

Article 3 Residence Districts

3.1. Residence Districts

The provisions of Article 3 apply to all real property within the Residence Districts as shown on the Newton Zoning Map.

3.1.1. Development Review.

Development on any lot, by right or by discretionary permit, requires the submittal of development review materials to the specified development review body as required in Article 11.

- A. A pre-submittal discussion or meeting with the Planning Department and/or Inspectional Services Department is recommended for all development (See Sec. 11.2.2).
- B. Proposed development may or may not necessitate Site Plan Approval, a Special Permit or a Variance based on the nature of the proposal. In such cases, additional development review is required in accordance with Article 11.
- C. Upon completion of the required development review or verification that no additional development review is necessary, the Commissioner of ISD shall issue a Zoning Consistency Determination indicating compliance with the provisions and procedures of this Ordinance.
- D. The Special Permit Granting Authority is determined by the scale of the proposed development in accordance with the table below, or by the uses on the lot (See Article 9).

	Scale at which the Planning Board <u>is the</u> Special Permit Granting Authority	Scale at which the City Council is the Permit Granting Authority
Number of Residential Units on the Lot	Up to 20 units	21 units or more
Square footage of Commercial Space on the Lot	Up to 20,000 sf of floor area	More than 20,000 sf of floor area
Varying the dimensional standards of a building type (i.e. SP for additional story, additional footprint)	Up to 10,000 sf of additional floor area	More than 10,000 sf of additional floor area
Increase in Lot Coverage	Up to 10,000 sf of additional lot coverage	More than 10,000 sf of additional lot coverage

3.1.2. Residence 1 District (R1)

A. Context Description.

The Residence 1 District is composed of neighborhoods characterized typically by larger homes on larger parcels of land. These neighborhoods consist almost entirely of single unit residences and frequently feature architecturally distinctive homes and significant areas of landscaping and trees. Where other uses exist or may be proposed, the City would like to preserve the existing building stock by allowing, to a limited extent, for existing buildings to be converted to multiple units or to a civic institution.

B. Purpose.

1. To preserve the scale of these neighborhoods throughout the City.
2. To permit the development of single unit detached residential buildings on individual lots.
3. To permit contextual modifications of existing single unit detached residential buildings.
4. To create a mechanism for the preservation and continued use of architecturally significant homes.

C. Lot Standards.

The following table contains lot standards for the Residence 1 District:

Lot Characteristics	
Frontage:	Min. 80 ft, Max. -
Lot Depth:	N/A
Lot Coverage:	25% Max; +10% by SP (See Sec. 2.3.2)

D. Setback Standards

The following table contains setback standards for the Residence 1 District:

Setbacks	Min	Max
Front:	25 ft	-
Side:	20 ft	-
Rear:	40 ft	-
Frontage Buildout	-	-

E. Building Types.

The following principal building types are permitted in the Residence 1 District:

1. House A (Sec. 3.2.3)
2. House B (Sec. 3.2.4)
3. House C (Sec. 3.2.5)
4. House D (Sec. 3.2.6)
5. Civic Building (Sec. 3.2.14)

F. Alternate Lot/Building Configurations.

The following alternate lot/building configurations are permitted in the Residence 1 District:

1. Rear Lots (Sec. 3.5.1)
2. Multi-Unit Conversion (Sec. 3.5.2)
3. Courtyard Clusters (Sec. 3.5.3)

G. Allowed Uses.

Uses permitted in the Residence 1 District are described in Sec. 3.6 and subject to further restrictions as described in each building type.

3.1.3. Residence 2 District (R2)

A. Context Description.

The Residence 2 District contains quintessentially suburban neighborhoods with ample lawns and single-unit homes, developed primarily in the 20th Century in the spaces between Newton’s villages. The intent of this district is to preserve neighborhood character and to create predictability for homeowners in what they may do with their homes. Many of these neighborhoods are remote from the walkable village centers of the City and therefore do not have nearby gathering places, shops, or services.

B. Purpose.

1. To preserve the scale of these neighborhoods throughout the city.
2. To permit the development of single unit detached residential buildings on individual lots.
3. To permit contextual modifications of existing single unit detached residential buildings.
4. In limited circumstances, to retain or allow neighborhood serving commercial uses in order to enhance walkability and sustainability.
- ~~4.5. To promote, through building and lot design, community connections.~~

C. Lot Standards.

The following table contains lot standards for the Residence 2 District:

Lot Characteristics	
Frontage:	60 ft Min, 110 ft Max
Lot Depth:	-
Lot Coverage:	30 35% Max; +10% by SP (See Sec. 2.3.2)

D. Setback Standards.

The following table contains setback standards for the Residence 2 District:

Setbacks	Min	Max
Front:	Contextual Front Setback (See 3. 45 .1A) Absolute Min: 20 19 ft	40 ft
Side:	12.5 10 ft	-
Rear:	30 20 ft	-
Frontage Buildout	greater of 12 ft or 25% of the frontage; non-conforming lots exceeding the max. frontage have a min. of 27.5 ft	-

E. Building Types.

1. The following principal building types are permitted in the Residence 2 District:
 - a. House B (3.2.4)
 - b. House C (3.2.5)
 - c. ~~Civic Building (3.2.14)~~House D (3.2.6)
 - d. ~~Civic Building (3.2.14)~~

