

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO. C-40

April 16, 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** the word “Design” where it appears in **Section 9.2.4.B.1** and **INSERT** in place thereof the word “Development”.

- II. **DELETE** the row “Multi-Family residential use” in its entirety where it appears in the “Residential Uses” portion of the table appearing in **Section 9.2.8.C** and **INSERT** in place thereof the following new row:

Residential Uses	MRT	VC2	VC3	Definition / listed standard
Multi-Family residential use	P	P/L	P/L	Sec.6.2.4 / Sec.9.2.6.B.9

- III. **DELETE** the row “Assisted living, nursing home” in its entirety where it appears in the “Residential Uses” portion of the table appearing in **Section 9.2.8.C** and **INSERT** in place thereof the following new row:

Residential Uses	MRT	VC2	VC3	Definition / listed standard
Assisted living, nursing home	SP	SP/L	SP/L	Sec. 6.2.5 / Sec. 9.2.6.B.9

- IV. **DELETE** the row “Congregate living facility” in its entirety where it appears in the “Residential Uses” portion of the table appearing in **Section 9.2.8.C** and **INSERT** in place thereof the following new row:

Residential Uses	MRT	VC2	VC3	Definition / listed standard
Congregate living facility	SP	P/L	P/L	Sec.6.2.8 / Sec. 9.2.6.B.9

- V. **DELETE** the row “Elderly housing with services” in its entirety where it appears in the “Residential Uses” portion of the table appearing in **Section 9.2.8.C** and **INSERT** in place thereof the following new row:

Residential Uses	MRT	VC2	VC3	Definition / listed standard
Elderly housing with services	SP	SP/L	SP/L	Sec.6.2.10 / Sec. 9.2.6.B.9

- VI. **DELETE** the row “Live/work space” in its entirety where it appears the “Residential Uses” portion of the table appearing in **Section 9.2.8.C** and **INSERT** in place thereof the following new row:

Residential Uses	MRT	VC2	VC3	Definition / listed standard
Live/work space	P	P/L	P/L	Sec.6.2.11 / Sec. 9.2.6.B.9

- VII. **DELETE** the row “Lodging house” in its entirety where it appears in the “Residential Uses” portion of the table appearing in **Section 9.2.8.C** and **INSERT** in place thereof the following new row:

Residential Uses	MRT	VC2	VC3	Definition / listed standard
Lodging house	SP	SP/L	SP/L	Sec.7 / Sec. 9.2.6.B.9

- VIII. **INSERT** after the word “multiple” where it appears in **Section 9.2.4.B.3.b** the word “principal”.
- IX. **INSERT** after the word “Multiple” where it appears in **Section 9.2.6.B.8.d.iv** the word “principal”.
- X. **DELETE** the words “VC3 Building Dimensional Standards” where they appear in **Section 9.2.5.B** and **INSERT** in its place a new subsection **9.2.5.B.1 VC3 Building Dimensional Standards**.
- XI. **DELETE** the words “VC2 Building Dimensional Standards” where they appear in **Section 9.2.5.B** and **INSERT** in its place a new subsection **9.2.5.B.2 VC2 Building Dimensional Standards**.
- XII. **DELETE** the words “VC3 Building Dimensional Standards” where they appear in **Section 9.2.5.B** and **INSERT** in its place a new subsection **9.2.5.B.3 MRT Building Dimensional Standards**.

- XIII. **INSERT** under the words “-- = Not allowed...N/A = not Applicable” where they appear in the last row of the table in **Section 9.2.5.B.3 MRT Building Dimensional Standards** the following:

Accessory buildings are subject to the standards found in Sec. 3.4.3. Accessory Buildings and Sec. 3.4.4. Garage Design Standards.

- XIV. **INSERT** under the words “P = Allowed by Right...L = Allowed Subject to Listed Standards...SP = Special Permit by City Council Required...-- Not Allowed” where they appear twice in the table in **Section 9.2.8.C** the following:

The Commissioner of Inspectional Services is responsible for determining all uses. If a proposed use is not listed, but is similar or accessory to a listed use, the Commissioner of Inspectional Services may consider the proposed use part of the listed use.

- XV. **DELETE** the words “fees and information as set forth in this section” where they appear in **Section 9.2.9.B.7.a** and **INSERT** in place thereof the following:

information set forth in this section, and fees prescribed by Revised Ordinances Chapter 17, Article II, Section 17-3, as amended.

- XVI. **DELETE** the word “Management” where it appears in the title of **Section 5.3** and **INSERT** in place thereof the word “Runoff”.

- XVII. **DELETE** the words “22, Article II, Section 22-22.” where it appears in **Section 5.3** and **INSERT** in place thereof the words “29, Article VIII, as amended.”

- XVIII. **DELETE Section 5.3.B** in its entirety.

- XIX. **DELETE Section 5.4.2.B** in its entirety and **INSERT** in place thereof a new **Section 5.4.2.B** as follows:

B. Standards:

1. The placement of a retaining wall of 4 feet or more within a setback requires a special permit.
2. See also Revised Ordinances Chapter 29, Article VIII as amended.

- XX. **DELETE** the table titled “Rental Projects: Number of Inclusionary Units Required” where it appears in **Section 5.11.4** in its entirety.

- XXI. **DELETE** the words “EFFECTIVE January 1, 2021” where they appear after “Rental Projects: Number of Inclusionary Units Required” in the title of the table in **Section 5.11.4**.
- XXII. **DELETE** the table titled “Ownership Projects: Number of Inclusionary Units Required” where it appears in **Section 5.11.4** in its entirety.
- XXIII. **DELETE** the words “EFFECTIVE January 1, 2021” where they appear after “Ownership Projects: Number of Inclusionary Units Required” in the titled of the table in **Section 5.11.4**.


Approved as to legal form and character:

Alissa O. Giuliani
ALISSA O. GIULIANI
City Solicitor

Under Suspension of Rules
Readings Waived and Adopted
24 yeas 0 nays


(SGD) CAROL MOORE
City Clerk

EXECUTIVE DEPARTMENT
Approved:


(SGD) RUTHANNE FULLER
Mayor

Date: 4/24/2024