



## ACTON PLANNING DEPARTMENT ZONING REVIEW

### SETBACK REQUIREMENTS for RESIDENTIAL DISTRICTS – August 2017

The Acton Zoning Bylaw requires minimum setbacks, or front, side and rear yards, for all buildings and structures to streets and property lines.

The table below intends to provide guidance on various structures, and portions of buildings or structures, that often come into question as to whether or not the setback requirements apply.

#### DOES MY STRUCTURE REQUIRE SETBACKS?<sup>1</sup>

YES		NO
<ul style="list-style-type: none"><li>• Covered stairs</li><li>• Sheds of all sizes</li><li>• Swimming pools</li><li>• Towers &amp; masts</li><li>• Roofed storage areas</li><li>• Temporary buildings &amp; structures, including tent structures</li><li>• Fences and walls that are 8 feet tall or higher, including retaining walls</li><li>• Any permanently installed structure or equipment that emits noise, such as HVAC equipment and pool pumps</li><li>• Decks</li><li>• Garages &amp; Car ports</li></ul>	<ul style="list-style-type: none"><li>• Bulkheads</li><li>• Driveways</li><li>• Walkways and other paved areas</li><li>• Underground storage tanks</li><li>• Septic tanks and septic systems</li><li>• Culverts</li><li>• Basketball hoops</li><li>• Portable swing sets or similar play structures</li><li>• Garden Structures and Fire Pits under 8 feet in height</li></ul>	<ul style="list-style-type: none"><li>• At-grade patios</li><li>• Fences and walls under 8 feet in height</li><li>• Drains, drain lines, catch basins, manholes</li><li>• Wells</li><li>• Transformers</li><li>• Utility poles</li><li>• Light poles</li><li>• Sign posts</li><li>• Flag poles</li><li>• Mail boxes</li><li>• Benches/ Seating Areas</li></ul>

Not sure? Contact the Planning Department at [planning@acton-ma.gov](mailto:planning@acton-ma.gov) or (978) 929-6631.

<sup>1</sup> The Health Department requires certain minimum setbacks from property lines and buildings for septic systems, septic tanks, and wells – see the Board of Health Rules and Regulations at <http://ma-acton2.civicplus.com/137/Health>  
The Natural Resources Department requires certain minimum setbacks from rivers, streams and wetlands – see the Wetlands Bylaw at <http://ma-acton2.civicplus.com/159/Natural-Resources>

## What are the required setbacks for my property?

Setback requirements vary across zoning districts in the Town. Every zoning district has minimum setback requirements. Setback requirements are different for the front, rear, and side yards of a property. If you are not sure what zoning district you live in, you may consult the Town of Acton's Online GIS Viewer, which can be accessed through the Town website: <http://www.acton-ma.gov/>. To learn every detail about the specific setback requirements in your zoning district, please review the Table of Standard Dimensional Regulation and its corresponding numbered notes in Section 5 of the Town's Zoning Bylaw, which is posted on the Town website on the Planning page.

### I. Front Yard Setbacks

Front yards are measured in a straight line from the sideline of a street (as defined by the front boundary lines of lots along a street – not necessarily the pavement edge of a street or sidewalk) to the nearest point of any building or structure on the lot. Roof overhangs may extend up to two feet into the minimum required front yard. If a lot has frontage on two or more different streets, it has two front yards. All front yards must meet minimum setback requirements.

#### FRONT YARD SETBACK REQUIREMENTS BY ZONING DISTRICT

I live in the...	My front yard setback is...
R-2 Zoning District	30 feet
R-4 Zoning District	45 feet
R-8 Zoning District	45 feet
R-8/4 Zoning District	45 feet
R-10 Zoning District	45 feet
R-10/8 Zoning District	45 feet
R-A Zoning District	30 feet
R-AA Zoning District	30 feet
VR Zoning District	10 feet

If your existing structure does not meet minimum setback requirements it is most likely considered *nonconforming*.

