

CITY OF NEWTON
IN CITY COUNCIL
ORDINANCE NO.C-18
October 17, 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 property owner" where it appears in **Sec. 6.7.1.C.3** the words "or an indirect property owner".
2. **DELETE** the semicolon ";" where it appears at the end of **Sec. 6.7.1.C.3** and insert in place thereof as follows:

". Indirect ownership includes but is not limited to a beneficiary of a trust holding record title to the property and a majority owner of the voting stock of a corporation or the membership units of a limited liability company holding record title to the property;"
3. **DELETE Sec. 6.7.1.C.5** in its entirety and **RENUMBER** the remaining paragraphs accordingly.
4. **DELETE Sec. 6.7.1.E.1** in its entirety and **INSERT** in place thereof a new **Sec. 6.7.1.E.1** as follows:

"A Detached Accessory Apartment is allowed by right as a use accessory to a Single-Family, Detached building and a Two-Family, Detached building."
5. **DELETE** the number "1,200" where it appears in **Sec. 6.7.1.E.2** and **INSERT** in place thereof the number "900".
6. **DELETE** the percentage "40%" where it appears in **Sec. 6.7.1.E.2** and **INSERT** in place thereof the percentage "50%".
7. **DELETE Sec. 6.7.1.E.5** in its entirety and **INSERT** in place thereof a new **Sec. 6.7.1.E.5** as follows:

"A Detached Accessory Apartment shall be no nearer to any side or rear lot line than 7.5 feet or half of the distance prescribed for the principal building, whichever is greater, and no nearer to any front lot line than the distance prescribed for the principal building. Notwithstanding the foregoing sentence, the setbacks for a Detached Accessory Apartment may be reduced by special permit."
8. **INSERT** a new **Sec. 6.7.1.E.6** as follows:

"A Detached Accessory Apartment shall be included in the floor area ratio calculation for the lot."

and **RENUMBER** the remaining paragraphs accordingly.

Approved as to legal form and character:

Alissa O. Giuliani
Alissa O. Giuliani
City Solicitor

Under Suspension of Rules
Readings Waived and Approved
19 yeas 4 nays (Councilors Baker, Lucas, Malakie, and Wright) 1 absent (Councilor Gentile)

Carol Moore
(SGD) Carol Moore
Acting City Clerk

Ruthanne Fuller
(SGD) RUTHANNE FULLER
Mayor
Date: 10/25/2022