



Zoning & Planning Committee **Report**

City of Newton **In City Council**

Monday, September 24, 2018

Present: Councilor Albright (Chair), Leary, Brousal-Glaser, Krintzman, Downs, Danberg, Baker and Kalis

Also: Councilors Markiewicz, Kelley, Schwartz and Greenberg

Planning Board Members: Peter Doeringer, Christopher Steele, Sonia Parisca, Kelley Brown, Sudha Maheshwari, Jennifer Molinsky, James P. Robertson Jr.

City Staff: Jonathan Yeo (Chief Operating Officer), James Freas (Deputy Director, Planning Dept., Jennifer Caira (Chief Planner), Kathryn Ellis (Economic Development Director), Marie Lawlor (Assistant City Solicitor), Karyn Dean (Committee Clerk)

#376-18 Zoning amendment to regulate marijuana establishments

THE PLANNING DEPARTMENT requesting amendments to the Newton Zoning Ordinance, Chapter 30, to regulate the use of land, structures and buildings for the operation of marijuana establishments; to determine in which zoning districts and under what conditions marijuana establishments will be allowed; and to establish minimum standards and criteria.

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

Note: Chair of the Committee, Councilor Albright, explained that this is a public hearing on the proposed zoning ordinance to regulate marijuana establishments. She opened the public hearing. Peter Doeringer introduced the Planning Board members and opened its public hearing as well.

Jennifer Caira, Chief Planner presented to the Committee. She provided a summary of the history of the adoption of legal recreational marijuana use in Massachusetts, an overview of previous discussions as well as an updated draft zoning ordinance. Please refer to the PowerPoint presentation which is attached to this report, as well as the Planning Memo, which is attached to the online agenda, for details of Ms. Caira's comments.

Committee Comments/Questions

Q. Can some parcels within the allowed zones be disqualified for siting an RMD? It was noted that there are three locations in Newton Centre, which under the proposed zoning, would allow an RMD to locate. These are Business 2 lots that were zoned years ago as an auto body shop, a car mechanic and a gas station and would not be appropriate sites for an RMD. . She also noted that there is a current proposal from the Northland Development Company wherein 22 acres on

Needham Street would be zoned MU1 and would include a highly residential component. This would also not be an appropriate location. She would like to be sure there are no other scattered parcels in the midst of village centres or in residential areas which would be inappropriate for RMDs. There was also some concern about a park near Winchester and the buildings surrounding that.

A: There will be standards and requirements in the ordinance and along with the discretionary review process of a special permit, these inappropriate parcels within the allowed zones would be eliminated or all adverse impacts would be mitigated to nearby uses.

Q: In what zones can liquor stores locate?

A: Liquor stores can locate in any zones that allow retail. Liquor stores are not called out as a use in the zoning ordinance and they do not require a special permit or do not have any special criteria for zoning purposes. The RMD ordinance would be more restrictive than liquor stores.

Q. To what does the half-mile buffer apply?

A. Any marijuana establishment cannot be located within a half mile of each other, with the exception of colocation of medical and recreational sales within the same building.

Q. Will the proposed ordinance, including the 500-foot and half-mile buffer zones, provide locations for the currently required 8 facilities?

A. Yes. There is no way to know for sure where any facility might choose to locate exactly, but the proposed zoning would allow up to 8 facilities, applying the buffers, but not much more than that. The proposal is also to limit the number to 8.

Q. If the 2-4 ballot question passes, would there be a different proposal for locations?

A. No. The zones would still stay distributed across the City with the buffer zones between them, and allow those 2-4 to locate within those parameters. Perhaps the buffer zones could be revisited if the numbers were reduced to 2-4 but would still like to see distribution across the City.

Q. What are the thoughts behind the visibility issues regarding the facilities and how to site them?

A. If someone would like to locate in a setback location, similar to businesses on Needham Street, that would be allowed as long as they could be seen from the street. In general, the manufacturing zones provide less security because they are often less visible. Having regular traffic and "eyes" on a facility provides a better sense of security. The Manufacturing zones are primarily on the north side of the City and the idea is to have as much even distribution across the City as possible. Staff spoke to a number of municipalities in Colorado and they heard that best practices was to not locate retail in manufacturing areas and to have it in a more visible location and mitigate aesthetic concerns. It is also useful to maintain manufacturing zones for manufacturing uses.

Q. Have the Newton Police been involved in the security questions?

A. The police have been part of the working group and are supportive of the proposal.

Q. Are any communities creating new districts for this use or employing overlay districts instead of just using existing zones?

A. There are some examples of overlay districts in other cities – Cambridge used overlay districts for medical facilities currently. These issues will be considered in the zoning redesign process and may be the best tool. Currently, however, the goals can be accomplished through the current zones.

Q. What are the reasons for excluding Wells Avenue?

A. A deed restriction would need to be amended to allow retail uses, but in addition, Wells Avenue is better preserved for office-oriented uses. There is also a school and other child-oriented uses there that would create conflicts.

Q. What are the hours of operation for liquor stores? Perhaps RMDs should be allowed to be open after 9pm.

A. It is unclear whether the state or the licensing commission sets those hours. They are not set through zoning and Ms. Caira was unsure what the permitted hours are.

Q. Why do the RMDs have requirements for a security plan and accessibility when liquor stores do not? The original ballot question stated that RMDs would be regulated in the same manner as liquor stores. Could this cause some sort of legal challenge?

A. The licensing commission handles liquor stores and the requirements are not handled through zoning. The difference with RMDs is that they are required to have a more bunker like exterior whereas the interior of liquor stores are more visible from the street. Also, the nature of medical marijuana would presume that people with disabilities would be more likely to be frequenting an RMD.

Q. How are the vape shops being treated differently from RMDs?

A. They are being regulated as a tobacco retail store and they are not selling marijuana. There may be other state requirements for vape stores.

Q. What is the supply chain for the RMDs?

A. The state regulates the transport of marijuana and vehicles have to be unmarked and there are certain security protocols that must be in place. A medical marijuana establishment must cultivate its own product, but that is not the requirement for recreational marijuana – they may buy from other cultivators.

Q. Can credit cards be used or is this an all cash business?

A. It is a largely cash business, but there are now some credit cards and banks that are starting to participate. How that money is moved is state regulated and Ms. Caira was unsure of the exact protocol.

