

**Recommendations
for the
Planning Department suggested amendments
to Chapter 30, the Zoning Code**

City of Newton, MA

Zoning and Planning Public Hearing

August 16, 2021

Building Professionals Zoning Redesign Working Group

Russel Feldman	Jonathan Kantar	Treff LaFleche
Lisa Monahan	Kathy Pillsbury	Dan Powdermaker
Peter Sachs	Mark Sangiolo	Jay Walter

**Planning Department suggested amendments
to Chapter 30, July 2021:**

Section 1: Housing Type Definitions

- Single-family, detached definition
- Two-family, detached definition
- Single-family, attached definition
- Multi-family definition

Section 2: Garage Ordinance

- Term “building” rather than “structure”
- Definition of Garage
- Special Permits for Garages

Section 3: Other Changes

- Special Permits for Accessory Buildings
- Decks / lot coverage
- Setback Averaging
- Accessory Uses language clarification
- Minimum distance from Principle Dwelling
- ISD Discretion re: Accessory Use
- 3D Modeling for Special Permit
- Remove Outdated Moratorium

**Building Professionals Working Group
Recommendations and Comments:**

The Planning Department’s proposed corrections, simplifications and clarifications in language make the code simpler, clearer and easier to interpret for ISD and property owners.

Timeline - Summer 2021 Chapter 30 Cleanup

Planning Department suggested amendments to Chapter 30, July 2021:

Section 1: Housing Type Definitions

2. Two-Family, Detached Definition
F. Additional Standards for Two-Family, Detached residential buildings Additional Standards for residential buildings with two-units.

Planning Department Proposal of 2 Options:

Option 1: There must be Habitable Space above each Garage if the Garages share a Garage Wall.

Option 2: Revise definition to read: A building that contains two dwelling units.



Building Professionals Working Group Recommendations and Comments:

We recommend that the Option 2 be adopted.

Requiring habitable space over a garage interferes with building owners' design options. This rule addresses a building aesthetic issue rather than zoning issues.

Timeline - Summer 2021 Chapter 30 Cleanup

Planning Department suggested amendments to Chapter 30, July 2021:

Section 1: Housing Type Definitions

Planning Department Proposed Edits:

Multi-Family. A building ~~or structure~~ containing 3 or more dwelling units, primarily accessed through a common building entrance.



16-unit building with 4 entrances
Newton, MA

Building Professionals Working Group Recommendations and Comments:

Multi-family definition should not involve the configuration of entrances. This proposed edit would interfere with building owners' design options, especially on sites with varied site conditions.

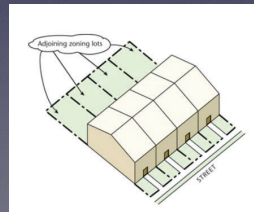
The definition should be revised to read, "A building containing 3 or more dwelling units."

Timeline - Summer 2021 Chapter 30 Cleanup

Planning Department suggested amendments to Chapter 30, July 2021:

Section 1: Housing Type Definitions

- Single-family, Detached
- Two-family, Detached
- Single-family, Attached
- Multi-family



Sample buildings/lots illustration
NY, NY Zoning Code

Building Professionals Working Group Recommendations and Comments:

The terms 'Detached' and 'Attached' are confusing and counter-intuitive.

A different nomenclature is needed here, with accompanying graphics for clarity. We recognize these definitions are used in many zoning codes, they are outdated and perplexing.

This change would make the ordinance simpler and easier to understand.

Timeline - Zoning Redesign effort

Planning Department suggested amendments to Chapter 30, July 2021:

Section 1: Housing Type Definitions

- Single-family, Detached
- Two-family, Detached
- Single-family, Attached
- Multi-family

Building Professionals Working Group Recommendations and Comments:

Housing should be referred to in terms of "dwelling units" rather than "families". This is outdated phrasing that still remains in the code that should be made current throughout the text.

This change would make the ordinance simpler and easier to understand.

Timeline - Zoning Redesign effort

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Thank you for your consideration

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