2. Additional Criteria for House D: The following principal building types are permitted, subject to a Special Permit, in the Residence 2 District:

a. House D (3.2.6)

~~B. —~~

~~a. — The House D building type may only be utilized on a lot if there are at least 3 House D buildings within 500 linear feet, measured from the edges of the front lot line along the street.~~

~~b. — Establishing a new House D in the R2 district requires Site Plan Approval to confirm the above criteria have been met.~~

~~i. — In reviewing a proposed new House D, the Director of Planning and Development may refer the proposal to the Urban Design Commission and may condition the property based on recommendations of the UDC.~~

~~c. — Notwithstanding the above requirements, a new House D may be established on a lot that does not meet the above criteria by Special Permit.~~

~~d. b. Review Criteria.~~ In its discretion to approve or deny a special permit authorizing a new House D, 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 landscaping is compatible with the neighborhood and adjacent properties.
- iii. Methods to address energy efficiency are sufficiently employed.

F. Alternate Lot/Building Configurations.

The following alternate lot/building configurations are permitted in the Residence 2 District:

- 1. Rear Lots (Sec. 3.5.1)
- 2. Multi-Unit Conversion (Sec. 3.5.2)
- 3. Courtyard Clusters (Sec. 3.5.3)

G. Allowed Uses.

Uses permitted in the Residence 2 District are described in Sec. 3.6 and subject to further restrictions as described in each building type.

3.1.4. Residence 3 District (R3)

A. Context Description.

The Residence 3 District includes ~~suburban~~ neighborhoods composed of single, two, and three-unit homes, frequently within walking distance to transit and activity centers. The intent of this district is to preserve neighborhood character, increase predictability, and integrate homes in two and three-unit buildings into the fabric of the neighborhoods.

B. Purpose.

1. To preserve the scale of these neighborhoods throughout the City.
2. To permit the development of single and multi-unit detached residential buildings on individual lots.
3. To permit contextual modifications of existing residential buildings.
4. In limited circumstances, to retain or allow neighborhood serving commercial uses in order to enhance walkability and sustainability.
- ~~4.5. To promote, through building and lot design, community connections.~~

C. Lot Standards.

The following table contains lot standards for the Residence 3 District:

Lot Characteristics	
Frontage:	50 40 ft Min, 100 ft Max
Lot Depth:	-
Lot Coverage:	50 60% Max; +10% by SP (See Sec. 2.3.2)

D. Setback Standards.

The following table contains setback standards for the Residence 3 District:

Setbacks	Min	Max
Front:	Contextual Front Setback (See 3.45.1A) Absolute Min: 10 5 ft	35 ft
Side:	10 7.5 ft	-
Rear:	20 15 ft	-
Frontage Buildout	greater of 12 ft or 25% of the frontage; non-conforming lots exceeding the max. frontage have a min. of 25 ft	

E. Building Types.

1. The following principal building types are permitted in the Residence 3 District:
 - a. House B (3.2.4)
 - b. House C (3.2.5)
 - c. Two-Unit Residence (3.2.7)
 - d. Civic Building (3.2.14)
 - ~~e. Apartment House (3.2.8)~~
 - ~~f. Civic Building (3.2.14)~~
2. The following principal building types are permitted, subject to a Special Permit, in the Residence 3 District:
 - a. 3-Unit Building (3.2.8)
- ~~2. Additional Criteria for 3-Unit Building, Apartment House and Small Apartment Building.~~

- ~~a. The Apartment House and Small Apartment Building building types may only be utilized on a lot if there are at least 3 of the same type (apartment house or small apartment building respectively) within 500 linear feet along the street, measured from the lot edge.~~
- ~~b. Establishing a new Apartment House3-Unit Building or Small Apartment Building in the R3 district requires Site Plan Approval, to confirm the above criteria have been met.~~
 - ~~i. In reviewing a proposed new Apartment House3-Unit Building or Small Apartment Building, the Director of Planning and Development may refer the proposal to the Urban Design Commission (see Sec. 11.X) and may condition the property to require additional screening if needed.~~
- ~~c. Notwithstanding the above requirements, a new Apartment House3-Unit Building or Small Apartment Building may be established on a lot that does not meet the above criteria by Special Permit.~~
- ~~d.b. Review Criteria.~~ In its discretion to approve or deny a special permit authorizing a new apartment house or small apartment building, 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 is compatible with the scale of the neighborhood and adjacent properties.
 - iii. Strategies to address transportation demand are sufficiently employed.

F. Alternate Lot/Building Configurations.

The following alternate lot/building configurations are permitted in the Residence 3 District:

1. Rear Lots (Sec. 3.5.1)
2. Multi-Unit Conversion (Sec. 3.5.2)
3. Courtyard Clusters (Sec. 3.5.3)

G. Allowed Uses.

Uses permitted in the Residence 3 District are described in Sec. 3.6 and subject to further restrictions as described in each building type.

3.1.5. Residence 4 District (R4)

A. Context Description.

The Residence 4 District includes neighborhoods composed mostly of multi-unit buildings, with single, two, and three-unit homes as well, frequently within walking distance to transit and activity centers. The intent of this district is to provide a transition between the Residence 1, 2, and 3 Districts and the Neighborhood General Districts and Village Districts when mapped accordingly.