Q. Is smoking marijuana on the street in front of a retail or medical establishment allowed:

A. Any public consumption or smoking of marijuana is prohibited by state law. Smoking or consumption on or in the premises of an RMD is prohibited as well.

It was asked that these transportation and security questions be answered for the next discussion.

Public Comment

Karen Sherman, 57 Pinecrest Road said that there are two questions on the ballot: limiting the RMDs to 2-4; and a complete opt-out option. She said there is one vape store on Watertown Street and you have to be at least 21-years old to enter. With vaping being such an issue, and it is regulated, she wanted everyone to think that if there are marijuana stores in the City and they are regulated to 21-years and older, what effect that could have on the community.

Hearing no other requests to speak, the Committee voted to close the public hearing, unanimously. The Planning Board also voted to close its public hearing, unanimously.

The Chair noted that the proposed ordinance is next scheduled for discussion in this Committee on November 14th. At that time, the results of the two ballot questions related to recreational marijuana retail sales will be known and inform any further drafting of the ordinance.

The Committee voted to hold this item, unanimously.

#408-18 Discussion and adoption of Economic Development Strategy Plan

DIRECTOR OF PLANNING requesting discussion and adoption of the Economic Development Strategy Plan as an amendment to the 2007 Newton Comprehensive Plan.

Action: Zoning & Planning Held 8-0

Note: Chair of the Committee, Councilor Albright, explained that this is a public hearing on the proposed adoption of the Economic Development Strategy Plan as an amendment to the Newton Comprehensive Plan. She opened the public hearing for the Zoning & Planning Committee and the Planning Board opened its public hearing as well.

James Freas, Deputy Director of the Planning Department noted that Jim Damicis, Senior Vice President of Camoin Associates, the consulting firm hired by the City to author the Economic Development Strategic Plan, would be addressing the Committee to report on their findings and conclusions. He introduced Tom Duretsky, the lead analyst on the project, Joyce Plotkin of the Economic Development Commission, and Kathryn Ellis, Economic Development Director for the City of Newton.

Mr. Damicis joined the Committee and further explained that he would provide an overview and present the high-level goals and objectives of the project and speak to the market as well. This is a big plan which includes an executive summary, provides details on the strategies and provides

supporting appendices on each of the sections in terms of data review. The Committee has had the opportunity to review the Plan having received it via email and through online links.

Mr. Damicis provided a PowerPoint presentation which is attached to this report. Please refer to it for details. The audio for this presentation may be found at:

<http://www.newtonma.gov/civicax/filebank/documents/91866/09-24-48%20ZAP.MP3>

Committee Comments/Questions

Q. There is a high residential to commercial tax base. Newton is basically a residential community and is not an economic engine on its own. Is the proposal to enhance the relative ratio of commercial to residential tax base. Currently the residential tax base is the dominant provider of all of the revenue (80%) in the City. This is much higher than most communities because Newton has the 4th highest property value in Massachusetts. It is unclear how adding multi-family housing and the potential demand for housing-related services including education, changes that ratio. Is this where Newton really wants to go?

The change in permitting is an area where many have concerns. There is interest in expedited permitting but there is a careful tradition of looking at proposals with some scrutiny. This strategy plan may be a prescription for something that may not fit the City.

A. This question came up time and again and the various work sessions. It is a difficult concept because you have to upgrade the residential in order to attract more commercial. The ratio is high and is high comparatively to the region, it does not suggest that Newton is not an economic place. Newton has a lot of businesses and a lot of commercial areas. There is a lot of residential and it is very high valued residential. The wrong question is what the ratio going forward should be – the question should be is what should the value being generated by commercial be. These are two different things. If you look at the number of dollars being generated by commercial right now, that number needs to grow. It creates a vibrant economy and adds to the tax base. Whenever the residential is so highly valued, it takes a lot of commercial development to overcome that. You will think you're failing because the needle is not being significantly moved on residential. Also, if the residential is not updated to meet the new demands that drive commercial, the ratio will stay the same, or get worse. So it is not what the ratio is now and what you hope it will be, in fact, it is what it is now and what it will be if a commercial development strategy is not employed. IN this market and in the near term, includes upgrading and offering new product in the residential market. Without well connected transportation and the multi-family market, the needle will not move at all.

Q. Newton is a City that has evolved into a residential community that people move to because they like it that way. The idea of concentrated nodes is not what people are moving to Newton for and that may change, but people move here and not Somerville or Cambridge. Does that really fit in Newton?

A. While they have been talking to businesses around the City, they have heard that it is difficult to attract and retain talented labor. One company in particular said they do not know what the future

looks like for them due to the lack of workforce housing. One of the elements of the Camoin Report shows Newton has a workforce of 49K but only 5K of them are residents of the City and the rest come from other communities. This is lowering the average wage because most of the jobs are in retail and also adds to traffic congestion. Looking at developments like Riverside or Northland is that it needs to be near transportation and companies love those alternatives of two different T lines and highways. The reverse commute plays a big part of companies wanting to move here but workers cannot afford to live here. Asking the questions of the companies has shown this is needed in the community. Increasing the commercial tax base can help with the 80% residential tax base and residents are interested in that.

There is no suggestion to change the culture in the existing residential neighborhoods in Newton. The suggestion is that it is reasonable that if Newton wants to compete in the commercial non-residential market, that commercial proposals will need to be mixed-used proposals. That is what is happening up and down the east coast and is not unique to Newton. You can say you want big commercial buildings and space, but that is not happening on the feasibility and marketing side. The choice is do nothing, or do it to scale that fits the neighborhoods but offers new product in the market so that more commercial tax dollars can be generated.

Q. How do other communities deliver and implement strategy plans like this and is there a budget set aside for it? How does Newton move to the next step?

A. There is no one way to handle this. It depends on the culture and what each community's capacity and interests might be. This is a robust plan and things have been prioritized between high, medium and low and they will continue to refine those prioritizations and provide more clarity on those. The Executive Summary provides 5 recommendations that should be done immediately that were worked on with the Mayor. In terms of budget, Camoin recognizes that funds are limited and some things will have to be phased in over time. There are recommendations on how to vet and clarify the strategies. Even the basic short term goals would require additional resources. Website development and some other basic things will require extra staff and external expenditures on expertise. This is not a budget-neutral strategy.

