



Zoning and Planning Committee Report

City of Newton In City Council

Monday, January 12, 2026

Present: Councilors Baker (Chair), Wright, Albright, Gordon, Oliver, Dahmubed, Getz, and Kalis

Also Present: Councilors Roche, Block, Farrell, Greenberg, and Malakie

City Staff: Katie Whewell, Director of Planning; Zachary LeMel, Chief of Long-Range Planning; Lara Kritzer, Director of Housing & Community Development; Andrew Lee, Assistant City Solicitor; Dana Hanson, Mayor's Chief of Staff; Director of the Economic Development Commission; Lauren Berman; Cheryl Lappin, Deputy Director of the Economic Development Commission; Meryl Kessler, Director of Arts & Culture; and Miles Starkey, Committee Clerk

All agendas and reports, both past and present can be found at the following link:
<https://www.newtonma.gov/government/city-clerk/city-council/council-standing-committees/zoning-planning-committee>

For more information regarding this meeting, a video recording can be found at the following link: https://youtu.be/UelKaVdJOwc?si=TgWa5vuzSE_SfeJ1

Chair's Note: *As the Committee has new members, part of the discussion of this item will be some background on how the Committee does its work on zoning items, as they occur within a statutory framework.*

#21-26 Discussion concerning ZAP Committee workplan for the new term
COUNCILORS BAKER AND WRIGHT requesting a discussion with Zoning and Planning Committee concerning the work plan of the ZAP Committee for the new 2026-2027 term. (180 Days 07/30/2026).

Action: **Zoning & Planning Held 8-0**

Note: Councilors opened the meeting by introducing themselves and sharing their experience on the City Council.

Chief of Long-Range Planning Zachary LeMel shared the attached presentation that was designed to help members of the Zoning & Planning Committee navigate Newton's Zoning Ordinances and the amendment process.

Mr. LeMel's section reviewed the basics of Newton zoning, from state law to local ordinances. Mr. LeMel defined common zoning terms and demonstrated reference examples found in

Newton's Zoning Ordinance. The presentation shared characteristics that are outside the scope of zoning, such as building materials and ownership structure.

Assistant City Solicitor Andrew Lee led the second part of the presentation which focused on the amendment process for Newton's zoning ordinance. Attorney Lee shared a flowchart that described the different steps involved in amending zoning ordinances. Amendments begin with referral to Zoning & Planning and the Planning & Development Board, go through public hearings, generate recommendations from both bodies, and end with a vote by the full City Council. Attorney Lee also described voting thresholds for types of zoning ordinances that range from a simple majority to 16 out of 24 (2/3) votes.

A Councilor asked a question about what happens if there was no vote on an item by the City Council within 90 days after close of the public hearing. Attorney Lee confirmed if no vote has been taken on a zoning ordinance amendment within 90 days after closing of the initial public hearing, a new public hearing would be required.

The Chair spoke to Committee members about planning agendas for future meetings and Committee leadership working to be proactive with docket items referred to Zoning & Planning.

Councilor Albright made a motion to approve which passed unanimously.

#23-26 Request for ordinance amendments to change oversight of the Economic Development Commission and for discussion on transition of the City's economic development functions and staff to the Mayor's Office

HIS HONOR THE MAYOR requesting to amend City Ordinance Section 22-95 to remove staffing responsibility for the Economic Development Commission from the Planning Department and relocate the Commission ordinance from Chapter 22 to Chapter 7; and further requesting a discussion on the transition of the City's economic development function and staff from the Planning Department to the Mayor's Office.

Action: Zoning & Planning Approved 8-0

Note: Dana Hanson, Chief of Staff for the Mayor, spoke on behalf of Mayor Laredo's strategy to transition the Economic Development Commission (EDC) from the Planning Department to the Mayor's Office. Ms. Hanson described an improved ability for the EDC to collaborate with City departments, creating a more accessible process for business owners, and amplifying the City's economic development messaging.

