

Newton Zoning Redesign Information 5/4/22

The City is in the process of redesigning Newton's Zoning Ordinances. Zoning is a set of regulations governing land use development in the City. These rules tell us what may be built in different areas of the city, or zones, regulating the size and shape of new buildings, additions and renovations, and setbacks from neighboring properties. Zoning also imposes certain development standards, such as for storm water management, lighting, parking and other environmental requirements. The redesign is an opportunity to include provisions that will reduce greenhouse gas emissions in Newton, as called for in the Newton Climate Action Plan. Some proposals relevant to climate that have already been adopted, and are discussed more fully below, include:

- sustainable design requirements for large buildings;
- exemptions from setback requirements for heat pump compressors, exterior insulation, doorway vestibules, exterior window shades, and from height requirements for solar panels; and
- provisions related to accessory apartments.

In 2019, the City updated Newton's Zoning Ordinance specifically to include sustainable design requirements, applicable to any proposed development in any zoning district, involving the construction or substantial reconstruction of one or more buildings totaling 20,000 sf or more of gross floor area. Zoning Ordinance, chapter 30, section 5.13.

According to the Zoning Ordinance, such construction must be designed to meet specified LEED, Passive House, or Enterprise green building rating standards. Additionally, the construction must provide that a minimum of 10% of new or rebuilt parking facilities include parking spaces with access to electric vehicle charging stations up to a maximum of 40 spaces. An additional 10% of parking spaces must be electric vehicle charging station ready.

Materials submitted with the special permit application must include a description of the energy efficiency, renewable energy, and other elements of the building project that serve to minimize energy use, make use of renewable energy sources, and otherwise demonstrate how close the project is to achieving net zero energy use status. The narrative must also describe how the building could be made to achieve net zero status in the future.

These updates explicitly reserve sections on solar panels, embodied carbon, and building electrification to be added at a later date, which the City Council plans to address in the near future.

In 2019, the City also passed updates to the Zoning Ordinance to allow heat pump compressors, exterior insulation, doorway vestibules, and exterior window shades, among other structures, to project into a building's required setback. In addition, exterior insulation was exempted from a buildings Floor Area Ratio (FAR) calculation. These changes were made in order to assist buildings in increasing their energy efficiency and electrifying their operations. The City also

passed exceptions to the height restrictions for solar panels. Zoning Ordinance, chapter 30, section 1.5.

In 2017, the City updated the portions of the Zoning Ordinance relative to accessory apartments (Zoning Ordinance, chapter 30, section 6.7, which allows for both internal and detached accessory apartments). Such apartments cannot be used for short-term rental (i.e., no air bnb), and either the main dwelling or ADU must be the primary residence of the homeowner. The provisions are intended to diversify the City's housing choices, provide more housing that is relatively less expensive, preserve historic buildings, and provide flexibility to meet various housing needs.

In April 2022 the City passed a Home Rule Petition that, if approved by the State Legislature, would allow the City to require that new residential buildings, as well as non-residential buildings 20,000 square feet and smaller, be all-electric.

The Zoning and Planning Committee of the City Council also currently has before it for consideration provisions that would require large commercial buildings to report and reduce their greenhouse gas emissions (BERDO), and reporting and reduction of embodied carbon in buildings.