Comment: This plan suggests a Plan should be developed for Newton Centre. It was noted that a plan had been done in the past and Councilor Danberg provided some information to the consultant.

Q. Do you have experience from other communities regarding affordable rents for storefronts? Small businesses cannot generate enough revenue to afford the current rents in Newton.

A. There are some examples in the report. Not every strategy can be adopted over night and it will take more than marketing and communication with small businesses. There will be some level of intervention necessary to subsidize small business owners in the market. It will take changing the market for those particular owners to grow where they are or keep them where they are and these are not easy things to do. It will require great effort. A Councilor asked for some case studies from other communities. Arlington had a vacancy rate of 7% and reduced it to 2%. The Town spoke to property owners and told them if they did not get tenants, they would charge them \$400 a year.

They were able to work with developers and real estate people in town to determine what the issues were. Finding a diversity of businesses is important and creates vitality as well. There are ways that Camoin have worked with other communities and found success. It is Attachment 5 in the report.

Q. There is nothing going on with transit at the state level. There is \$7B in deferred maintenance and there is no money to improve services in the state. Councilors are always asked how can the City increase density in certain areas when there is inadequate transportation options. Pressure needs to be put on the state to figure out how to make this better and find the money to make it happen. Revenue needs to be generated for transit and it is critical for growth in appropriate areas.

A. This is why it is critical to have the kind of development in a mixed use that is near the current transit lines. There are some areas in the City that are not serviced by commuter rail, but its imperative to take advantage of the areas that do. The golden ticket in economic development is education and income levels mapped against transit and where people live. If you can be near those commuter lines, that is where the density will be. The other transportation studies done in the City were consulted and some of those recommendations were incorporated into the study as well.

Q. Are there other ways to get private companies to coordinate and provide community shuttles?

A. Camoin does not have great examples of that, which is perplexing to them as well because the companies are solving their own problems but are not helping community-wide. Ride-sharing causes the same concerns and how it erodes the capability to invest in public infrastructure. Resources and revenue have to be devoted to these solutions beyond the local level.

Q. What infrastructure does Newton need to build to effectively do all the different missions that economic development is supposed to carry? That could mean business attraction, Main Streets, entrepreneurial or small business support, etc. Where is the infrastructure most desperately needed?

A. These are regional problems (work force, transportation, development, housing). Some progress has been made with a regional Chamber that coordinates across multiple communities and the N2 district is a 2 town effort. There needs to be more of that regional cooperation but it goes against the cultural grain of the historic culture so it is difficult to do.

Planning is doing a great job in outreach to businesses, and Kathryn Ellis is doing a great job as well but additional staff and resources are needed.

Q. What are some best practices for helping new businesses get up and running in Newton?

A. The City needs to provide a guide for doing business or investing in Newton and that has to be delivered in a number of ways – online, in person, over the phone, etc. There are hundreds of pages of information but that needs to be boiled down to 10 pages or less. Also, through economic development and partnership, there has to be an ombudsman role. It has to be outside of the Planning Department to provide simple starting parameters.

Q. Putting this document into the Comprehensive Plan is an interesting idea so it stays connected to other Planning processes. There is concern about the incentives that have been mentioned and studies have shown that $\frac{3}{4}$ of companies that get tax incentives would have located in the same place without the incentive. How does the City pick and choose who gets the subsidies and help? On the small business side, are there infrastructures that might be targeted and implemented?

A. The retail rent subsidy was a special case. Camoin understands this is something to consider but will take more thought in terms of cost and application. It is such a big problem here that it is going to take a significant program like that to make a difference. District Increment Financing and Tax Increment Financing programs are known and used in communities and are down according to roads, sewers, walkways, etc. using revenues that would not otherwise be occurring in the community. Most national studies on incentives are valid but they are applied to large or regional facilities like a new Amazon headquarters. This is something much smaller that is being discussed in the report.

Public Comment

Joyce Plotkin, Economic Development Commission said that the EDC has served as the advisory Committee to Camoin through the development of this report and action plan. They are pleased to see their concerns and interests were addressed and incorporated into the final report. They think it is a good blueprint to achieve economic progress going forward.

The report addresses sectors to go after like technology, life sciences and digital health areas. Those should be focused on. Geographic locations in the City are also focused on like village centers, commercial corridors and office parks. The EDC is not interested in forcing development into every corner of the City and think the high impact areas should be focused on.

The EDC is looking at how it can play a bigger role in the implementation of the Plan and ways to expand and redefine its role within the City. It will try to interact with businesses to try to find out issues and feed that information into the process. It has been asked to be more public in advocating its positions and do more public hearings and interact with more constituents.

The development review process was discussed and the EDC has been asked to look into licensing and permitting, for example, and will try to make some recommendations to improve upon those. That is a new focus for the EDC.

The matrix and plan has 30 different action items. The EDC will be working with the Planning Department to set some priorities and provide some input to resolve some differences if there are any, on what the immediate priorities should be.

A workable budget needs to be developed so that people can go to conferences, develop an exhibit, etc. Much smaller cities and towns have budgets for such things and Newton has no budget. There is a coworking lab space in Life Sciences that will go public and developers are looking at developing over lab space as well. A budget is needed to reach out to various sectors

and tell the story of Newton. Newton has a highly educated community. Money Magazine just listed Newton as one of the best places to live in America and the EDC would like to improve the chances for companies to locate here. She asked the City Council and this Committee to aim high and forgo the usual and customary kind of development and find the kind of interesting and iconic and interesting kinds of proposals. We need to market Newton as part of the Boston and Cambridge innovation community.

She strongly urged the City Council to adopt this plan as part of the Comprehensive Plan and help the EDC accomplish some of these ambitious goals.

Marcia Johnson, Bemis Street thanked Camoin for a wonderful plan and associated herself with Ms. Plotkin's comments. Housing is a critical issue for her. She benefited from programs that allowed her family to move to Newton and those programs do not exist today. More opportunities like that are needed especially for young people. As a human resources professional she knows how difficult it is to find and retain talent in the suburbs. Having places to live work and play are vital. She encouraged the City Council to get the attention of the legislators and the Governor on transportation issues – this is an election year. They can make commitments and have conversations. It is imperative for all Councilors and activists in the community to reach out. The public transportation system is abysmal. Councilors represent the City and should make their voices heard.

