



## Zoning & Planning Committee Agenda

### City of Newton In City Council

**Monday, June 15, 2020**

The Zoning and Planning Committee will hold this meeting as a virtual meeting on Monday, June 1, 2020 at 7:00 pm. To view this meeting, use this link at the above date and time <https://us02web.zoom.us/j/89889200218>. To listen to the meeting via phone dial 1-646-558-8656 and use the Meeting ID 898 8920 0218.

#### **Items Scheduled for Discussion:**

- #88-20**      **Discussion and review relative to the draft Zoning Ordinance**  
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.  
**Zoning and Planning Held 8-0 on 06/01/2020**

**Chair's Note:** *The following items, #38-20 and #148-20, will be carried along with the main item so they may be taken up as they relate to Article 3, residential districts, for this meeting. The Planning Department provided a memo in advance of this meeting dated June 5. It can be accessed at the following link: <http://www.newtonma.gov/civicax/filebank/documents/104252/06-05-20%20Planning%20Memo%20#88-20.pdf>*

- #38-20**      **Request for discussion relative to single-family attached dwellings**  
COUNCILOR LAREDO requesting a review of the zoning requirements for single-family attached dwelling units.  
**Zoning and Planning Held 8-0 on 06/01/2020**

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

**#148-20**      **Request to amend Chapter 30 to eliminate parking minimums**  
COUNCILORS ALBRIGHT, AUCHINCLOSS, BOWMAN, CROSSLEY, DANBERG, DOWNS,  
GENTILE, GREENBERG, KALIS, KELLEY, LIPOF, MARKIEWICZ, NOEL, KRINTZMAN, AND RYAN  
seeking amendments to Chapter of the Revised City of Newton Ordinances to eliminate  
mandated parking minimums to improve vitality of local businesses, reduce the cost of  
housing, and support the climate action goals.  
**Zoning and Planning Held 8-0 on 06/01/2020**

**#278-20**      **Reappointment of Laurie Malcom to the Upper Falls Historic District Commission**  
HER HONOR THE MAYOR reappointing Laurie Malcom, 95 Algonquin Road, Chestnut Hill,  
as a regular member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for  
a term to expire on December 24, 2022. (60 days: 08/07/2020)

**Respectfully Submitted,**

**Deborah J. Crossley, Chair**



Ruthanne Fuller  
Mayor

**City of Newton, Massachusetts**  
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**#88-20**  
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Barney S. Heath  
Director

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## MEMORANDUM

**DATE:** June 5, 2020

**TO:** Councilor Deborah Crossley, Chair, Zoning & Planning Committee  
Members of the Zoning & Planning Committee

**FROM:** Barney Heath, Director, Department of Planning and Development  
Zachery LeMel, Chief of Long Range Planning

**RE:** **#88-20 Discussion and review relative to the draft Zoning Ordinance**  
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.  
**Other docket items to be taken up within the context of Zoning Redesign include #30-20, #38-20, and #148-20**

**MEETING:** June 15, 2020

**CC:** City Council  
Planning Board  
John Lojek, Commissioner of Inspectional Services  
Alissa O. Giuliani, City Solicitor  
Jonathan Yeo, Chief Operating Officer

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At the June 1, 2020 ZAP meeting, the Planning Department held the fifth *workshop* on Article 3 – Residence Districts. The discussion focused on Building Components (sec. 3.3), with additional time devoted to the overall Article 3 review schedule and responses to Councilor questions received regarding Garage Design Standards and Driveway Access presented at the May 19 meeting.

Staff takeaways from the meeting include general support for the Building Component goals, objectives, and proposed changes laid out within the meeting presentation. These included:

- Building Components could be developed as by-right incentives that do not count towards the overall building footprint, though they must comply with lot coverage, setbacks, and their individual standards
- Building Components should not imply or limit style, rather they should create an appropriate volume for architects and builders to create and design within
- Building components could serve as the mechanism allowing controlled flexibility (i.e. buildings to evolve as the needs of the owners change) by replacing the currently proposed mechanism of increasing the Building Footprint by Special Permit

Of course, the above can only happen if the proposed ordinance develops the appropriate standards for not only each building component, but also the district and building type standards since all interact together in determining the potential development size. Staff is working with our consultant, local architects and builders, and other City departments to develop these standards and plan to present case studies highlighting outcomes of these proposed changes to ZAP at future meetings.

At the upcoming ZAP meeting on June 15, 2020 staff plan to focus the discussion on the remaining sections of Article 3 yet to be discussed in committee. These include Alternative Lot/Building Configurations (sec. 3.5), Allowed Uses (sec. 3.6), and Parking Requirements (sec. 3.7). Following this sixth *workshop*, the ZAP Committee will have reviewed all sections, to varying degrees, within Article 3.

