

Microfulfillment Centers

Last Mile Delivery - Proposed Regulation Requirements

Docket #127-22

ZAP April 25, 2022
Public Hearing

Agenda

- Introduction
- Background
- Zoning Proposal
- Options
- Recommendation
- Next Steps



Image source: The Boston Globe

Introduction

- Microfulfillment centers (or last mile delivery services/dark stores/mini warehouses) are storefronts, not open to the public, stocked with groceries and other home goods that are markets as deliverable within 15-30 minutes.
- Would be considered retail under existing zoning and allowed by-right in all business zones



Image source: The Boston Globe

Background

First presented at January 24, 2022 ZAP Meeting

Draft zoning options were presented at the March 14 and March 28, 2022 ZAP Meetings

Consensus on allowing in Mixed Use and Manufacturing districts

Discussion primarily focused on how and if to regulate in village centers

Revisions to date include eliminating an option to locate in village centers with an in-store retail component and a reduction in the parking requirements



Advisory Group

Members

- Jodie Zussman - Charles River Regional Chamber
- Peter Doeringer - Planning & Development Board (Chair)
- Chuck Tanowitz - Economic Development Commission (Commissioner)

Meetings

- 7 Advisory Group meetings between Feb. 3 - Mar. 23
- Presented at the Real Estate/Restaurant Chamber Sub-committee, Planning Board, and EDC
- Staff input from Law, ISD, Transportation, and Economic Development Director
- Engaged other municipalities (Boston, Cambridge, Brookline, and Watertown)
- Data gathered from Gopuff, operator in Newton

Zoning Proposal - Use Definition

6.4.XX Microfulfillment Center

- A. Defined. A facility whose primary use is for the receipt, transfer, short-term storage, dispatching, coordination, preparation, routing of package delivery, and parking of vehicles, associated with the delivery of goods directly to consumers.

Zoning Proposal - Allowed Districts

Use Table (Sec. 4.4.1) -

Business, Mixed Use & Manufacturing Districts	BU1	BU2	BU3	BU4	MU1	MU2	MU3	MU4	M	LM	Definition / Listed Standards
Microfulfillment Center	– or L or SP	– or L or SP	–	L	L	L	–	–	L	L	6.4.XX

L = allowed subject to listed standards

SP = Special Permit Required

– = not allowed

Zoning Proposal - Parking Requirements

Number of Parking Stalls (Sec. 5.1.4) -

Use	Parking Stalls Required	Allowed by Special Permit
Microfulfillment Center	1 per 1,000 sf plus and 1 per 4 employees	Can be waived

Off-Street Loading Requirements (Sec. 5.1.12)

Table of Off-street Loading Requirements		
Number of bays required for new or expanded uses by gross floor area of structure of land use (in sf)		
Uses	Under 5,000 sf	5,000 - 50,999 sf*
Microfulfillment Center	0	1

* Note - Microfulfillment Centers have a maximum size of 10,000 sf

Zoning Proposal - Standards for Allowed Uses

Size

Zoning District	Maximum Gross Floor Area
Business 1* and 2*	5,000 square feet
Business 4, Mixed Use 1 and 2, Manufacturing and Limited Manufacturing	10,000 square feet

Zoning Proposal - Standards for Allowed Uses

Parking

- Microfulfillment centers shall provide a minimum of two off-street parking stalls dedicated for deliveries for the first 2,500 square feet of gross floor area and an additional one stall for every additional 2,500 square feet of gross floor area.
- 5,000 sf microfulfillment center = 3 delivery stalls
- 10,000 sf microfulfillment center = 5 delivery stalls

Zoning Proposal - Standards for Allowed Uses

Design

In the Business 1*, 2*, and 4 and Mixed Use 1 and 2 Districts, if the microfulfillment center is located at street level, the use shall be:

- Located more than 16 feet from the street-facing building facade; or
- Any point of the building containing the use is located at least 30 feet from a street