B. Purpose.

1. To allow middle-scale forms of development that create greater housing choices and opportunities while preserving the overall scale of these neighborhoods throughout the City.
2. To permit the development of single and small multi-unit detached residential buildings on individual lots.
3. To permit contextual modifications of existing residential buildings.
4. In limited circumstances, to retain or allow neighborhood serving commercial uses in order to enhance walkability and sustainability.
5. To promote, through building and lot design, community connections.

C. Lot Standards.

The following table contains lot standards for the Residence 4 District:

<u>Lot Characteristics</u>	
<u>Frontage:</u>	<u>40 ft Min, 100 ft Max</u>
<u>Lot Depth:</u>	<u>=</u>
<u>Lot Coverage:</u>	<u>60% Max; +10% by SP (See Sec. 2.3.2)</u>

D. Setback Standards.

The following table contains setback standards for the Residence 4 District:

<u>Setbacks</u>	<u>Min</u>	<u>Max</u>
<u>Front:</u>	<u>Contextual Front Setback (See 3.4.1A)</u> <u>Absolute Min: 5 ft</u>	<u>35 ft</u>
<u>Side:</u>	<u>7.5 ft</u>	<u>=</u>
<u>Rear:</u>	<u>15 ft</u>	<u>=</u>
<u>Frontage Buildout</u>	<u>greater of 12 ft or 25% of the frontage;</u> <u>non-conforming lots exceeding the max.</u> <u>frontage have a min. of 25 ft</u>	

E. Building Types.

1. The following principal building types are permitted in the Residence 4 District:

<u>a. House B (3.2.4)</u>	<u>b. House C (3.2.5)</u>
<u>c. Two-Unit Residence (3.2.7)</u>	<u>d. 3-Unit Building (3.2.8)</u>
<u>e. Civic Building (3.2.14)</u>	
2. The following principal building types are permitted, subject to a Special Permit, in the Residence 4 District:
 - a. 4-8 Unit Building (3.2.10)

b. Review Criteria. In its discretion to approve or deny a special permit authorizing a new 4-8 Unit Building, 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 is compatible with the scale of the neighborhood and adjacent properties.
- iii. Strategies to address transportation demand are sufficiently employed.

F. Alternate Lot/Building Configurations.

The following alternate lot/building configurations are permitted in the Residence 4 District:

- 1. Rear Lots (Sec. 3.5.1)
- 2. Multi-Unit Conversion (Sec. 3.5.2)
- 3. Courtyard Clusters (Sec. 3.5.3)

G. Allowed Uses.

Uses permitted in the Residence 4 District are described in Sec. 3.6 and subject to further restrictions as described in each building type.

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3.1.5.3.1.6. Neighborhood General District (N)

A. Context Description.

Within a short walk of the amenities, mixture of uses, and transit options found in Newton’s village centers, the Neighborhood General District serves as a transition from the village centers to the adjoining neighborhoods. With easy access to the above amenities, these areas are appropriate for a wider range of housing types, consistent in scale with the neighboring single and two-unit homes, including small multi-unit residential buildings and townhouses, as well as a range of small-scale neighborhood-serving commercial spaces.

B. Purpose.

- 1.4. To allow middle-scale forms of development that create greater housing choices and opportunities while preserving the overall scale of these neighborhoods throughout the City.
- 2.5. To permit the development of single and multi-unit detached residential buildings on individual lots.
- 3.6. To permit townhome-style buildings.
- 4.7. To permit contextual modifications of existing buildings.
- 8. ~~In limited circumstances, to~~ retain or allow neighborhood serving commercial uses in order to enhance walkability and sustainability.
- 5.9. To promote, through building and lot design, community connections.

C. Lot Standards.

The following table contains lot standards for the Neighborhood General District:

Lot Characteristics	
Frontage:	50 30 ft Min, 100 ft Max
Lot Depth:	-
Lot Coverage:	70 65% Max; +10% by SP (See Sec. 2.3.2)

D. Setback Standards.

The following table contains setback standards for the Neighborhood General District:

Setbacks	Min	Max
Front:	Contextual Front Setback (See 3.45.1A) Absolute Min: 50 ft	25 ft
Side:	107.5 ft	-
Rear:	2045 ft	-
Frontage Buildout	greater of 12 ft or 40% of the frontage; nonconforming lots exceeding the max. frontage have a min. of 40 ft	

E. Building Types.

1. The following principal building types are permitted in the Neighborhood General District:
 - a. House B (Sec. 3.2.4)
 - b. House C (Sec. 3.2.5)
 - c. Two-unit residence (Sec. 3.2.7)
 - d. ~~Apartment House~~3-Unit Building (Sec. 3.2.8)

- e. Townhouse Section (Sec. 3.2.9)
 - f. ~~Small Apartment~~4-8 Unit Building (Sec. 3.2.10)
 - g. Shophouse (Sec. 3.2.11)
 - h. Small Shop (Sec. 3.2.13)
 - i. Civic Building (Sec. 3.2.14)
2. The following principal building types are permitted, subject to a Special Permit ~~from the Planning Board~~, in the Neighborhood General District:
- a. Small Multi-Use Building (Sec. 3.2.12)

F. Alternate Lot/Building Configurations.

- 1. The following alternate lot/building configurations are permitted by Special Permit in the Neighborhood General District:
 - a. Rear Lots (Sec. 3.5.1)
 - b. Multi-Unit Conversion (Sec. 3.5.2)
 - c. Courtyard Clusters (Sec. 3.5.3)
- 2. A Multi-Building Assemblage (Sec. 3.5.4) is permitted in the Neighborhood General District. Depending on the scale of the project, a Special Permit may be required.

