



Zoning & Planning Committee Report

City of Newton In City Council

Monday, June 26, 2017

Present: Councilors Danberg (Acting Chair), Albright, Baker, Yates, Leary and Sangiolo

Absent: Councilors Hess-Mahan and Kalis

Also present: Councilor Crossley

City Staff: Barney Heath (Director, Planning Dept.), Rachel Blatt (Long Range Planner), Shubee Sikka (Urban Designer), John Lojek (Commissioner, Inspectional Services), Karyn Dean (Committee Clerk)

#148-17 **Mayor's appointment of William Winkler to the Urban Design Commission**
WILLIAM WINKLER, 48 Holman Road, Auburndale, appointed as a member of the URBAN DESIGN COMMISSION for a term to expire June 1, 2020. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: **Zoning & Planning Approved 5-0 (Sangiolo not voting)**

Note: Mr. Winkler was unable to attend due to travel. Barney Heath, Director of Planning, stated that three members have been serving on the UDC, which allows up to eight members. Another qualified individual would be very helpful and Mr. Winkler has abundant qualifications. Mr. Winkler is a retired architect and has attended a number of UDC meetings. The current members along with Planning staff are very impressed with what he can bring to the UDC and believe he would be an excellent addition. Rachel Blatt, Long Range Planner added that Mr. Winkler brought thoughtful commentary to meetings he attended and agreed he would be an excellent member. Shubee Sikka, Urban Designer noted that Mr. Winkler and she were employed at Sasaki Associates at the same time, and while she did not work directly with him, always heard that he was very well respected. Councilor Yates moved approval and the Committee voted in favor 5-0.

#185-17 **Mayor's appointment of Doug Cornelius to the Newton Historical Commission**
DOUG CORNELIUS 15 Lockwood Road, West Newton, appointed as a member of the NEWTON HISTORICAL COMMISSION for a term to expire July 31, 2020. (60 days 08/18/17) [06/12/17 @ 10:38 AM]

Action: **Zoning & Planning Approved 6-0**

Note: Mr. Cornelius joined the Committee and explained he worked on a dual JD/Masters in Historic Preservation degree. However, he did not finish the Masters in Historic Preservation program but sees this as an opportunity to put that knowledge and interest to work for the City. He took classes in Preservation Planning, Historic Preservation Law and a few others.

A Committee member mentioned a situation in which a homeowner wanted to add a second unit to his home for family members. There was a long conversation in the Historical Commission about the dormer being added to accommodate the family. She wondered when the decisions become relative to preservation of the building and its character and less about likes or dislikes about design. Mr. Cornelius noted that the character of the neighborhood and other houses in the neighborhood would need to be considered to determine if a design feature might be inappropriate when making historic preservation decisions. There would need to be some discretion in these issues. Much of Newton's housing stock is older but not historic, and is functionally running into problems. Another Councilor noted that not all houses have to be modified to make them "livable".

Councilor Yates moved approval and the Committee voted in favor unanimously, 6-0, and thanked Mr. Cornelius for being willing to serve.

#149-17 Mayor's appointment of Ellen Katz to the Conservation Commission

ELLEN KATZ, 31 Williams Street, Newton Upper Falls, appointed as a member of the CONSERVATION COMMISSION for a term to expire May 31, 2020. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: Ms. Katz joined the Committee. She explained that she is a registered architect and has a love of the Charles River. She and her husband live in a 1919 home, which is on the National Register, which they restored and abuts conservation land. They are volunteer stewards for that conservation parcel. She has gotten active in conservation issues by being a volunteer steward for almost three years.

The Massachusetts Association for Conservation Commissioners has wonderful programs for new members including an orientation, which she has done, and webinars for which a certificate can be granted. She has taken one webinar called Functions and Values of Wetlands, which is a good introduction to legislation and a good overview. Anyone can sign up to take the webinars.

Councilor Yates said that Ms. Katz is an active participant in conservation affairs. Councilor Albright said she has known Ms. Katz for a long while and she will be a wonderful addition to the Conservation Commission

Councilor Yates moved approval and the Committee voted in favor, unanimously. The Committee thanked Ms. Katz for her stewardship and her willingness to serve on the Conservation Commission.

#150-17 Mayor's re-appointment of Jeffrey Zabel to the Conservation Commission

JEFFREY ZABEL, 54 Oak Avenue, West Newton, re-appointed as a member of the CONSERVATION COMMISSION for a term to expire May 31, 2020. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved as amended: appointed as full member from alternate member 6-0

Note: It was pointed out that Mr. Zabel is currently serving as an alternate member and this would be an appointment as a full member. The Committee voted in favor unanimously.

