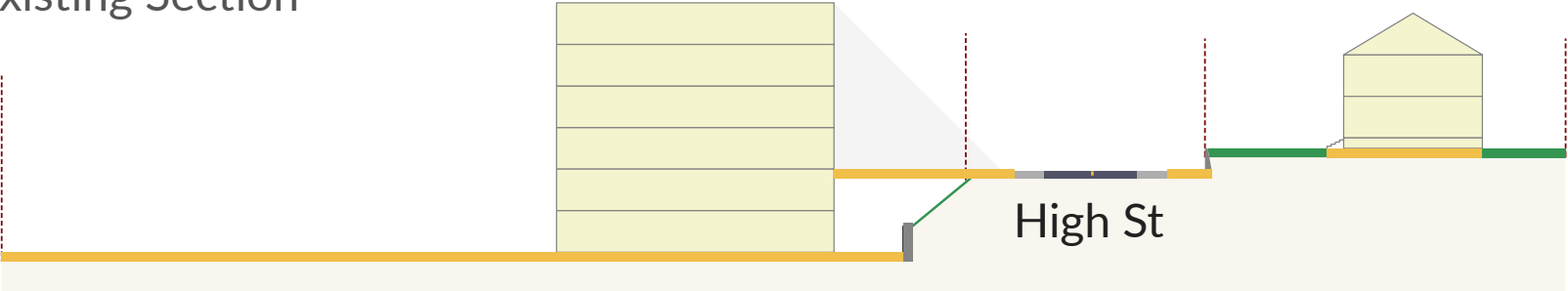
### Proposed Section



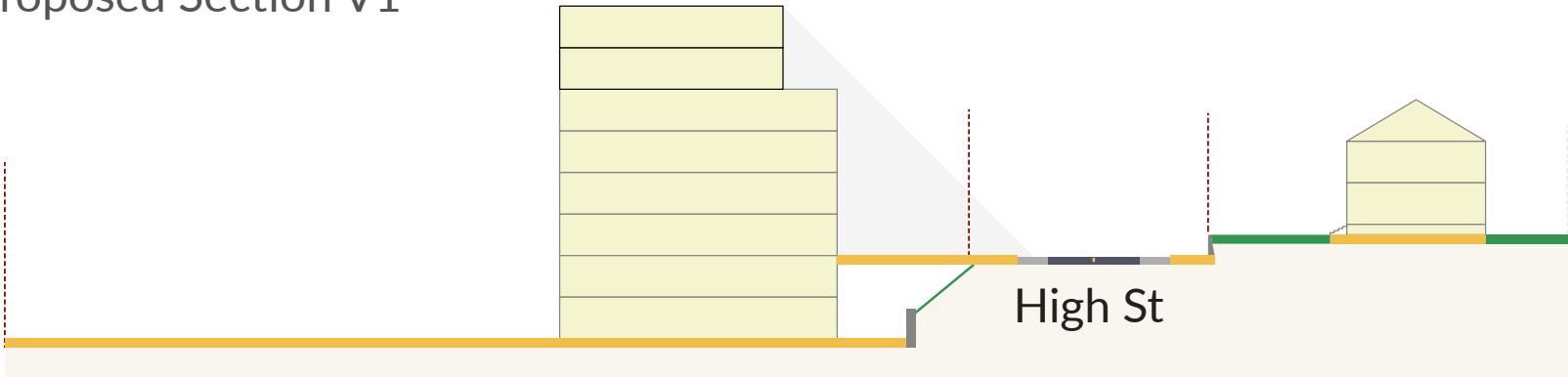
# Medford Square Zoning Section Study

## High St

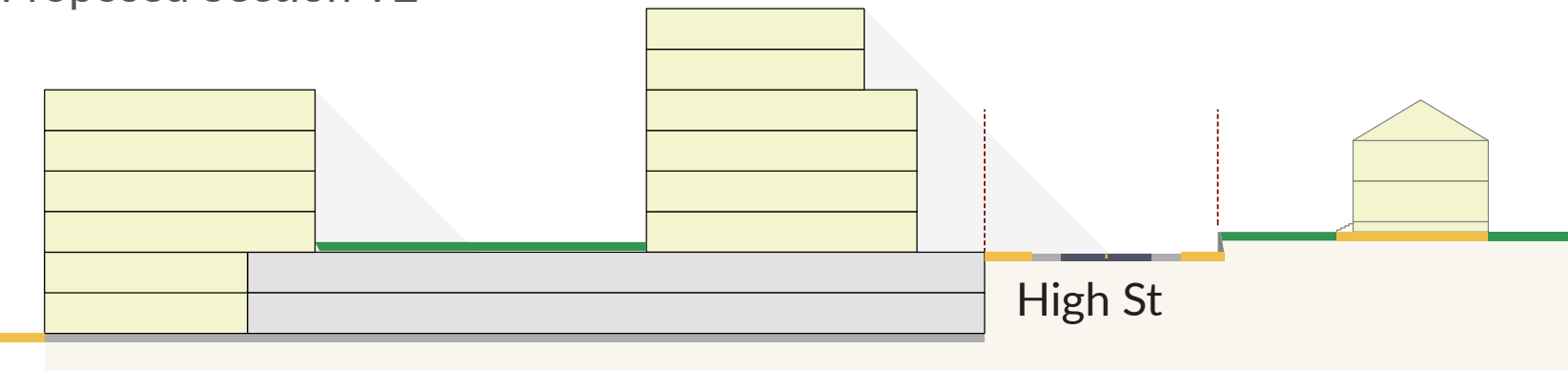
Existing Section



Proposed Section V1



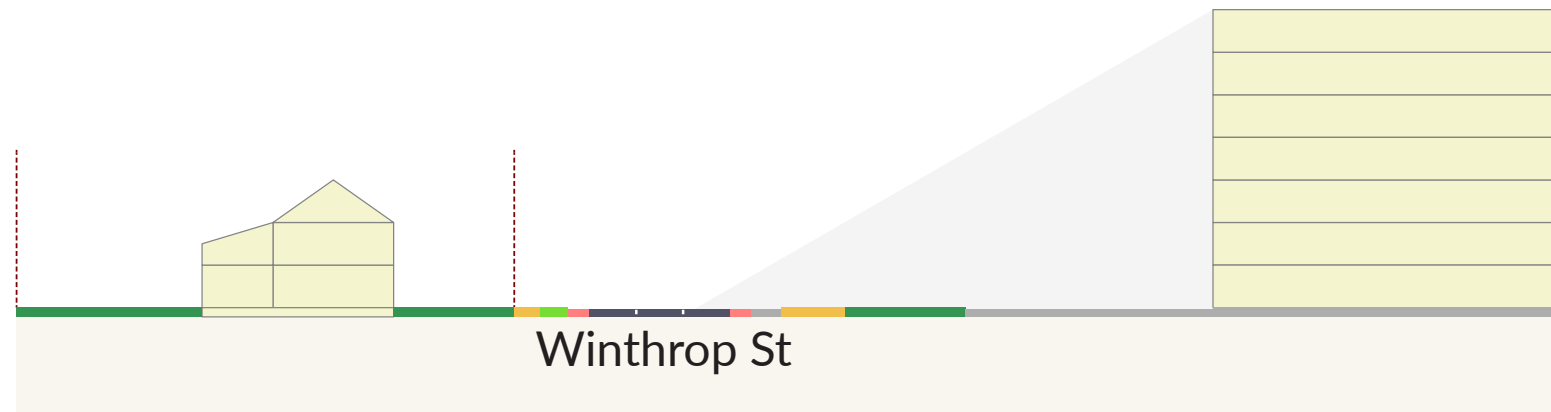
Proposed Section V2



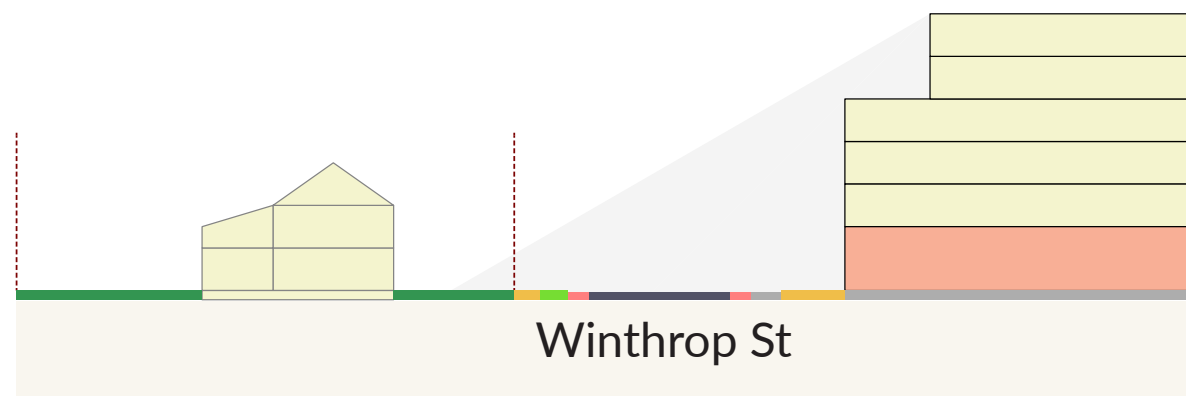
# Medford Square Zoning Section Study

## Winthrop St

Existing Section



Proposed Section



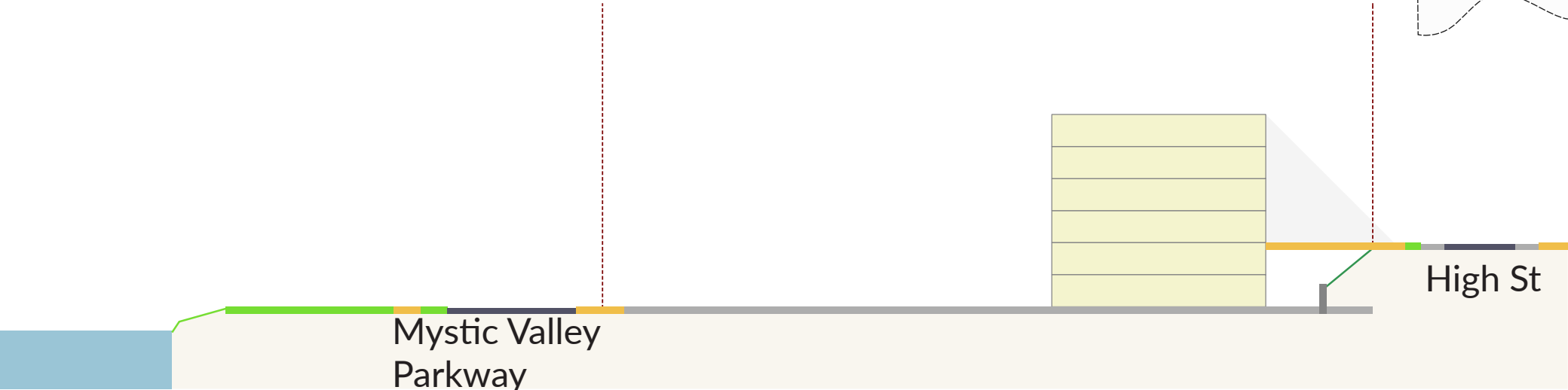
Commercial Residential Parking



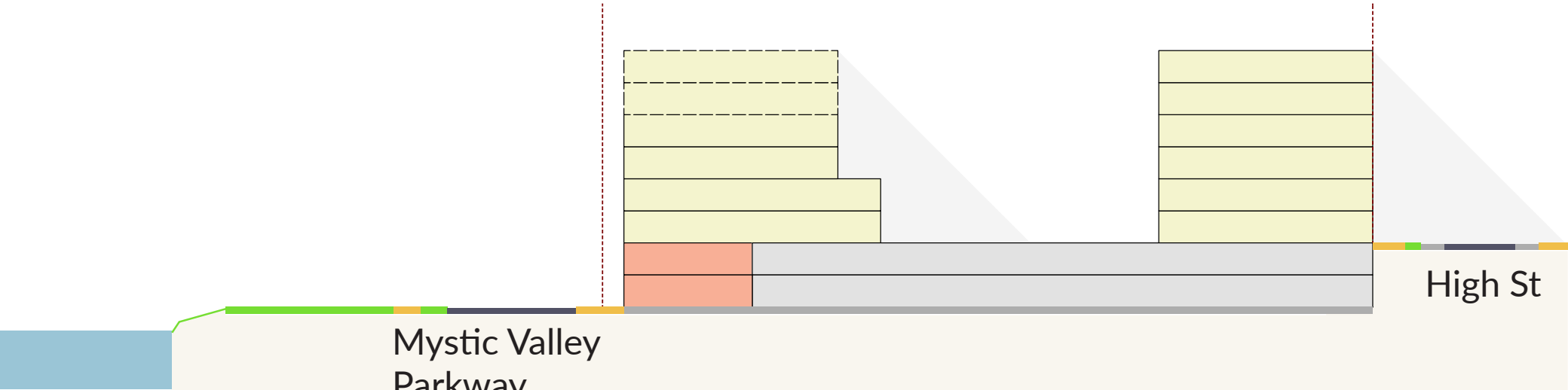