Attorney Andrew Lee talked about the details of the ordinance change described in the docket language and the transition of the EDC's ordinance from Ch 22 'Planning Department' to Ch 7 'Boards and Commissions' in the City Ordinances.

A Councilor asked about the definition of a departmental reorganization and Attorney Lee responded reorganization would constitute creation of a new department or changing a core commission function. Attorney Lee responded that the only practical aspect of the EDC that would change is its oversight, meaning the proposed transition of the EDC would not be considered a reorganization under the City's Charter, which would require steps such as a public hearing.

Councilors asked about the specific text changes in the proposed ordinance rather than simply where the ordinance is planned to be relocated within the City ordinances. Attorney Lee responded that he would produce a document that would highlight the textual changes in the ordinance language.

Ms. Hanson talked about staffing the EDC and how those employees will interact and collaborate with City departments like Planning and Public Works.

Director of Economic Development Lauren Berman spoke about her professional development experience with Newton's businesses. Ms. Berman also talked about the priorities of the EDC, how the EDC will stimulate business development, and streamlining processes for new and expanding businesses.

Cheryl Lappin, Deputy Director of Economic Development, spoke about her professional career in marketing and previous tenure on the City Council. Ms. Lappin shared examples of projects that Economic Development are planning to pursue, which includes a public database for vacant storefronts with interactive tools and the creation of a City economic development website.

A Councilor asked about the EDC's upcoming meeting and a document for EDC's strategic plan. Ms. Berman replied that priorities and strategy plans are informed from previous Economic Development memos and current strategy will continue to be developed with members of the EDC.

A Councilor asked about the EDC's plans to attracting businesses to Newton and invigorating village centers. The Councilor also asked about the relationship between Ms. Berman and Ms. Lerman and the members of the EDC. Ms. Lappin said that creation of her new position as Deputy Director of Economic Development will allow herself and Ms. Berman to engage with the EDC more effectively.

A Councilor asked about the potential consequences of moving Economic Development from under the authority of the Planning Department to the Mayor's Office. Ms. Hanson stated that previous Directors of Economic Development did not serve any specific role within the Planning Department structure and that robust inter-department collaboration after transitioning away from Planning should prevent issues relating to the change.

A Councilor expressed interest in future discussions on streamlining City permit processes and improving the City's ability to attract and compete for large businesses that may otherwise locate in other municipalities. Ms. Hanson discussed pursuing partnerships with regional and international partners and clarified that the EDC works with both small and large businesses.

A Councilor discussed their interest in bringing corporate entities to Newton that would increase the city's financial base.

Attorney Lee presented the attached ordinance language which showed the only notable difference outside of moving the EDC from Ch. 22 to Ch. 7 is the removal of the phrase "executive director to the commission".

A Councilor noted Newton's reputation for business operators and cited a sign change for a local business that took six months of working with the City before approval.

A Councilor discussed balancing the pursuit of more business while maintaining the residential livability of Newton's villages.

President Oliver motioned to approve which passed unanimously.

The committee adjourned at 8:29pm.

Respectfully Submitted,
R. Lisle Baker, Chair

ZONING/ZAP TRAINING

Zoning and Planning Committee

January 12, 2026



Zoning Basics

the classification of land according to restrictions placed on its use and development.

The Laws of Zoning

What is Zoning?

- The 351 cities and towns of MA each control the use of land within their municipal boundaries
- Each municipality enacts regulations to promote the general welfare that determine what uses can go where

Source of Authority: the State Zoning Act, Chapter 40A

- Allows municipalities great flexibility in land use regulation
- Must be consistent with the constitution and other statutes
- Can't regulate methods/materials of construction
- Limitations on regulating certain uses, i.e. religious, educational uses

The Newton Zoning Ordinance *(Chapter 30)*

The Newton Zoning Ordinance is the book of rules and regulations for how property in Newton can be used and where buildings are constructed