#151-17 Mayor's re-appointment of Ira Wallach to the Conservation Commission
IRA WALLACH, 5 Broken Tree Road, Newton Centre, re-appointed as a member of the CONSERVATION COMMISSION for a term to expire May 31, 2020. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Mr. Wallach for his willingness to serve.

#152-17 Mayor's re-appointment of Susan Lunin to the Conservation Commission
SUSAN LUNIN, 22 Shaw Street, West Newton, re-appointed as a member of the CONSERVATION COMMISSION for a term to expire May 31, 2020. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Lunin for her willingness to serve.

#153-17 Mayor's re-appointment of Judith Hepburn to the Conservation Commission
JUDITH HEPBURN, 132 Stanley Road, Waban, re-appointed as a member of the CONSERVATION COMMISSION for a term to expire May 31, 2020. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Hepburn for her willingness to serve.

#154-17 Mayor's re-appointment of Daniel Green to the Conservation Commission
DANIEL GREEN, 46 Glen Avenue, Newton Centre, re-appointed as a member of the CONSERVATION COMMISSION for a term to expire January 2, 2019. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Mr. Green for his willingness to serve.

#155-17 Mayor's re-appointment of Norman Richardson to the Conservation Comm

NORMAN RICHARDSON, 372 Waltham Street, Newton, re-appointed as a member of the CONSERVATION COMMISSION for a term to expire July 10, 2019 (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Mr. Richardson for his willingness to serve.

#156-17 Mayor's re-appointment of Richard Alfred to the Auburndale Hist Dist Comm
RICHARD ALFRED, 73 Grove Street, Auburndale, re-appointed as a member of the AUBURDNALE HISTORIC DISTRICT COMMISSION for a term to expire May 31, 2018. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Mr. Alfred for his willingness to serve.

#157-17 Mayor's re-appointment of Patricia Baker to the Auburndale Hist Dist Comm
PATRICIA BAKER, 55 Wilde Road, Auburndale, re-appointed as a member of the AUBURDNALE HISTORIC DISTRICT COMMISSION for a term to expire May 31, 2019. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Baker for her willingness to serve.

#158-17 Mayor's re-appointment of Patricia Bottomley to Auburndale Hist Dist Comm
PATRICIA BOTTOMLEY, 238 Central Avenue, Auburndale, re-appointed as a member of the AUBURDNALE HISTORIC DISTRICT COMMISSION for a term to expire May 31, 2019. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Bottomley for her willingness to serve.

#159-17 Mayor's re-appointment of Italo Visco to the Auburndale Hist District Comm
ITALO VISCO, 66 Grove Street Auburndale, re-appointed as a member of the AUBURDNALE HISTORIC DISTRICT COMMISSION for a term to expire May 31, 2019. (60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: Zoning & Planning Approved 6-0

Note: The Committee voted unanimously to approve this re-appointment with thanks to Mr. Visco for his willingness to serve.

#160-17 **Mayor's re-appointment of Nancy Grissom to the Auburndale Hist Dist Comm**
NANCY GRISSOM, 7 Orris Street, Auburndale, re-appointed as a member of the
AUBURDNALE HISTORIC DISTRICT COMMISSION for a term to expire July 10, 2019.
(60 days 08/04/17) [05/30/17 @ 11:00 AM]

Action: **Zoning & Planning Approved 6-0**

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Grissom for her willingness to serve.

#190-17 **Mayor's re-appointment of Nancy Grissom to the Newton Historical Comm**
NANCY GRISSOM, 7 Orris Street, Newton, re-appointed as a member of the
NEWTON HISTORICAL COMMISSION for a term to expire July 10, 2020. (60 days
08/18/17) [06/12/17 @ 10:38 AM]

Action: **Zoning & Planning Approved 6-0**

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Grissom for her willingness to serve.

#186-17 **Mayor's re-appointment of Peter Dimond to the Newton Historical Commission**
PETER DIMOND, 18 Sterling Street, West Newton, re-appointed as a member of the
NEWTON HISTORICAL COMMISSION for a term to expire May 13, 2020. (60 days
08/18/17) [06/12/17 @ 10:38 AM]

Action: **Zoning & Planning Approved 6-0**

Note: The Committee voted unanimously to approve this re-appointment with thanks to Mr. Dimond for his willingness to serve.