# Medford Square Zoning Section Study

## Mystic Valley Parkway

Existing Section



Proposed Section



- Commercial
- Residential
- Parking

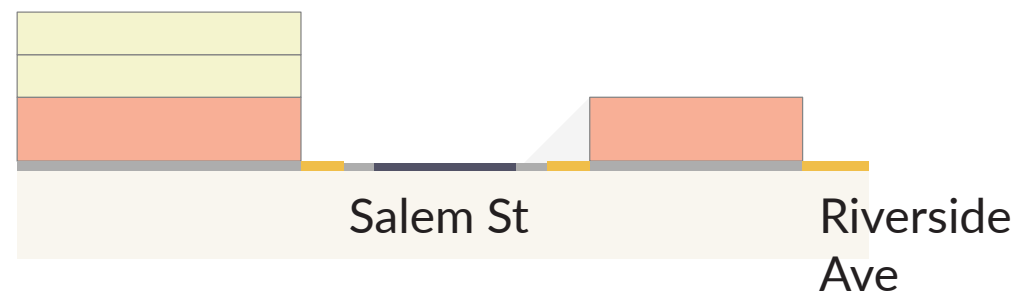




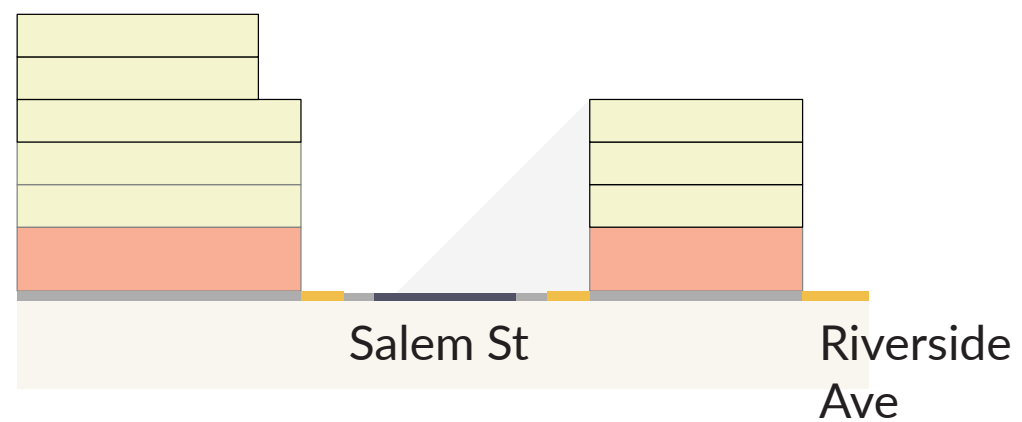
# Medford Square Zoning Section Study

## Salem St

Existing Section



Proposed Section



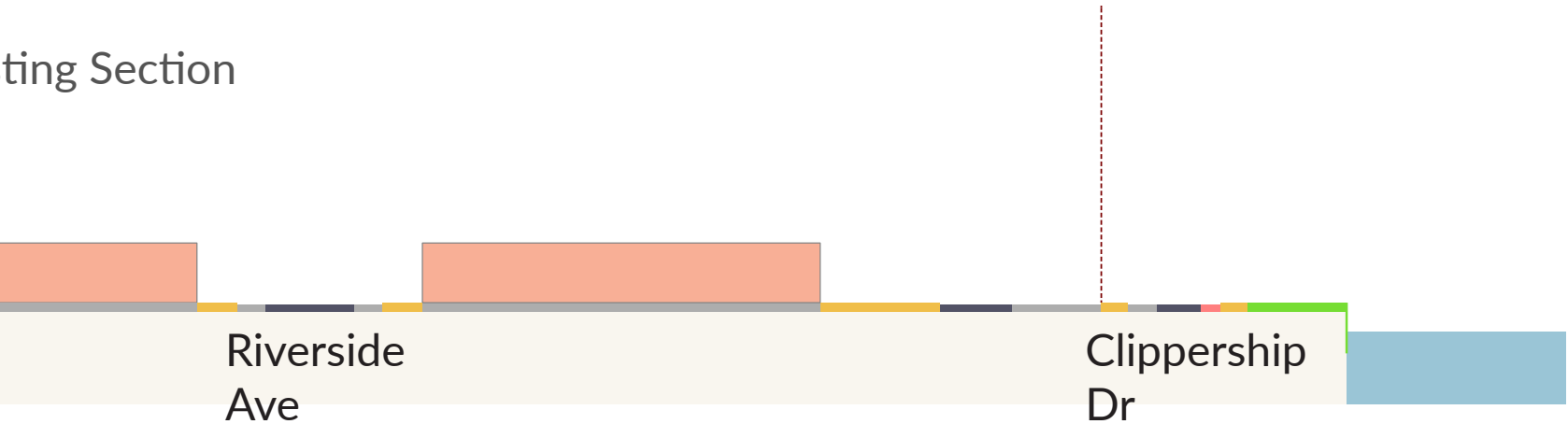
Commercial Residential Parking



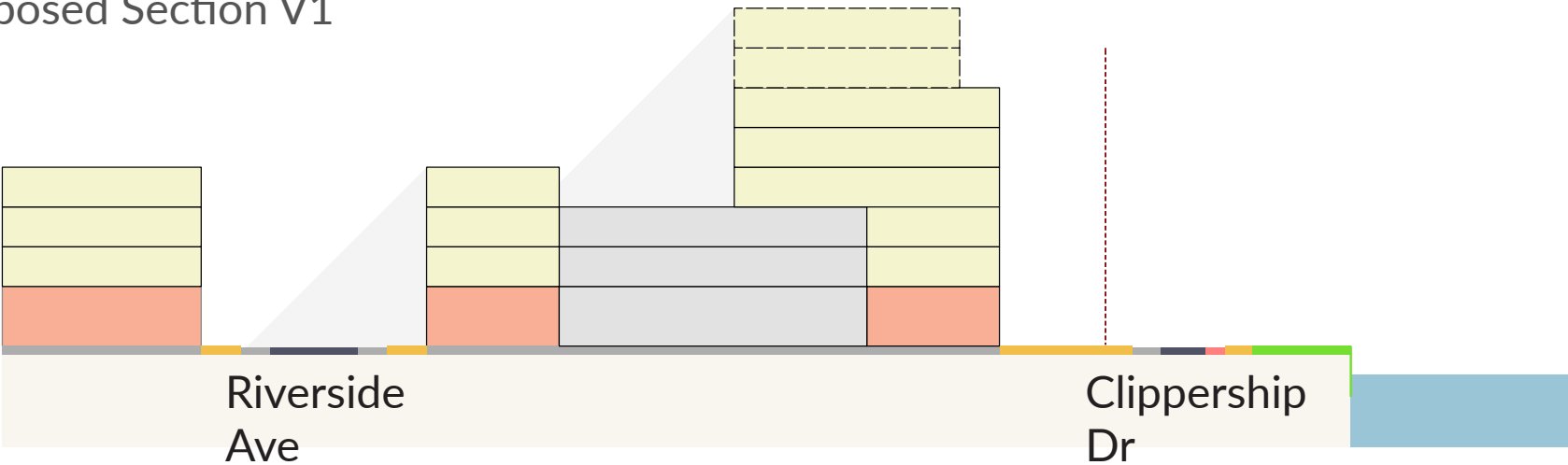
# Medford Square Zoning Section Study

## Clippership Dr

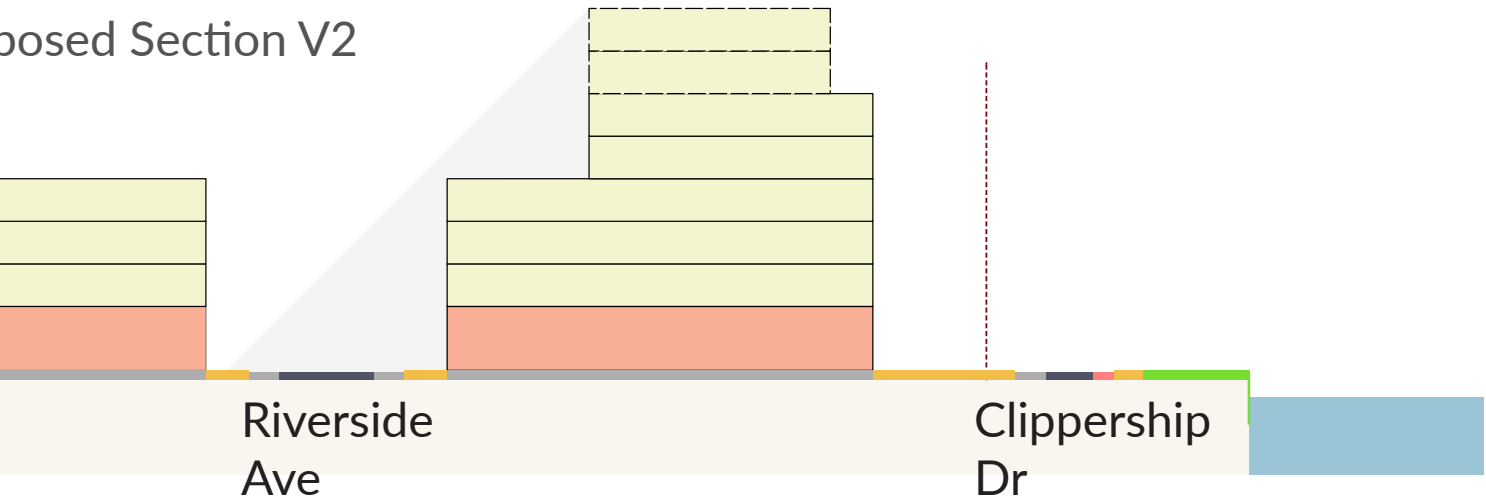
Existing Section



Proposed Section V1



Proposed Section V2



