

Ruthanne Fuller  
Mayor

Barney S. Heath  
Director  
Planning & Development  
John Sisson  
Director Economic  
Development

**Commissioners**  
Sarah Rahman, Chair  
Lisa Adams, Vice Chair  
Matt Segneri, Secretary

Lisa Adams  
Jeremy Freid  
Jim Griglun  
Debora Jackson  
Zach Knowlton  
Jack Leader  
Florent Mali  
Marcela Merino  
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## CITY OF NEWTON, MASSACHUSETTS

### Economic Development Commission

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#### MEMORANDUM

**Date:** March 11, 2023

**To:** Honorable Mayor Ruthanne Fuller  
Honorable City Council

**From:** Sarah Rahman, Chair, Economic Development Commission  
Philip Plottel, Past Chair, Economic Development Commission  
Barney Heath, Director of Planning & Development  
John Sisson, Economic Development Director

**Subject:** Economic Development Commission 2022 Annual Report

On behalf of the members of the Economic Development Commission,  
we are pleased to submit the 2022 Annual Report.

**ECONOMIC DEVELOPMENT COMMISSION**  
**2022 ANNUAL REPORT**

**Submitted March 11, 2023**

## **I. Background: Role of the Economic Development Commission**

The Economic Development Commission (EDC) presently consisting of 15 members (currently there are three vacancies) appointed by the Mayor, was established under General Laws Chapter 40, Section 8A to promote and develop business and industry within the City of Newton. The Commission is charged with strengthening the local economy, leading to new job opportunities for residents and expansion of the City's tax base. City Ordinance Article V, Section 22.95 lays out the governing provisions as summarized below:

The Commission has the power and duty to:

1. Study, investigate and apprise economic conditions and trends
2. Promote, assist, and encourage the preservation, development and location of new and existing Newton industry, business, and commerce
3. Investigate and assist in the establishment of commercial projects and identify appropriate commercial areas and zones for such establishment
4. Prepare and distribute informational publications
5. Cooperate with civic agencies/ commissions/ associations, state/federal agencies, municipal departments and officials, and business associations and organizations and
6. Advise and make recommendations to appropriate officials, agencies, boards, department, and commissions of the City.

This report is prepared and submitted to the City Council in compliance with City Ordinance Article V, Section 22.95 (g) (10).

## **II. 2022 in Review**

During 2022, the Economic Development Commission undertook the following activities:

### **A. Key Business Initiatives**

#### **1. Village Center rezoning**

The EDC devoted several Commission meetings to working with the Planning Department to review the proposed village center zoning framework and ensure that it contains meaningful improvements to support economic development and the business community. An EDC working group focused on zoning (see below) assisted these efforts. EDC officers spoke at several City Council Zoning and Planning Committee public hearings in support of the framework. In October, the EDC issued a letter in support of the Village Zoning Framework, a copy is included as Appendix A.

#### **2. New business support via zoning clarifications**

- a. The EDC created a zoning working group.
- b. The EDC supported efforts to clarify the Newton Zoning code for uses related to different uses:
  - i. Micro Fulfillment Centers/Last Mile Delivery. The EDC provided feedback to the Planning Department and City Council Zoning and Planning Committee on proposed options for zoning. Chuck Tanowitz, was appointed to the Last Mile Delivery Advisory Group Task Force.
  - ii. West Newton Brew Pub. Brian Burke who is planning to open a restaurant in the former Local space in West Newton attending the April and May EDC meetings. Mr. Burke would like to open a Brew Pub and explained the regulatory challenges he faces to eventually operate a brewery in Newton. The EDC monitored the progress, and his restaurant is opened in January 2023.
  - iii. Animal Service Zoning. The EDC supported the Planning Department for clarification related to allowing Animal Service use as of right in the City. EDC commissioners worked collaboratively with Planning department staff and

attended public hearings in support of these changes. The Zoning and Planning Committee and the full City Council voted to approve these changes at the end of 2022. The proposed changes are outlined in the memo included as Appendix B.

### **3. Development Proposals**

The EDC spent time in actively engaging in the review of developers' projects with a focus on the potential for increased commercial tax revenue, new business investment in Newton, and other economic development priorities. The EDC monthly meetings included updates from the City's Planning Director on major pending or proposed projects so the Commissioners could be kept up to speed on developments.

- a. **1314 Washington Street (Santander site):** The EDC received a presentation from Mark Development which included detailed discussion about parking. The members present voted unanimously to support the project. EDC officers spoke at the City Council Land Use Committee public hearing in support of the project. Ultimately, this project was approved by the City Council.

### **4. Supporting Diversity, Equity, and Inclusion (DEI) Business Efforts**

- a. The EDC created a working group focusing on promoting DEI business efforts.
- b. The working group met frequently with City staff on the following in process initiatives:
  1. Expanding the list of women and minority-owned businesses beyond the State's Supplier Diversity Office list by providing businesses directory from Amplify Latinx. List was shared within the City with relevant departments.
  2. Engaging with City procurement to understand better procurement opportunities and current DEI efforts and recommending potential way to connect and further engage with current City partners (i.e., BECMA).
  3. Recommending enhancements to the current City business database by adding an option for organizations to self-identify as a Minority Business Enterprise (MBE) as defined by the City.