G. Review Criteria. In its discretion to approve or deny a special permit authorizing a new small multi-use building or a multi-building assemblage, 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 management strategies achieve compatibility with the neighborhood and adjacent residential properties.
- 3. Transportation management and design strategies intend to reduce reliance on single-occupant automobiles.
- 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.
- 5. Preservation and/or enhancement of landscaped areas and trees, especially to serve as a buffer to neighboring lots.

H. Allowed Uses.

Uses permitted in buildings in the Neighborhood General District are described in Sec. 3.6 and subject to further restrictions as described in each building type.

3.2. Building Types.

3.2.1. Introduction to Building Types.

This Ordinance uses building types as a tool to regulate development within each zoning district.

- A. Building types are a way of organizing standards for the size, shape, and scale of principal buildings. Standards should be read in conjunction with Article 2, which includes rules of measurement.
- B. Building type standards apply to all principal buildings, whether new construction, renovation or addition to an existing structure, and redevelopment.
- C. In contrast to applying generic dimensional standards to all principal structures, the use of Building Types as a regulatory tool allows dimensional standards to differ from one class or kind of structure to another within the same district.
- D. The selection of building types permitted within a zoning district combine with the mix of permitted uses to define the intended character of each zoning district.

3.2.2. Special Permit to Vary the Dimensional Standards of a Building Type.

A Special Permit may be granted to vary the dimensions of a building type within the standards specified and in accordance with Sec. 11.4.

- A. Special Permits to vary the dimensions of a building type require review by the Urban Design Commission.
- B. **Review Criteria.** In its discretion to approve or deny a special permit authorizing a variation in the dimensional standards of a building type, 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 strategies achieve compatibility with the scale of neighboring properties.
 - 3. Design strategies break up the massing and modulate the roof line.

3.2.3. House A

A. Description.

A one-unit house with a large footprint and up to 2.5 stories. House A building types are common in several Newton neighborhoods like Chestnut Hill, Waban, and West Newton Hill. House A types may have been built in several eras of Newton’s development history from the era when Newton was a destination for country estates to the modern development period of the 1980s to the present.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
25 ft	100 ft	100 ft	2,400 2,500 sf SP: 3,000 sf	2.5 stories	Max 12 ft SP: 14 ft

SP = Special Permit with mandatory design review (See Sec. 3.2.2)

C. Fenestration on the Front Elevation.

- ~~1.—Ground Story Fenestration: 20% Minimum, 70% Maximum~~
- ~~2.—Upper Story Fenestration: 10% Minimum, 70% Maximum~~

D. Roof Types.

All Roof Types are permitted.

E. Additional Standards.

1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.
2. Maximum of 1 Residential Unit; option for Multi-unit conversion ~~according to~~(see Sec. 3.56.2.)
3. Outdoor Amenity Space: 1/dwelling unit

3.2.4. House B

A. Description.

A one-unit house with a medium footprint and up to 2.5 stories by-right. House B building types can be found throughout Newton. The House B type includes typical midscale Victorian homes close to village centers, and midscale Colonial homes frequently built in the era of suburban infill between Newton’s historic village centers.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
15 ft	65 ft	90 ft	1,400-1,600 sf SP: 2,000-2,200 sf	R1, R2: 2.5 stories SPR3, N: 3 stories	Max 12 ft SP: 14 ft
SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)					

~~C. Fenestration on the Front Elevation.~~

- ~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~
- ~~2. Upper Story Fenestration: 10% Minimum, 70% Maximum~~

~~D. Roof Types.~~

All Roof Types are permitted.

~~E. Additional Standards.~~

- 1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.
- 2. Maximum of 1 Residential Unit
- 3. Outdoor Amenity Space: 1/dwelling unit

3.2.5. House C

A. Description.

A one-unit house with a small footprint and up to 1.5 stories. House C building types are located across Newton and are most typified by the bungalow or cape house style. House C building types are most likely to have been built between the 1920s when the bungalow style gained popularity through the post-war construction boom of the 1950s.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
12 ft	65 ft	80 ft	1,200+1,500 sf SP: 1,800 sf	1.5 stories	Max 12 ft SP: 14 ft

SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)

~~C. Fenestration on the Front Elevation.~~

- ~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~

~~D.C. Roof Types.~~

All Roof Types with an equivalent of 0 or 0.5 stories are permitted.

~~E.D. Additional Standards.~~

1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.
2. Maximum of 1 Residential Unit
3. Outdoor Amenity Space: 1/dwelling unit

3.2.6. House D

A. Description.

A one-unit house with a large footprint and no more than 1 story. House D building types are best known as Ranch houses – and are characterized by 1-floor living with or without a basement. The House D building type is most common in southern Newton and is typical of mid-20th century development.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	Ground Story
30 ft	120 ft	100 ft	3,500 sf SP: 4,000 sf	1 story	Max 12 ft SP: 14 ft

SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)

~~C.~~ Fenestration on the Front Elevation:

~~1.~~ Ground Story Fenestration: 20% Minimum, 70% Maximum

~~D.C.~~ Roof Types.