### **Alternative Lot/Building Configurations (sec. 3.5)**

At previous ZAP meetings staff presented on Courtyard Cluster (sec. 3.5.3) and Rear Lot (sec. 3.5.1) development. Remaining sections to be discussed include:

Multi-Unit Conversions (Sec 3.5.2): Allowing a large single-family house to be converted into multiple units is a strategy employed in the current ordinance to promote preservation of these large houses. The proposed ordinance carries this strategy forward with a more generous allowance for the number of units and a slightly less strict historic preservation standard. These standards are meant to increase the likelihood that this option is more attractive than tearing down the structure.

Questions moving forward is if the proposed ordinance should go further in allowing Multi-Unit Conversions in more Building Types to further incentivize home preservation, often historic, in ways that allow the owners to realize additional value in their property. Allowing more Building Types will help the City simultaneously achieve its goals of promoting more housing opportunity/diversity and preserving and protecting the physical characteristics of neighborhoods. Second, the proposed ordinance requires a Special Permit to perform these conversions, a major hurdle for these alternative developments. Should we allow certain conversions by-right in the same way that Internal Accessory Apartments (sec. 6.7.1.D – current code) are allowed by-right?

Multi-Building Assemblage (Sec 3.5.4): The intent of this section is to allow multiple principal building types to be built on a single lot. Buildings in an assemblage present and function as individual structures with varied character in order to lend visual interest and vibrancy to the mixed-use areas in which they are built. As proposed, these assemblages are further meant to aid in the smooth transition between Village Centers and the surrounding neighborhoods. Because of this, the proposed ordinance only allows this type of development within the Neighborhood General District (N). Moving forward, a question is if assemblages should be allowed in R4, which is a new district created to further serve as a transition zone after releasing the first draft.

### **Allowed Uses (Sec. 3.6)**

General (Sec 3.6): Broadly, the uses allowed in the proposed zoning ordinance for the Residence Districts are the same as are currently allowed. The key differences are in the sections identified below and in the addition of the Bed & Breakfast use category.

The N district is a new kind of mixed-use district, transitioning from the purely residential neighborhoods to the mixture of uses found in the village centers. As mapped, the neighborhood general district is replacing business district zoned areas on the existing zoning map. This district has a more limited range of allowed commercial uses than the adjacent village districts and features building types meant to be in scale with the adjacent neighborhoods.

Adaptive Reuse (Sec 3.6.1.B): The adaptive reuse section of the proposed zoning ordinance identifies a limited range of uses that might be allowed in an existing building by special permit to allow for its adaptive reuse. The section targets existing civic or house type buildings. Most commonly, these types of buildings have been converted into museum, arts, or educational uses, including such examples as the Durant-Kenrick House, the New Art Center, and the Allan House. The draft ordinance proposes to expand the menu of potential reuse uses to include other arts related uses, general office space, and restaurant/cafes. This idea expands the opportunities for new commercial space, sensitively incorporated into an otherwise residential area and creating an opportunity for a neighborhood-based restaurant or allowing an expanding home business to stay in location. The idea is in line with how neighborhoods historically evolved, created walkable areas with neighborhood serving uses, and this provision allows a certain degree of evolution, in a way that is highly controlled, based on the special permit process. Are there additional uses to consider within the adaptive reuse framework? Should certain adaptive reuse uses be allowed by-right?

### **Parking Requirements (Sec. 3.7)**

The proposed ordinance formats parking requirements somewhat differently than the current ordinance. Instead of a standalone section on parking, the proposed ordinance contains parking requirements within each of the relevant articles, specific to that article. Article 8 – Development Standards, contains additional standards on parking requirements.

The proposed ordinance parking requirements differ in other way by more proactively addressing the transportation impacts of development. The minimum parking requirements are reduced and maximum parking requirements are introduced. This approach derives from the recognition that minimum parking requirements generally have been demonstrated to produce a range of unintended consequences ranging from environmental impacts and increased traffic. These impacts were partly the result of minimum parking requirements creating an environment that favors automobile use over any other mode. Specific to Article 3, one- and two-family homes and small non-residential development are exempt from parking requirements. In this way, the proposed ordinance allows the market to determine the number of spaces required will also removing that additional cost of requiring parking for those who do not need it or want it.

Updates staff are looking into include the currently docketed item to remove parking minimums altogether and changing on-street parking spaces to count towards any parking minimum requirement for non-residential uses only (sec. 3.7.1.A.5).

### **Looking Ahead**

Per the schedule presented at the last ZAP meeting, staff hopes to wrap up the workshops for Article 3 by the end of July. These workshops will include the revised mechanisms and standards based on the ZAP workshops, office hours, professional focus groups, and inter-departmental meetings to best achieve the goals adopted by the Committee in April. Staff hopes that members of the professional focus group will be able to speak directly to the ZAP Committee at some of these upcoming meetings before moving into draft text review and editing.

