

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO.

February _____, 2020

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:

1. DELETE **Ordinance No. A-78** dated June 20, 2016 in its entirety.
2. DELETE **Section 3.4.2.B.1** in its entirety and renumber **Sections 3.4.2.B.2, 3, and 4** to **3.4.2.B.1, 2 and 3** accordingly.
3. DELETE **Section 3.4.3 Accessory Buildings** in its entirety and insert in place thereof the following language:

3.4.3 Accessory Buildings

- A. Except as provided in Sec. 6.7, accessory buildings shall conform to the following requirements:
 1. An accessory building shall be no nearer to any side or rear lot line than 5 feet, and no nearer to any front lot line than the distance prescribed for the principal building.
 2. No portion of any accessory building shall be less than 5 feet from any point on any principal building on the subject lot.
 3. An accessory building with a sloping roof shall have a maximum height of 22 feet. An accessory building with a flat roof shall have a maximum height of 18 feet. An accessory building shall have no more than 1½ stories.
 4. The ground floor area of an accessory building shall not exceed 700 square feet.
4. INSERT following **Section 3.4.3** a new **Section 3.4.4 Garage Design Standards** as follows:

3.4.4 Garage Design Standards

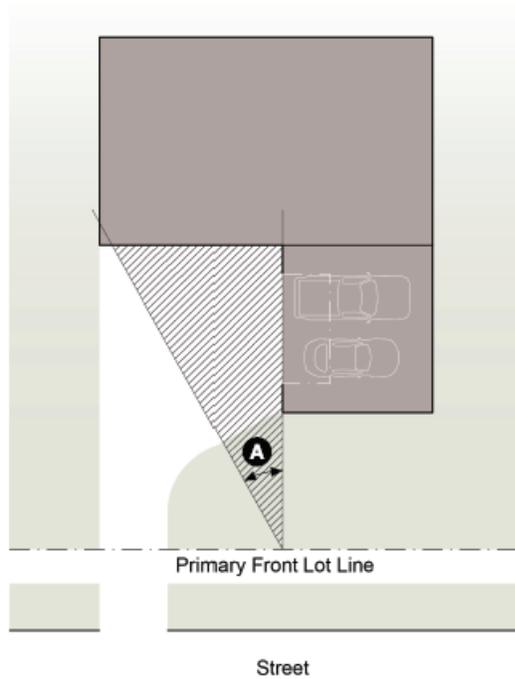
A. Applicability

Garage Design Standards apply in all Residence Districts

B. Definitions

1. **Garage.** An attached or detached structure, or portion of a structure, that is able to be accessed by an automobile or is used or intended to be used primarily for the storage or parking of 1 or more automobiles. A detached Garage is an Accessory Building (See Sec. 3.4.3).

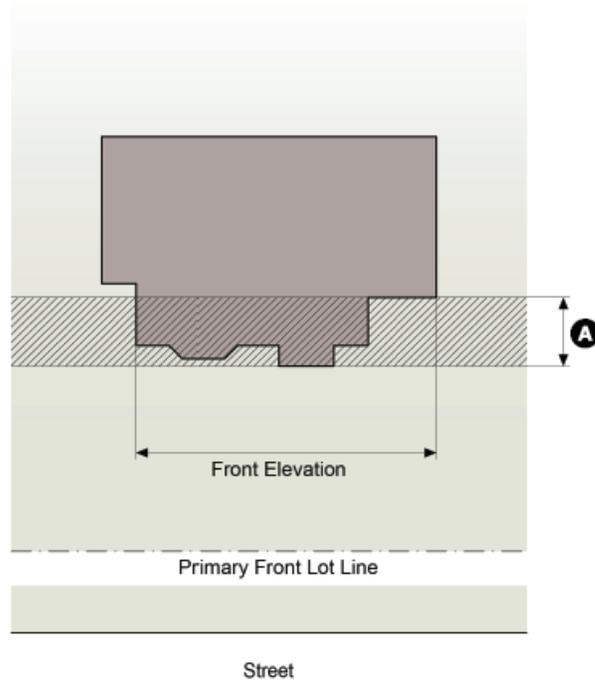
2. **Front Facing Garage.** A Garage with a Garage Door or Doors facing the Primary Front Lot Line at an angle between 0 and 59 degrees perpendicular to the Primary Front Lot Line. The angle shall be measured between the Garage Door or Doors and a line parallel to the Primary Front Lot Line at the midpoint of the Primary Front Lot Line. If there is a curve at the midpoint, the angle shall be measured between the Garage Door or Doors and a line tangent to the curve at the midpoint of the Primary Front Lot Line.
3. **Side Facing Garage.** A Garage with a Garage Door or Doors facing the Primary Front Lot Line at an angle between 60 and 90 degrees. The angle shall be measured between the Garage Door or Doors and a line parallel to the Primary Front Lot Line at the midpoint of the Primary Front Lot Line. If there is a curve at the midpoint, the angle shall be measured between the Garage Door or Doors and a line tangent to the curve at the midpoint of the Primary Front Lot Line.