#187-17 **Mayor's re-appointment of Laura Fitzmaurice to the Newton Historical Comm**
LAURA FITZMAURICE, 67 Fisher Avenue, Newton, re-appointed as a member of the
NEWTON HISTORICAL COMMISSION for a term to expire June 1, 2020. (60 days
08/18/17) [06/12/17 @ 10:38 AM]

Action: **Zoning & Planning Approved 6-0**

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Fitzmaurice for her willingness to serve.

#188-17 **Mayor's re-appointment of Ellen Klapper to the Newton Historical Commission**
ELLEN KLAPPER, 46 Cochituate Road, Newton, re-appointed as a member of the
NEWTON HISTORICAL COMMISSION for a term to expire July 10, 2020. (60 days
08/18/17) [06/12/17 @ 10:38 AM]

Action: **Zoning & Planning Approved as amended: re-appointed as alternate member 6-0**

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Klapper for her willingness to serve.

#189-17 **Mayor's re-appointment of Jean Fulkerson to the Newton Historical Comm**
JEAN FULKERSON, 51 Middlesex Road, Chestnut Hill, re-appointed as a member of the NEWTON HISTORICAL COMMISSION for a term to expire July 10, 2020. (60 days 08/18/17) [06/12/17 @ 10:38 AM]

Action: **Zoning & Planning Approved 6-0**

Note: The Committee voted unanimously to approve this re-appointment with thanks to Ms. Fulkerson for her willingness to serve.

#191-17 **Mayor's re-appointment of Mark Armstrong to the Newton Historical Comm**
MARK ARMSTRONG, 61 Vaughn Avenue, Newton, re-appointed as a member of the NEWTON HISTORICAL COMMISSION for a term to expire July 23, 2020. (60 days 08/18/17) [06/12/17 @ 10:38 AM]

Action: **Zoning & Planning Approved 6-0**

Note: The Committee voted unanimously to approve this re-appointment with thanks Mr. Armstrong for his willingness to serve.

#140-14 **Zoning amendment for lodging house ordinance**
ALD. CROSSLEY AND HESS-MAHAN requesting to amend **Chapter 30**, City of Newton Zoning Ordinances, to include a "lodging house" ordinance to promulgate rules requiring annual fire, safety and health inspections and licensing of buildings providing single room occupancy and/or congregate living arrangements.

Action: **Zoning & Planning Held 6-0**

Note: Rachel Blatt, Long Range Planner addressed the Committee, noting that this item had been discussed in Committee previously and this was an update to that discussion. She provided a PowerPoint, which is attached to this report. This discussion includes item #140-14(2) as well.

Ms. Blatt explained that a survey had been sent out to known lodging houses and their neighbors and they received 5 responses. Two described situations that were not great from both neighbors and residents perspectives and three were described as quite reasonable. She also explained that the terms Boarding/Lodging/Rooming House have been used interchangeably and Lodging House seems to be the one that is being used in modern zoning.

See the attached presentation for the various types of lodging house formats that are popular in the area, Newton's definition of a lodging house and current regulations. Ms. Blatt noted that there is currently a licensing fee, but no regulations associated with that fee.

Brookline, Massachusetts and Louisville, Kentucky recently adopted some new legislation and they combined zoning laws for establishing a lodging house and licensing regulations for operation.

Brookline, Arlington and Cambridge require licensing. There are a few existing lodging houses in Newton that may pre-date Newton's zoning. They would still have to comply with a license requirement even if they are pre-existing relative to the zoning. Licensing can be an effective tool for dealing with problems in operation. The Licensing Commission would have to review lodging house licenses and the Planning staff will be working with them on process. Clear guidelines in the zoning ordinance would be very helpful.

Please refer to attached presentation for the initial outline for the amended zoning ordinance and licensing requirements and regulations.

Committee Questions/Comments

It was asked how this Lodging House definition is different from an Association of Persons Living Together in a Common Dwelling definition, which is currently in the zoning ordinance and requires a special permit. Ms. Blatt explained that in a lodging house, people are responsible for their bedroom and the common areas are managed by a landlord. The Association of Persons Living Together in a Common Dwelling definition allows 4 tenants, all of whom have responsibility for the common areas as well as their bedrooms. If there are more than 4 persons, it falls into the lodging house definition and out of the Association of Persons Living Together in a Common Dwelling category.

Group homes or specialized homes are exempted from the definition of lodging house. There are different requirements through the state. The City does not do inspections.

The parking requirement in Brookline is 1 parking spot per 10 sleeping rooms. Newton is proposing 1 parking spot per sleeping room and considering setting a parking maximum in residential districts to maintain consistency with the character of the surrounding neighborhood.