### **Attachments**

Attachment A Article 3 – Residence Districts, Section 3.5 – 3.7

- a. The number of detached garages on a property may not exceed one half of the number of units on the property, rounded down.
- b. A detached garage of more than 700 sf-square feet and providing for more than 3 vehicles is allowed by right if it meets the setbacks for a principal building.
- c. By Special Permit, a detached garage of more than 700 sf-square feet may be located within the setback, but not more than 5 ft-feet from the property line.
- d. **Review Criteria.** In its discretion to approve or deny a special permit authorizing a detached garage in the setback, the Special Permit Granting Authority must find that the application meets the following criteria:
  - i. The criteria for all Special Permits specified in Sec. 11.4.3.
  - ii. Design and siting are compatible with the neighborhood and adjacent residential properties.
  - iii. Strategies such as screening, landscaping, and window placement reduce effects on neighboring properties.

### 3.5. Alternate Lot/Building Configurations

#### 3.5.1. Rear Lots

- A. **Defined.** A lot that has no or substandard frontage on a street, which has access to a street by either:
  - 1. A “flag pole” or “pan-handle” shaped portion of the lot that is narrower than the minimum lot width and has street frontage, or
  - 2. An easement over an adjoining lot that has street frontage.

#### B. Standards.

- 1. A rear lot may only be created from an interior lot.
- 2. A rear lot must meet the lot frontage, lot depth, setback, and lot coverage standards of the zoning district.
- 3. The front lot line of a rear lot may be either:
  - a. The rear lot line of the adjoining lot fronting the street; or
  - b. A lot line parallel to the driveway and perpendicular to the street as designated by the property owner at the time of the special permit application.
  - c. The building front elevation shall face the front lot line.
  - d. Minimum lot frontage is measured along this line.
- 4. No newly-created rear lot may create a non-conformity on the front lot. If the front lot does not have an existing principal building or is proposed for development/ redevelopment at the same time as the creation of the rear lot, the following minimum depth for the front lot is required in each district:
  - a. Residence 1: 100 ft
  - b. Residence 2: 75 ft
  - c. Residence 3: 75 ft
  - d. Neighborhood General: 100 ft

5. A building type placed on a rear lot configured according to 3.6.1.B.3.a must be placed such that no more than 50% of the building width is behind the building on the lot fronting the street, as viewed in a direct line from the street.
6. Only a House C building type may be placed on a rear lot.

C. **Review Criteria.** The creation of a rear lot requires a special permit from the Planning Board in accordance with the procedures described in Article 11. In its discretion to approve or deny a special permit authorizing the creation of a rear lot, the Special Permit Granting Authority must find that the application meets the following criteria:

1. The criteria for all Special Permits specified in Sec. 11.4.3.
2. Design and landscaping are compatible with the neighborhood and adjacent properties.
3. Landscaping and other screening strategies serve to clearly delineate the private yards of the proposed dwelling on the rear lot and that of buildings on abutting lots.
4. Access to the rear lot is sufficient to accommodate public safety needs.

### 3.5.2. Multi-Unit Conversion

- A. An existing House A or Civic building type may be altered or renovated to install or increase the permitted number of residential units by special permit in accordance with the procedures described in Article 11.
- B. The Special Permit Granting Authority is determined by the scale of the project (See Secs. 3.1).
- C. The building must have been built at least 10 years prior to the date of application.
- D. The maximum number of residential units allowed in a building is subject to the following residential unit factors:
  1. Base RU Factor = 1250
  2. 100% Affordable/Sustainable Design Standard RU Factor = 900
- E. **Review Criteria.** In its discretion to approve or deny a special permit authorizing multi-unit conversion of an existing building, the Special Permit Granting Authority must find that the application meets the following criteria:
  1. The criteria for all Special Permits specified in Sec. 11.4.3.
  2. Preservation of the existing building's design integrity, with special attention to important historic features or components of the building.
  3. Design and landscaping are compatible with the neighborhood and adjacent properties.
  4. Preservation and/or enhancement of landscaped areas and trees, especially to serve as a buffer to neighboring lots.
  5. On and off-street parking available provides an adequate supply of parking (drawing guidance from existing standards in the Newton Zoning Ordinance) while also minimizing the presence of large parking areas and extensive areas of pavement.

### 3.5.3. Courtyard Cluster

Attachment A

A. **Defined.** A series of smaller than typical residential building types surrounding a shared courtyard green space. The Courtyard Cluster is scaled to fit within neighborhoods of residential building types and provide units that are smaller than average for the area in a setting where some features, like parking and outdoor amenity spaces, are located in common facilities.

B. **Standards.**

1. **Lot Standards.**

District	Lot Coverage		
	Lot Size	Lot Frontage	Max
R1	1 ac	50 ft	30%
R2	1 ac	50 ft	40%
R3	.75 ac	50 ft	50%
<u>R4</u>	<u>.75 ac</u>	<u>50 ft</u>	<u>60%</u>
N	.75 ac	50 ft	60%

2. **Building Types and Additional Standards.** The following building types may be used in a courtyard cluster. Unless varied by the standards listed here, all other standards for each building type apply.