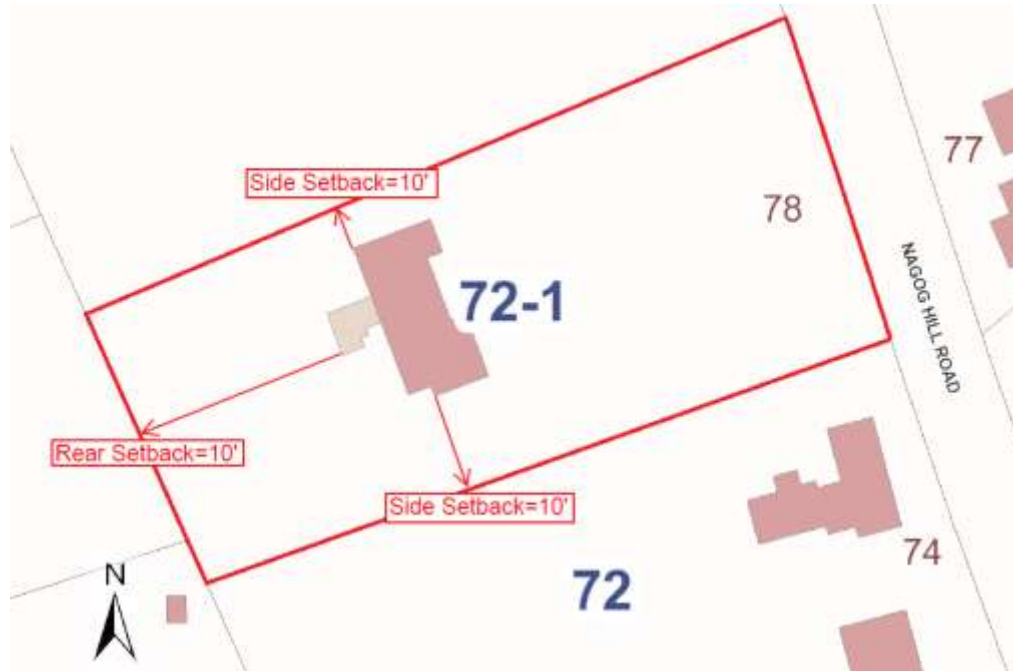


Example of a lot with frontage on two streets (corner lot) in the R-2 Zoning District

- SETBACK REQUIREMENTS (SHOWN IN RED): 30 ft. Front Yard; 10 ft. Side and Rear Yards
- EXISTING SETBACKS (SHOWN IN BLACK): 42 ft. and 45 ft.

## 2. Side and Rear Yard Setbacks

Side and rear yard setbacks are measured in a straight line from nearest point of any building or structure to the side or rear lot line. As with front yard setbacks, roof overhangs may extend up to two feet into the minimum required side or rear yard. To learn more, please review the Table of Standard Dimensional Regulation and its corresponding notes in Section 5 of the Town’s Zoning Bylaw.



Example of a conforming lot in the R-2 Zoning District with minimum required rear and side setbacks shown.

### SIDE AND REAR YARD SETBACK REQUIREMENTS BY ZONING DISTRICT

I live in the...	My side and rear yard setback requirement is...
R-2 Zoning District	10 feet
R-4 Zoning District	20 feet
R-8 Zoning District	20 feet
R-8/4 Zoning District	20 feet
R-10 Zoning District	20 feet
R-10/8 Zoning District	20 feet
R-A Zoning District	10 feet <sup>1</sup>
R-AA Zoning District	10 feet
VR Zoning District	10 feet

If your structure does not meet minimum setback requirements, it is most likely considered *nonconforming*.

<sup>1</sup> In the R-A Zoning District, if a multifamily dwelling abuts a residential zoning district other than R-A, the side and rear yard setback requirement increases to 30 feet.

## How do setback requirements apply to amateur radio towers?

Amateur radio towers are permitted in all zoning districts as an Accessory Use, subject to certain regulations. Radio towers are not allowed in the front yard of the principal building(s) on the lot. In this case, the 'front yard' includes any location closer than the building's nearest distance to a street. For example, if a house's nearest distance to the street is 50 feet, a radio tower may not be placed any closer to the street than 50 feet. In any residential district (including R-4, R-4, R-8, R-8/4, R-10 and R-10/8), the tower must have a minimum setback of 30 feet from all side and rear lot lines, regardless of the other yard requirements, except when:

- The tower does not exceed the maximum height limit for structures (even when it is fully extended), i.e. 36 feet; or
- The tower is directly attached to the side or rear of the principal building(s) on the lot and complies with the minimum side and rear setback requirements.