All Roof Types with an equivalent of 0 stories are permitted.

~~E.D.~~ Additional Standards.

1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.
2. Maximum of 1 Residential Unit.
3. Outdoor Amenity Space: 1/dwelling unit.

3.2.7. Two-Unit Residence

A. Description.

The two-unit residence building type is common in Newton’s traditional mill village areas like the Upper Falls and Nonantum, as well as in early commuter neighborhoods near transit like West Newton, Newtonville and Auburndale. Two-unit residence types can be organized with one unit above and one below, two units side-by-side, or a combination as in the case of a “Philadelphia-style” duplex.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
20 ft	65 ft	80 ft	2,000 sf SP: 2,200 sf	3 stories	Max 12 ft SP: 14 ft

SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)

~~C. Fenestration on the Front Elevation:~~

- ~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~
- ~~2. Upper Story Fenestration 10% Minimum, 70% Maximum~~

~~D.C. Roof Types.~~

All roof types are permitted.

~~E.D. Additional Standards.~~

- 1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.
- 2. Must have 2 Residential Units.
- 3. Outdoor Amenity Space: 1/dwelling unit

3.2.8. Apartment House 3-Unit Building

A. Description.

A small multi-unit residential building with a footprint similar to a one-unit house. An apartment house 3-Unit Building contains 3 units, no more, no less, more than 2 units, but the scale of the structure is similar to 1- and 2-unit building types nearby, just with a few smaller than average units. Apartment houses were commonly built during the industrial revolution, and include the triple-decker, a building type unique to New England communities.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
20 ft	65 ft	80 ft	1,600 2,500 sf SP: 1,800	2.5 3 stories SP: 3 stories	Max 12 ft SP: 14 ft
SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)					

~~C. Fenestration on the Front Elevation:~~

- ~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~
- ~~2. Upper Story Fenestration: 10% Minimum, 70% Maximum~~

~~D.C. Roof Types.~~

All Roof Types are permitted.

~~E.D. Additional Standards.~~

- ~~1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.~~
- ~~2. Residential Unit Factor:~~
 - ~~a. Base = 1250~~
 - ~~b. 100% Affordable OR Sustainable Design Standard = 900~~
- ~~3.2. Outdoor Amenity Space: 1/dwelling unit~~

3.2.9. Townhouse Section

A. Description.

A series of connected one- to two-unit houses, called townhouse sections, with separate entrances. The townhouse section building type first are seen in Newton in the late -18th century, but most townhouses in Newton date from the late 20th and early 21st century. Traditional townhouses come up to the street with alley access from the rear. Assemblages of 3 or 4 townhouse sections are found in neighborhoods across Newton. Large townhouse complexes are more typically found in southern Newton.

B. Building Dimensional Standards.

The following standards apply to each townhouse section.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
14 ft	28 ft	-	1,500 sf SP: 1,800 sf	3 stories	Max 12 ft SP: 14 ft
SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)					

~~C. Fenestration on the Front Elevation.~~

~~The following standards apply to each townhouse section:~~

- ~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~
- ~~2. Upper Story Fenestration: 10% Minimum, 70% Maximum~~

~~D.C. Roof Types.~~

~~All Roof Types are permitted.~~

~~E.D. Additional Standards.~~

- ~~1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.~~
- ~~2. Maximum of 2 Residential Units are permitted per townhouse section.~~
- ~~3. Outdoor Amenity Space: 1/Dwelling Unit~~
- ~~4. In no case may an attached series of townhouses contain more than 8 townhouse sections.~~
- ~~5. At least 1 townhouse unit in a series must be oriented toward the primary front lot line.~~

3.2.10. ~~Small Apartment Building~~ 4-8 Unit Building

A. Description.

A small multi-unit residential building. Whether built as a stand-alone building or as part of a complex, small apartment buildings typically are no taller than the peak of the roof of houses and apartment houses in the surrounding neighborhood and about the footprint of two mid-large attached house building types.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
20 ft	75 80 ft	90 80 ft	2,500 4,200 sf	3 stories	Max 12 ft SP: 14 ft
SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)					

~~C. Fenestration on the Front Elevation.~~

- ~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~
- ~~2. Upper Story Fenestration: 10% Minimum, 70% Maximum~~
- ~~3. Max Blank Wall = 20 ft x 20 ft~~

~~D.C. Roof Types.~~

All Roof Types are permitted.

~~E.D. Additional Standards.~~

- 1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.
- ~~2. Residential Units Factor:~~
 - ~~a. Base = 1,250~~
 - ~~b. 100% Affordable or Sustainable Design Standard = 900~~
- ~~3.2. Outdoor Amenity Space: 1/dwelling unit, may be shared.~~

3.2.11. Shop House

A. Description.

A small mixed-use building, typically a house with a ground floor shopfront containing a commercial use. Shop houses typically start as house or townhouse section building types with a shopfront added to the front elevation. Shop houses are commonly found at the edges of Newton’s traditional village centers and can contain a variety of uses.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights	
Min	Max	Max	Max	Max	Ground Story	Upper Stories
20 ft	40 ft	80 ft	2,000 sf SP: 2,500 sf	2.5 stories	Max 20 ft	Max 12 ft SP: 14 ft

SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)

C. Fenestration on the Front Elevation.

1. Ground Story Fenestration: 40% Minimum
2. Upper Story Fenestration: 10% Minimum, 70% Maximum
3. Max Blank Wall = 20 ft x 20 ft

D. Roof Types.

All Roof Types are permitted.