District	Building Types	Footprint Limits
		Max.
Residence 1	House C	1200 sf
	House D	1400 sf
Residence 2	House C	1200 sf
	House B	
Residence 3	House C	1200 sf
	House B	
	Two-Unit Residence	
Neighborhood General	House B	1400 sf
	<u>House C</u>	
	<u>Two-Unit Residence</u> <u>Apartment House 3-Unit Building</u>	

3. Buildings ~~shall~~**must** front the courtyard or the public street. No building may orient a rear wall to the courtyard or street.

4. **Courtyard Requirements.**

- a. A minimum of 400 square feet per unit of courtyard is required with a minimum width and depth of 20 feet.
- b. At least 50% of the buildings must abut the courtyard.
- c. All buildings must be within 60 feet of the courtyard as measured from the front door to the edge of the courtyard.
- d. The courtyard must have buildings abutting at least two sides.

5. Courtyard clusters may not contain streets.

6. Driveways may not be located between any building and the court.

7. **Parking.**

- a. Parking may be located in or under a building, in a surface lot, or in detached garages, provided that parking is screened from view from adjoining properties and the street.



- b. Parking may be located between any two buildings and a rear or side lot line.
  8. An existing House A, House B, House C, House D, Two-Unit Residence, ~~Apartment House~~3-Unit Building, or Shop House which may be non-conforming with respect to the standards of this section, shall be permitted to remain, but the extent of the non-conformity with the courtyard cluster requirements may not be increased.
- C. **Review Criteria.** A Courtyard Cluster requires a Special Permit in accordance with the procedures described in Article 11. In its discretion to approve or deny a special permit authorizing a courtyard cluster, the Special Permit Granting Authority must find that the application meets the following criteria:
1. The criteria for all Special Permits specified in Sec. 11.4.3.
  2. Design and landscaping are compatible with the neighborhood and adjacent properties.
  3. The landscaped areas and trees are preserved and/or enhanced, especially to serve as a buffer to neighboring lots.
  4. On and off-street parking available provides an adequate supply of parking (drawing guidance from existing standards in the Newton Zoning Ordinance) while also minimizing the presence of large parking areas and extensive areas of pavement.

#### 3.5.4. Multi-Building Assemblage

- A. **Purpose.** The intent of this section is to allow multiple principle building types to be built on a single lot. Buildings in an assemblage present and function as individual structures with varied character in order to lend visual interest and vibrancy to the mixed-use areas in which they are built.
- B. **Assemblage, defined.** An assemblage is a series of attached or related buildings, assembling multiple principal building types on one lot.
- C. **Standards.**

Multi-building Assemblage is allowed in the Neighborhood General (N) district in accordance with the following standards:

1. All lot standards must be met.
2. Buildings may be attached within the setbacks.
3. Each building in the assemblage must meet the standards for a building type allowed in the Neighborhood General District.
4. Townhouse Sections must be in a series of at least 3 but no more 8 sections.
5. All building front elevations must front on private- or public-ways.
6. If buildings are attached, the front elevation setbacks from the front lot line must vary after every 3 adjacent buildings by at least 4 feet.
7. All buildings must have individual entrances. Except as allowed below, no building may be accessed through an adjacent building.
  - a. Underground parking may be connected and shared.
  - b. Ground floor non-residential spaces may be combined between adjacent buildings.

- c. Floor-to-floor connections on upper stories may be allowed between attached buildings in an assemblage by special permit in accordance with Sec. 3.2.2. In addition to the criteria described in Article 11, the Special Permit Granting Authority shall consider the purpose of this section 3.5.4.
  - 8. No more than 2 adjacent buildings, with the exception of a series of townhouses, may have the same primary roof orientation and/or type.
  - 9. Each assemblage with a mix of commercial and residential uses with a total of more than 60 dwelling units must contain a minimum of 1 public gathering space adjacent to a public-way, in accordance with Sec. 2.10.
- D. **Development Review.** Depending on the scale, a Multi-Building Assemblage may be by right or require a special permit.
- 1. **By Right.** An assemblage is by-right if it includes no more than 8 dwelling units or 8,000 square feet of commercial space.
  - 2. **By Special Permit.** Multi-building assemblages with more than the by right number of units or square footage of commercial space require a special permit. The Special Permit Granting Authority is determined by the scale of the project in accordance with Sec. 3.1.1.D.
    - a. **Review Criteria.** In addition to the criteria described in Article 11, the Special Permit Granting Authority shall consider the purpose of this Sec. 3.5.4.

### 3.6. Allowed Uses.

#### 3.6.1. General Standards for Allowed Uses in the Residence Districts.

##### A. Permitted Uses

- 1. The use of real property is subject to the provisions of Article 9 Use Regulations.
- 2. Uses are permitted as specified in Sec. 3.6.2.
- 3. Use categories not expressly authorized are prohibited.
- 4. Uses permitted by Special Permit require additional development review in accordance with Article 9 and Article 11.
- 5. Number of residential units allowed and the size of building permitted is subject to the Building Type rules in Sec. 3.2.