Commissioner Lojek requested that the inspection being proposed for the licensing requirement be a team effort from Fire, Police, Health and ISD departments. He said it makes a bigger impression on owners and tenants when a team shows up all at once. It shows that the City is coordinated and is very aware and serious about the life safety issues. He noted that the Police used to do CORI checks on tenants of lodging houses, but was not sure if that was still the case. Lodging houses have historically been in this area but then many were converted to condos. The City has not had many calls or issues related to lodging houses. He did not feel that any new lodging houses would be built and if any were created, it would be a conversion of an existing building. This is a good housing option to have in the City.

A Councilor did not want to see lodging houses turned into overflow student housing for Boston College. Resources are limited in ISD, which could make it difficult to keep up with enforcement. Commissioner Lojek said there were never any parties in the lodging houses he has seen in the City

and has not seen students living in them. There is the ability to revoke a license if an establishment turned into a party house or if there were any other serious problems.

Councilor Crossley said she was very concerned with life safety issues, which is why she co-docketed this item. There have been some issues in the City so she was hoping to find a way for establishments to become safe, code compliant housing. This type of housing can serve various residents, from older adults to young professionals. These proposed amendments can improve issues for the neighbors and protects residents as well. It also gives clear guidelines for all involved including tenants, managers, landlords as well as the neighbors. The residents would have a sense of buy-in and responsibility when they know there are certain rules to follow and also that they are being protected by the rules the landlord has to follow.

A Councilor asked for more details about the resident or on-site manager proposal. There is an absentee landlord in the City who would like to see an ordinance passed to make what he is doing, legal. His properties are not well kept up, but the residents are very nice people. There is no one there on a daily basis to help with the operation of the buildings or to deal with any of the issues that have come up. The Commissioner noted that the resident manager was typically someone who needed a room and took on the manager role for rent. The manager would collect rent, make sure the building was in good repair and that people were following the rules. Brookline, as he recalled, requires an on-site manager. Cambridge requires a CORI check for on-site managers. Caritas Communities has a great video and features an on-site manager who describes the process. Having an on-site manager makes it easier for the police to contact someone who would be responsible.

Brookline looks at SRO (Single Room Occupancy) as a micro-unit, which means it has internal cooking facilities. In a lodging house format, everyone shares a kitchen, but in their SRO model each tenant has their own cooking facility. The Town then expects each unit to have all the life safety requirements such as second egress, etc.

A Committee member asked for more information on the co-housing format. Ms. Blatt said she would do more research and come back with some data. A Councilor noted that the WeLive model format is causing some concern because it might displace affordable homes or apartments because it is more lucrative and may disrupt some neighborhoods. There was an article in the Boston Globe exploring that. Ms. Blatt noted that WeLive is re-tooling a little bit and not expanding right now. While the rents are high for the WeLive units, they are still far less than renting a studio or one bedroom apartment. There may be some applications that are similar to that format, but they are expecting it would be more from non-profit organizations.

A Councilor said that there was a SRO building near him and he was never aware of any problems there. He heard later that there were all sorts of code enforcement problems. The building now holds 4 market rate units. He wondered why that building was an issue and how these new regulations would provide a better solution. The Commissioner said that the owner opted to change it to 4 units and the City had no say in that decision.

Another Councilor explained there is a lodging house in her neighborhood and there have been problems with trash and parking issues. It is difficult to know how many people live there and if the owner is renting parking spaces to commercial vehicles. There are violations there and she has called ISD. The inspectors have told her that they cannot go onto the private property without permission. The new regulations and licensing requirements could better address these issues and provide certain access.

It was asked if these regulations and licensing could somehow cause displacement of those living in this kind of housing. If the repairs are too expensive, some landlords could just shut down their units and then housing is lost for that population. The Commissioner said the inspections keep people safe. If they see extension cords that are dangerous, the inspectors will take them from the unit, for example. If more units are created, they will be made safe and the existing units will be made safe. Ms. Blatt said they have been looking at the CDBG Rehab Program. If 51% of tenants are below 80% AMI, the landlord could apply for rehab program loans to make code violation repairs.

A Committee member would like uncouple the zoning from the licensing to see if the City can manage the existing lodging houses first and make improvements there. There is a public interest in making these units safe. They could then consider moving forward on zoning to create new units.

Councilor Crossley thanked Ms. Blatt and the Planning staff for presenting so thoroughly and thoughtfully on this issue. This item will come back to Committee with further information in the fall.

The Committee voted to hold this item 6-0.