4. Providing leads and contact information on potential student resources to support DEI and other related business initiatives in 2023 (Babson College and BU Spark project).
5. Proposing new initiatives to understand better the needs and challenges that minority businesses face in Newton. The DEI subgroup, in collaboration with the City, proposed organizing a small focus group in 2023 to start the conversation and learn from business owners.
6. Sharing best practices on City procurement and advocating for inclusion of diversity on City contracting. The City started to add language in Request for Proposals (RFPs) to consider DEI vendors as part of the contracting.
7. Engaging with City staff on the new DEI consultancy and how the DEI subgroup can best support upcoming initiatives. City shared its DEI RFP and stays in communication with EDC's DEI subgroup.

## **5. Supporting the City's Sustainability initiatives**

- a. The EDC created a sustainability working group.
- b. Electrification ordinance. The EDC received the latest proposed draft of the Electrification Home Rule petition and the Chair testified before the City Council's Zoning and Planning Committee. On this issue, the EDC prefers a statewide approach. The EDC continues to recommend that the administration and City Council proceed with a comprehensive public outreach initiative and technical study to fully understand the impacts and benefits of a Home Rule Petition and Electrification Ordinance and to gather more information to address the outstanding questions raised in December 2021 letter.
- c. BERDO. The entire EDC and the Sustainability Working Group met City Staff to understand the proposed BERDO requirements. The Sustainability Working Group stayed abreast of the progress and learnings from the BERDO information sessions and connected the City's Sustainability Co-Directors with a local commercial developer for further input on compliance and reporting to help inform the drafting of the City's BERDO Ordinance.

- d. Embedded Carbon. The Sustainability Working Group met with City Staff to understand the proposed Embedded Carbon proposal for construction. The EDC will continue to follow the progress of this initiative.

## **6. Outreach**

The EDC expanded outreach to the Mayor, City Council, the Charles River Regional Chamber formerly the Newton Needham Regional Chamber. The Officers updated the Mayor monthly by emails following each EDC meeting and have arranged conversations to discuss important decisions. The Officers periodically updated City Council leadership on important matters and solicited their input. EDC Officers coordinated efforts as needed with the Chamber.

## **B. Other EDC Projects**

### **1. Private Funding /Community Foundation**

As a follow-up to the June 9, 2020, letter to the Mayor regarding ideas on how to assist businesses regain their footing through and post COVID, the EDC created a private funding subgroup to explore options to raise external funding in support of local small businesses negatively impacted by the COVID pandemic. The subgroup gained input from a series of individuals representing different perspectives and capacities in the community. The subgroup determined that mechanisms do not presently exist in Newton to readily raise external funding for small business. The subgroup arrived at the conclusion that a community foundation could play a role in channeling some kinds of small business financial support, as is done in other cities and towns. However, the subgroup was unclear what levers (if any) the EDC has to advance this idea and did not explore it further over the course of 2022.

### **2. Northland's Needham Street Project**

From 2017 to 2019, the EDC conducted multiple meetings about the project and provided extensive comments, feedback, analysis, and recommendations. The EDC provided specific comments both supporting the project and enumerating concerns. The EDC issued a formal

letter in 2019 detailing its deliberations regarding the project, a copy of which is attached to this report. The zoning and special permit for the Northland project were approved by the City Council in December of 2019. When challenged by referendum, the EDC continued its support for the project. The EDC received an update on the project and will continue to follow the progress.

### **3. Riverside Development:**

From 2006 to the present, the EDC has advocated for and followed redevelopment of the Riverside Station parking lots. The current approved proposal of a mixed use (residential, life science and retail) development would provide significant positive benefits to the City. The EDC received periodic updates on the project and will continue to follow the progress.

### **4. Attracting Life Science Companies to Newton**

Attracting life sciences companies to Newton is Objective 1A of the Camoin report, and the EDC has actively advocated for changes to Newton's regulatory documents including support for an rDNA ordinance, changes to the Zoning code, and other provisions. The EDC was also instrumental in helping the City to achieve MASSBIO Bioready Platinum designation.

## **C. Organizational**

### **1. EDC Officers**

- In February 2023 for a one-year term the Commission elected:
  - Sarah Rahman, EDC Chair
  - Lisa Adams, Vice Chair
  - Matt Segneri, Secretary
- In February 2022 for a one-year term the Commission elected:
  - Philip Plottel, EDC Chair
  - Sarah Rahman, Vice Chair



- Chuck Tanowitz, Secretary
- In February 2021 for a one-year term the Commission elected:
  - Mr. Philip Plottel, EDC Chair
  - Dr. Jean Wood, PhD, Vice Chair
  - Sarah Rahman, Secretary

## **2. EDC Members**

Jean Wood moved out of Newton in 2022 and resigned her commission as a result. We thank her for her service as a commissioner, Secretary, and Vice Chair.