##### B. Adaptive Reuse of Existing Buildings

The use of any principal building constructed before the effective date of this Ordinance may be changed by Special Permit from the Planning Board to include any use within the following principal use categories in accordance with the table in 3.6.2 and according to the requirements and processes of Article 9 and Article 11.

- 1. The following use categories are allowed:
  - a. Arts Exhibition
  - b. Art Sales & Services
  - c. Community Center
  - d. Museum
  - e. Shared Workspaces & Arts Education
  - f. Restaurant/Café

- g. General Office
- 2. **Review Criteria.** In its discretion to approve or deny a special permit authorizing an adaptive reuse of an existing building, the Special Permit Granting Authority must find that the application meets the following criteria:
  - a. The criteria for all Special Permits specified in Sec. 11.4.3.
  - b. Design, landscaping, and property management strategies are compatible with the neighborhood and adjacent residential properties.
  - c. Location relative to the transportation system, ensuring that the proposed customer base, clients, and/or suppliers, can readily get to the proposed location while minimizing disruption to the neighborhood.
  - d. On and off-street parking available provides an adequate supply of parking (drawing guidance from existing standards in the Newton Zoning Ordinance) while also minimizing the presence of large parking areas and extensive areas of pavement.
  - e. Preservation and/or enhancement of landscaped areas and trees, especially to serve as a buffer to neighboring lots.

**C. Permitted Accessory Uses.**

- 1. The use of real property is subject to the provisions of Article 9 Use Regulations.
- 2. Accessory Uses permitted by Special Permit require additional development review in accordance with Article 9 and Article 11.

**3.6.2. Use Table.**

The following use categories and specific uses are permitted in the Residence Districts:

Use Category Specific Use	R1	R2	R3	R4	N	Definitions & Use Specific Standards
Residential Use Categories						
Household Living Uses	P	P	P		P	
Group Living Uses (except as follows)	SP	SP	SP		SP	
• Community / Group Residence	P	P	P		P	
• Dormitory, Student Residences	SP	SP	SP		SP	
• Lodging House	N	N	SP		SP	
• Nursing Home / Assisted Living Facility	SP	SP	SP		SP	
Arts & Creative Enterprise Use Categories						
Artisan Production Uses	N	N	N		P	
Arts Exhibition Uses	SP	N	N		SP	
Arts, Sales & Service Uses	SP	SP	SP		P	
Shared Workspaces & Arts Education Uses	SP	N	N		SP	
Work/Live Creative Studio Uses	N	N	N		P	

Civic & Institutional Use Categories					
Community Center Uses	SP	SP	SP		SP
Minor Utility Uses	SP	SP	SP		SP
Major Utility Uses	SP	SP	SP		SP
Museum Uses	SP	SP	SP		SP
Private, Non-profit Club or Lodge Uses	SP	SP	SP		SP
Public Service Uses	P	P	P		P
Religious & Educational Uses Protected by M.G.L. 40A. Sec. 3	L	L	L		L
Commercial Service Use Categories					
Animal Service Uses (as noted below)	-	-	-		-
• Veterinarian	N	N	N		SP
Banking & Financial Service Uses	N	N	N		SP
Building & Home Repair Service Uses	N	N	N		P
Business Support Service Uses	N	N	N		P
Day Care Service Uses (as noted below)	--	--	--		--
• Adult Day Care Center	SP	SP	SP		SP
• Child Day Care Center	P	P	P		P
Educational Institution Uses	SP	SP	SP		SP
Maintenance & Repair of Consumer Goods Uses	N	N	N		SP
Personal Service Uses (as noted below)	-	-	-		-
• Funeral Home	N	N	N		P
• Health Care Provider	N	N	N		SP
Eating and Drinking Use Categories					
Restaurant/Café Uses	SP	SP	SP		SP
Lodging Use Categories					
Bed & Breakfast Uses	SP	SP	SP		SP
Motor Vehicle-Oriented Use Categories					
Motor Vehicle Parking Uses (as noted below)	--	--	--		--
• Off-Site Accessory Parking	N	N	N		SP
Office Use Categories					
Co-Working Uses	N	N	N		P
General Office Uses	SP	SP	SP		P

Open Space Use Categories						
Farming Uses	P	P	P		P	
• Community Gardening	P	P	P		P	
Private Cemetery Uses	P	P	P		P	
Resource Extraction Uses	SP	SP	SP		SP	
Retail Sales Use Categories						
Consumer Goods Uses (Except as Follows)	N	N	N		P	
• Fresh Food Market or Grocery Store	N	N	N		P	
• Farmer/Vendor Market	N	N	N		P	
Accessory Uses	R1	R2	R3		N	
Uses typically found as accessory to permitted principal uses.	P	P	P		P	
Uses typically found as accessory to household living.	P	P	P		P	
Accessory Apartment	--	--	--		--	
• Internal	P	P	P		P	
• Detached	SP	SP	SP		SP	
A.T.M.	N	N	N		P	
Car Share & Bike Share	N	N	N		P	
Commercial Vehicle Parking	P	P	P		P	
Home Business Uses	P	P	P		P	
• Day Care	P	P	P		P	
Short Term Rental	P	P	P		P	
P = Permitted, N = Not Allowed, L = Allowed with Limitations, SP = Special Permit						