#140-14 (2) Amend ordinances to add licensing requirements and criteria for lodging houses
ZONING & PLANNING COMMITTEE requesting to amend Chapter 17, City of Newton Ordinances, to establish licensing requirements and criteria for lodging houses.

Action: Zoning & Planning Held 6-0

Note: See note above. The Committee voted to hold this item 6-0.

Meeting adjourned.

Respectfully Submitted,

Victoria L. Danberg, Acting Chair

Lodging House Regulation

1

A RESEARCH UPDATE ON LODGING/BOARDING HOUSE REGULATION

Outline

2

- What is a lodging house?
- What are some of the formats of modern lodging houses?
- How does Newton currently regulate a lodging house?
- Regulating Lodging Houses through Zoning and Licensing
 - Initial Outline for Zoning Amendments
 - Initial Outline for Licensing Ordinance

What is a lodging house?

3

Boarding/Lodging/Rooming House

- 4+ individuals living in a quasi-group setting
- Leasing a room rather than sharing in an apartment lease
- Access to but not legal responsibility for shared kitchen and bath facilities

6.2.7 Boarding House, Rooming House, Lodging House

A. Defined.

Any dwelling designed, occupied or intended for **occupancy by 4 or more lodgers** (defined as a person who occupies space for living and sleeping purposes **without separate cooking facilities**, paying rent, which may include an allowance for meals; and who is not a member of the housekeeping unit). Includes rooming house, lodging house.

Newton Zoning Ordinance §6.2.7

What is a lodging house?

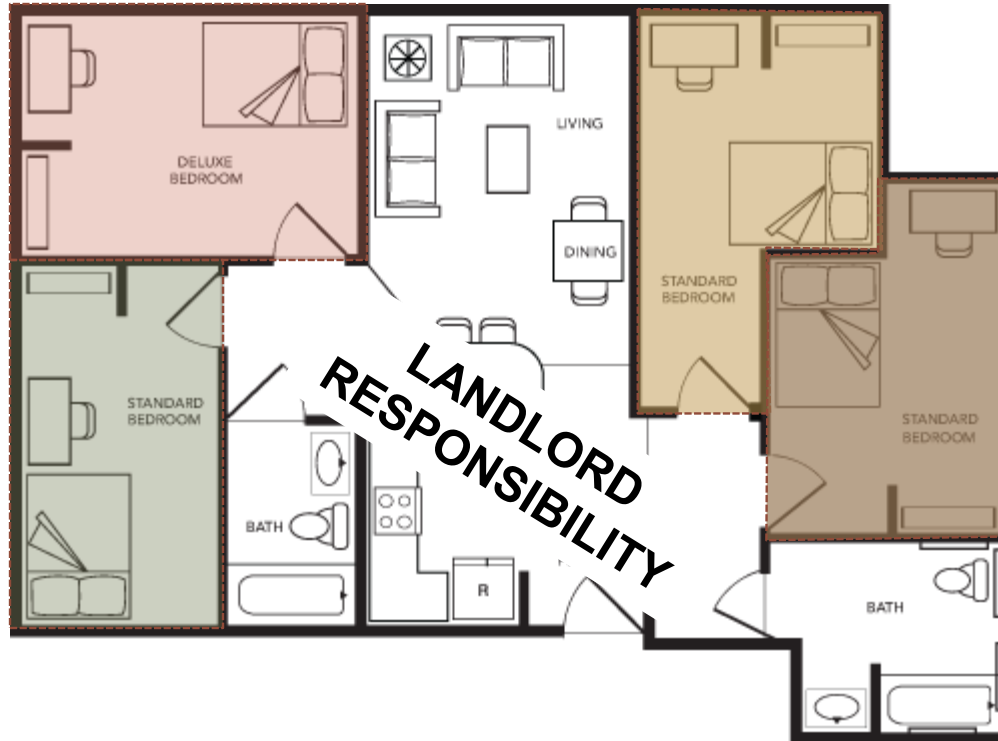
4

Renter #1

Renter #2

Renter #3

Renter #4



How does this compare to a group of roommates?

5

Group of Roommates

Roommate #1
(UNIT OWNER)

Roommate #2

Roommate #3

Roommate #4



What about a group of 5 or more roommates?