Ali Erol and Robert Finkel resigned their commissions in 2022, and Joyce Plotkin resigned in January 2023. We thank Rob for his service as a Secretary and Vice Chair and Joyce for her service as a Vice Chair and Chair.

The EDC welcomed Jim Griglun (April), Zach Knowlton (May), and Florent Mali (May) as a newly appointed commissioners in 2022.

The current diverse membership and background of commissioners will enable the EDC in 2023 to benefit from diverse experiences, ideas and strive to be a truly inclusive commission.

## **3. City Staff**

In May, Devra Bailin, Economic Development Director, retired. We thank Devra for her service to the City. The EDC Chair and Vice Chair participated in the drafting of the job description and interview process for a new Economic Development Director. John Sisson, previously the Town of Dedham's director of Economic Development, was hired in July.

### III. Priorities for 2023

For the year ahead, the Economic Development Commission will focus on a few key priority areas where we can deliver outputs that are aligned with the Planning Department's economic development efforts and that are productive in effectuating the City's goals for the Newton economy. As in past years, we will continue to inform our efforts with available data and stakeholder input and will engage with the Mayor, City Councilors, the Chamber, local businesses, and others as appropriate.

Our 2023 goals are drawn from EDC's internal assessment from last year and are aimed at furthering the *Economic Development Action Plan for the City of Newton* (which was adopted by the City in 2019):

- Encourage initiatives that strengthen the economic vitality of village centers. Examples may involve issues of parking, transportation, and village center rezoning.
- Support efforts that facilitate owning and operating businesses in Newton, including as it relates to sustainability, zoning, policies, programs, and services.
- Support initiatives to help increase the City's commercial tax base, such as efforts around commercial development projects, planning studies, and industry attraction, including life sciences.
- Help to advance diversity, equity, and inclusion (DEI) as a priority in Newton's business efforts.

#### **IV. Economic Development Commission Members for 2022**

Philip Plottel (Chair)

Sarah Rahman (Vice Chair)

Chuck Tanowitz (Secretary)

Lisa Adams

Ali Erol (Resigned, April 2022)

Robert Finkel (Resigned, February 2022)

Jeremy Freid

Jim Griglun (joined April 2022)

Debora Jackson

Zach Knowlton (joined May 2022)

Jack Leader

Florent Mali (joined May 2022)

Marcela Merino

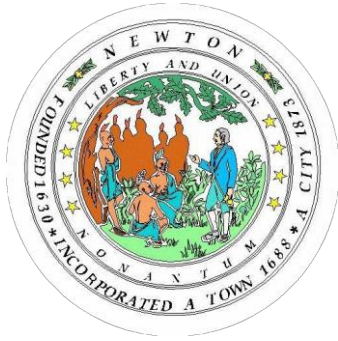
Joyce Plotkin (Resigned, January 2023)

Matt Segneri

Jean Wood (Resigned, February 2022)

#### **V. Attachments**

- Appendix A: EDC letter of support zoning framework, Oct. 12, 2022
- Appendix B: Memo on Animal Service zoning, Oct. 12, 2022



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## CITY OF NEWTON, MASSACHUSETTS

### Economic Development Commission

Mayor Fuller and City Councilors  
City of Newton  
1000 Commonwealth Avenue  
Newton, MA 02459

Re: Village Center Zoning

October 12, 2022

Dear Mayor Fuller and Honorable City Councilors,

The Economic Development Commission (EDC) was established under General Laws Chapter 40, Section 8A to promote and develop business and industry within the City of Newton. The Commission is charged with strengthening the local economy, leading to new job opportunities for residents and an expansion of the City's tax base. Per City Ordinance Article V, Section 22.95, the EDC is tasked to "advise and make recommendations to appropriate officials, agencies, boards, department, and commissions of the City." This letter, approved by the EDC on 10/11/2022 by a vote of 9-0, is intended to provide the EDC's advice and recommendation regarding the proposed Village Center rezoning.

EDC has voted to support the proposed *framework* for village center rezoning that has been developed by the City's Department of Planning & Development and endorsed by the Zoning and Planning Committee. We recommend that the Zoning & Planning Committee continue to engage productively with the Planning Department on village center rezoning, focus on key economic development issues therein, and help to move forward a proposal that can achieve a successful vote of passage by the full City Council.

This letter outlines below the major points we considered in our reasoning.

#### **BACKGROUND**

EDC'S support and recommendation is informed by our review of Planning's current rezoning materials, our ongoing engagement, and our relevant historical perspective. Specifically, the presentation made to the EDC on 9/13/2022 titled *Village Center Rezoning, Zoning Proposals* a copy is attached as Appendix A.

# CITY OF NEWTON, MASSACHUSETTS

## Economic Development Commission

EDC has stayed closed to the Planning Department throughout the current process of village center rezoning. To date, the EDC has received six presentations by Planning staff on this work in progress. Furthermore, for the last three years, EDC has had a subgroup focused on zoning to delve constructively into questions impacting economic development (e.g. building heights and micro-fulfillment centers) and encourage small business input (e.g. facilitating small business focus groups for village center visioning). EDC is also familiar with, and actively participated in, the City’s past zoning-related efforts, including clarifying definitions for lab and R&D uses; developing new rules for last mile delivery and micro-fulfillment centers; and decoupling floor height and number of stories to enable increased interior flexibility.