Components of the NZO

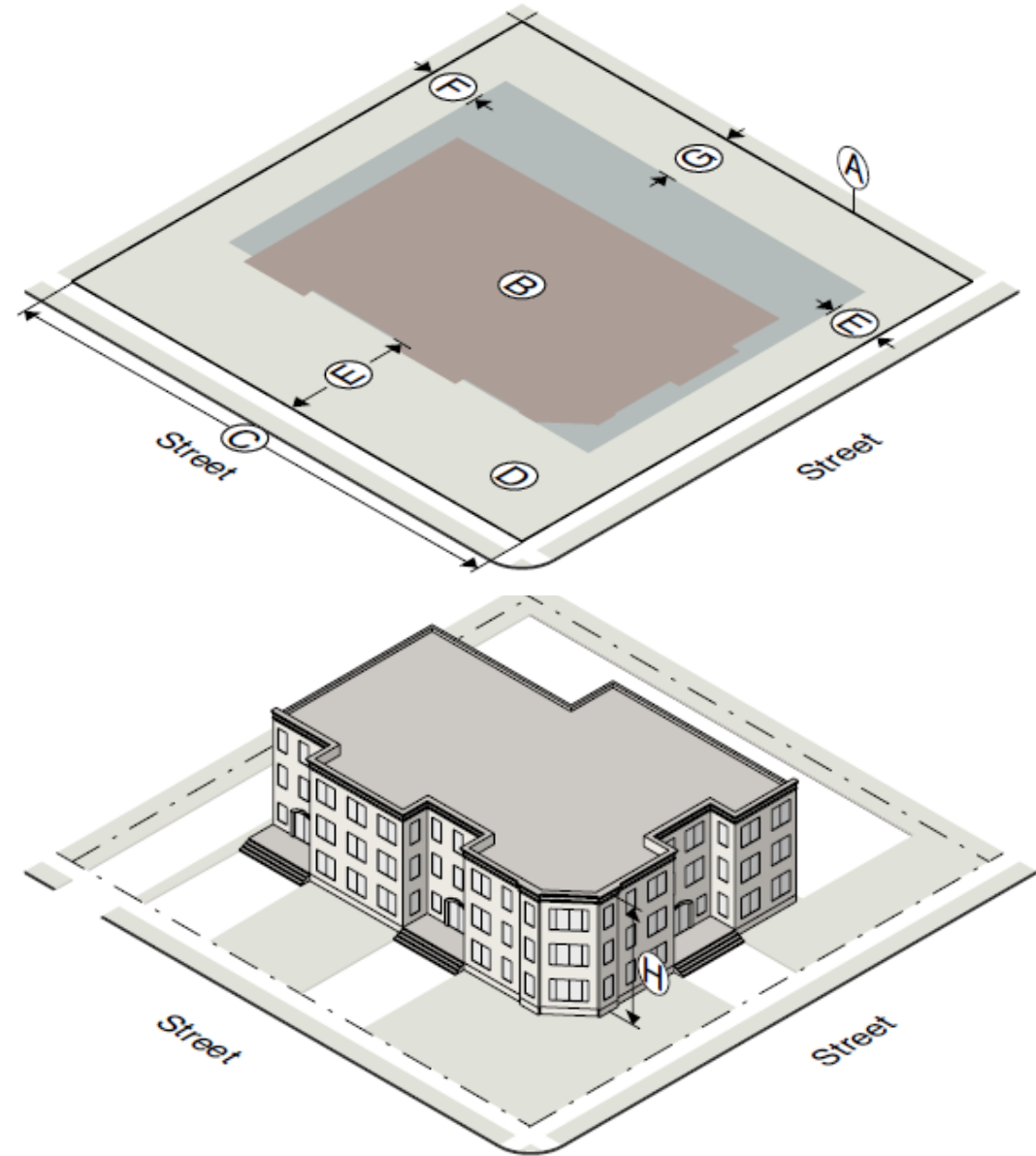
- Zoning Map
- Zoning Regulations (dimensional requirements and development/use standards)
- Zoning Review (decision-making process)