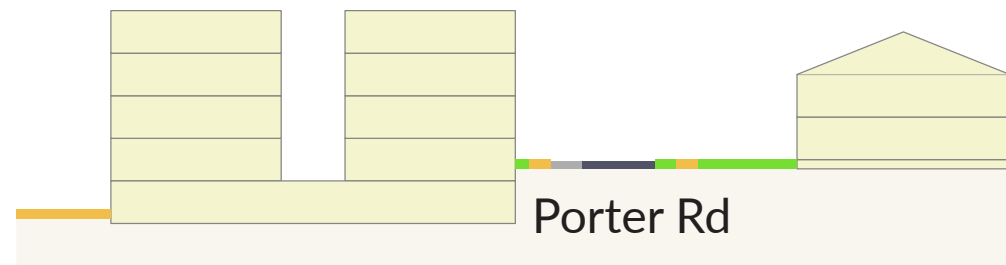
Commercial Residential Parking



# Medford Square Zoning Section Study

## Porter Rd

### Existing Section





40R Merrimac Street, Suite 201 W  
Newburyport, MA 01950

## MEMORANDUM

To	Members of the Planning and Permitting Committee Alicia Hunt, Director of Planning, Development & Sustainability Danielle Evans, Senior Planner Jonathan Silverstein, Blatman, Bobrowski, Haverty & Silverstein, LLC
From	Paula Ramos Martinez, Senior Urban Designer/Planner
Date	<del>March 18, 2024</del> Revised March 20, 2025. Comments from Scott's email and Emily's comments on Jonathan's and Scott's comments are added to the original draft.
Project	23146 – Medford – Zoning
Subject	Accessory Dwelling Unit (ADU)
Cc:	Emily Keys Innes, AICP, LEED AP ND, President

This memorandum contains the draft text for the Accessory Dwelling Units, this document follows the MODEL ZONING FOR ACCESSORY DWELLING UNITS, Version 1 March 11, 2025. Prepared by the Metropolitan Area Planning Council (MAPC) on behalf of the Executive Office of Housing and Livable Communities (EOHLC) and the Massachusetts Housing Partnership (MHP).

The yellow highlighted text shows modifications that we recommend to the base draft.

The pink highlighted text shows existing text from Medford's current zoning.

### Amend Section 94-12.0. Definitions

**Accessory dwelling unit:** A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, as further defined in M.G.L.A. c. 40A, § 1A.

**Accessory Dwelling Unit (ADU):** A self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building and Fire Code for safe egress. ADUs may be detached, attached, or internal to the Principal Dwelling. General references to ADUs include both Protected Use ADUs and Local ADUs.

