

Town of Concord

Concord Planning Board Public Workshop

Mixed-use Zoning Amendment Discussion

June 17, 2025



Agenda

- ▶ Rezoning process
- ▶ Existing Zoning Bylaw
 - ▶ Problems
 - ▶ Points for Discussion
- ▶ Common Discussion

Rezoning Process

1. Review Zoning Bylaw Section 4.2.3 Combined Business/Residence.
2. Discuss barriers to effective use of the section.
3. Discuss options with the Concord community.
4. Determine if an amendment should be considered for the 2026 Annual Town Meeting.
5. Draft text for a more effective bylaw to allow mixed use.

Existing Zoning Bylaw

4.2.3 Combined business/residence:

A dwelling unit or units may be located on the same lot where commercial uses are conducted provided that:

WCV	West Concord Village	WCB	West Concord Business
B	Business	LB	Limited Business
CCB	Concord Center Business	LB 2	59 Walden Street
TDB	Thoreau Depot Business	LB 3	22 and 34 Monument Square 27, 33, and 37 Bedford Street
NACB	Nine Acre Corner Business	LB 7	106 [100] Main Street

Site Plan Approval is required for this use in all applicable districts.



Concord Massachusetts

Zoning

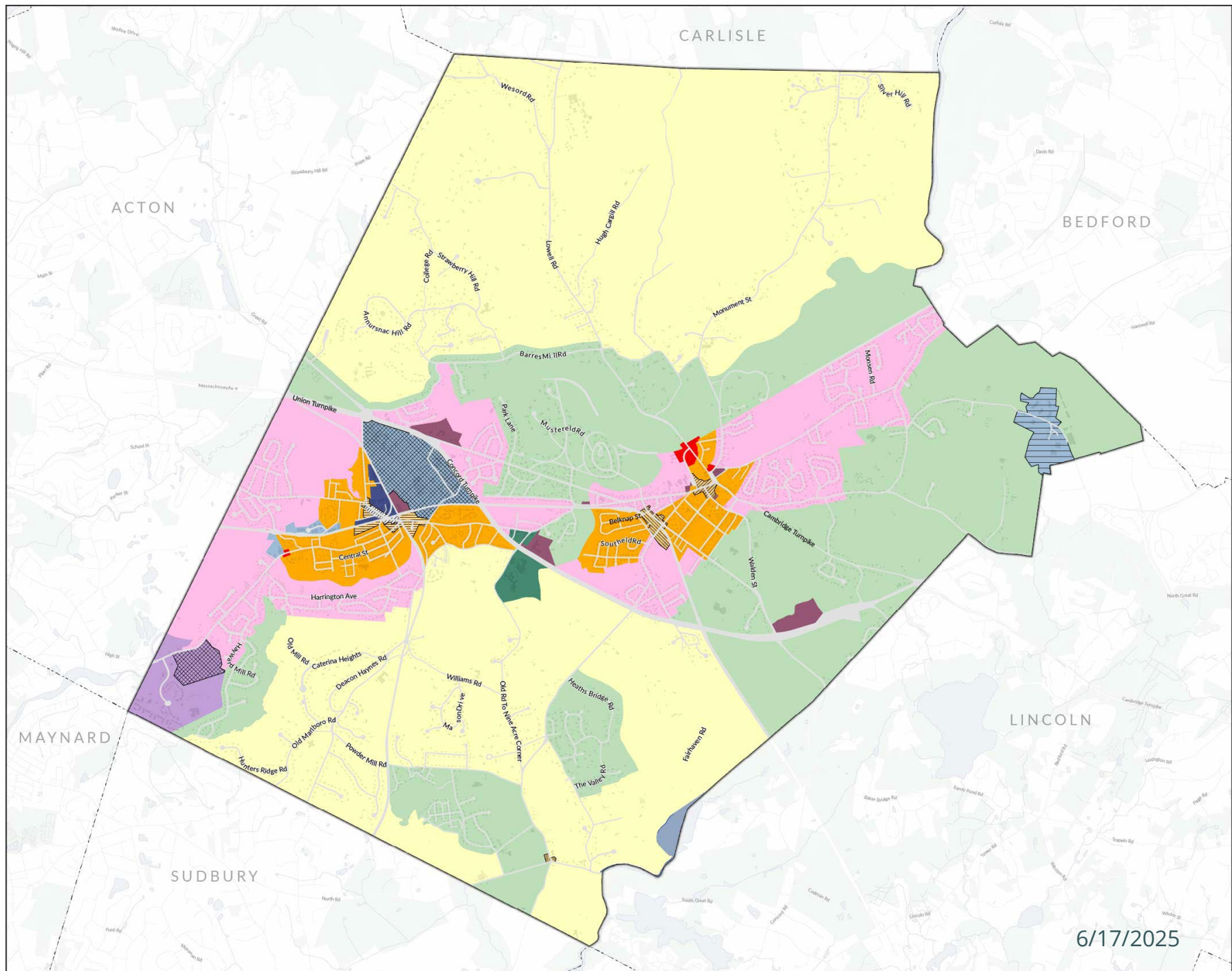
LEGEND

Existing Zoning Districts

- Business
- Concord Center Business
- Thoreau Depot Business
- Nine Acre Corner Business
- West Concord Business
- West Concord Village
- Limited Business
- Industrial
- Industrial Park A
- Industrial Park B
- West Concord Industrial
- Limited Industrial Park 1
- Limited Industrial Park 2
- Medical Professional
- Residence A
- Residence AA
- Residence B
- Residence C