Please draw the linkages between the transportation plan, the housing plan, the economic development plan and other plans that have been developed in the City. The public needs to see how these are integrative and they need your help to point out the connections as various developments come forward.

Bill Humphries, Chestnut Street asked about intervention processes to keep or attract businesses. Is there a point where it would make sense for the City to take ownership of some sites if other strategies are not working? He pointed out the community farm as such a partnership. A Councilor pointed out that the farm is not owned by the City. He noted that the Farm Commission is involved so there is some integration. Ms. Ellis said the Newton Innovation Center coworking space is a collaboration between the City, the NNChamber and Cambridge Innovation Center. Prices in villages fluctuate and there are some legacy businesses, which makes it more complicated. There is no easy solution for this but 80% of her job is working with local retailers who are looking to survive.

Julia Malakie, said this plan is a major plan to be incorporated into the Comprehensive Plan. Much of the material in the report is stating what the Planning Department would like to do or what Camoin would like to do but does not necessarily reflect what the average citizen would like to do. She sees some ideas that would correspond to what she hears from people like keeping small local businesses. There is a financial impact, however. More residential to get more commercial that still doesn't help much and brings adverse effects of traffic – then what is the point? School populations will go up as well with new residential will also adds to traffic because parents drive

their kids to school. A big problem is to retain the commercial tax base, but there is a restaurant at 4-corners that is being proposed for development to residential. This plan might promote commercial development but if the City Council allows those types of projects it gets negated. She sees one of the causes of vacancy is that property owners can do better to keep their storefronts vacant and wait for a Robert Korff to buy them out. There is a lot of wishful thinking on the transit oriented development theory. Looking at the maps there are a large number of people who work in Newton but live outside Newton. People don't decide to live based solely on where they work and they change jobs so they won't stay at a job in Newton. Matching those up is futile. She would like the Council to think more about this before adding it to the Comprehensive Plan.

Mr. Damicis said much time has been spent on looking at existing plans and there was quite a bit of public process around what they have worked on. They also participated in a corridor planning session outside of their scope on the Washington Street Corridor exercises. There were efforts made to get the opinions and feedback from the community. Ms. Ellis said that many of the business owners are also residents and they want a stable environment. They want more services in the community. The valuation for residents is not just for those services, like medical services, but it also brings great value to the community.

The Committee voted to close the public hearing unanimously. The Planning Board closed its public hearing as well unanimously.

Councilor Baker said he was appreciative of the effort put into this plan but they are being asked to amend the Comprehensive Plan with this report. He heard that to implement these recommendations more resources would be needed in the Planning Department and other places. There are also other related resources to support the infrastructure that would be necessary for new housing and development. All those things make him cautious of adopting this without a fiscal impact analysis of the plan. It will not generate additional revenue from the commercial side and will create additional infrastructure costs in terms of personnel and consultants and resources in order to implement them and there is no idea of where the money is coming from. How will the investment required produce the revenue necessary to pay for it and the quality of change in the community. He applauds the work of the consultants, the Planning Department and the EDC.

Councilor Baker moved to hold this item and ask for a fiscal impact analysis to detail the resources necessary and how those resources will be funded.

Councilor Albright proposed to President Laredo that three or four relevant Committees meet with Ms. Ellis a few times a year. The Chair will be meeting with the Mayor next week and will bring this up with her then in order to determine a more coordinated effort.

Mr. Damicis said that an economic plan is not a budget article. There is nothing in here to make a motion to expend money. The level of expenditures will be based on a further vetting, prioritization and implementation by what has already been discussed. This will continue on an ongoing basis and as a project might come out of this plan, then a fiscal impact note would be

reasonable. This is a framework of strategies that are considered to be ongoing and long-term that would then be the basis for projects, proposals and services brought forth through the traditional municipal process. At that point, it may be appropriate to call for a budget. There is no fiscal note on top of Comprehensive Plan for example, because that also is an overarching plan.

Ms. Ellis said there are a number of in-kind resources that can be added to the currently available resources. If companies can see the City making more of an effort through a step by step plan, it can attract those companies away from places like the Seaport.

Councilor Baker said he understands the process, but he wants to be sure there is something that could be successful in the end. Councilor Krintzman asked if any thought has been given to some scoring mechanism as different developments are proposed to weigh them against certain goals in various plans. Ms. Ellis said the EDC does some work on those kinds of evaluations and said she could speak with Mr. Freas on what they are doing in the Planning Dept.

The Committee voted to hold this item, unanimously.

Meeting adjourned.

Respectfully Submitted,

Susan S. Albright, Chair

Zoning and Planning Committee

1

MARIJUANA NEW ZONING PROPOSALS

Timeline

2

- July 2017 – Marijuana legalized for recreational use in Massachusetts
- September 2017 – Cannabis Control Commission (Commission) established to oversee and license
- March 5, 2018 – City Council adopts temporary moratorium for recreational marijuana uses
- March 23, 2018 – the Commission issues final regulations

State Regulations

3

- Allow Municipalities to regulate “time, place, and manner”
- Must zone for each type of use: cultivation, craft marijuana cooperative, product manufacturer, retailer, research, testing, micro-business
- Local governments may enact 3% local sales tax option
- Communities must negotiate host agreements, which can include up to 3% of gross sales
- 500’ buffer from public and private k-12 schools

State Regulations

4

- On-site consumption not permitted unless approved through local ballot initiative
- Municipality may limit the number of marijuana retailers to 20% or more of package store liquor licenses
- Ballot initiative required in Newton to ban any use or limit retailers below 20%
- Applicant must hold a community meeting and City must confirm to Commission that the zoning would permit the use

Zoning Principles

5

- Minimize impacts to neighboring uses
 - Traffic, parking, odor, etc.
- Balance aesthetic impacts with security concerns
 - Include minimum transparency requirements and locate retailers outside of village centers
 - Locate retail in visible locations for easier enforcement and increased safety from “eyes on the street”