### **KEY POINTS IN SUPPORT**




EDC supports the proposed framework for village center rezoning because it:

#### **1. Creates new opportunities for economic development.**

The framework for village center rezoning enables greater potential for economic activity across the City in villages where it would be most appropriate. The plan would allow for offices, stores, customers, workers, residents, jobs, and transit to concentrate and connect in ways that could boost economic vibrancy, neighborhood quality of life, and the City’s commercial tax base. Newtonville’s village center serves as a proof point. A series of complimentary development projects there have led to new business openings, a steady flow of foot traffic, and a general sense of neighborhood vitality. The proposed village center rezoning framework would help set the stage for other village centers to also achieve their economic potential at the scale most suitable to them. Moreover, the framework encourages smaller, by-right, projects in the villages as opposed to specially permitted “mega” developments.

Zoning Proposals

### Building Design - Village Center Core Districts

	Small Village Centers (revised BU2)	Medium Village Centers (revised BU3)	Large Village Centers (revised MU4)
			
<i>Maximums</i>	Existing / Proposed	Existing / Proposed	Existing / Proposed
<i>Building Height (# of stories)</i>	2 / 2.5	3.0 / 3.5	3.0 / 4.5
<i>Building Footprint</i>	-- / 5,000 sf	-- / 10,000 sf	-- / 15,000 sf

Source: TPUDC

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# CITY OF NEWTON, MASSACHUSETTS

## Economic Development Commission

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### 2. Aligns with the City's stated priorities for economic development.

The proposed framework closely reflects, and could help achieve, several of the stated goals and objectives of *The Economic Development Action Plan for the City of Newton* (prepared by Camoin Associates and approved by the City Council and adopted in 2019) [Link to the document](#) . For example, with regard to village centers, the Economic Development Plan calls for maintaining uniqueness; supporting economic vibrancy; promoting multimodal transportation; reducing parking footprints; and encouraging mixed use and walkability near mass transit. Many of the same themes can be found in the *Riverside and Washington Street Vision Plans* as well as the *EDC's 2020 COVID Recovery Plan* ([link to the document](#) ) for small businesses, which was informed by a cityside survey filled out by 245 local businesses.

### 3. Supports the City in meeting its housing and sustainability needs.

Newton needs to increase the supply of affordable units to meet the needs of current and future residents. Furthermore, meeting the State's *40B "safe harbor"* threshold allows the City more local control around residential developments. The City also needs a plan for more mixed-family development near transit to comply with the State's new *MBTA Communities Law* in order to remain eligible for various State grants. The proposed village center rezoning framework is a step towards addressing these housing challenges by appropriately planning for added housing density where it can be best accommodated.

Similarly, the proposed framework also supports *Newton's Five Year Climate Action Plan* which calls for developing more housing in proximity to public transportation to encourage mode-shift and decrease over-reliance on automobiles.

### 4. Recognizes and respects the unique characters of Newton's village centers.

Newton's different villages are of varying sizes and characters depending on their locations, surrounding neighborhoods, institutions, and transportation and housing options. The sort of development projects that may work well in one village would not necessarily suit or succeed in others. And so, the village center rezoning framework sensibly proposes a range of sizes for village center districts and scales of development to best correspond to each village's unique characteristics. Under the proposed framework, future re/development could be better tailored at the outset to preserve and protect those aspects which the community values and introduce new growth at the appropriate levels.

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# CITY OF NEWTON, MASSACHUSETTS

## Economic Development Commission

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**5. Provides opportunities for local developers and smaller scaled projects.**

Newton's existing zoning code has long been in need of updating, and the special permit process has become the default starting point for too many development projects in the City. Because the special permit process is typically lengthy and expensive, it shuts out smaller local developers in favor of larger, well-resourced developers, who are likely to seek the largest possible size and scale of projects to make their expense worthwhile. The proposed framework would help "level the playing field" by delivering zoning guidelines that are pragmatically updated to correspond to commercially viable projects and the present and future realities for our village centers. If implemented, the framework would provide a set of clear and transparent zoning parameters that developers, including smaller local ones, could use equally to best "match" (not "force") possible projects to certain village areas and determine feasibility.

**6. Makes sensible parking proposals to encourage small business growth.**

Newton's existing zoning regulations on parking minimums have been identified as barriers to small businesses in both the Economic Development Action Plan and EDC's COVID Recovery Plan. Inability to meet these minimum parking requirements delays and prevents the opening of new businesses, the expansion of existing businesses, and the hiring of additional employees. As it currently stands in the City, special permit waivers are routinely granted to restaurants and other commercial users who can afford the cost and time to seek a waiver from the existing parking requirements. The proposed rezoning framework would better align the City's zoning regulations with our de-facto current parking practices and better support smaller village businesses, for whom the special permit process may be too onerous. In general, smaller scale development benefits from changes to the existing parking requirements because only the very well-funded "mega" developments can afford to build under the current parking minimums.