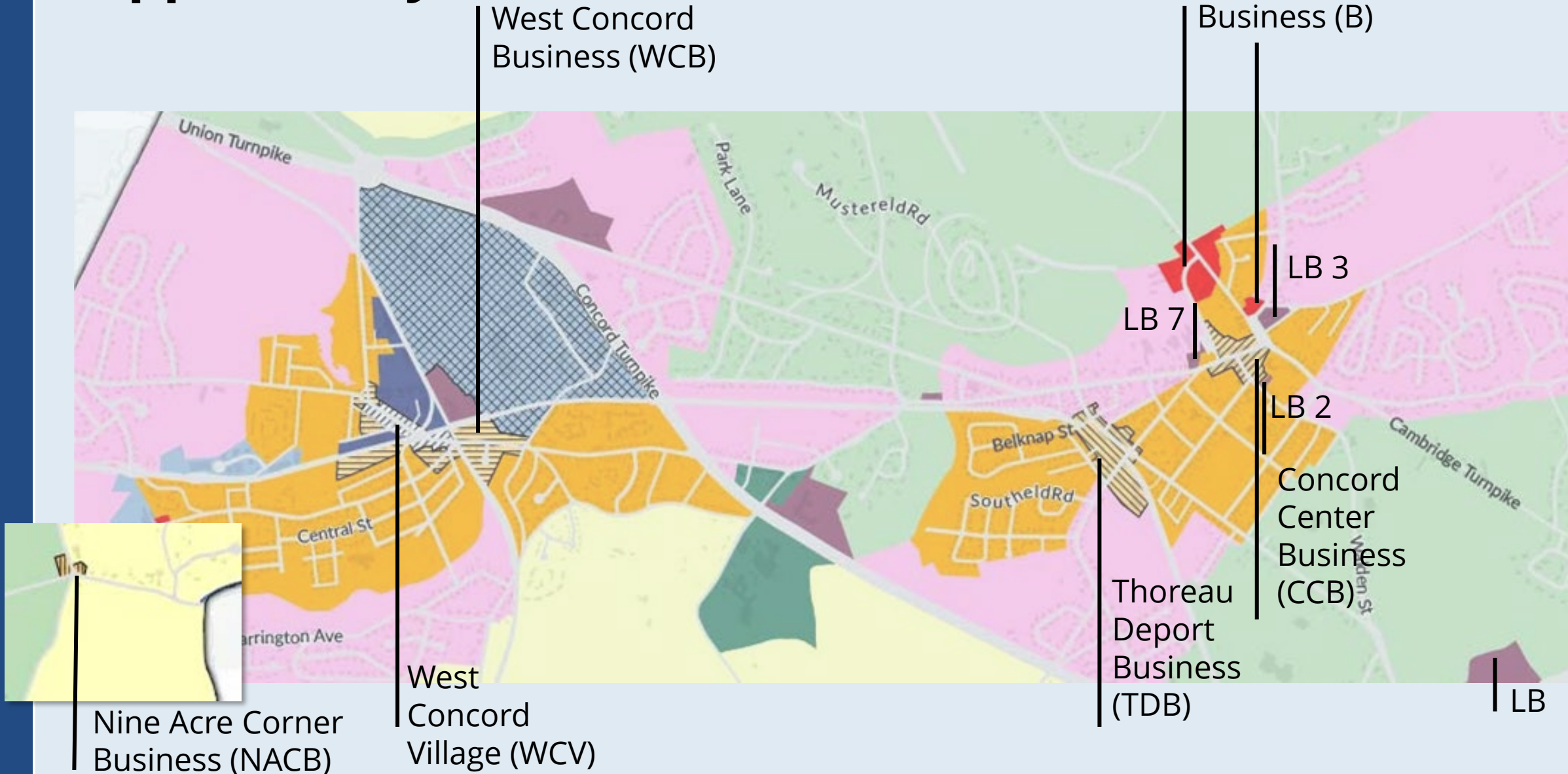


This map was produced in January 2023 by Innes Associates for the Town of Concord using data from Concord and MassGIS' Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services.