E. Additional Standards.

1. Ground floor Standards:
 - a. A minimum of 30% of the ground floor must be utilized for non-residential uses.
 - b. Ground floor non-residential uses must be located along the front elevation.
2. Upper stories must be a residential use.
3. Residential Units Factor:
 - a. Base = 1,250
 - b. 100% Affordable or Sustainable Design Standard = 900
4. Outdoor Amenity Space: 1/dwelling unit, may be shared.

3.2.12. Small Multi-Use Building

A. Description.

A small mixed-use building that has ground floor commercial activity along the frontage and either residential or commercial uses on the upper floors. Small multi-use building types are found in many village centers in Newton.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights	
Min	Max	Max	Max	Max	Ground Story	Upper Stories
40 ft	100 ft	150 ft	12,000 sf	3 stories	Min 14 ft Max 24 ft	Min 10 ft Max 14 ft SP: +/- 2 ft

SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)

C. Fenestration on the Front Elevation.

1. Ground Story Fenestration: 50% Minimum
- ~~2. Upper Story Fenestration: 20% Minimum, 70% Maximum~~
- ~~3.2. Max Blank Wall = 20 ft x 20 ft~~
- ~~4.3. Principal Non-residential Entrance Spacing: min. 1 entrance in each 40 ft of front elevation~~

D. Roof Types.

All Roof Types are permitted.

E. Additional Standards.

1. Ground Story Non-residential Use Dimensional Standards:
 - a. A minimum of 50% of the ground story must be utilized for non-residential uses.
 - b. Ground story non-residential uses must be located along the front elevation.
 - c. Ground story non-residential use space must be a minimum depth of 50 ft or 60% of the building depth whichever is less.
 - d. The ground story non-residential use dimensional standards may be varied by Special Permit in accordance with Sec. 3.2.2.
2. Residential Units Factor:
 - a. Base = 1,250
 - b. 100% Affordable/Sustainable Design Standard = 900
3. Outdoor Amenity Space: 1/dwelling unit, may be shared.

3.2.13. Small Shop

A. Description.

A single-story commercial building, typically for a retail or service use. Small shop building types generally contain one, but may contain a few, smaller commercial establishments with an active frontage.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	Ground Story
18 ft	100 ft	100 ft	7,000 sf	1.5 stories	Min 12 ft Max 24 ft

C. Fenestration on the Front Elevation.

1. Ground Story Fenestration: 60% Minimum
2. Max Blank Wall = 20 ft x 20 ft
3. Principal Entrance Spacing: min. 1 entrance in each 40 ft of front elevation

D. Roof Types.

All Roof Types with an equivalent of 0 or 0.5 stories are permitted.

E. Additional Standards.

1. **Loading and Garage Bays.** Loading and Garage doors are considered blank walls.
2. No residential uses.

3.2.14. Civic Building

A. Description.

A landmark community building with a limited range of community-oriented uses, such as a building constructed for a religious or educational institution, or as a community center.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
14 ft	300 ft	200 ft	30,000 sf	4.5 stories	Max 14 ft

C. Fenestration on the Front Elevation.

1. Ground Story Fenestration: 20% Minimum, 70% Maximum
2. Upper Story Fenestration: 10% Minimum, 70% Maximum

D. Roof Types.

All Roof Types are permitted.

E. Additional Standards

1. A Civic Building Type may only be occupied by Religious & Educational Uses Protected by M.G.L. 40A. Sec. 3 or Public Service Uses.
2. A Civic Building Type may be converted to commercial or residential uses by Special Permit as described in Sec. 3.6.2 and Sec. 3.6.1.B.

3.3. Building Components.

3.3.1. Introduction and General Standards.

Building components are accessory features that attach to the building type and increase the habitable square footage or enhance the usefulness of a building. These components provide an important means for achieving variety and individuality in design of building facades and are permitted as indicated for each building type.

3.3.2. Architectural Components on the Front Elevation.

Any architectural components may be utilized in any design if fully compliant with the setbacks.

~~A. Architectural components utilizing the standards below, in total, may not exceed 40% of the width of the front elevation.~~

~~B.F.~~ Bay.

1. **Description.** A bay is a window assembly extending from the main body of a building to permit increased light, provide multi-direction views, and articulate a building wall.
2. **Dimensions.**

	Min	Max
Width (each bay)	-	Greater of 20% of wall length or 12 ft
Depth	-	3 ft
Fenestration	60%	-
Permitted Front Setback Encroachment	-	3 ft

3. **Additional Standards.**

- a. Bays may not cover more than 40% of the width of the front elevation on any story.
- b. In the Neighborhood General district, bays may project over the sidewalk of a public way under the following circumstances:
 - i. Bay must have a minimum of 20 ft clearance above the sidewalk.
 - ii. Permits for new bays over the public-way require written permission from the Commissioner of Public Works, verifying that the bay does not interfere with public infrastructure and maintenance needs.