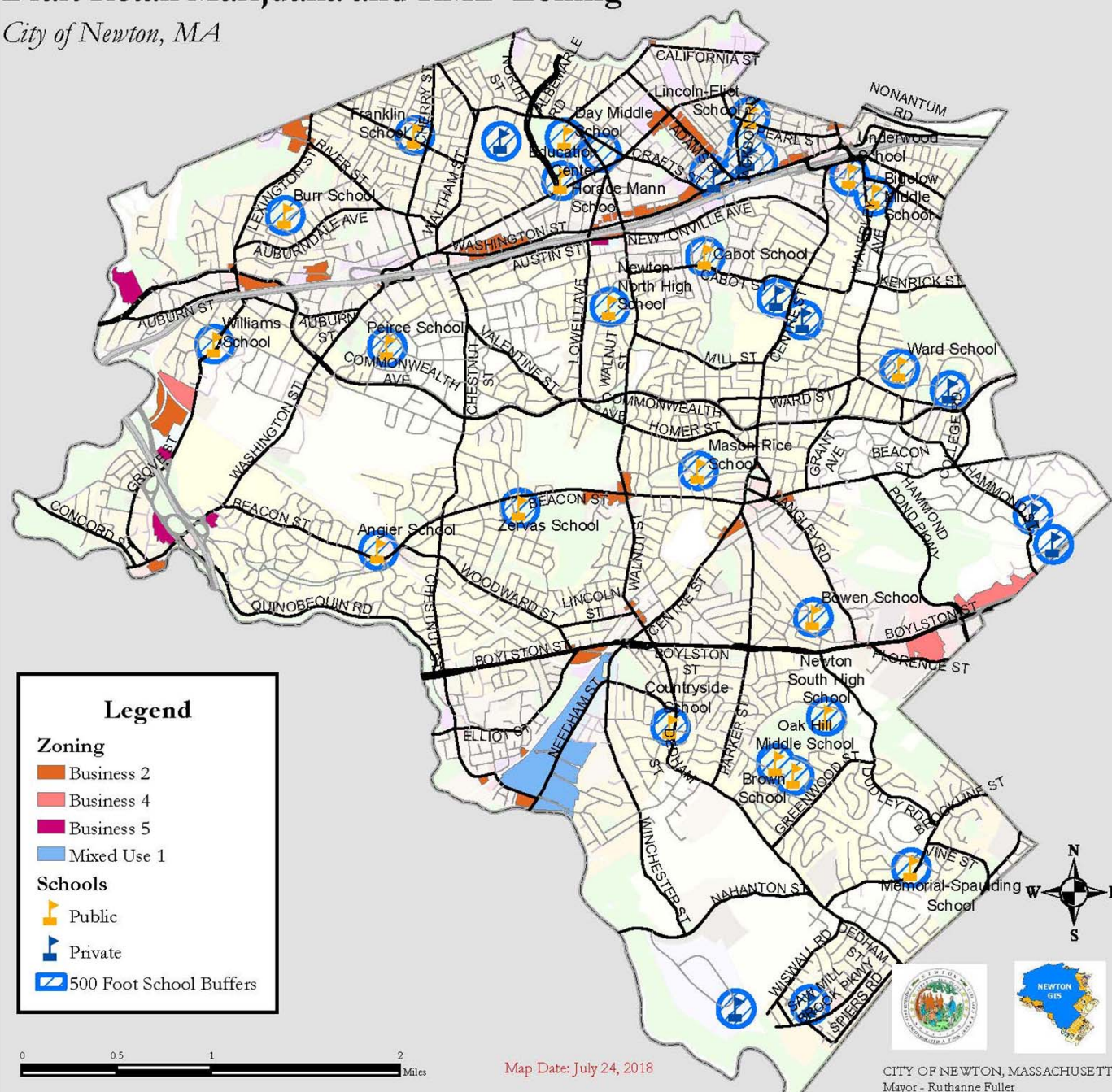
Proposed Zoning Districts

6

- Interim until new Zoning Redesign districts
- All uses by Special Permit only
- Retail and Medical – Business 2 (BU2), Business 4 (BU4), Business 5 (BU5), and Mixed Use 1 (MU1)
- Marijuana Research and Independent Testing Laboratory – Limited Manufacturing (LM) and Manufacturing (M)
- Cultivation, Marijuana Product Manufacturing, Craft Marijuana Cooperative, Transport and Microbusiness – Manufacturing (M)