**7. Represents an inclusive, city-wide, community-wide effort.**

Newton's Economic Development Action Plan has a set of objectives around improving the city's development process (Goal 4) that includes the call for citywide, community-based conversations and community consensus in planning efforts. In this regard, the village center rezoning initiative has progressed successfully. The Planning Department has made tremendous outreach efforts over the many months and phases of the village rezoning effort to engage different residents and stakeholders, community groups, neighborhood groups, and interest groups. The Department has undertaken public meetings, surveys, websites, emails, postcards, presentations, office hours, and public displays to enable the community every opportunity to access information and provide input as easily as possible. Moreover, unlike some past (unsuccessful) City efforts to re-zone select village centers, most notably Newton Centre, the current initiative considers all of Newton, thereby engaging the interest of community members citywide and inviting them to consider Newton as a whole.

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**CITY OF NEWTON, MASSACHUSETTS**  
**Economic Development Commission**

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**EDC RECOMMENDATIONS**

The EDC recommends moving forward with village center rezoning aligned with the framework being proposed. As explained in the points above, the EDC finds that the proposed framework would provide greater economic development and economic opportunities in Newton. As the village center rezoning efforts move to the next phase, we encourage the City to continue with the current citywide community outreach efforts. We also encourage a continued focus on maintaining and expanding the commercial spaces in our villages. The commercial tax rate is 1.89 times the residential rate, and the commercial revenue raised would benefit the City fiscally.

Sincerely and on behalf of the EDC,

Sarah Rahman

Sarah Rahman,  
Vice Chair,  
Economic Development Commission



Phil Plottel,  
Chair,  
Economic Development Commission



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**CITY OF NEWTON, MASSACHUSETTS**  
**Economic Development Commission**

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Appendix A: Sept 13, 2022 Zoning presentation to EDC

# City of Newton Zoning & Planning Committee

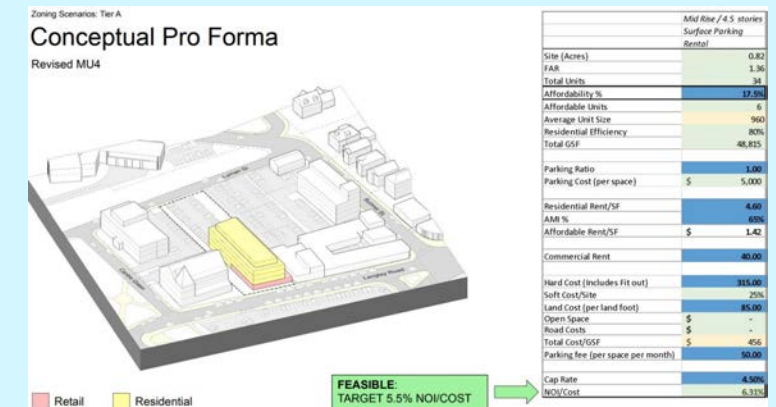
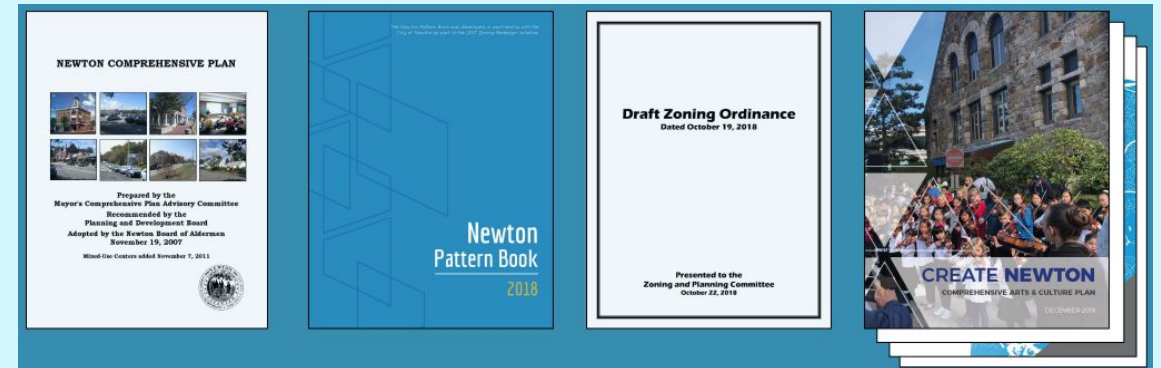
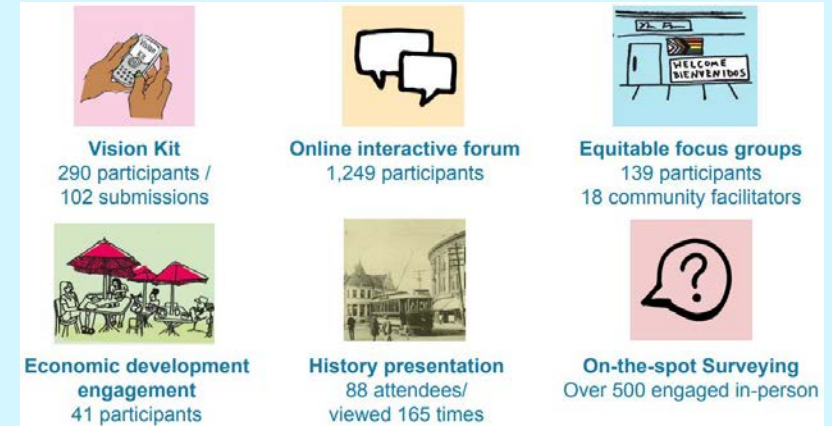