Zoning Regulations

- **Types of Uses Allowed and Where Allowed:** set out in use tables
- **Dimensional Requirements:** lot area, setbacks, height, density
- **Development Standards:** parking requirements, signs, sustainability, inclusionary (Chapter 5 of NZO)

Dimensional Requirements

- A – min. lot area
- B – lot coverage
- C – frontage
- D – open space
- E – front setback
- F – side setback
- G – rear setback
- H – height



Use Standards

- For Each Use
 - Define it. State Intent.
 - Set standards - Specific application materials, specific site layout standards, specific operations standards



Zoning Review

Three Levels for Regulation & Review of Land Use Activities and Dimensional Standards

- 1. Uses allowed by right** – only requires a building permit to proceed with construction (*Inspectional Services/ISD*)
- 2. Prohibited uses** – variance is the only vehicle for removing this bar (*Zoning Board of Appeals/ZBA*)
- 3. Conditional land uses allowed subject to special permit review** – allows the City to impose reasonable conditions (*City Council*)



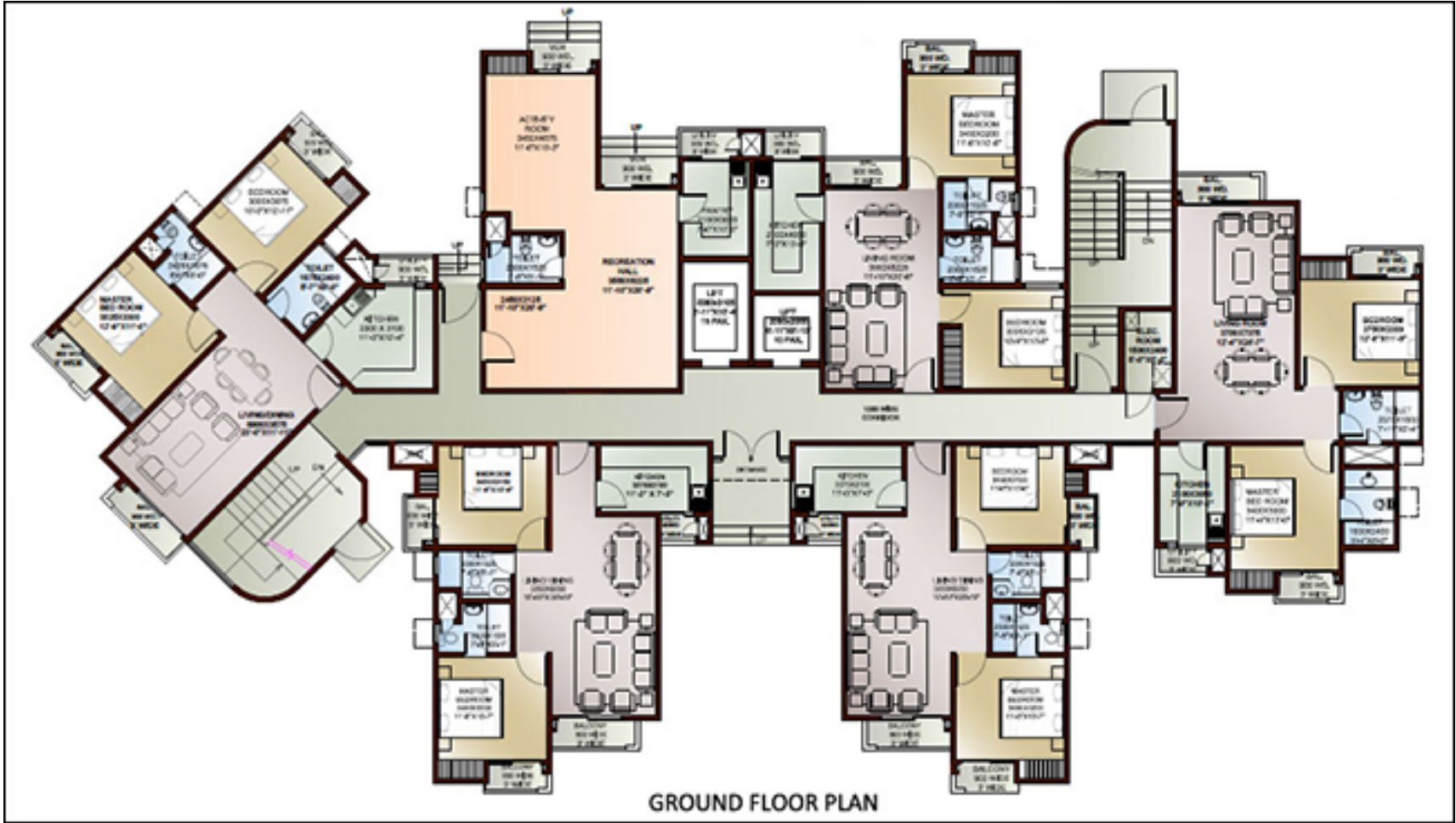
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Zoning Does Not Regulate...