**Local ADUs.** An ADU that is not a Protected Use ADU but includes rules specific to the City of Medford.

**Modular Dwelling Unit.** A pre-designed Dwelling Unit assembled and equipped with internal plumbing, electrical or similar systems, in compliance with the Building and Fire Code, prior to movement to the site where such Dwelling Unit is affixed to a foundation and

**Commented [PR1]:** All the definitions that are in pink highlighted text, are the existing definitions



Our recommendations: **text** Medford's current zoning: **text**

connected to external utilities; or any portable structure with walls, a floor, and a roof, designed or used as a Dwelling Unit, transportable in one or more sections and affixed to a foundation and connected to external utilities.

**Protected Use ADU.** An attached, detached or internal ADU that is located, or is proposed to be located, on a Lot in a Single-unit Dwelling Residential Zoning District and is not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or **900 square feet**, whichever is smaller, provided that only one ADU on a Lot may qualify as a Protected Use ADU. An ADU that is nonconforming to zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition.

**Short term rental:** The rental of a residential unit for its intended purpose, in exchange for payment as residential accommodations for a duration of not more than 30 consecutive days. Such a rental may or may not be facilitated through the use of a booking agent.

**Short-Term Rental.** An owner-occupied, tenant-occupied, or nonowner occupied property as defined in M.G.L. c. 64G § 1, including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment, where: (i) at least 1 room or unit is rented to an occupant or sub-occupant [for a period of 31 consecutive days or less]; and (ii) all accommodations are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased or rented as such.

**Single-unit Dwelling Residential Zoning District.** Any zoning district where Single-unit Dwellings are a permitted or an allowable use, including any zoning district where Single-unit Dwellings are allowed as-of-right, or by Special Permit.

**High-frequency transit:** Service that takes place more than three times per hour in the same direction during its peak daytime schedule. Distance from transit shall be measured along reasonable pedestrian routes using public rights of way. The term may apply to existing fixed-route service using buses or existing and planned rail service within five years.

**Transit Station.** A Subway Station, Commuter Rail Station, Ferry Terminal, or Bus Station.

- a. A Bus Station includes any location serving as a point of embarkation for any bus operated by a transit authority.
- b. A Subway Station includes any of the stops along the Massachusetts Bay Transportation Authority Red Line, Green Line, Orange Line, Silver Line, or Blue Line, including any extensions or additions to such lines.]
- c. A Commuter Rail Station includes any commuter rail station operated by a Transit Authority with year-round service with trains departing at regular time intervals, rather than intermittent, seasonal, or event-based service.

**Commented [PR2]:** 900 sf is a 2-bedroom apartment. We recommend not to increase the 900 sf. We are a little worried that having bigger ADUs we will increase too much the impermeability. I would recommend leaving bigger ADUs for the Local ADUs by Special Permit and include the min permeability requirement (See Special Permit Local ADUs)

**Commented [E13]:** Scott notes in his email that the definition of a short-term rental needed to be consistent with 94-8.4. Just to confirm for everyone, the text highlighted in pink is the current definition. The text below it is the state definition is M.G.L. c. 64G, § 1.

**Commented [PR4]:** @ Jonathan. I am guessing this do not apply to any bus stop, but to a bus terminal.

**Commented [JS5R4]:** Correct. It has to be the beginning/end of a route.

This memorandum contains the draft text for Accessory Dwelling Units (ADU).

Our recommendations: **text** Medford's current zoning: **text**

## Sec. 94-8.2. Accessory Dwelling Units (ADU)

**94-8.2.1 Purpose.** The purpose of this Section is to allow for Accessory Dwelling Units (ADUs), as defined under M.G.L. c. 40A, §1A, to be built as of-right in Single-unit Residential Zoning Districts in accordance with Section 3 of the Zoning Act (M.G.L. c. 40A), as amended by Section 8 of Chapter 150 of the Acts of 2024, and the regulations under 760 CMR 71.00: Protected Use Accessory Dwelling Units. This zoning provides for by-right ADUs to accomplish the following purposes:

1. Increase housing production to address local and regional housing needs across all income levels and at all stages of life.
2. Provide small additional dwelling units to rent without altering the appearance of the city;
3. Provide a more moderately priced housing option to serve smaller households, households with lower incomes, seniors, and people with disabilities.
4. Enable property owners to age in place, downsize, or earn supplemental income from investing in their properties.

### 94-8.2.2 Regulations.

#### 1. General Provisions for All ADUs

##### a. Code Compliance

- i. ADUs shall maintain a separate entrance from the Principal Dwelling sufficient to meet safe egress under the Building Code and Fire Code.
- ii. ADU construction shall comply with 310 CMR 15.000: The State Environmental Code, Title 5 regulations for a Single-unit Residential Dwelling in the Single-unit Dwelling Residential Zoning District in which the Protected Use ADU is located.

##### b. Gross Floor Area.

Where there are multiple Principal Dwellings on the Lot, the GFA of the largest Principal Dwelling shall be used for determining the maximum size of a Protected Use ADU.

##### c. Design Standards.

Clear, measurable and objective provisions of zoning, or general ordinances or by-laws, which are made applicable to the exterior design of, and use of materials for an ADU when those same design standards apply to the Principal Dwelling to which the ADU is an accessory.