## Village Center Rezoning Zoning Proposals



# Grounding the Zoning Proposals

1. Alignment with the community takeaways
2. Supported by City plans and policies
3. Produces economically viable projects that are varied and diverse



# Organizing the Zoning Proposals

## Parking

1. Reduce parking requirements

## Building *Design*\*

2. Allow for industry standard floor-to-floor height
3. Incentivize varied rooflines with half-story
6. Set maximum building footprint
- 10/11/12. Allow increased height proportionate to the village center size

## Lot Configuration

4. Eliminate lot area per unit minimum
5. Remove minimum lot size

## Review Process

7. Modify Special Permit thresholds
8. Develop a standard site-plan/design review process
9. Incorporate strong design standards within the Ordinance

\*Zoning does not regulate style

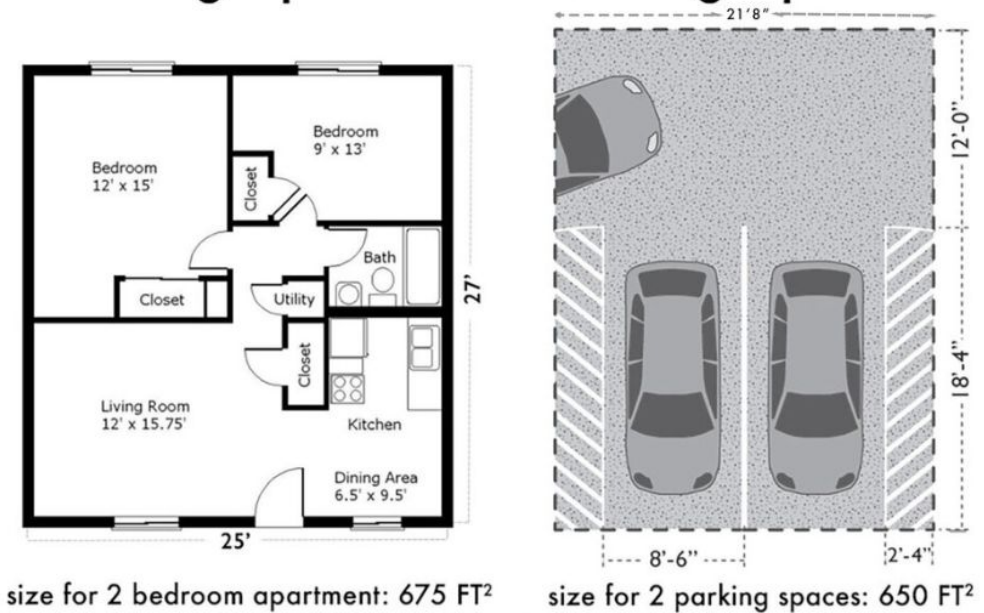
# Parking - Reduce Requirements

	Residential	Office	Ground floor commercial	Other Commercial
Existing	2 per unit	1 per 250 sf	Retail: 1 per 300 sf + 1 per 3 employees Restaurant: 1 per 3 seats + 1 per 3 employees	Retail: 1 per 300 sf + 1 per 3 employees Restaurant: 1 per 3 seats + 1 per 3 employees
Proposed	1 per unit*	1 per 700 sf	Exempt	TBD

## Why & Intended Outcomes:

1. Reduces cost of construction
2. Easier to build more, and varied units
3. Improved site design
4. Easier for businesses to open