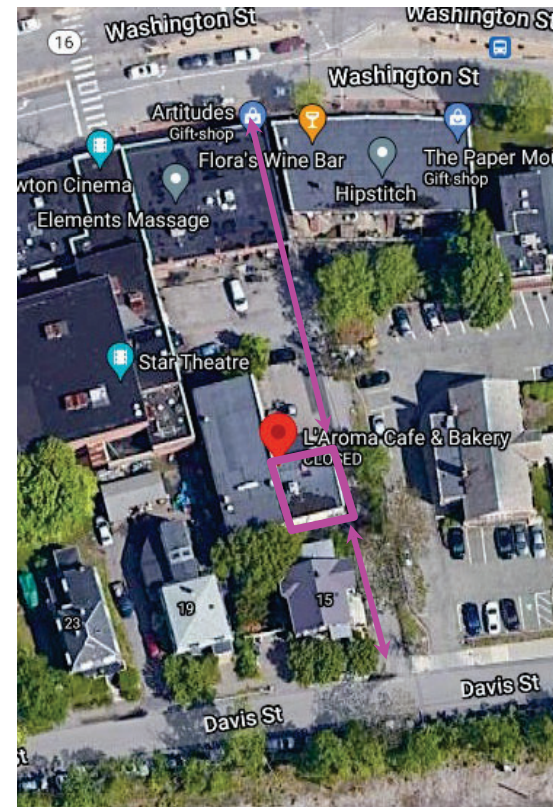
*Current GoPuff location on Needham Street

Zoning Options

Prohibit in Business 1 and Business 2 districts or allow subject to design standards?



Use located at least 16 feet from the street-facing facade



Building is at least 30 feet from street

Planning Recommendation

Adopt proposed zoning amendment, allowing microfulfillment centers in BU1 and BU2 subject to listed design standards

- Mitigates impacts on the vitality at the street in village centers
- Locations which can meet all design standards are limited
- Could provide an option for spaces that are otherwise difficult to lease
- Provides a service in a central location, reducing vehicular trips and potentially allowing for e-bike/scooter deliveries
- Will be revisited as use tables are updated for village center zoning

Next Steps

- Working with the advisory group, Planning has spoken to property owners, business owners and real estate brokers and it has become clear that in addition to regulating microfulfillment centers, larger zoning reforms are needed to support desirable businesses such as:
 - Eliminate parking for ground floor non-residential uses under a certain size
 - Revise the use table for commercial and industrial uses to create categories, introduce 21st century economy uses (ex. co-working), and remove or modify specific rules relating to certain uses

Draft Zoning Definition
Microfulfillment Centers (#127-22)

ZAP Amendment – 4/25/2022

Use Table (Sec. 4.4.1) -

Business, Mixed Use & Manufacturing Districts	BU1	BU2	B U 3	BU 4	M U 1	M U 2	M U 3	M U 4	M	L M	Definition / Listed Standards
Microfulfillment Center	--	--	–	SP	L	L	–	–	L	L	6.4.47

P = Allowed By-Right L = Allowed Subject to Listed Standards SP = Special Permit by City Council Required -- Not Allowed

Number of Parking Stalls (Sec. 5.1.4)

Use	Parking Stalls Required	Allowed by Special Permit
Microfulfillment Center	1 per 1000 sf plus 1 per 4 employees	

Off-Street Loading Requirements (Sec. 5.1.12) -

Table of Off-street Loading Requirements

Number of bays required for new or expanded uses by gross floor area of structure of land use (in sf)

Uses	Under 5,000 sf	5,000 – 50,999 sf	51,000 – 100,999 sf	101,000 – 150,999 sf	151,000 – 300,000 sf	Over 300,000 sf
Retail Trade, Wholesale and Storage, Transportation Terminal, Manufacturing, and Public Utility	0	1	2	3	4	1 for each additional 150,000 sf
Business Services, Office Building, Hotel, Motel & Dormitory, Microfulfillment Center , and Research Laboratory	0	1	1	2	3	1 for each additional 150,000 sf
Recreation, and Institution	0	0	1	1	2	1 for each additional 150,000 sf

Use Definition -

6.4.47. Microfulfillment Center

- A. Defined.** A facility whose primary use is for the receipt, transfer, short-term storage, dispatching, coordination, preparation, routing of package delivery, and parking of vehicles, associated with the delivery of goods directly to consumers.