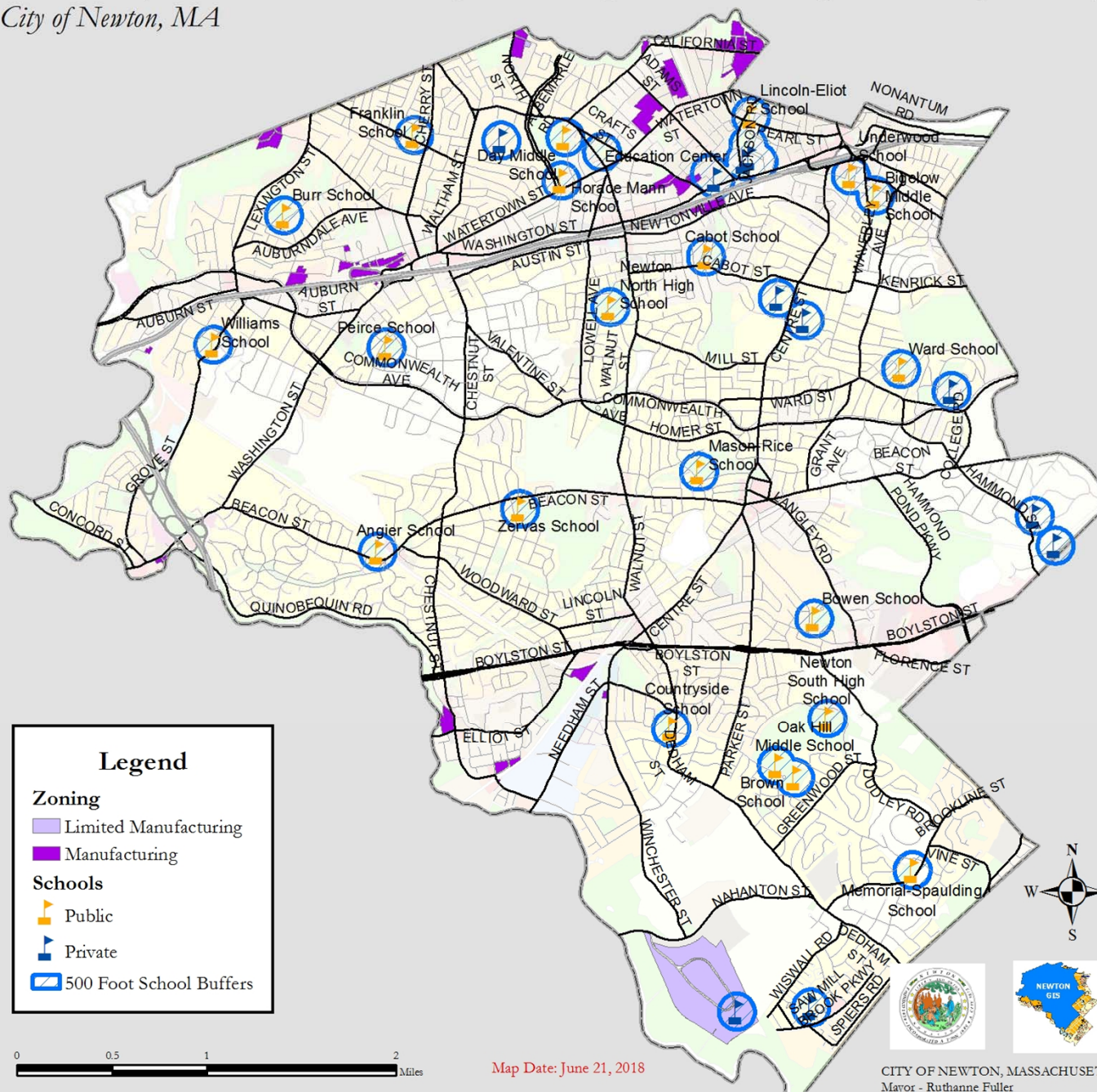
Draft Retail Marijuana and RMD Zoning

City of Newton, MA



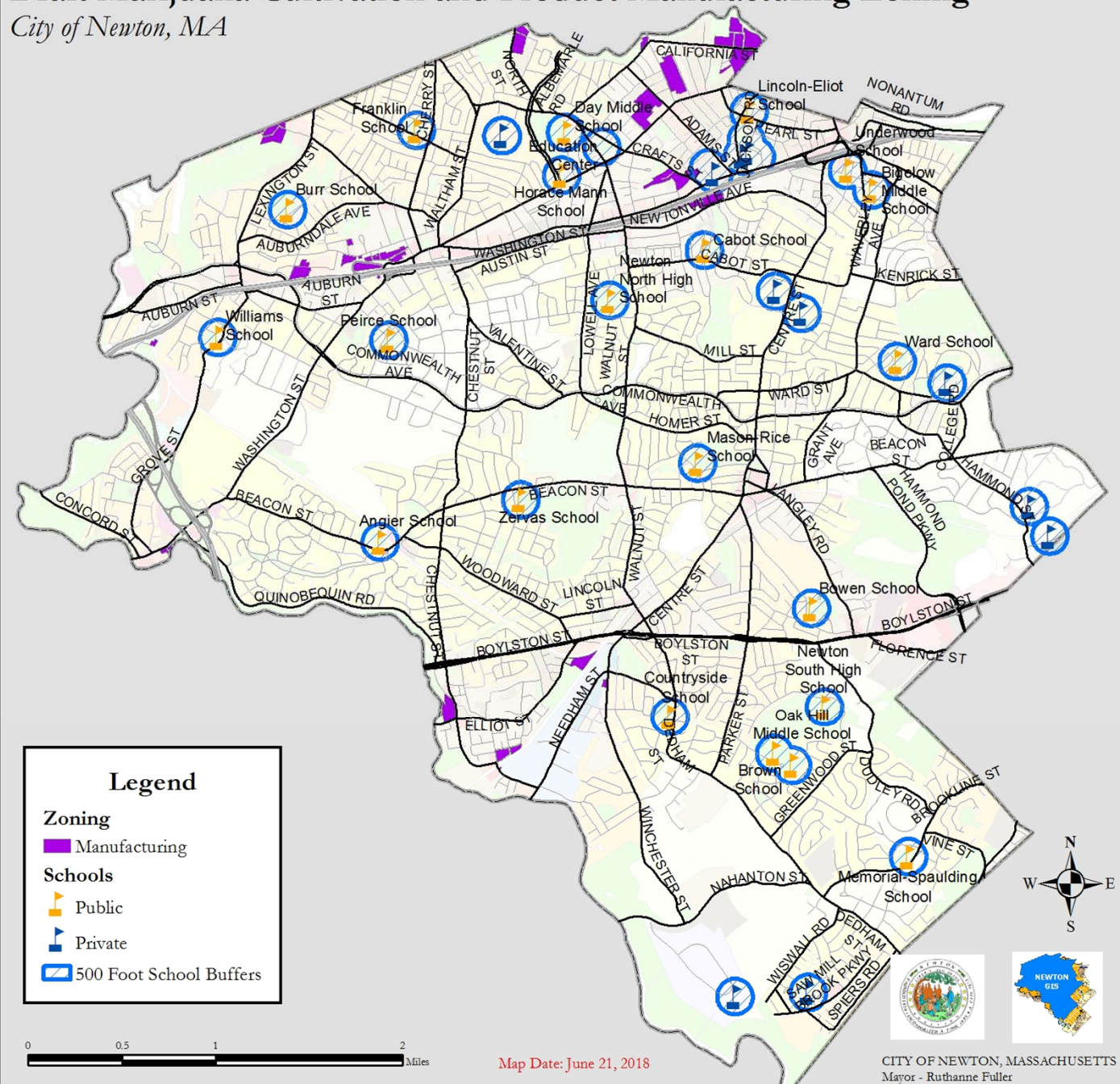
Draft Marijuana Research Facility and Independent Testing Laboratory Zoning