~~C.G.~~ Balcony.

1. **Description.** An unenclosed platform with a railing that provides outdoor amenity space on upper stories.
2. **Dimensions.**

	Min	Max
Width (each balcony)	5 ft	Greater of 20% of wall length or 12 ft
Depth	3 ft	8 ft
Clearance	10 ft	-
Permitted Front Setback Encroachment	-	3 ft

3. **Additional Standards.**

- a. Balconies may be recessed, projecting, or a combination of the two.
- b. The guard rail of any balcony oriented toward a front lot line must permit views of the public realm through the posts and rails with a maximum height of 48” for an opaque enclosure at the bottom of the guardrail.
- c. In the Neighborhood General district, balconies may project over the sidewalk of a public way under the following circumstances:
 - i. Balcony must have a minimum of 20 ft clearance above the sidewalk.
 - ii. Balcony may extend up to 3 ft over a sidewalk.
 - iii. Permits for new balconies over the public-way require written permission from the Commissioner of Public Works, verifying that the balcony does not interfere with public infrastructure and maintenance needs.

D.H. Front Porch.

1. **Description.** An unenclosed platform connected to a principal building that provides outdoor amenity space forward of the front elevation.

2. **Dimensions.**

	Min	Max
Width	8 ft	Same as front elevation width
Depth	6 ft	-
Permitted Front Setback Encroachment	-	6 ft

3. **Standards.**

- a. Stairs may encroach upon the front setback by a maximum of 4 ~~ft-feet~~ beyond the front porch but must be ~~no less than~~ at least 2 feet from the front property line.
- b. The guard rail of any front porch oriented toward a front lot line must permit views of the public realm through the posts and rails with a maximum height of 48” for an opaque enclosure at the bottom of the guardrail.
- c. A front porch may be screened or open.
- d. Front porches may include multiple levels for buildings of 2 or more stories, provided the footprint is the same as at the ground floor or reduced on upper stories.

E.I. Projecting Front Entry.

1. **Description.** An enclosed or unenclosed entry to a principal building.

2. **Dimensions.**

	Min	Max
Width	4 ft	8 ft or 20% of the front elevation whichever greater
Ceiling Height	-	12 ft
Permitted Front Setback Encroachment	-	4 ft

3. **Standards.**

- a. Uncovered stairs, at the minimal width required by building code, may encroach upon the front setback, but must be at least 2 feet from the front property line. -

F.J. Turret.

- 1. **Description.** A small, decorative, tower-like extension from the wall or corner of a building, meant to provide distinctive living space or to terminate an important axis.
- 2. **Dimensions.**

	Min	Max
Width	6 ft	10 ft
Depth	6 ft	10 ft
Height	-	Stories equal to the principal building type
Fenestration	30%	-
Permitted Setback Encroachments		
Front	-	2 ft
Side	-	2 ft
Rear	-	-

- 3. **Standards.**
 - a. A building may include a maximum of one turret.
 - b. The highest point of the roof of a turret may be higher than the highest point of the roof of the primary building by up to 10%.
 - c. Turrets may wrap around corners.

3.3.3. Roof Components.

A. Dormer.

- 1. **Description.** A dormer is a windowed roof form that projects vertically from a sloped roof to provide light into and increase the habitable space of a half-story.
- 2. **Dimensions.**
 - a. A dormer may be no wider than 50 percent of the length of the exterior wall of the story next below. Where more than one dormer is located on the same side of the roof, the width of all dormers combined may not exceed 50 percent of the length of the exterior wall next below.
 - i. A dormer on the rear wall of a House C may extend up to 75% of the length of the building wall below.
 - b. The vertical plane of the side wall of any dormer shall not be closer than 3 feet from the vertical plane of the intersection of the roof and the main building end wall nearest the dormer.
- 3. **Standards.**
 - a. Dormers may be used with any roof type, except the flat roof.
 - b. No dormer may extend above the roof ridge line.

B. Cross Gable.

- 1. **Description.** A cross gable is a sloped roof that projects perpendicularly from the main roof of a building to increase the habitable space of a half story or add architectural distinction to a low gabled roof.

2. **Dimensions.**
 - a. A Cross Gable may not exceed 50% of the eave length of the roof to which it connects.
3. **Standards.**
 - a. A cross gable may only be used with a gable or low gable roof type.

C. **Roof Deck.**

1. **Description.** A raised uncovered platform with a railing on the roof of a building that provides outdoor amenity space and access to views.
2. **Dimensions.**
 - a. The area of a roof deck may be up to the lesser of 400 sf-square feet or 20% of the footprint of the building.
 - b. The width of a roof deck may not exceed 50% of the building width, except on a flat roof it may extend up to the full width of the roof.
 - c. A roof deck must be set at least 5 ft-feet back from all building edges, and 10 ft-feet from the front elevation. This standard is waived if the parapet wall is utilized as the roof deck guardrail, provided it is of sufficient height.
3. **Standards.**
 - a. The guardrail must be constructed with posts and rails with spacing such that it does not exceed 50% opacity, except when built on a flat roof.
 - b. The guardrail may be higher than the highest point of the roof of the primary building, up to the minimum height for a guard rail required by building code.