Side-Facing Garage Door Location	min	max
A Angle allowed within (angle from Primary Front Lot Line)	60 degrees	90 degrees

4. **Garage Door.** The door to a Garage that provides access for an automobile. Garage door width is measured from the inside face of the door jambs.
 - a. Single Garage Doors are Garage Doors used for a single automobile to access a Garage.
 - b. Double Garage Doors are Garage Doors used for 2 automobiles to access a Garage side-by-side.
5. **Garage Wall.** Any wall enclosing a Garage including that wall containing the Garage entrance.

6. **Front Elevation.** The exterior wall of a principal building oriented in whole or in part toward the Primary Front Lot Line. The Front Elevation does not include any exterior wall of a building more than 10 feet behind the frontmost exterior wall oriented in whole or in part toward the Primary Front Lot Line.



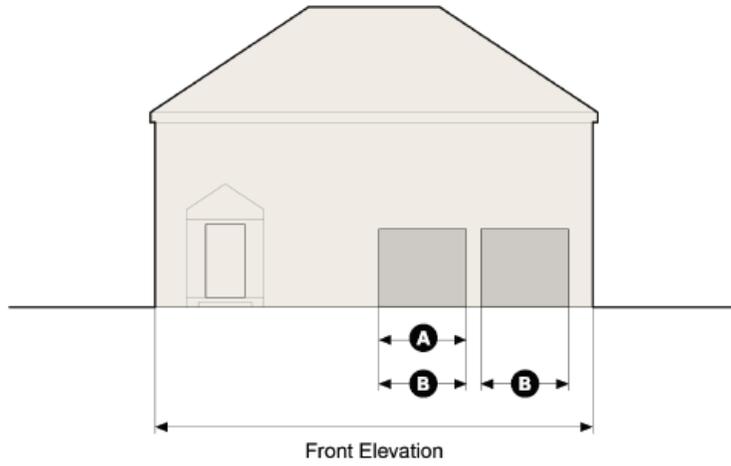
Front Elevation	min	max
A Depth from frontmost exterior wall		10 ft

7. **Primary Front Lot Line.** The lot line abutting a street or right of way. Where there are multiple lot lines abutting streets or rights of way, the Primary Front Lot Line shall be the one the main entrance faces. Where there are multiple lot lines abutting streets or rights of way and the main entrance does not face a street or right of way, the Primary Front Lot Line shall be determined by the Commissioner of Inspectional Services or their designee.
8. **Fenestration.** The openings in a Garage Wall facing the Primary Front Lot Line, including windows and doors. Fenestration is measured from the inside face of the jambs on any window or door trim.