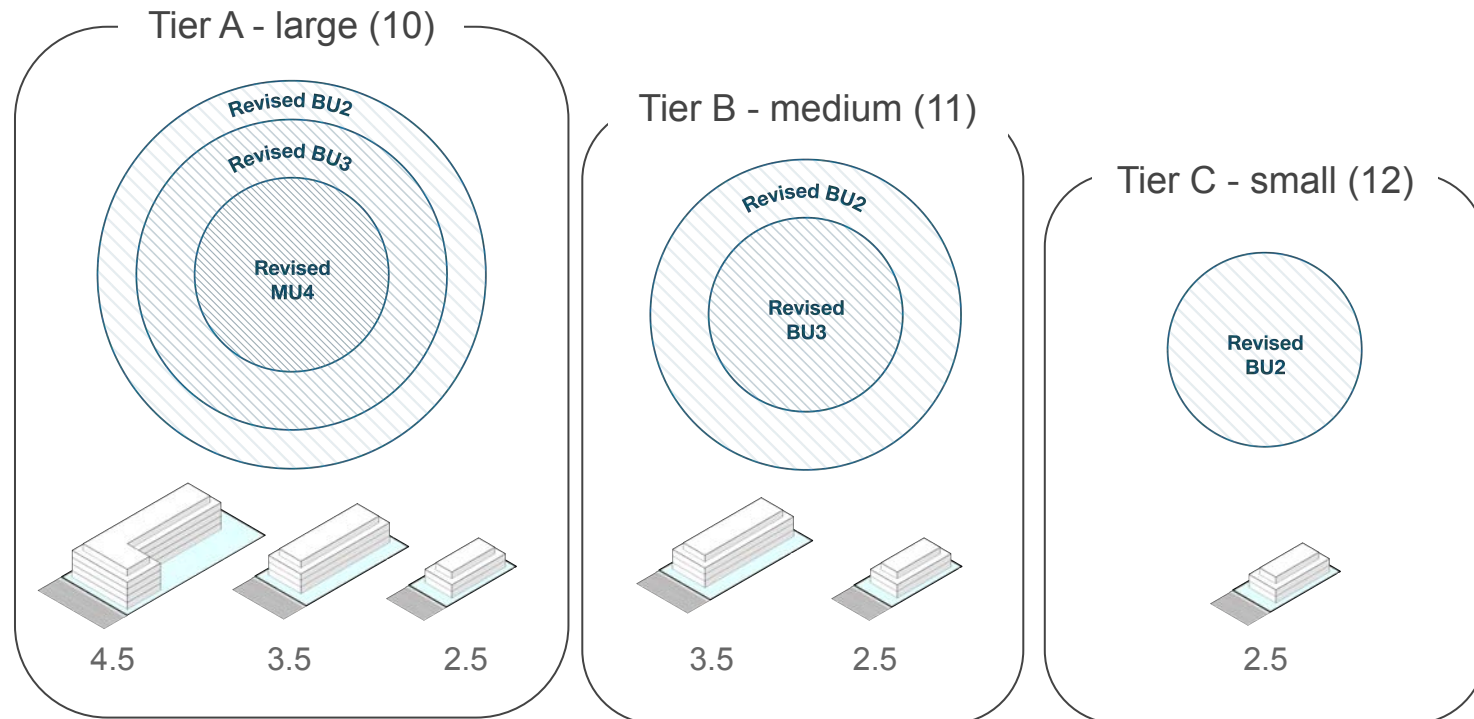
## Living Space vs. Parking Space



Sources: Transportation Cost and Benefit Analysis II - Parking Costs Victoria Transport Policy Institute ([www.vtpi.org](http://www.vtpi.org))  
Graphic Adapted from Graphing Parking (<https://graphingparking.com/2013/07/23/parking-across-cascadia/>)

\* Or lower based on further analysis

# Building Design - Tiered Framework Based on Village Center



## Why & Intended Outcomes:

1. Allows for more units, which will lead to an increase in deed restricted affordable units
2. By-right pathway leads to greater predictability, efficiency, and variety
3. Enliven village centers and increase commercial tax base

# Building Design - Village Center Core Districts

Small Village Centers  
(revised BU2)



Medium Village Centers  
(revised BU3)



Large Village Centers  
(revised MU4)



*Maximums*

Existing / **Proposed**

Existing / **Proposed**

Existing / **Proposed**

*Building Height  
(# of stories)*

2 / **2.5**

3.0 / **3.5**

3.0 / **4.5**

*Building  
Footprint*

-- / **5,000 sf**

-- / **10,000 sf**

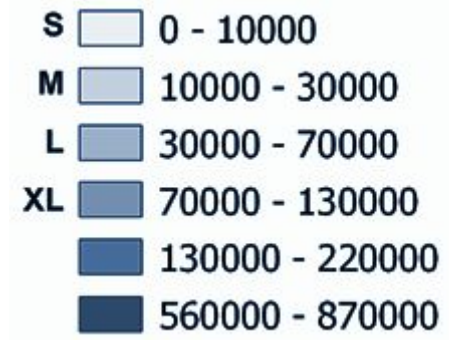
-- / **15,000 sf**



# Lot Configuration - Eliminate Existing Minimums

Lot Area per Unit (4)		Minimum Lot Size (5)	
	MU4 / BU Zones		MU4 / BU Zones
Existing	1,000 / 1,200 sf lot area/unit	Existing	10,000 sf
Proposed	none	Proposed	none

Newton Centre parcels coded by lot size (sf)



## Why & Intended Outcomes:

1. Removes artificial barriers to more, and greater variety, of unit and building sizes
2. Reduces barriers to entry for smaller property owners and developers
3. Aligns with MBTA communities guidelines



# Review Process

Special Permit Threshold (7)	
Existing	Greater than 20,000 sf of gross floor area
Proposed	Any lot over $\frac{3}{4}$ of an acre