### 3.7. Parking Requirements in the Residence Districts.

#### 3.7.1. General Standards.

##### A. Required Accessory Parking Spaces.

Vehicular and bicycle parking must be provided as specified in Sec. 3.7.3, except as follows:

- 1- and 2-unit residential buildings are exempt from the requirements of Sec. 3.7.3.
- Ground story non-residential uses with ~~five thousand (5,000)~~ square feet or less of gross leasable floor area are exempt from the requirements of Sec. 3.7.3.
- There are no parking requirements for accessory uses.
- Parking may be shared between uses on the same lot and buildings within 500 linear ~~ft-feet~~ as measured along the street in accordance with Article 8.
- One on-street parking space, where permitted, for every ~~twenty-20~~ feet of lot width may be counted toward any minimum parking requirement.

##### B. Vehicular Parking Space Types.

Accessory motor vehicle parking spaces may be provided as off-street surface parking spaces, structured parking spaces, and on-street parking spaces.

#### C. Unbundled Market Rate Parking.

1. Off-street motor vehicle parking spaces must be rented, leased, or sold as a separate option rather than a requirement of the rental, lease, or purchase of a residential unit or non-residential floor space.
2. Bicycle parking must be provided at no cost or fee to customers, visitors, employees, tenants, and residents.

#### D. Parking Design.

The design of all parking is subject to Article 8 of this Ordinance.

#### E. Driveway Access.

1. Driveways may provide access from a front, side, or rear lot line and may be located within required front or rear setback areas.
2. No parking stall may be located within any required setback area, with the exception that up to 2 parking stalls may be located in a side setback area. No parking stall may be located between the building front elevation and the street.
3. Driveways may be no wider than 12 feet if providing one-way access to a parking area and no wider than 24 feet if providing two-way access to a parking area.
4. Driveways may provide access in whole or in part on or across an abutting lot(s), provided that an access easement exists among all affected property owners.
5. Unless otherwise specified, only one curb cut is permitted per front lot line.
6. Curb cuts must be located to minimize conflict with pedestrians, bicyclists, and motor vehicles on the thoroughfare they provide access to and from.
7. Curb cuts may be no wider than the driveway or vehicular entrance they serve, excluding flares or returned curbs.
8. Driveways and alleys traversing sidewalks must be designed to maintain the grade and clear width of the walkway they cross and must include returned curbs.

#### F. Off-site Parking on a Contiguous Lot.

Required accessory vehicular parking spaces, excluding required parking for disabled persons, may be provided on a contiguous lot under the same ownership as the lot that the parking will serve with a Special Permit.

1. The following additional standards apply:
  - a. Pedestrian access to off-site vehicular parking must be via a paved sidewalk or walkway.
  - b. A lease, recorded covenant, or other comparable legal instrument guaranteeing long term use of the site must be provided to the Special Permit Granting Authority or Commissioner of Inspectional Services, as appropriate, and executed and filed with the Registry of Deeds.

### 3.7.2. Parking Relief

- A. Relief from the number of required accessory parking spaces in Sec. 3.7.3. requires a special permit from the Planning Board.

B. **Review Criteria.** In its discretion to approve or deny a special permit authorizing relief from the parking standards of Sec. 3.7.3, the Special Permit Granting Authority must find that the application meets the following criteria:

1. The supply and demand of on-street parking in the neighborhood is adequate, as determined through a parking study.
2. Mobility management programs and services have been provided by the applicant to reduce the demand for parking.
3. There is Aavailability and access to public transportation options.
4. That parking provided in excess of any maximum permitted does not result in the increase in impervious lot area.

**3.7.3. Required Number of Accessory Parking Spaces.**

The following standards for accessory bicycle and motor vehicle parking spaces are associated with the use categories permitted in the Residence Districts:

Use Category Specific Use	Bicycle Parking		Motor Vehicle	
	Short (min)	Long (min)	Min	Max
<b>Residential Use Categories</b>				
Household Living Uses	-	0.5 / DU	1.0 / DU	2.0 / DU
Group Living Uses	0.5 / DU	0.1 / DU	1.0 / DU	2.0 / DU
<b>Arts &amp; Creative Enterprise Use Categories</b>				
Artisan Production Uses	-	1.0 / 2,500 sf	1.0 / 1,000 sf	2.0 / 1,000 sf
Arts Exhibition Uses	1.0 / 10,000 sf	1.0 / 3,000 sf	1.0 / 1,000 sf	4.0 / 1,000 sf
Arts, Sales & Service Uses	1.0 / 10,000 sf	1.0 / 3,000 sf	1.0 / 1,000 sf	4.0 / 1,000 sf
Shared Workspaces & Arts Education Uses	1.0 / 10,000 sf	1.0 / 3,000 sf	1.0 / 1,000 sf	4.0 / 1,000 sf
Work/Live Creative Studio Uses	0.5 / DU	0.1 / DU	1.0 / DU	2.0 / DU
<b>Civic &amp; Institutional Use Categories</b>				
Community Center Uses	1.0 / 5,000 sf	1.0 / 2,500 sf	2.0 / 1,000 sf	5.0 / 1,000 sf
Minor Utility Uses	n/a	n/a	n/a	n/a
Major Utility Uses	-	-	-	-
Museum Uses	1.0 / 10,000 sf	1.0 / 3,000 sf	2.0 / 1,000 sf	5.0 / 1,000 sf
Private, Non-profit Club or Lodge Uses	1.0 / 5,000 sf	1.0 / 2,500 sf	2.0 / 1,000 sf	4.0 / 1,000 sf
Public Service Uses	-	-	-	-
Religious & Educational Uses Protected by M.G.L. 40A. Sec. 3	1.0 / 1,000 sf	1.0 / 2,500	2.0 / 1,000 sf	8.0 / 1,000 sf
<b>Commercial Services Use Categories</b>				
Animal Services Uses	1.0 / 5,000 sf	1.0 / 2,500 sf	2.0 / 1,000 sf	3.5 / 1,000 sf



Banking & Financial Services Uses	1.0 / 5,000 sf	1.0 / 2,000 sf	1.5 / 1,000 sf	3.5 / 1,000 sf
Building & Home Repair Service Uses	-	1.0 / 2,500 sf	1.0 / 1,000 sf	2 / 1,000 sf
Business Support Service Uses	1.0 / 2,000 sf	1.0 / 2,500 sf	1.0 / 1,000 sf	3.0 / 1,000 sf
Day Care Service Uses	1.0 / 5,000 sf	1.0 / 1,000 sf	1.5 / 1,000 sf	3.0 / 1,000 sf
Educational Institution Uses	1.0 / 1,000 sf	1.0 / 2,000 sf	1.0 / 1,000 sf	4.0 / 1,000 sf
Maintenance & Repair of Consumer Goods Uses	1.0 / 5,000 sf	1.0 / 2,500 sf	1.0 / 1,000 sf	3.0 / 1,000 sf
Personal Service Uses	1.0 / 1,000 sf	1.0 / 2,500 sf	2.0 / 1,000 sf	4.0 / 1,000 sf
Eating and Drinking Use Categories				
Restaurant/Café Uses	1.0 / 2,000 sf	1.0 / 2,000 sf	4.0 / 1,000 sf	8.0 / 1,000 sf
Lodging Use Categories				
Bed & Breakfast Uses	-	-	1.0 / bedroom	3 + 1.0 / bedroom
Motor Vehicle Oriented Uses				
Motor Vehicle Parking Uses	-	-	-	-
Office Use Categories				
Co-Working Uses	1.0 / 5,000 sf	1.0 / 2,000 sf	1.5 / 1,000 sf	3.5 / 1,000 sf
General Office Uses	1.0 / 5,000 sf	1.0 / 2,000 sf	1.0 / 1,000 sf	2.5 / 1,000 sf
Open Space Use Categories				
Farming Uses	-	-	-	-
Private Cemetery Uses	-	-	-	-
Resource Extraction Uses	-	-	-	-
Retail Sales Use Categories				
Consumer Goods Uses	1.0 / 2,000 sf	1.0 / 2,500 sf	1.0 / 1,000 sf	3.0 / 1,000 sf





Ruthanne Fuller  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

#278-20

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March 20, 2020

Honorable City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459

RECEIVED  
2020 JUN -2 PM 4:30  
CITY CLERK  
NEWTON, MA. 02459

To the Honorable City Councilors:

I am pleased to reappoint Laurie Malcom of 95 Algonquin Road, Chestnut Hill as a regular member of the Newton Upper Falls Historic District Commission. Her term of office shall expire on December 24, 2022 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller  
Mayor

**Application Form**

**Profile**

Laurie \_\_\_\_\_ Malcom \_\_\_\_\_  
First Name Middle Initial Last Name

\_\_\_\_\_  
Email Address

95 Algonquin Rd. \_\_\_\_\_  
Home Address Suite or Apt

Chestnut Hill \_\_\_\_\_ MA \_\_\_\_\_ 02467 \_\_\_\_\_  
City State Postal Code

**What Ward do you live in?**

Ward 7

\_\_\_\_\_  
Primary Phone

\_\_\_\_\_  
Alternate Phone

Realtor ( self employed ) \_\_\_\_\_ William Raveis RE \_\_\_\_\_  
Employer Job Title

**Which Boards would you like to apply for?**

Newton Upper Falls Historic District Commission: Submitted

**Interests & Experiences**

Please tell us about yourself and why you want to serve.