3.3.4. **Accessory Structures.**

A. **General Standards.**

1. **Definitions.**
 - a. **Accessory Structure.** A non-enclosed structure accessory to the principal building on the lot, such as a swing set, or play structure, or pergola.
 - b. **Accessory Building.** An accessory building is a fully enclosed structure accessory to the principal building on the lot. (See Sec. 3.3.5)
 - c. **Bounding Box.** The smallest rectangle that can enclose the accessory structure.
2. **Accessory Structure Placement.**
 - a. Unless otherwise specified, an accessory structure may encroach any side or rear setback, provided that at least 3 feet is maintained from any lot line.
 - b. Unless otherwise specified, accessory structures may be no nearer to any front lot line than the front elevation of the principal building.
 - c. Unless otherwise specified, any accessory structure, exceeding a bounding box of 150 sf-square feet, must meet the setbacks for a principal building.

B. **Accessory Garden Structures.**

1. **Raised Planting Beds.**

- a. Raised planting beds may be forward of the front elevation and may encroach the front setback, provided that at least 32 feet is maintained from any front lot line.
- 2. Pergola.
 - a. A structure consisting of parallel colonnades supporting an open roof or girders and cross rafters, often shading an outdoor amenity area, or providing growing area for climbing plants.
 - b. A maximum of 1 pergola within a bounding box of 300 sf-square feet may be located forward of the front elevation but must not be within the front setback.
 - i. A pergola within a bounding box of 300 sf-square feet may encroach on the side and rear setbacks, provided that at least 5 feet is maintained from any lot line.

C. Accessory Art Structures.

- 1. Any artwork within any setback may not exceed 12 ft-feet in height.
- 2. Any artwork fitting within a bounding box of 100 sf-square feet may be forward of the front elevation and may encroach the front setback, provided that at least 5 feet is maintained from any front lot line.
- 3. Determination of whether an item qualifies as an artwork is to be made by the Director of the Mayor’s Office of Arts and Culture or their designee.

D. Accessory Athletic Structures.

- 1. Any permanent sport court or swimming pool must meet the setback requirements for a principal building.

3.3.5. Accessory Buildings.

A. General Standards.

- 1. **Definition.** An accessory building is a fully enclosed structure accessory to the principal building on the lot.

- 2. Accessory buildings shall conform to the following dimensions:

Building Footprint	Number of Stories	Ground Story Height
Max	Max	Max
700 sf	1.5 stories	18 ft

- a. No accessory building may exceed 22 ft-feet in height from average grade to the peak of the roof.

3. Accessory Building Placement.

- a. Unless noted for a specific accessory building type below, 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 front elevation of the principal building, unless otherwise specified for the lot type.

~~b. Accessory structures other than accessory buildings referenced above must conform to the applicable setback requirements for the principal building.~~

- e.b. Accessory buildings must be separated from the principal building by at least 6 feet, measured from any surface of one to any surface of the other.

B. Accessory Garden Buildings.

1. **Animal house.** (e.g. dog house, horse barn)
 - a. Accessory buildings used for the keeping of animals must meet the setbacks for a principal building.
2. **Greenhouse.**
 - a. Permanent greenhouses exceeding 300 **sf-square feet** must meet the setbacks for a principal building.

3.4. Design Standards

3.4.1. Building Design Standards

A. Contextual Front Setback

Notwithstanding the front setbacks identified for each zoning district, new construction must have a contextual front setback as follows:

1. If the subject lot is an interior lot, the minimum and maximum front setbacks are equal to the actual distances that principal structures are set back from the front lot line on the two abutting lots of the same block face. See Figure 3.1 (a).
2. If the subject lot is a corner lot, the minimum front setback is equal to the actual distance that the principal structure is set back from the front lot line on the abutting lot that is oriented toward the same thoroughfare.
3. The contextual front setback provision does not exempt any building from complying with the maximum front setback required for each zoning district.

3.4.2. Garage Design Standards

A. **Applicability.** Garage Design Standards apply in the R2, R3, and N districts.

B. **Garage, defined.** An attached or detached structure designed primarily for the storage or parking of one or more automobiles. A detached garage is an accessory building (See Sec. 3.3.4).

C. **Standards for one-unit residential building types.**

1. There may be no more than 700 **sf-square feet** in total garage space on a lot providing for no more than 3 motor vehicles, between a maximum of one attached garage and one detached garage.
2. A garage may be no closer to the primary front lot line than the front elevation of the building.
3. The length of an attached garage facing the primary front lot line may be up to 50% of the width of the front elevation or 12 feet, whichever is greater.

D. **Standards for building types with two or more residential units.**

Parking spaces in garages are counted toward the minimum number of accessory parking spaces required by Sec. 3.7. Garages may be attached or detached.

1. **Attached Garages.** The length of an attached garage facing the primary front lot line may be up to 50% of the total front elevation or 24 feet, whichever is greater.
2. **Detached Garages.** Centralized and underground garages are encouraged.

- 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

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 ~~#-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
Residential Use Categories				
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
Arts & Creative Enterprise Use Categories				
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
Civic & Institutional Use Categories				
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
Commercial Services Use Categories				
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