Materials



Internal Configuration



Ownership Structure



Part 2: Zoning Amendment Process

Referral to ZAP and Planning Board

- The City Council refers the item to ZAP
- The Planning and Development Department provides background materials, guidance and recommendations
- The proposal is also referred to the Planning and Development Board for Review

Public Hearing

- ZAP's discussion shapes the parameters of the Public Hearing Notice
- The notice must detail the subject matter of the proposed amendment
- The notice is published in the newspaper for two successive weeks prior the public hearing date
 - Effective Date under Chapter 40A, Sec. 6
- ZAP and the Planning and Development Board must hold a public hearing

Recommendation

- After the close of the public hearing, ZAP votes on its recommendation to the City Council
- The Planning and Development Board also votes on its recommendation to the City Council

Vote

- Timing
 - The City Council may not vote until either they receive the Planning and Development Board's recommendation, or 21 days have elapsed from the close of the Board's public hearing
 - The City Council must vote within 90 days of the close of ZAP's public hearing
- Voting Thresholds
 - Most Zoning Amendments require 16 out of 24 votes (2/3)
 - A simple majority of the full council is required for certain types of amendments (not comprehensive)
 - Allowing multifamily or mixed use in an eligible location
 - Allowing ADUs
 - Allow open space residential developments
 - Increase in permissible density or intensity of use in a multifamily or mixed-use development
 - Allow reduction in the amount of parking required for residential or mixed-use developments.
 - Modifications to dimensional controls to allow additional housing units



(b) Said commission shall consist of fifteen (15) members who shall be residents of the city and who shall be appointed by the mayor subject to section 3-3 of the Charter. Initial terms shall be as follows: three (3) for a term of one year, three (3) for a term of two years, three (3) for a term of three years, three (3) for a term of four years, and three (3) for a term of five years. The mayor shall fill the vacancies in membership, arising from expired terms, by appointments for a term of three (3) years. Any vacancy in the membership of the commission shall be filled for the unexpired portion of any member's term by the mayor. Each member shall serve until his or her successor is appointed and duly qualified.

(c) The members of the commission shall elect annually one (1) member of said commission to be chairman, another to be vice-chairman, and a third to be secretary.

(d) The members of the commission shall receive no compensation for their services.

(e) Said commission shall be staffed by the city's ~~department of planning and development, such staff to be provided for in the city's budget. The~~ economic development director ~~shall serve as executive director to the commission or their designee~~. Said commission may hire consultants and purchase materials and supplies necessary for the discharge of its duties, within the limits of any sum appropriated for such purpose.

(f) Said commission may apply for and receive funds through gifts, grants, and donations for the purposes of carrying out its activities, subject to the approval of the city council.