**Why are you interested in serving on a board or commission?**

Dear Madam Mayor, I am writing you as a long time member of the Newton Upper Falls Historic District Commission seeking reappointment. Over the years I have progressed from Realtor Alternate, to Realtor Member, to Vice Chair of the Commission. I have enjoyed many years of faithfully giving back to the community I live in and love. I am a firm believer in civic duty, participation in ones local community as part of a well-rounded life. I have been a Realtor since 2002, first with Coldwell Banker, and presently with William Raveis, both located in Newton Centre. I serve on the Professional Standards Committee of the Greater Boston Real Estate Board, as well as being an Ombudsman and Mediator for them. As Vice Chair I promise to continue to work to preserve and protect our City's historical assets and uphold protective measures to protect these assets for generations to come. I thank you in advance for giving me the opportunity to continue with this Commission. Respectfully, Laurie Malcom MPH ABR SRES Realtor

Newton Upper Falls Historic District - Laurie Malcom.pdf

Upload a Resume

Laurie M. Malcom

95 Algonquin Road  
Chestnut Hill, MA 02467

December 24, 2013

The Honorable Setti Warren  
Mayor of Newton, Massachusetts  
City Hall  
Newton, Ma 02459

Dear Mr. Mayor,

I am so very happy after many years of service with the Newton Upper Falls Historical Commission in the role of Realtor Alternate, to be considered for the vacant Realtor seat position. This position was last held by Wendy Matthews, who stepped down when she left the community a few years ago, and has been open since.

I have been a Realtor since 2002, first with Coldwell Banker Residential Brokerage in Newton Center, and then in 2011, recruited by William Raveis Real Estate whom I currently represent. I hold a position on the Grievance Committee of the Greater Boston Real Estate Board, as well as this year being appointed to their Professional Standards Committee.

I am also a Trustee / Board member of the Fairways Condominium Trust in Chestnut Hill where I presently reside.

This year in October, I had the invaluable experience of attending my first Massachusetts Historic Preservation Conference in Lexington. I learned about Demolition Delays and how each City / Town is different in enforcement, and about tools that could help a Commission be more effective.

There is always so much more to learn, Mr. Mayor, and I thank you for giving me the opportunity to be part of this Commission and keep growing.

Respectfully,

  
Laurie Malcom MPH/ABR, SRES  
Realtor

**Laurie Malcom**

*Enrollment Supervisor, Puritan Life Insurance Company, Providence RI (1983 - 1984)*  
 Managed and trained teams of enrollers in selling corporate payroll deduction plans.

- Personally sold more than \$6 million worth of whole life insurance during a ten week period.
- Sales closing ratio averaged 90-100%.

*Agent / Broker, New York Life Insurance Company, Wellesley MA (1981 - 1983)*

- Built an active insurance practice, including development of a lead referral system and marketing a direct mail promotional program, in addition to administrative functions and ongoing customer support.
- Top-producing sales agent/broker with this diversified insurance company. Marketed a complete line of life, health and annuity products to individuals and groups throughout Massachusetts.

**ACHIEVEMENTS**

- Consistently exceeded annual sales goals and premium objectives
- Developed and managed the entire sales cycle, from initial client consultation, product presentation, pricing, to final sales closing.
- Achieved top performance account retention, add-on sales and growth. Received numerous company awards.

*Field Underwriter, Fidelity Union Life Insurance Company, Somerville MA (1980 - 1981)*

- Developed and managed the entire sales cycle, from initial client consultation, cold-calling, sales presentations, closings, handling inquiries and processing applications.
- Achieved sales of over \$1 million within first four months.
- Consistently exceeded sales goals and premium objectives. Received Fidelity Union's "National Sales Award" for first year performance.
- Led National Training Class in first year's revenues booked.

**Professional Experience, Event Planner**

Event Planner, Responsible Retailing Forum, Inc. (2006-present). A 501(c) 3 non-profit organization with offices in Waltham, MA. RRF brings together retailers and their suppliers, regulators and law enforcement, state attorneys general, federal agencies, public health and advocacy organizations, and researchers to identify and promote effective practices to reduce underage sales of alcohol, to intoxicated customers.

Six years of coordinating the RRF's annual meeting in venues such as Santa Fe, Pittsburgh, Maryland, New Orleans, Park City and Boston.

- Identified venues and sourced out hotels
- Coordinated details of annual meeting
- Reviewed proposals
- Signed contracts
- Negotiated discounts for catering, lodging, transportation

Laurie Malcom

**Education**

- Master of Public Health, Boston University, School of Public Health, Boston MA, 1995
- Bachelor of Science, Management, Lesley College, Cambridge MA, 1991
- Certification Medical Laboratory Technology, Carnegie Institute, Boston MA, 1982
- Twenty plus years of professional sales and marketing training
- Graduate coursework in Negotiation and Conflict Resolution
- Ongoing CEU coursework to maintain my Real Estate license

**Licenses**

- Certification in Food Sanitation (ServSafe, National Restaurant Association Educational Foundation)
- Certified Instructor, National Restaurant Association Educational Foundation
- Licensed Massachusetts Insurance Producer
- Licensed Massachusetts Real Estate Agent

**Special Skills**

- Excellent verbal, written and research skills
- Fundraising
- Programming
- Event Planning