## Where can I find answers to my questions?

A good place to start is the Town website, which can be accessed at [www.acton-ma.gov](http://www.acton-ma.gov), where you can find specific information about your property by using the Town of Acton's Online GIS Viewer. You may also access the Town's Zoning Bylaw online. Section 5 ("Dimensional Regulations") of the Bylaw will provide most definitions and information about dimensional requirements.

If you have more specific questions, please contact the Planning Department:

- By email: [planning@acton-ma.gov](mailto:planning@acton-ma.gov)
- By phone: (978) 929-6631
- In person: 472 Main Street, Land Use Department Wing, Acton MA 01720



## APPLICABLE ZONING BYLAW SECTIONS AND DEFINITIONS

### Definitions (Section 1.3 and 5.2)

**BUILDING:** A STRUCTURE enclosed within exterior walls, built or erected with any combination of materials, whether portable or fixed, having a roof, to form a STRUCTURE for the shelter of persons, animals, or property.

**STRUCTURE:** A combination of materials assembled to give support or shelter, such as BUILDINGS, towers, masts, sheds, roofed storage areas, mechanical equipment, swimming pools, tennis courts, signs, fences; but not including driveways, walkways and other paved areas, underground storage tanks, septic tanks and septic systems, and accessory facilities associated with the provision of utilities such as drains, wells, transformers and telephone poles

**FRONTAGE:** FRONTAGE shall be measured in a continuous line along the sideline of a STREET between the points of intersection of the side LOT lines with the STREET.

**FRONT YARDS:** Front yards shall be the distance measured in a straight line between any LOT FRONTAGE and the nearest point of any BUILDING or STRUCTURE, excluding roof overhangs. Roof overhangs shall not extend further than two feet into the minimum required front yard. A LOT having FRONTAGE on two or more STREETS shall have two or more front yards, each of which shall comply with the minimum required front yard. In no case shall any BUILDING or STRUCTURE be located closer to the sideline of a STREET than the minimum required front yard. The sideline of a STREET is defined by the front boundary lines of LOTS along a STREET and not necessarily the pavement edge of a STREET or sidewalk.

**LOT area – LOT area** shall be determined by calculating the area within a LOT including any area within the LOT over which easements have been granted, provided that no area within a STREET shall be included in determining minimum LOT area.

## Sections

### Section 5: Table of Standard Dimensional Regulations and Notes for Table of Standard Dimensional Regulations

Section 5.2.4 Front Yards – Front yards shall be the distance measured in a straight line between any LOT FRONTAGE and the nearest point of any BUILDING or STRUCTURE, excluding roof overhangs. Roof overhangs shall not extend further than two feet into the minimum required front yard. A LOT having FRONTAGE on two or more STREETS shall have two or more front yards, each of which shall comply with the minimum required front yard. In no case shall any BUILDING or STRUCTURE be located closer to the sideline of a STREET than the minimum required front yard. The sideline of a STREET is defined by the front boundary lines of LOTS along a STREET and not necessarily the pavement edge of a STREET or sidewalk.

Section 5.2.5 Side and Rear Yards – Side and rear yards shall be the distance measured in a straight line from the nearest point of any BUILDING or STRUCTURE to each side or rear LOT line, excluding roof overhangs. Roof overhangs shall not extend further than two feet into the minimum required side or rear yard.

Section 5.2.7.1 Height in Feet, STRUCTURES – Height in feet shall be the vertical distance measured from the mean of the finished ground level adjoining the entire STRUCTURE to the highest extension of any part of the STRUCTURE.

Section 5.3.1 Location of STRUCTURES – Unless otherwise specified in this Bylaw, no STRUCTURE shall be located within the required yard area of any LOT except: walls or fences no more than eight feet in height; uncovered steps, ramps or terraces; sign posts; pedestrian lighting facilities; flagpoles; or similar STRUCTURES.