Site-Plan/Design Review (8)	
Existing	Required review by City Council for projects between 10,000 - 19,999 sf / No requirement
Proposed	Required review by the Planning Board at a TBD threshold / Required review by the UDC for all Special Permit projects

Design Standards (9)	
Existing	Minimal for larger developments, most robust standards exist for residential garages
Proposed	Create intentional standards calibrated to project size

## Why & Intended Outcomes:

1. Reduces barriers to entry for smaller property owners and developers (greater predictability)
2. Planning and urban design professionals reviewing appropriately scaled projects (greater efficiency)
3. Aligns with MBTA communities guidelines

# Next Steps

## **June**

1. ZAP wrapped up review of these proposals and provided straw votes of agreement

## **Summer - Fall**

2. Engage the broader community on the zoning proposals (educate and receive feedback)
3. Draft the Zoning Ordinance language and district mapping

## **Fall - Winter**

4. Present, review, and approve the Zoning Ordinance and district mapping at the City Council

# EDC Actions

## **Tonight**

1. Ask questions

## **Summer - Fall**

2. Help bring in constituents to the engagement process (ex. business owners)
3. Ensure the draft zoning language and mapping districts remain in alignment with framework

## **Fall - Winter**

4. Engage with City Councilors and other constituents as appropriate



Ruthanne Fuller  
Mayor

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Barney S. Heath  
Director

## MEMORANDUM - Updated

**Date:** October 12, 2022  
**From:** John Sisson, Economic Development Director  
**To:** City Council President Susan Albright  
Zoning and Planning Committee Chair Deb Crossley  
City Clerk Carol Moore  
**CC:** Economic Development Commission  
Barney Heath, Director, Planning and Development  
**RE:** "Animal Services" zoning issue

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**At its meeting on Tuesday, October 11, 2022, the Economic Development Commission voted 9-0 to docket an item, "to the City Council requesting review and discussion of the creation of as-of-right zoning for animal service."**

I appreciate the Commission's unanimous support on this issue, which came to my attention when a group of Newton residents sought to open an animal grooming business in a vacant storefront on Walnut Street in Newtonville. On their behalf, I checked with Inspectional Services (ISD) in early September and came away thinking the use was allowed. However, as of Monday this past week, ISD told the applicants the use would not be allowed at that location.

At least six (6) existing Newton businesses provide animal grooming services in 2022. They are located in business zones BU1 and BU2 in multiple village centers: Auburndale, Newton Center, Newton Highlands, Newtonville, and Waban. The animal grooming business proposed for the Walnut Street storefront in Newtonville would also be in a BU1 zone.

It appears the "animal service" use was added to the City's zoning ordinance when mixed-use zoning was updated in October 2012. From the meeting minutes I've reviewed, it's unclear why. The addition made multiple existing businesses non-conforming, including the pet store that operated at 330 Walnut Street for more than 45 years before closing in 2014.

The ordinance provides the following definitions:

**6.4.1. Animal Service**

A. Defined. Animal Services, including but not limited to sales and grooming and veterinary services; excluding overnight boarding. (Ord. No. A-4, 10/01/12). *Please note that related animal services are regulated separately: 6.4.19. Kennel and 6.4.36. Veterinary Hospital. Kennels are prohibited in all business zones. A Veterinary Hospital would be allowed in BU2 only by Special Permit or in BU4, where it's Allowed Subject to Listed Standards.*

**6.4.25. Personal Service**

A. Defined. Personal services, including but not limited to barbershop, salon, tailor, cobbler, personal trainer or fitness studio, and laundry, and/or dry cleaning drop off. (Ord. No. Z-108, 04/17/12; Ord. No. A-99, 01/17/17)

**6.4.31. Service Establishment**

A. Defined. Business service establishments, including but not limited to copying and printing establishments and shipping services. (Ord. No. Z-108, 04/17/12)

I am pasting related sections of the use table below:

<b>Business, Mixed Use &amp; Manufacturing Districts</b>	BU1	BU2	BU3	BU4	BU5	MU1	MU2	MU3	MU4	M	LM
Animal service, excluding overnight boarding	--	--	--	--	--	SP	SP	P/SP	SP	--	--
Service establishment, up to 5,000 sq. feet	P	P	P	P	--	SP	P	--	P	--	--
Service establishment, over 5,000 sq. feet	P	P	P	P	--	SP	P	--	SP	--	--

Source: <https://www.newtonma.gov/home/showpublisheddocument/29823/637922895054470000>

Multiple conversations with planning staff lead me to believe the simplest solution would be:

1. To allow the use by right in BU1 and BU2, where six existing animal grooming businesses operate currently.
2. To allow animal service in other business zones by right or by Special Permit.

The by right designation would be appropriate, as the City allows similar service provider categories, Personal Service and Service Establishment, to operate by right in BU1, BU2, BU3, and BU4.

These small changes to the use table would redress what I believe to be an unintended consequence of a zoning amendment that was created for purposes arguably unrelated to the regulation of animal services. In addition, the changes would make six existing animal grooming businesses in Newton compliant with zoning and enable the proposed business to open in the vacant Newtonville storefront.