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Barney S. Heath
Director

REVISED PUBLIC HEARING MEMORANDUM

DATE: February 5, 2021 (Revised)

TO: Councilor Deborah Crossley, Chair, Zoning & Planning Committee
Members of the Zoning and Planning Committee
Members of the Planning & Development Board
Members of the Economic Development Commission

FROM: Barney S. Heath, Director of Planning and Development
Jennifer Caira, Deputy Director, Department of Planning & Development
Devra Bailin, Director of Economic Development

RE: #485-20 Economic Development Commission requesting City Ordinance amendments
ECONOMIC DEVELOPMENT COMMISSION requesting an amendment of Sections 4.4.1 (Business, Mixed Use & Manufacturing Districts), 6.4.28 (Research and Development), and 6.5.9 (Laboratory and Research Facility) in order to clarify inconsistencies in the way Research and Development is treated in the use tables and definitions. Providing clarity in where Research and Development uses are allowed is necessary to diversity Newton's Economy, make Newton competitive with surrounding communities in attracting 21st century industries and jobs, and raise Newton's commercial tax revenue and implement recommendation from the 2019 Newton Strategic Plan (Camoin study).

MEETING DATE: February 8, 2021

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

In reviewing applications and responding to questions from developers, the Planning Department has experienced technical inconsistencies within the Zoning Ordinance regarding allowed uses for research and development activities. “Research and Development” is listed in the Zoning Ordinance use table as only being permitted in the Mixed Use 3 zone (Riverside Station), and nowhere else. Research and Development is also undefined in the ordinance. A “Laboratory and Research Facility” is allowed, either by-right or by Special Permit, in all commercial, mixed use and manufacturing zones and the definition includes research and development. This leads to confusion about if and where research and development activities are permitted. The “Laboratory and Research Facility” definition could also use improvement to better reflect current research and development activities.

In addition, the Economic Development Commission has indicated its interest in diversifying the commercial tax base by encouraging appropriate development by R&D enterprises. We therefore provide proposed corrective measures to the Zoning Ordinance to clarify and encourage these uses in appropriate locations.

Attached you will find the proposed revisions to Sections 4.4.1 (Business, Mixed Use & Manufacturing Districts), 6.5.9 (Laboratory and Research Facility) and 6.5.11 (Manufacturing). This proposal reflects input from the Economic Development Commission, the Newton Needham Chamber of Commerce, and other experts in the field.

The proposed revisions include:

- Striking Research & Development as a stand-alone use from the use table in Section 4.4.1 as it is only permitted in the MU3 zone and is undefined.
- Renaming Laboratory and Research Facility to Laboratory, Research and Development to better reflect the category of uses.
- Revising the definition for Laboratory, Research and Development in Section 6.5.9 to better align with modern laboratory and research uses and to clarify that accessory manufacturing is permitted in the business and mixed-use zones.
- Amending the definition for Manufacturing in 6.5.11 to include the types of manufacturing associated with research and development.

Update – February 5, 2021

The draft ordinance revisions attached to the Planning Department’s memos dated January 8, 2021 and January 29, 2021 included changes to Section 6.7.4 Scientific Research and Development Activities. This section applies only to accessory scientific research and development activities for civic/institutional uses in public use, open space, and residential zoning districts. Changes to this section were inadvertently excluded from the public hearing notice and while the changes are related to research and development, they are not relevant to research and development uses in commercial and industrial zones, which is the primary intent of this update. Therefore, the draft ordinance has been revised to remove any changes to this section and this will be addressed through a future clean-up effort.

Attachment A: Draft ordinance revisions February 5, 2021 (clean)

Attachment B: Draft ordinance revisions February 5, 2021 (redline)