City of Newton, MA



Draft Marijuana Cultivation and Product Manufacturing Zoning

City of Newton, MA



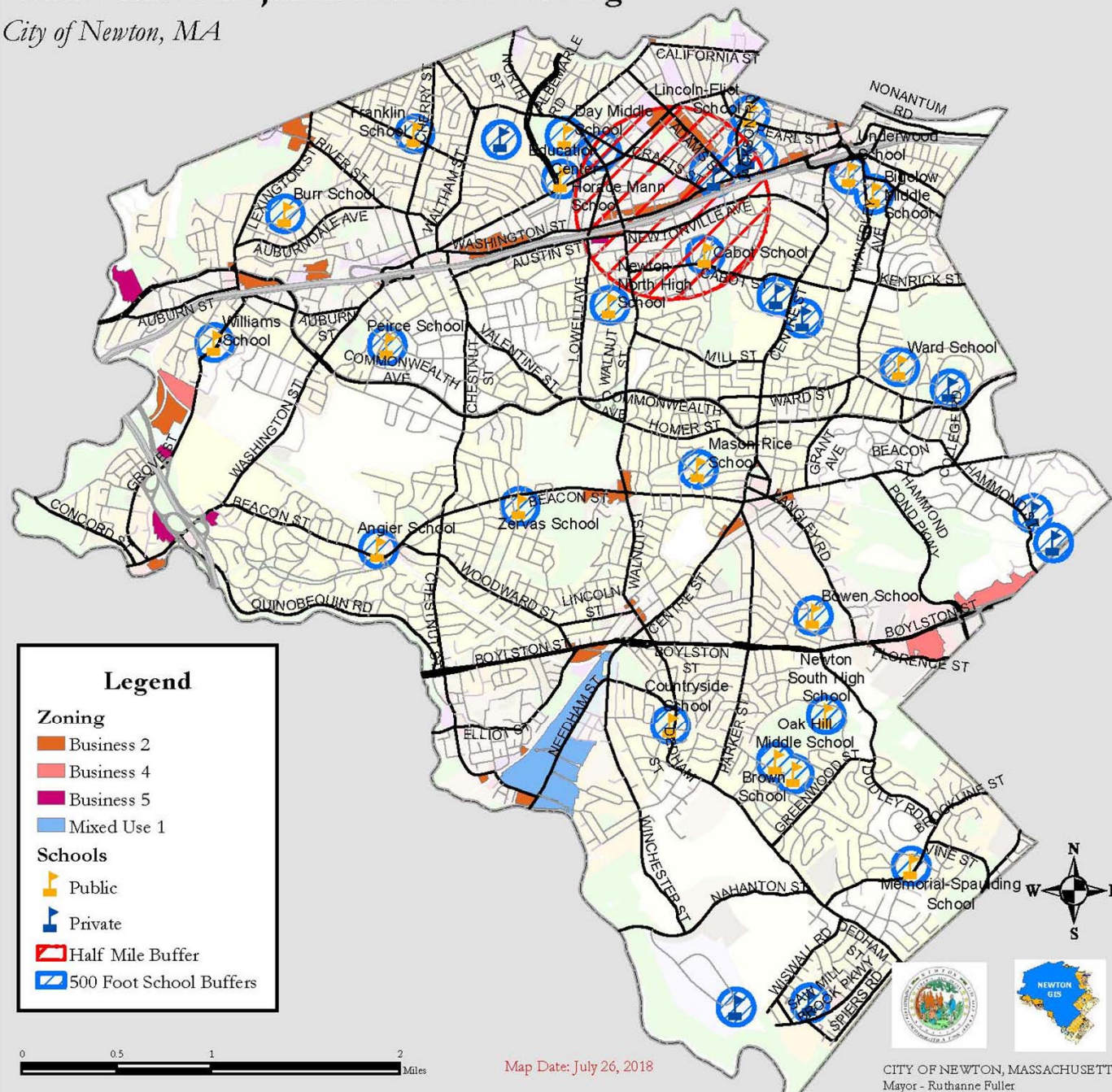
Minimum Criteria and Limitations on Approval

10

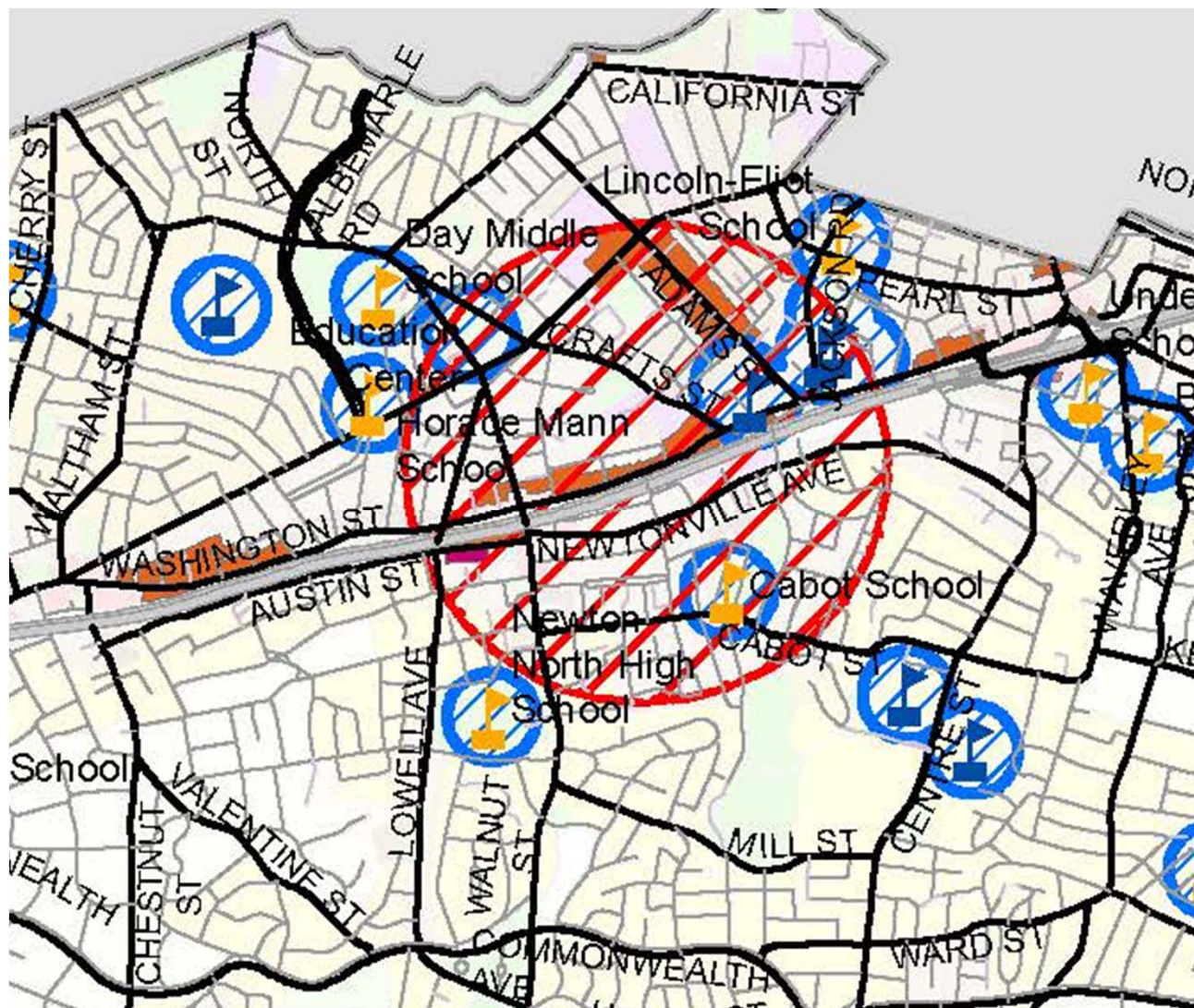
- 500 foot buffer from schools for Marijuana Retailers (recreational) and 500 foot buffer from schools, daycares, and places where children commonly congregate for Registered Marijuana Dispensaries (medical)
- Minimum half mile buffer between all RMDs and Marijuana Retailers, except for co-location
- Marijuana Retailers limited to no more than 20% of package store licenses (8)

