

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO. C-50

August 12, 2024

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:

- I. **DELETE Section 6.4.14** in its entirety.
- II. **INSERT** a new **Section 6.4.31.C.8** as follows:
  8. In all districts, any restaurant with a drive-thru component.
- III. **DELETE Section 6.4.6.A** in its entirety and **INSERT** in its place a new **Section 6.4.6.A** as follows:
  - A. Defined. Uses that provide multi-purpose facilities with dedicated space for multiple creative business enterprises. Business incubators include, but are not limited to:
    1. Co-working. A commercial or non-profit organization providing multiple individuals and small firms access to workplace facilities, including but not limited to, artist studios, office suites, for-rent 'hot-desks', dedicated workstations, conference rooms, meeting rooms, event space, resource libraries, and business or administrative support services.
    2. Culinary Incubator. An organization or business providing start-up catering, retail, and wholesale food businesses with shared kitchen facilities and often providing business planning, access to finance, mentoring, and other business or administrative support services and accessory retail and office space, provided however, that the space is not used as kitchen facilities solely for the delivery of goods directly to consumers.
    3. Creative Incubator. An organization or business providing startup and early-stage arts and creative enterprises with shared facilities and often

providing business planning, access to finance, mentoring, and other business or administrative support services.

B. Standards. A Business Incubator use with five thousand (5,000) square feet or less of gross floor area is exempt from any minimum parking requirements.

- IV. **INSERT** a new row in the “Commercial” portion of the table appearing in **Section 5.1.4.A** as follows:

Use	Parking Stalls Required	Allowed by Special Permit
<b>Commercial</b>		
Business Incubator	1 space per 1,600 square feet	

- V. **INSERT** after the words “Recreation, and Institution” where they appear in the table appearing in **Section 5.1.12** the words “, Business Incubator”.

- VI. **DELETE** the row “Business Incubator” in its entirety where it appears in the “Commercial Uses” portion of the table appearing in **Section 4.4.1** and **INSERT** in place thereof the following new row:

Commercial Uses	BU 1	BU 2	BU 3	BU 4	BU 5	MU 1	MU 2	MU 3	MU 4	M	L M	Definition / Listed Standard
Business Incubator	P	P	P	P	P	P	P	P	P	P	P	Sec. 6.4.6

- VII. **DELETE** **Section 6.4.28** in its entirety and **INSERT** in its place a new **Section 6.4.28** as follows:

6.4.28. Place of Amusement, Indoor or Outdoor

A. Defined. Uses that provide gathering places for participant and spectator recreation, entertainment, or other assembly activities including, but not limited to, cinema, theater, bowling alley, dance hall, and/or venue of a professional or semi-professional sports team.

B. Standards for Allowed Uses.

1. Places of amusement may provide accessory food or beverage service for on-site consumption.
2. A Place of Amusement use with five thousand (5,000) square feet or less of gross floor area is exempt from any minimum parking requirements.

C. Standards for Special Permit Uses.

1. In the Business Use 1-2 and Mixed Use 3-4 districts, indoor places of amusement uses occupying space in excess of 12,500 square feet require a special permit.
2. All outdoor places of amusement require a special permit.

VIII. **DELETE Section 6.3.15** in its entirety.

IX. **DELETE** the row "Place of amusement, indoor or outdoor" in its entirety where it appears in the "Commercial Uses" portion of the table appearing in **Section 4.4.1** and **INSERT** in place thereof the following new rows:

Commercial Uses	BU 1	BU2	BU3	BU4	BU5	MU 1	MU 2	MU3	MU4	M	LM	Definition / Listed Standard
Place of amusement, indoor	P/SP	P/S P	P/S P	P/S P	P/S P	P/S P	P/S P	P/SP	P/SP	P/S P	P/SP	Sec. 6.4.28
Place of amusement, outdoor	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	Sec. 6.4.28


X. **DELETE** the row "Theaters, halls, clubs, auditoriums and other places of amusement or assembly in a hotel, motel" in its entirety where it appears in the "Commercial" portion of the table appearing in **Section 5.1.4** and **INSERT** in place thereof the following new row:

Use	Parking Stalls Required	Allowed by Special Permit
<b>Commercial</b>		
Place of amusement	1 space per 1,200 square feet	

Approved as to legal form and character:

*Alissa O. Giuliani*  
ALISSA O. GIULIANI  
City Solicitor

Under Suspension of Rules  
Readings Waived and Adopted  
20 yeas 1 nay (Councilor Krintzman) 3 absent (Councilors Block, Downs, Lobovits)

  
(SGD) CAROL MOORE  
City Clerk

EXECUTIVE DEPARTMENT

Approved:

  
(SGD) RUTHANNE FULLER  
Mayor

Date: 8/23/2024