##### d. Short-Term Rentals

Where the accessory dwelling unit or the principal dwelling is occupied as a rental unit, the minimum occupancy or rental term shall be 30 days.

#### 2. Protected Use ADUs

The building commissioner shall approve a Building Permit authorizing Protected Use ADU installation and use within, or on a Lot with, a Principal Dwelling in a Single-unit

Our recommendations: **text** Medford's current zoning: **text**

Dwelling Residential Zoning District (NR-1, NR-2 and NR-3), including within, or on a Lot with, a Preexisting Nonconforming Structure, if the following conditions are met:

a. Dimensional Standards

- i. Protected Use ADU shall not be larger than a Gross Floor Area of **900 square feet** or  $\frac{1}{2}$  the Gross Floor Area of the Principal Dwelling, whichever is smaller.
- ii. A Protected Use ADU on a Lot with a Single-unit Residential Dwelling shall not have more restrictive dimensional standards than those required for the Single-unit Residential Dwelling (Table B. Table of Dimensional Requirements), or accessory structure (Sec. 94-4.3. Dimensional requirements for accessory structures) within the same district, whichever results in more permissive regulation.
- iii. A Protected Use ADU on a Lot with a Principal Dwelling that is not a Single-unit Residential Dwelling shall not have more restrictive dimensional standards than those required for its Principal Dwelling (Table B. Table of Dimensional Requirements), or Single-unit Residential Dwelling (Table B. Table of Dimensional Requirements), or accessory structure (Sec. 94-4.3. Dimensional requirements for accessory structures) within the same district, whichever results in more permissive regulation.

b. Off-Street Parking

One additional off-street parking space shall be required for Protected Use ADUs located outside the  $\frac{1}{2}$ -mile radius of any transit station. No off-street parking is required for Protected Use ADUs located within a  $\frac{1}{2}$ -mile radius of any Transit Station.

3. Local ADUs

The building Commissioner shall approve a Building Permit authorizing Local ADU installation and use within, or on a Lot with, a Single-unit Dwelling, a Two-unit Dwelling **and/or** a Three-unit Dwelling in a Residential Zoning District (UR-1 and UR-2), including within, or on a Lot with, a Preexisting Nonconforming Structure, if the following conditions are met:

a. Dimensional Standards

- i. Local ADUs shall not be larger than a Gross Floor Area of **900 square feet** or  $\frac{1}{2}$  the Gross Floor Area of the Principal Dwelling, whichever is smaller.
- ii. Local ADUs shall not have more restrictive dimensional standards than those required for ~~its~~ **the** Principal Dwelling (Table B. Table of Dimensional Requirements), or Single-unit Residential Dwelling (Table B. Table of Dimensional Requirements), or accessory structure (Sec. 94-4.3. Dimensional requirements for accessory structures) within the same district, whichever results in more permissive regulation.

b. Off-Street Parking

**Commented [PR6]:** @ Jonathan, could this be changed to be more permissive? Instead of  $\frac{1}{2}$  to use 60% of the Gross Floor Area.

**Commented [JS7R6]:** Yes, the City is always free to be more permissive. The statute sets the minimum protections.

**Commented [EI8R6]:** Another question to consider:

1. If the attached ADU is greater than 50% of the existing principal dwelling, then is it still an accessory use?
  2. If the detached ADU is in an existing building that is accessory to the principal use, do we allow more flexibility? I am particularly interested in the idea of preserving historic outbuildings (carriage house, barn, etc.). Do we allow 100% by special permit?
  3. If the detached ADU is new, again, should it be 50% or less than the existing principal dwelling?
- Scott had a question about whether someone could declare the existing principal dwelling as the ADU and build a larger new principal dwelling behind it.

**Commented [EI9R6]:** Also adding Scott's comment about whether increasing the percentage of the GFA conflicts with the definition of a half-story (see email.)

**Commented [PR10]:** @ Jonathan. We would like to allow by right ADUs in Residential districts that do not allow Single-unit Dwellings. Could we allow Local ADUs by right or it has to be by Special Permit?

**Commented [JS11R10]:** Yes, they can be allowed by right. Again, the statutory protections are a floor, not a ceiling.

**Commented [PR12]:** @ Jonathan, Here is the proposal for Local ADUs

**Commented [JS13R12]:** Since this is not required by the statute, the City is not required to use the same standards that apply to protected use ADUs, though it certainly may do so.

Our recommendations: **text** Medford's current zoning: **text**

- i. One additional off-street parking space shall be required for Local ADUs located outside the ½-mile radius of any transit station. No off-street parking is required for Local ADUs located within a ½-mile radius of any Transit Station.
- ii. If newly constructed, said parking space shall be permeable, incorporate visual screening, and have vehicular access to the driveway.

#### 4. Special Permit for Local ADUs.

The CDB shall approve a Special Permit authorizing a [Local ADUs] installation and use within or on a Lot with a Single-unit Dwelling, a Two-unit Dwelling and a Three-unit Dwelling in a Residential Zoning District in a Residential Zoning District (NR-1, NR-2, NR-3, UR-1 and UR-2) if the following conditions are met:

##### a. Dimensional Standards

- i. Local ADU shall not be larger than a Gross Floor Area of **1,200 square feet**.
- ii. Local ADUs shall not have more restrictive dimensional standards than those required for its Principal Dwelling (Table B. Table of Dimensional Requirements), or Single-unit Residential Dwelling (Table B. Table of Dimensional Requirements), or accessory structure (Sec. 94-4.3. Dimensional requirements for accessory structures) within the same district, whichever results in more permissive regulation.