Microfulfillment Centers (#127-22)**B. Standards for Allowed Uses**

1. **Size.** In the Business 4 district, a microfulfillment center is allowed by special permit with a maximum gross floor area of 10,000 square feet. In the Mixed Use 1, Mixed Use 2, Manufacturing, and Limited Manufacturing districts, the maximum gross floor area allowed for a microfulfillment center is 10,000 square feet.
2. **Parking.** In addition to complying with the parking requirements of Sec. 5.1, the operator of a Microfulfillment Center shall provide onsite parking spaces dedicated for deliveries in accordance with the following:
 - a. Microfulfillment Centers shall provide a minimum of two off-street parking stalls for the first 2,500 square feet of gross floor area and an additional one off-street parking stall for every additional 2,500 square feet of gross floor area. Fractions ending in 0.5 or higher shall round up to the nearest whole number.
 - b. Sections 5.1.3.B and 5.1.3.D shall not be applicable to parking spaces required under this section 6.4.47.B.2.
3. **Design Standards.** In the Business 4 and Mixed Use 1 and 2 Districts, if the Microfulfillment Center use is located at street-level, the use shall be:
 - a. Located more than 16 feet from the street-facing building facade; or
 - b. Any point of the building containing the use is located at least 30 feet from a street.

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO.

April __, 2022

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2017, as amended, be and are hereby further amended with respect to **Chapter 30 ZONING** as follows:

1. **INSERT** after the row “Kennel” in the “Commercial Uses” portion of the Table appearing in **Sec. 4.4.1** the following new row:

Business, Mixed Use & Manufacturing Districts	BU1		BU2	BU3	BU4	BU5	MU1	MU2	MU3	MU4	M	LM	Definition/ Listed Standard
Microfulfillment Center	--		--	--	SP	--	L	L	--	--	L	L	Sec. 6.4.47

2. **INSERT** after the row “Medical office, not on or abutting hospital property” in the “Commercial” portion of the Table appearing in **Sec. 5.1.4.A** the following new row:

Use	Parking Stalls Required	Allowed by Special Permit
Microfulfillment Center	1 per 1000 sf plus 1 per 4 employees	

3. **INSERT** after the word “Dormitory,” where it appears in the second row of the Table appearing in **Sec. 5.1.12.C** the words “Microfulfillment Center,”.
4. **INSERT** after **Sec. 6.4.36. Veterinary Hospital** a new **Sec. 6.4.37. Microfulfillment Center** as follows:

6.4.47. Microfulfillment Center

A. Defined. A facility whose primary use is for the receipt, transfer, short-term storage, dispatching, coordination, preparation, routing of package delivery, and parking of vehicles, associated with the delivery of goods directly to consumers.

B. Standards for Allowed Uses.

1. **Size.** In the Business 4 district, a microfulfillment center is allowed by special permit with a maximum gross floor area of 10,000 square feet. In the Mixed Use 1, Mixed Use 2, Manufacturing, and Limited Manufacturing districts, the maximum gross floor area allowed for a microfulfillment center is 10,000 square feet.
2. **Parking.** In addition to complying with the parking requirements of Sec. 5.1, the operator of a Microfulfillment Center shall provide onsite parking spaces dedicated for deliveries in accordance with the following:
 - a. Microfulfillment Centers shall provide a minimum of two off-street parking stalls for the first 2,500 square feet of gross floor area and an additional one off-street parking stall for every additional 2,500 square feet of gross floor area. Fractions ending in 0.5 or higher shall round up to the nearest whole number.
 - b. Sections 5.1.3.B and 5.1.3.D shall not be applicable to parking spaces required under this section 6.4.47.B.2.
3. **Design Standards.** In the Business 4 and Mixed Use 1 and 2 Districts, if the Microfulfillment Center use is located at street-level, the use shall be:
 - a. Located more than 16 feet from the street-facing building facade; or
 - b. Any point of the building containing the use is located at least 30 feet from a street.

Alissa O. Giuliani
City Solicitor

Under Suspension of Rules
Readings Waived and Approved

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Date: _____