6/17/2025

Applicability



Existing Zoning Bylaw

4.2.3.1 Each such unit is structurally part of the commercial building, having common walls, foundation, roof and floor;

Restricts the flexibility of where and how the mixed uses are achieved on the site.

For Discussion

- ▶ Allow multiple buildings on a site that is large enough to accommodate requirements.
- ▶ Apply to existing or new buildings.
- ▶ Allow ground-floor residential with protection for commercial uses on principal street.

Existing Zoning Bylaw

4.2.3.2 For development of four (4) or more units, at least twenty percent of the dwelling units (and no less than one unit) are available as affordable housing;

Financially infeasible (mathematically equals 25% for multiples of 4) and inconsistent with other sections of the zoning.

For Discussion

- ▶ Reduce the threshold for affordability to make smaller developments more feasible.
- ▶ Allow payment-in-lieu of partial units.

Existing Zoning Bylaw: Other Sections

- ▶ Section 4.2.4.2 requires that **20% of the units be affordable but allows a reduction to 10% in exchange for affordable rent** for industrial or non-retail use.
- ▶ The affordability requirement for the MCMOD (Section 7.11) is a **threshold of ten or more units, with 20% of the units provided at 80% AMI.**
- ▶ The Residential Cluster Development (Section 9) provides a **density increase and reduction in open space in exchange for affordable housing.**
- ▶ Planned Residential Development (Section 10) also includes a **density bonus for affordable units.**

Additional Options to Consider

For Discussion: ATM 2023, Article 35

Number of Units	Requirements
5 or fewer units	Payment-in-lieu for fractional unit based on 10% of units provided.
5-10 units	10% at 80% AMI
10+ units	20% of units; half at 80% AMI or less; 25% at 100% AMI; and 25% at 120% AMI

Payment in lieu for fractional units under 0.5; round up for fractional units over 0.5

- ▶ **Are these unit thresholds and AMI levels appropriate?**
- ▶ **Should the Town have an incentive for additional affordability?**
- ▶ **Should that incentive include affordability measures for local businesses?**

Existing Zoning Bylaw

4.2.3.3 Open space shall be provided on the lot (apart from any paved area) equal to twice the gross floor area of the residential portion of the building. Any deck, balcony or rooftop garden shall be considered as open space if its floor area is more than twenty-five (25) square feet. The Board may grant a special permit to allow less than the required amount of open space if the Board finds that the proposed combined business/residence development is in harmony with the general purpose and intent of this Section and that it will not be detrimental or injurious to the neighborhood in which it is to take place.

This requirement is onerous and unachievable.

Open Space: For Discussion

Definitions for:

- ▶ Green/ landscaped space
- ▶ Open space
- ▶ Pervious areas

Purposes of requirement(s):

- ▶ Control the intensity of building on the site (number of buildings or footprint of a single building).
- ▶ Landscaped area to manage stormwater and reduce the heat island effect?
- ▶ Publicly accessible for customers of the commercial uses
- ▶ Privately accessible for tenants of the buildings

Other Development Standards: For Discussion

- ▶ The criteria for Site Plan Approval are in Section 11.8.5.
- ▶ The Town has adopted Site Plan Rules and Regulations for multifamily uses.
- ▶ Other standards, such as dimensional standards (Section 6) and parking (Section 7.7), are already in the bylaws.

Does this use require additional development standards?

What should those thresholds be?

- ▶ **New construction**
- ▶ **Adaptive Reuse**
- ▶ **Multiple buildings on a lot**
- ▶ **Ground-floor commercial in WCV**

Existing Zoning Bylaw

4.2.3.4 Except in Limited Business District #2, in a combined business/residence building where more than ten percent of the dwelling units are available as affordable housing, the Board may grant a special permit to allow less than the required amount of open space, an increase in the height of the building to forty (40) feet and/or a decrease in the number of parking spaces if the Board finds that the proposed combined business/residence development is in harmony with the general purpose and intent of this Section and that it will not be detrimental or injurious to the neighborhood in which it is to take place.

Does not create the desired flexibility, and special permit requirements are not well-defined.

Waivers/ Incentives: For Discussion

Waivers to allow flexibility for a better design.

- ▶ Allow flexibility in meeting dimensional standards for irregular lot sizes, to address existing nonconformities, or to allow for a better site or building design.

Incentives to encourage desired development.

- ▶ Increase height or number of units on a lot in exchange for additional or deeper affordable housing, a higher level of design, or other community benefits.

- ▶ **What are the appropriate thresholds?**
- ▶ **How much flexibility is desired?**

- ▶ **What are the appropriate thresholds?**
- ▶ **What are the desired benefits?**

Discussion

- ▶ Let's chat! What are your thoughts on these points? Do you have ideas about thresholds for affordable housing or commercial or waivers for unusual conditions? Are there particular community benefits that should be incentivized?
- ▶ Have a thought as you are leaving? Use the boards to let us know!

