

A logo consisting of several white-outlined geometric shapes, including triangles and trapezoids, arranged in a vertical, staggered pattern on the left side of the slide.

Newton Zoning Redesign

ZAP Presentation
01. 13. 20

Welcome Back!

Introduction

Project History

Looking Ahead

Questions & Comments



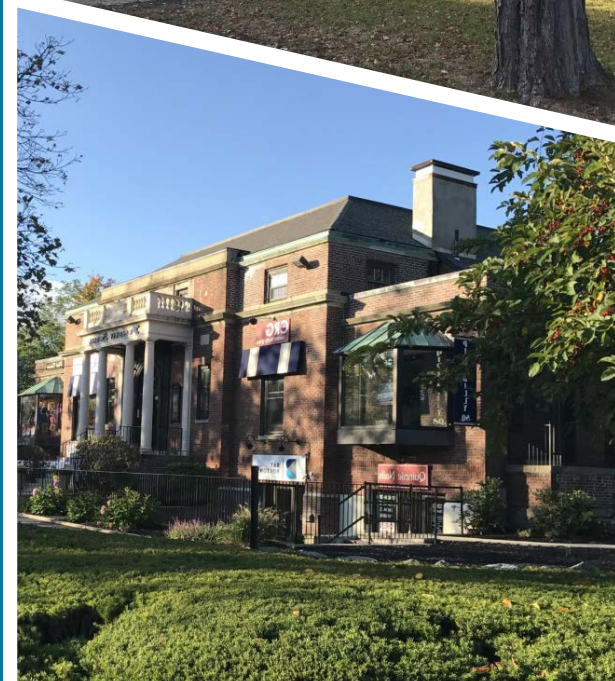


Introduction

Goals & Purpose

Full adoption of new Newton Zoning Ordinance by end of term

1. Restate and agree on the shared goal of Zoning Redesign
2. Establish a clearly defined process and timeline moving forward





Shared Goal

The Zoning Redesign initiative aims to create a *context-based* Zoning Ordinance derived from the existing fabric of Newton that is more flexible, predictable, and set up to be more easily amended in the future.



Process

Zoning Redesign is extremely complex. To ensure adoption City Staff, City Council, and the Mayor should jointly establish a clearly defined process and timeline to achieve adoption by the end of term.



Project History

General Overview

1. Timeline to-date
2. Completed components



Timeline To-date

2011

Zoning Reform Group (ZRG) releases report of a three-phased approach to zoning reform

2015

Completion of Zoning Reform Phase I with the adoption of Newton's updated Zoning Ordinance

2013

Zoning Reform Phase I (reformatting and reorganization) begins with an assessment of the existing code

Zoning Reform Group Report

Themes for Zoning Redesign:

1. Better organize the Ordinance for ease of use
2. Simplify and streamline the permitting and review processes
3. Recognize that each village center and commercial corridor is unique
4. Encourage mixed-use residential in village centers
5. Create “soft transitions” between village centers and residential neighborhoods

Zoning Reform Group Report

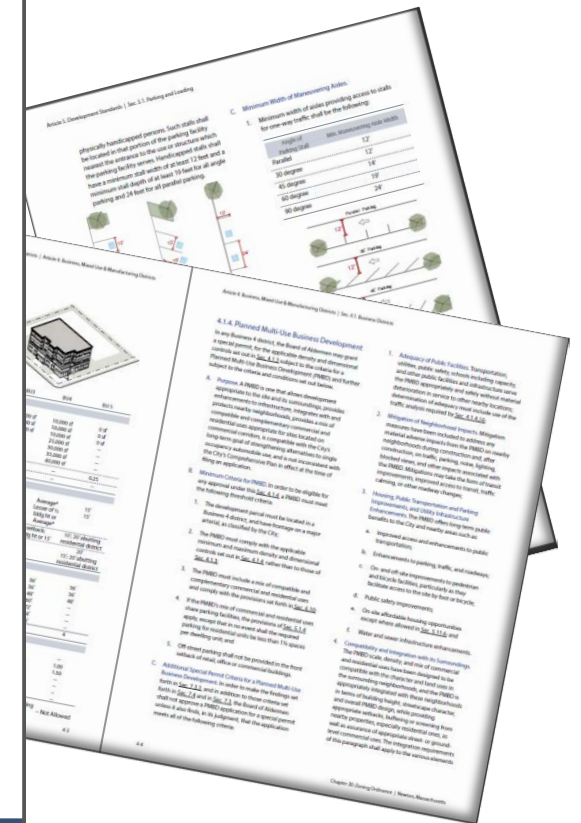
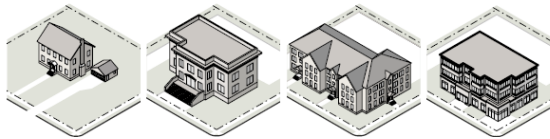
Themes for Zoning Redesign:

6. Allow moderate, flexible growth on commercial corridors
7. Rationalize and streamline parking regulations
8. Protect neighborhood character and scale
9. Create more diverse housing opportunities
10. Institute a better process for managing change of religious and educational institutions
11. Improve natural resource conservation and sustainability

Highlights of Phase I

Newton, Massachusetts Chapter 30: Zoning Ordinance

November 1, 2015



Timeline To-date

2016-2017

City launches an 18-month public engagement and data gathering process to create the Pattern Book

2016

Phase II kick-off with launch of the Newton Pattern Book project

2017

Draft Pattern Book is released and additional public comment is gathered for final version

Timeline To-date

2017-2018

Public engagement for the Draft Zoning Ordinance begins after releasing the Draft Pattern Book

2018-2019

City presents the Draft Zoning Ordinance Ward-by-Ward and holds working sessions with ZAP

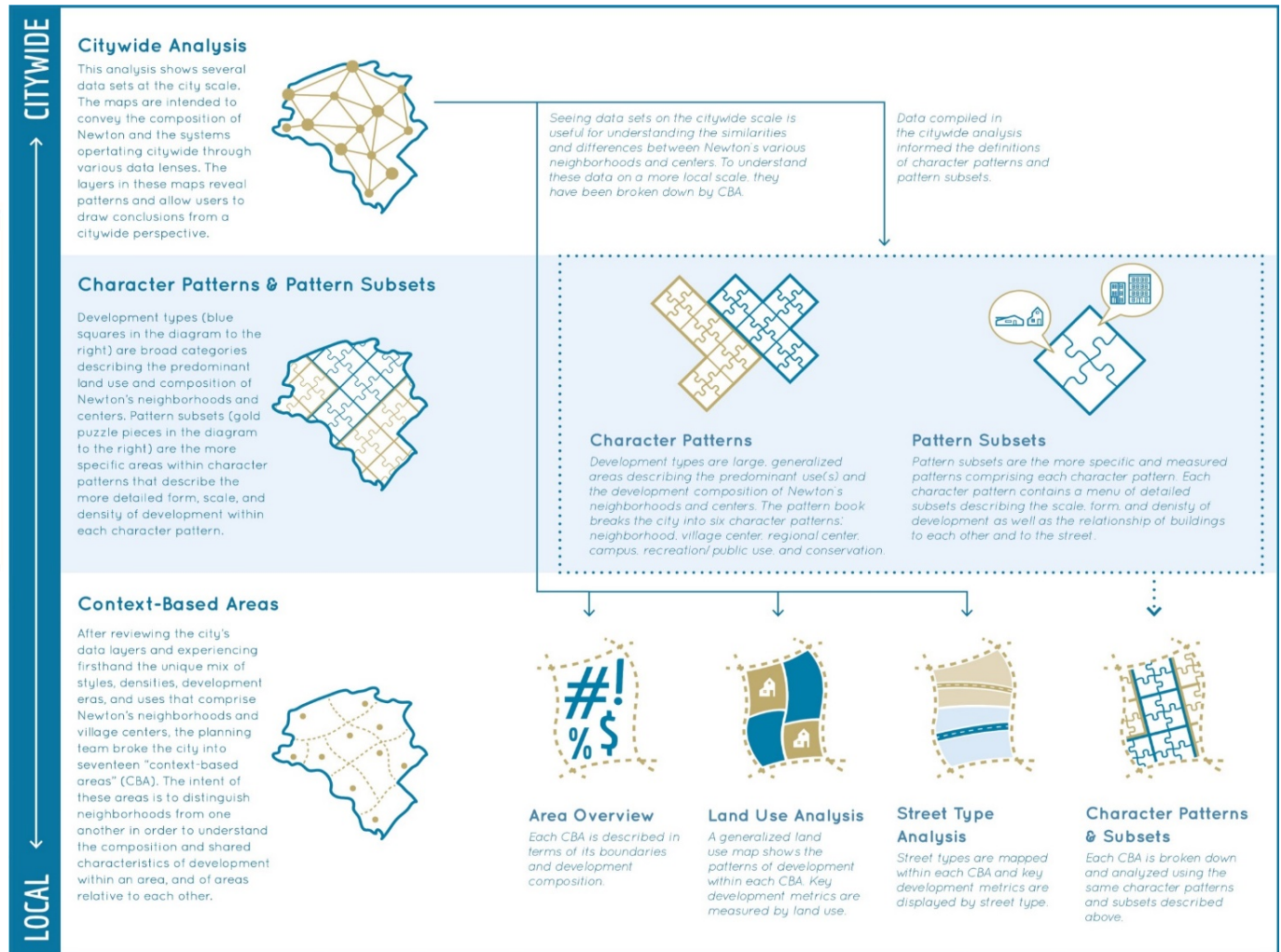
2018

City releases the completed Pattern Book and new *context-based* Draft Zoning Ordinance

2019

The Planning Department decides to take a pause on Zoning Redesign

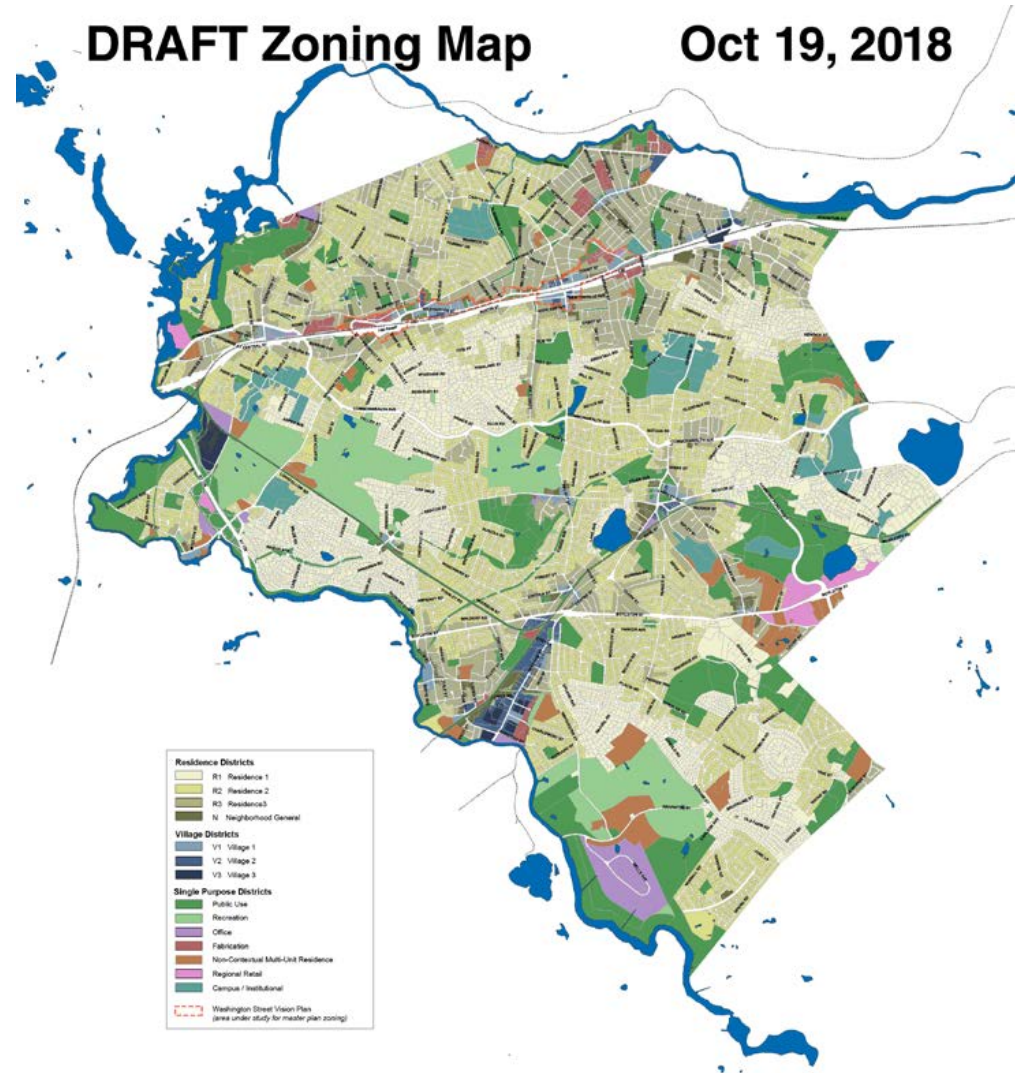
Highlights of Phase II



Highlights of Phase II

DRAFT Zoning Map

Oct 19, 2018



Completed Components

Accessory Apartments

Sec. 6.7. Accessory Uses

6.7.1. Accessory Apartments

- A. **Intent.** Accessory apartments are an allowed accessory use where they are, by design, clearly subordinate to the principal dwelling unit, meeting the requirements of the following section.

