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Barney S. Heath
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MEMORANDUM

DATE: January 24, 2020

TO: Councilor Deborah Crossley, Chair, Zoning & Planning Committee
Members of the Zoning & Planning Committee

FROM: Barney Heath, Director, Department of Planning and Development
Jennifer Caira, Deputy Director of Planning & Development
Zachery LeMel, Chief of Long Range Planning

RE: **#31-20 Amend zoning ordinance special permit criteria related to energy conservation**
COUNCILORS CROSSLEY AND ALBRIGHT seeking a review and possible amendments to Section 7.3.3.C.5 of Chapter 30, Newton Zoning Ordinance, to:
a) further inform the objectives of reducing energy consumption and limiting use of natural resources, and b) consider reducing the threshold for compliance to apply the requirement to buildings 10,000 sq. ft. and larger.

MEETING: January 27, 2020

CC: City Council
Planning Board
John Lojek, Commissioner of Inspectional Services
Alissa O. Giuliani, City Solicitor
Jonathan Yeo, Chief Operating Officer

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 David A. Olson, CMC
 Newton, MA 02459

Section 7.3.3 of the Zoning Ordinance provides the criteria that must always be met to grant a Special Permit. Section 7.3.3.C.5, also known as the 5th Criterion, currently only applies to projects containing 20,000 square feet or more of floor area and requires that the City Council find that: "In cases involving construction of building or structures or additions to existing buildings or structures, if those proposed buildings or structures or additions contain individually or in the aggregate 20,000 or more square feet in gross floor area, the site planning, building design, construction, maintenance or long term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy."

The Committee will only be discussing part A of the proposed docket item at this time, which seeks to "further inform the objectives of reducing energy consumption and limiting use of natural resources". The proposed new language would require the City Council find that: "In cases involving construction of building or structures or additions contain individually or in the aggregate 20,000 or more square feet in gross floor area, the site planning, building design, construction, maintenance or long term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and

energy, including in particular: minimizing building operating energy, embodied carbon, the use of fossil fuels and the carbon footprint for transportation to and from the site.”

The proposed language clarifies the existing criterion and aligns it with the goals of the Climate Action Plan. The Climate Action Plan identifies six areas of action, each aimed towards the long-term goal of a carbon-neutral Newton by 2050. The Climate Action Plan identifies six areas of action, several of which are supported by the proposed language, including:

C. Greening Newton’s Transportation and Streetscapes: *The second largest source of GHG emissions in Newton comes from on-road transportation. The City will support Newton’s residents, workforce, and visitors in switching to better electric and plug-in hybrid vehicles; reducing single-occupancy vehicle trips; and increasing biking, walking, telecommuting, public transportation, and shared trips.*

D. Improving New Construction and Major Renovations: *Energy use reduction and electrification are the backbones of any GHG emissions reduction plan. As new developments are built and renovations are undertaken, the choices made by developers and architects will have a significant impact on the City’s GHG emissions profile. To the extent legally permissible, the City will take steps to ensure that construction meets standards necessary to achieve carbon neutrality by 2050.*

E. Improving Existing Buildings: *Existing residential and commercial buildings in Newton are responsible for a majority of the City’s GHG emissions. The City will work with owners to increase energy efficiency, reduce reliance on natural gas and heating oil, and increase the use of efficient electric technologies in the City’s existing building stock. Moving the needle for existing buildings will require the City to put in place “carrots and sticks” to incentivize significant action by the private sector.*

Construction and renovation of buildings are a major opportunity for the City to further goals for carbon neutrality. The proposed language for Criterion 5 is a step towards this goal as it clarifies the specific areas where the City should prioritize conservation measures, particularly the reduction of fossil fuel use and reducing the GHG emissions from transportation.

Next steps: The Committee should set a public hearing for this item.