6

Group of Roommates

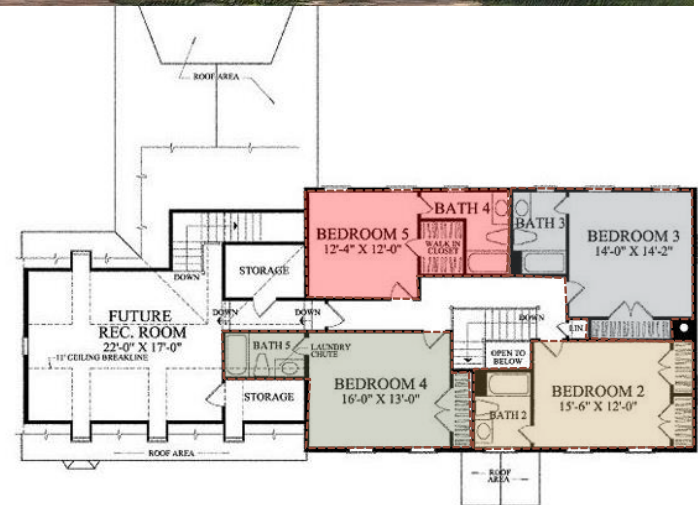
Roommate #1
(UNIT OWNER)

Roommate #2

Roommate #3

Roommate #4

Roommate #5



Lodging House Formats

7

Caritas Communities

- Non-profit operated
- Mix of lodging house styles:
 - Single rooms (furnished & unfurnished) with shared kitchen and bath,
 - Small 1-bed units
 - “hotel style” units w/o kitchens
- Some units accessible
- Some with parking available, some without
- TARGET POPULATION:
low-income working adults

30 

BUILDINGS
plus 2 more building
sites in progress

14 

**GREATER BOSTON
COMMUNITIES**

1000+ 

**CURRENT
RESIDENTS**

Lodging House Formats

8

Caritas Communities

22 Fessenden Rd, Arlington

- 15 lodging units
- Shared kitchen & bathrooms
- Limited parking, but one block to bus and shopping
- Laundry in the building



Lodging House Formats

9

Caritas Communities

48 Water St, Wakefield

- 26 lodging units (1 accessible)
- Shared kitchen & bathrooms
- Laundry in the building
- Parking unspecified (Notes that location is a walk to shopping, bus, and commuter rail)



Lodging House Formats

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WeLive

- Full-furnished and outfitted units
- Rent a studio, 1-bed, or room in a 2-4 bedroom shared apartment
- Housekeeping & Concierge
- Laundry in the building
- Limited parking but transit accessible
- TARGET POPULATION:
mobile tech workforce
participating in WeWork
coworking locations

A New Way of Living.

WeLive is a new way of living built upon community, flexibility, and a fundamental belief that we are only as good as the people we surround ourselves with. From mailrooms and laundry rooms that double as bars and event spaces to communal kitchens, roof decks, and hot tubs, WeLive challenges traditional apartment living through physical spaces that foster meaningful relationships. Life is better when we are part of something greater than ourselves. Whether for a day, a week, a month, or a year, by joining WeLive - you'll be psyched to be alive.

MOVE IN FOR MONTHS or STAY A FEW NIGHTS WeLive is your home as long as you need.