Accessory apartments are intended to advance the following:

1. Diversity housing choices in the City while respecting the residential character and scale of existing neighborhoods;
 2. Provide a non-subsidized form of housing that is generally less expensive than similar rental units in multi-family buildings;
 3. Create more housing units with minimal adverse effects on Newton's neighborhoods;
 4. Provide flexibility for families as their needs change over time and, in particular, provide options for seniors to be able to stay in their homes and for households with disabled persons; and
 5. Preserve historic buildings, particularly historic carriage houses and barns.
- B. **Accessory Apartment Defined.** A separate dwelling unit located in a Single-Family, Detached or a Two-Family, Detached building or in a detached building located on the same lot as a Single-Family, Detached or a Two-Family, Detached building, as an accessory and subordinate use to the primary residential use of the property, provided that such separate dwelling unit has been established pursuant to the provisions of this [Sec. 6.7.1](#).

1. **Internal.** An accessory apartment located within a single- or two-family dwelling.
2. **Detached.** An accessory apartment not located within a dwelling unit but is located in a separate detached accessory building.

C. Rules for All Accessory Apartments

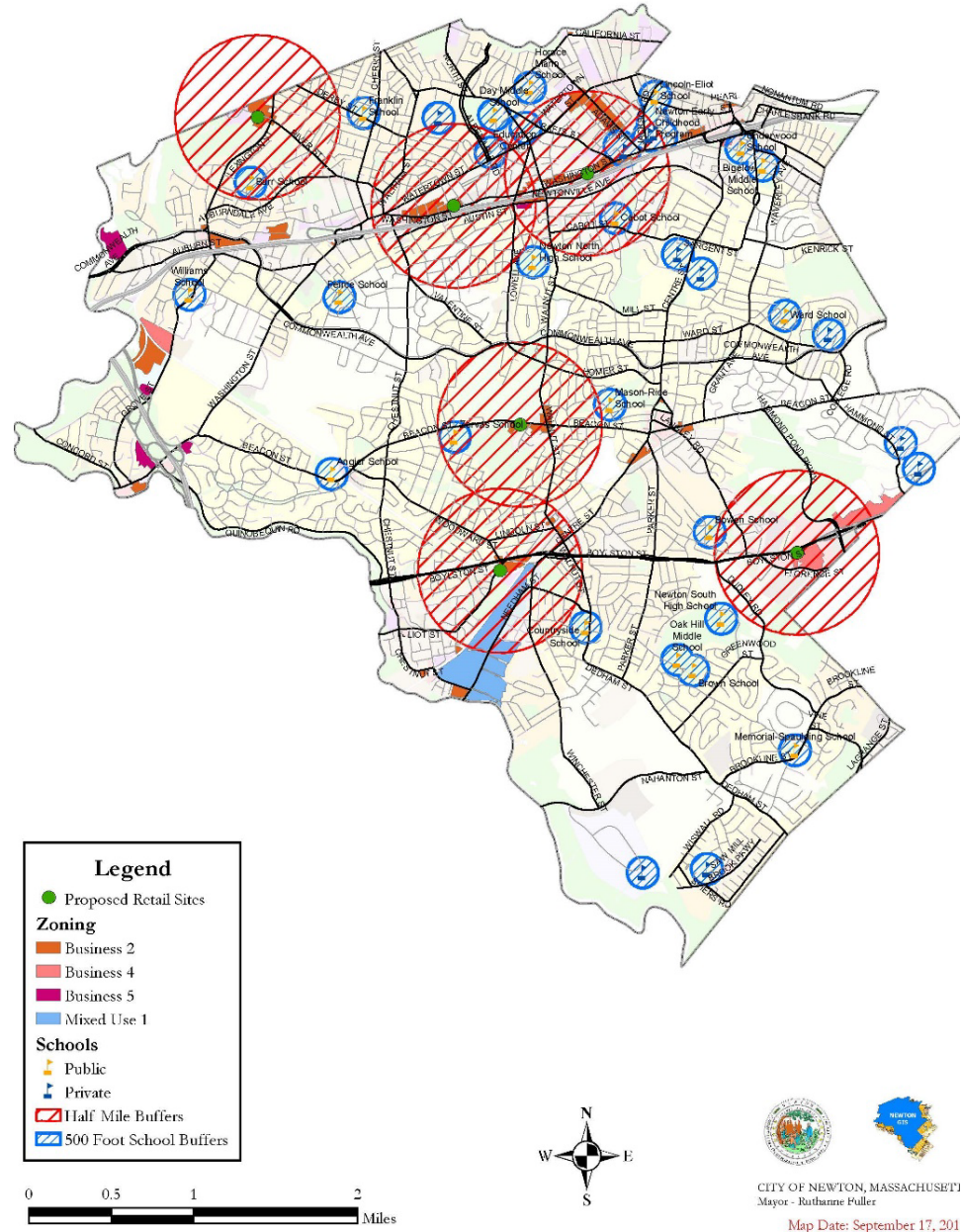
1. No accessory apartment shall be held in separate ownership from the principal structure/dwelling unit;