##### b. Off-Street Parking

- i. One additional off-street parking space shall be required for Local ADUs located outside the ½-mile radius of any transit station. No off-street parking is required for Local ADUs located within a ½-mile radius of any Transit Station.
- ii. If newly constructed, said parking space shall be permeable, incorporate visual screening, and have vehicular access to the driveway.

#### 5. Special Permit for Multiple ADUs on a Lot.

- a. More than one ADU on a Lot in a Residential Zoning District in which a Protected Use ADU **or Local ADU** is already located shall require a Special Permit from the CDB. The additional ADU shall be classified as a Local ADUs.
- b. **The lot shall comply with the minimum Pervious Surface Requirement and minimum Open Space Landscape Requirement (Table B. Table of Dimensional Requirements).**
- c. **No more than two ADU's may be established on any residential lot.**

#### 6. Nonconformance



Our recommendations: **text** Medford's current zoning: **text**

- a. A Protected Use ADU shall be permitted within, or on a Lot with, a Pre-Existing Nonconforming Structure so long as the Protected Use ADU can be developed in conformance with the Building Code, 760 CMR 71.00, and state law.
- b. A Protected Use ADU shall be exempt from any required finding under M.G.L. c. 40A §6.
- c. A finding under M.G.L. c 40A §6, that the extension or alteration of the pre-existing nonconforming structure is not substantially more detrimental than the existing nonconforming use to the neighborhood, shall be made by the Special Permit Granting Authority in an as-of-right process, without requiring a Special Permit or other discretionary waiver.

#### **94-8.2.3 Administration and Enforcement.**

1. The **building commissioner** shall administer and enforce the provisions of this Section 94-8.2 Accessory Dwelling Units (ADU)
2. No building shall be changed in use or configuration without a Building Permit from the **building commissioner**.
3. No building shall be occupied until a certificate of occupancy is issued by the **building commissioner** where required.
4. The **building commissioner** shall apply the Dover analysis as articulated in the standards in 760 CMR 71.03(3)(a), to any request for a Protected Use ADU Building Permit and shall waive any zoning requirement that the **building commissioner** finds to be unreasonable under the Dover analysis.
5. A plot plan of the existing dwelling unit and proposed accessory dwelling unit shall be submitted to the **CDB** or building commissioner, as the case may be, showing the location of the building on the lot, the proposed accessory dwelling unit, location of any septic system and required parking. A mortgage inspection survey shall be sufficient to meet this requirement.

**Commented [EI14]:** Scott raised a question in his email about the requirement for a mortgage inspection survey may not be appropriate. Note that this is in the current Section 94-8.2. Thoughts on an alternative that would not require an applicant to hire a surveyor?

Our recommendations: **text** Medford's current zoning: **text**

## Dimension Standards Comparison

### Current Zoning

	Single-unit Dwelling	Accessory Structure *	Detached 2-unit
Setbacks			
Front	15	*15	15
Side	7 ½	*7 ½	7 ½
Rear	15	*3	15
Height (Stories)	2 ½	15 ft (for one-two unit) Restriction of principal building for all other uses	2 ½

\*

- In residential districts, no accessory structure shall be located within the required front or side yard or any court but may be built in the rear yard subject to section 94-4.2.5.
- In commercial and industrial districts, no accessory structure shall be permitted within any required yards.
- Any accessory structures must be set back a minimum of three feet from rear and side lot lines, or a one foot separation from lot lines if constructed of fire-resistance wall assemblies, as defined by the State Building Code,
- A swimming pool must be set back a minimum six feet from rear and side lot lines measured from the water's edge to the lot lines, and a minimum setback of 12 feet from the lot lines for any type of pump equipment.

### Proposed Residential Districts

	Residential Districts			Accessory Structure
	NR-1/NR-2	NR-3	UR-1/UR-2	
Setbacks				
Front	15	10	10	*15
Side	7 ½	5	5	*7 ½
Rear	15	15	10	*3
Height (Stories)	2 ½	3	3	15 ft (for one-two unit) Restriction of principal building for all other uses

**Commented [PR15]:** To be discussed internally

**Commented [EI16R15]:** Scott raised a question in his email about the 15-foot height restriction for an accessory building. Just noting that this table is the existing zoning, here for reference. Presumably, state law would apply to the Protected ADU; the Local ADU could be more restrictive per Jonathan's comments above.

**Commented [PR17]:** @ Scott, Should a detached ADUs follow the rule of having a min distance of 10 ft between buildings, or this rule does not apply to accessory structures? It would be good to have a look at the dimensions standards for accessory structures.

**Commented [EI18R17]:** See Scott's email on establishing a 10' distance between buildings. Again, this is not consistent with Medford's current zoning, which is in this paragraph. Accessory structures on adjacent lots that follow 3-foot minimum would only be six feet apart.