Excerpt from the WeLive webpage

<https://www.welive.com/dc>

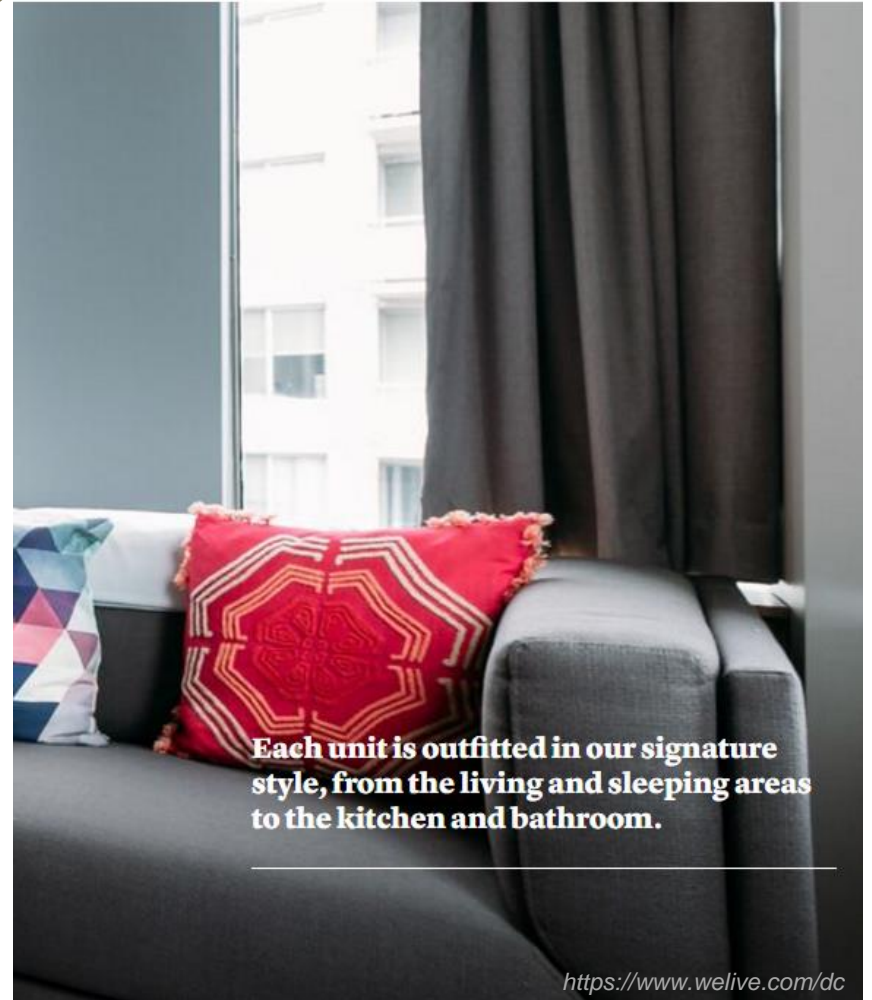
Lodging House Formats

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WeLive

Crystal City, Arlington, VA

- Studio, 1-bed, & rooms in a 2-4 bedroom shared apartments
- Housekeeping & Concierge
- Laundry in the building
- Limited parking (separate cost), located on 2 Metro lines, Bike storage and repair station on site
- Pet Friendly
- Daily community building events



Lodging House Formats

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Boston Community Cooperatives

Seedpod Coop, Dorchester

- Triple decker with 12-bedrooms total
- Shared meals 5-times a week
- Collaborative events & house meetings



What is Newton's definition of a boarding house?

14

6.2.7 Boarding House, Rooming House, Lodging House

A. Defined.

Any dwelling designed, occupied or intended for **occupancy by 4 or more lodgers** (defined as a person who occupies space for living and sleeping purposes **without separate cooking facilities**, paying rent, which may include an allowance for meals; and who is not a member of the housekeeping unit). Includes rooming house, lodging house.

Newton Zoning Ordinance §6.2.7

How does Newton currently regulate a lodging house?

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Newton, MA

Zoning

- Defines a lodging/rooming/boarding house
- Establishes where lodging houses can be located and by what process those locations are approved
 - Use is allowed by Special Permit in the MR-1, MR-2, MR-3, and MR-4 districts (3.4.1)
- Sets parking standards
 - 1 parking stall per sleeping room plus 1 per 3 employees (5.1.4)

License Fees

- \$50/year Lodging House License (§17.3)
- \$50/quarter On-site Inspection Fee (§17-10)
- NO REGULATIONS ASSOCIATED WITH THE FEES

Brookline & Louisville, KY – Lessons Learned

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Zoning

+

Licensing

Establishing a new lodging house

- Allowed Zones
- If/When a special permit is required
- Parking standards
- Building Development Standards

Operating a lodging house

- Operator Requirements
- Inspection Schedule
- License Fees
- Responsibilities for Managing Lodgers
- Responsibilities for Property Maintenance

Approval of use of a property

Approval of an operator

Initial Outline for Zoning Amendments

6.2.7 Boarding House, Rooming House, Lodging House

A. *Intent Statement – add new section*

B. Defined. – no change

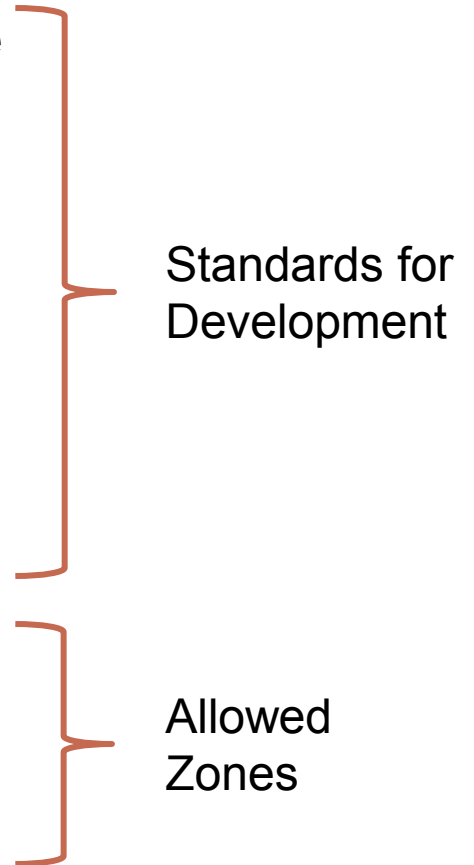
C. *Standards – add new section*

D. *Process – add new section*

5.1.4 Number of Parking Stalls

3.4.1 Residential Districts Allowed Uses

4.4.1 Business, Mixed Use, & Manufacturing Districts



Initial Outline for Zoning Amendments

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6.2.7 Boarding House, Rooming House, Lodging House