2. No more than 1 accessory apartment shall be allowed per lot;
3. The property owner must occupy either the principal dwelling unit or the accessory apartment;
4. The total combined number of individuals residing in the principal and accessory dwelling units may not exceed the number allowed in the principal dwelling unit alone, under Sec. 3.4.2 and other applicable sections;
5. The principal dwelling unit must have been constructed 4 or more years prior to the date of application for a permit to construct an accessory apartment as evidenced by a certificate of occupancy for the original construction of the dwelling or, where no certificate is available, the owner provides other evidence of lawful occupancy of the existing dwelling on or before a date at least 4 years prior to the date of application, except by special permit;
6. Where the accessory apartment or the principal dwelling is occupied as a rental unit, the minimum occupancy or rental term shall be 30 days;
7. No additional parking is required for the accessory apartment. If parking for the accessory apartment is added, however, screening is required sufficient to minimize the visual impact on abutters, such as evergreen or dense deciduous plantings, walls, fences, or a combination;
8. Before a Certificate of Occupancy is issued the property owner of any accessory apartment shall record with the Registry of Deeds for the Southern District of Middlesex County, or with the land court, a certified copy of the decision or of the determination from the Commissioner of Inspectional Services granting the accessory apartment and certified copies shall be filed with the Department of Inspectional Services, where a master list of accessory apartments shall be kept, and with the Assessing Department;
9. When ownership of the property changes, the new property owner shall notify the Commissioner of Inspectional Services within 30 days, at which time the Commissioner of Inspectional Services shall conduct a

Completed Components

Retail Marijuana/RMD Buffer Zones

Marijuana Ordinance



Completed Components

Short Term Rentals

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO. B-36

September 3, 2019

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON That the Revised Ordinances of Newton, Massachusetts, 2017, as amended, be and are hereby further amended with respect to **Chapter 20 MISCELLANEOUS ORDINANCES** by adding a new Article IX SHORT TERM RENTALS after Article VIII as follows:

Article IX SHORT TERM RENTALS

Sec. 20-160. Definitions.

The meaning of the terms used in this article shall be as follows:

- (a) *Commissioner*: The commissioner of inspectional services.
- (b) *Operator*: A person or persons offering a dwelling unit or bedroom for short-term rental in the City, who may be either the owner or the primary leaseholder of the dwelling unit with the written permission of the property owner and the condominium association if applicable.
- (c) *Occupancy*: The use or possession or the right to the use or possession of a room in a Short Term Rental normally used for sleeping and living purposes for a period of not more than 30 consecutive calendar days to one person or party, regardless of whether such use and possession is as a lessee, tenant, guest or licensee.
- (d) *Occupant or Guest*: A person who uses, possesses or has a right to use or possess a room in a Short Term Rental for rent under a lease, concession, permit, right of access, license or agreement.
- (e) *Short Term Rental*: The rental of one or more bedrooms (along with any associated living areas) within a dwelling unit on an overnight or short-term basis of less than 30 days to guests. The use is accessory to the primary residential use of the dwelling unit.

Any terms not expressly defined in this article shall have the meaning prescribed by Massachusetts General Laws Chapter 64G, Section 1.