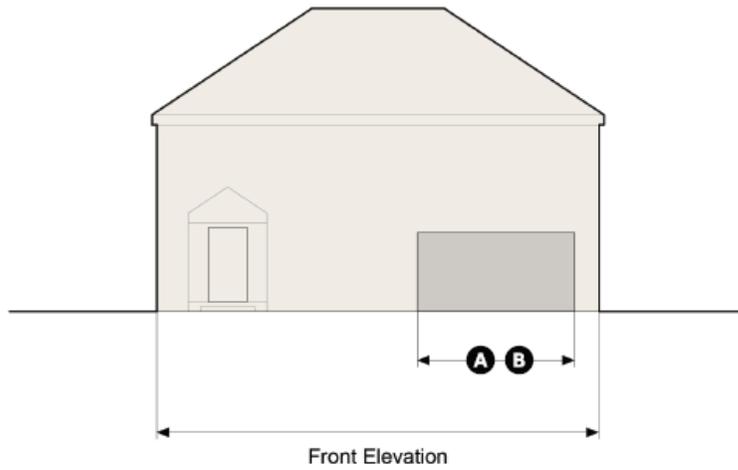
C. Standards for Front Facing Garages

1. The sum of the width of all Garage Doors on a Front Facing Garage may be up to the following:
 - a. 45% of the total width of the Front Elevation, when a Front Facing Garage includes only Single Garage Doors.
 - b. 40% of the total width of the Front Elevation, when a Front Facing Garage includes a Double Garage Door only, or both a Double Garage Door and a Single Garage Door.
2. A Single Garage Door may be up to 9 feet wide.

3. A Double Garage Door may be up to 16 feet wide.



Front-Facing Garage - Single Garage Doors	min	max
A Width of an Individual Single Garage Door		9 ft
B Sum of Width of Single Garage Door(s)		45% of Front Elevation



Front-Facing Garage - Double Garage Door	min	max
A Width of an Individual Double Garage Door		16 ft
B Sum of Width of Double Garage Door		40% of Front Elevation

D. Standards for Side Facing Garages

1. A Side Facing Garage may be located in front of the Front Elevation, but not within the front setback, if it meets the following:
 - a. A minimum of 10% Fenestration on the Garage Wall facing the Primary Front Lot Line as measured from the exterior.
2. A Single Garage Door may be up to 9 feet wide.
3. A Double Garage Door may be up to 16 feet wide.

E. Standards for residential buildings with one unit

1. There may be no more than 700 square feet in total Garage area on a lot providing for no more than 3 automobiles. A lot may contain no more than one attached Garage and one detached Garage.

F. Additional Standards for residential buildings with two-units

1. Parking spaces in Garages are counted toward the minimum number of accessory parking spaces required by Sec. 5.1.4. Garages may be attached or detached.
 - a. For each residential unit, there shall be no more than 500 square feet in total Garage area, no more than one Garage and each Garage shall provide for no more than 2 automobiles.

G. Exemptions

1. A detached or attached Front Facing Garage that is set back more than 10 feet from the Front Elevation is exempt from the standards for Front Facing Garages (Sec. 3.4.4.C).
2. Garages located on Rear Lots are exempt from the standards for Front Facing Garages (Sec. 3.4.4.C) and standards for Side Facing Garages (Sec. 3.4.4.D).

H. By Special Permit

1. For residential buildings with one unit: a Garage with provision for more than 3 automobiles, or a Garage of more than 700 square feet in area, or more than 2 Garages.
2. For residential buildings: the Front Elevation may include those portions of the exterior wall oriented in whole or in part toward the Primary Front Lot Line that are more than 10 feet behind the frontmost exterior wall.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON that the DELETION of **Ordinance No. A-78** dated June 20, 2016, as ordered in Paragraph 1 herein, shall be effective on April 1, 2021. All other amendments to **Chapter 30 ZONING** ordered herein shall be effective on June 1, 2021. All such amendments to **Chapter 30 ZONING** shall apply to all building permits or special permits issued on or after June 1, 2021.

Approved as to legal form and character:

ALISSA O. GIULIANI

City Solicitor

Under Suspension of Rules
Readings Waived and Adopted

EXECUTIVE DEPARTMENT

Approved:

(SGD) DAVID A. OLSON

City Clerk

(SGD) RUTHANNE FULLER

Mayor

DRAFT