5.1.4 Number of Parking Stalls

3.4.1 Residential Districts Allowed Uses

- Current: Allowed by Special Permit in MR1, MR2, MR3, & MR4

4.4.1 Business, Mixed Use, & Manufacturing Districts

- Consider expanding to all zones where “*Residential use, above ground floor*” is allowed (Process of approval TBD)
 - *BU1, BU2, BU3, BU4, MU1, MU2, MU3, MU4*

Initial Outline for Zoning Amendments

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6.2.7 Boarding House, Rooming House, Lodging House

A. *Intent.* – initial outline

1. *Allow for diverse housing choices while respecting the residential character and scale of existing neighborhoods*
2. *Allow for the sharing of common housing types to provide less expensive housing in Newton without subsidies*

B. *Defined.* – no change

C. *Standards* – add new section

D. *Process* – add new section

Initial Outline for Zoning Amendments

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6.2.7 Boarding House, Rooming House, Lodging House

A. *Intent Statement – add new section*

B. *Defined. – no change*

C. *Standards – initial outline*

1. *Require Licenses at all times of operation*
2. *Prevent exceptions for larger than normal size signs*
3. *Parking*
 - a. *Require consistency with Section 5.1.4 (Number of Parking Stalls)*
 - b. *Require screening of parking areas*
4. *Require new construction/additions/renovations to be consistent with character of the neighborhood*

D. *Process – add new section*

Initial Outline for Zoning Amendments

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6.2.7 Boarding House, Rooming House, Lodging House

- A. *Intent Statement – add new section*
- B. *Defined. – no change*
- C. *Standards – initial outline*
- D. *Process – add new section*

TBD

Things to Consider

- Special Permit is currently required
 - Some formats of lodging houses are likely to be transient uses while the Special Permit stays with the property until officially abandoned; license can be made not transferable to the next property owner
 - Require UDC review of a newly established lodging house when there's new construction/additions/renovations?

Initial Outline for Zoning Amendments

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6.2.7 Boarding House, Rooming House, Lodging House

5.1.4 Number of Parking Stalls

Current Requirement: 1 per sleeping room plus 1 per 3 employees

Proposed Considerations:

- Consider setting a parking maximum in residential districts to maintain consistency with residential character of surrounding neighborhood
- Consider lowering the parking requirement, particularly for locations within ½ mile of rail/express bus transit or ¼ mile of local bus transit
 - Encourage transit use
 - Discourage reliance on driving
 - Reduce embedded cost of residing in a lodging house by removing/decoupling parking costs

Lessons Learned

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Zoning

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Licensing

Establishing a new lodging house

- Allowed Zones
- If/When a special permit is required
- Parking standards
- Building Development Standards

Approval of use of a property

Operating a lodging house

- Operator Requirements
- Inspection Schedule
- License Fees
- Responsibilities for Managing Lodgers
- Responsibilities for Property Maintenance

Approval of an operator

Why might Newton consider regulating lodging houses through licensing?

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- Life Safety Concerns of existing boarding houses
- Licensing is a more effective vehicle for dealing with problem operators/problematic situations
- Uniformity of standards for all existing and future boarding houses
- Transparency – clear information for operators and neighbors

Initial Outline for License Regulations

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1. Set Operations Standards
2. Set Process for Licensing & Renewals
3. Set Penalties and Guidelines for Revoking a License

Initial Outline for License Regulations

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1. Set Operations Standards
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Standards – [initial outline for consideration](#)

- Require **on-site manager or resident agent**
 - Require **one-time training** on life safety and code compliance for licensees and managers/agents
- Require **annual inspections** by Fire, Police, Health, and ISD in advance of license renewals
- Require setting, distributing, and posting of **house rules** that include at minimum an **electrical policy, evacuation plan, and assigns responsibilities to either manager/agent or tenants re: trash, snow clearance, etc.**
- Consider setting **occupancy standard** for residents
 - E.g. minimum sq. ft. per person in a bedroom