Sec. 20-161. Requirements for Short Term Rentals

- (a) Compliance. No Residential Unit shall be offered as a Short Term Rental except in compliance with the provisions of this article.

Completed Components

Inclusionary Zoning

Rental Projects: Number of Inclusionary Units Required		
Tier Level	7-20 UNITS	21+ UNITS
Tier 1: 50%-80% AMI	15%	15%
Tier 2: 110% AMI	0%	2.5%
Total	15%	17.5%

Ownership Projects: Number of Inclusionary Units Required			
Tier Level	7-16 UNITS	17-20 UNITS	21+ UNITS
Tier 1: 80% AMI	15%	10%	10%
Tier 2: 110% AMI	0%	5%	7.5%
Total	15%	15%	17.5%

Rental Projects: Number of Inclusionary Units Required EFFECTIVE January 1, 2021			
Tier Level	7-20 UNITS	21-99 UNITS	100+ UNITS
Tier 1: 50%-80% AMI	15%	15%	15%
Tier 2: 110% AMI	0%	2.5%	5%
Total	15%	17.5%	20%

Ownership Projects: Number of Inclusionary Units Required EFFECTIVE January 1, 2021				
Tier Level	7-16 UNITS	17-20 UNITS	21-99 UNITS	100+ UNITS
Tier 1: 80% AMI	15%	10%	10%	10%
Tier 2: 110% AMI	0%	5%	7.5%	10%
Total	15%	15%	17.5%	20%

- 1 IZ Rental Unit: at or below 80% AMI
- 2+ IZ Rental Units: AMI must average out at 65% AMI (1/2 of IZ units at 50% AMI and 1/2 at 80% AMI)

- 1 or 2 IZ Ownership Units: at or below 80% AMI, priced at 70% AMI
- 3+ IZ Ownership Units: Tier 1 units must not exceed 80% AMI (priced at 70% AMI), Tier 2 units may be set up to 110% AMI (priced at 100% AMI)

Completed Components

Climate Zoning

Building Efficiencies

Reducing Barriers to Environmental Improvements

- Setback Encroachments
- Height
- FAR

Sustainable Building Design

Sustainable Building/Site Design Requirements

- Standard tied to 1 of 3 Green Building Programs
- Submissions at special permit, building permit, and certificate of occupancy phases

EV Charging Station Requirements

- 10% of parking access to EV charging stations
- 10% of parking EV ready

An abstract graphic on the left side of the slide, consisting of several overlapping, white-outlined geometric shapes. These shapes are primarily trapezoids and parallelograms, arranged in a vertical column that appears to recede into the distance, creating a sense of depth and movement. The lines are thin and white, contrasting sharply with the solid blue background.

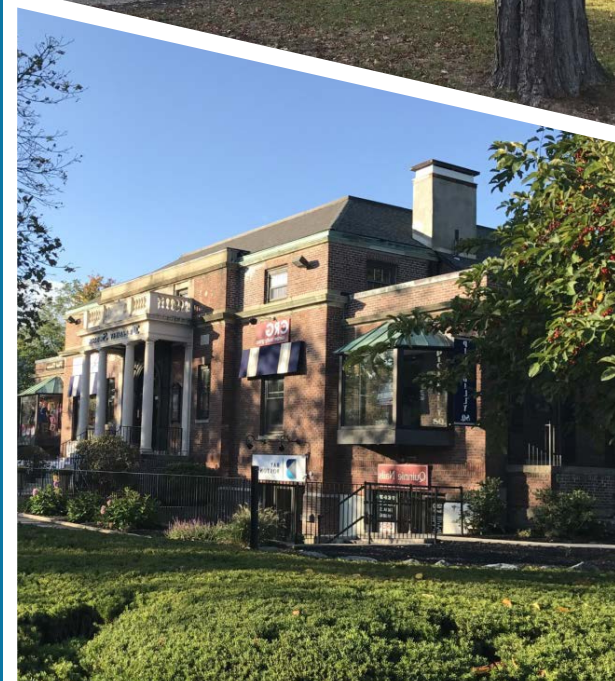
Looking Ahead

Zoning Redesign is Our Main Priority



Develop Timeline & Process to Adoption

1. Review and revise section by section
2. Start with Article 3 Residence Districts



Next Steps

January 27th Meeting – Discussion of Zoning Redesign Process and Timeline

February 10th Meeting – Begin summary of Article 3 draft



Question & Comments