Draft Retail Marijuana and RMD Zoning

City of Newton, MA



Half-mile buffer around Garden Remedies



Minimum Criteria and Limitations on Approval

13

- Conform with state regulations for signage and advertising
- Hours of operation not to exceed 9am to 9pm
- Do not locate within building containing residential uses
- Limit RMDs and Marijuana Retailers to less than 5,000 square feet
- RMDs and Marijuana Retailers to provide minimum of 25% transparency at ground level, unless waived by Special Permit

Minimum Criteria and Limitations on Approval

14

- Require police review and approval of security plan
- Submit emergency response plan to police and fire
- Submit operations and management plan to Planning and ISD
- All cultivation to offset energy use with 100% renewables
- Ventilate so as that odors cannot be detected at exterior of building or adjoining use

Submittal Requirements

15

- Service area map for RMDs
- Transportation Analysis
- Lighting Analysis
- Context Map
- Registration Materials

Criteria for Approval – all Marijuana Uses

16

- Lot is designed to provide convenient, safe and secure access for clients and employees driving, walking, bicycling, or using public transportation
- Loading, refuse and service areas are designed to be secure and shielded from abutting uses
- Designed to minimize adverse impacts on abutters
- Satisfied all conditions and requirements of the ordinance

Criteria for Approval – RMDs and Retailers

17

- 500 feet from a school unless waived – Marijuana Retailers
- 500 feet from a school, daycare, or place where children congregate – RMD
- Traffic will not create significant adverse impact
- Building and lot are compatible with other buildings in the area and mitigate any negative aesthetic impacts
- Accessible to persons with disabilities
- Accessible to regional roads and public transportation
- Located where it may be readily monitored
- Hours of operation will not have a significant adverse impact on nearby uses

Criteria for Approval – RMDs only

18

- Located to serve an area that currently does not have reasonable access to medical marijuana or has been established by DPH as an area where supplemental service is needed

Next Steps

19

- Scheduled for continued discussion on November 14th

City of Newton

Economic Development Strategic Plan



Jim Damicis
Senior Vice President



Presented on: September 24, 2018

Agenda

- I. Introductions
- II. Project Outline
- III. Strategic Opportunities and Goals
- IV. Questions



Project Overview



Strategic Opportunities

- ▶ Excellent location with well established villages
- ▶ Well-known reputation as a great place to live (high quality schools, good housing stock, Charles River, retail options, proximity to downtown Boston)
- ▶ Undergoing zoning redesign
- ▶ Highly educated workforce
- ▶ High demand for lab space in the region and Boston College Shiller Institute and UMass Amherst projects
- ▶ Lower commercial property tax rate than Boston and neighboring communities

Goals

- Goal 1: Take steps to pursue development sectors that make Newton both commercially successful and a great place to live, work, and play.
- Goal 2: Focus redevelopment efforts on key parcels and corridors in Newton
- Goal 3: Support the start-up, growth, stability, and vitality of businesses and entrepreneurs in Newton
- Goal 4: Make the development process more predictable and efficient including community consensus and refinement of the review process.
- Goal 5: Maintain and enhance the special qualities of Newton while improving transportation throughout the City for residents, businesses, and visitors.

To make progress...

Newton economic development lies at the intersection of transit, housing, land use policy.

- ▶ To grow commercial tax base - look to villages and commercial corridors
- ▶ To support commercial development - need to make transportation improvements and increase the number and type of residential units
- ▶ To encourage growth - need to make development review process more predictable and efficient

Market Opportunities

Newton Market Opportunity Summary	
Use Type	Opportunity
Office	High vacancy level and a lack of Class A space limit potential for new development, but opportunities exist to reposition and amenitize current inventory.
Lab	Robust growth and soaring rents in Cambridge/Boston life sciences sector presents an opportunity to create a lab space node in Newton.
Medical Office	An aging population and shifting trends in health care delivery means strong demand for medical office space into the future.
Industrial	Land availability constraints and high land costs limit potential for comparatively low-value industrial development.

Market Opportunities - continued

Newton Market Opportunity Summary	
Use Type	Opportunity
Retail	High incomes and significant spending leakage are an opportunity for new retail development in the city, but rising rents are squeezing out existing mom-and-pop shops.
Hotel	Sluggish commercial development in Newton and increased room supply in nearby suburbs limits potential, but differentiated boutique hotels are viable.
Residential	Urgent need for smaller, affordable workforce units to house the talent required to attract commercial development. To be affordable, affordable units are more likely to be multifamily rather than single-family homes.

Discussion

City of Newton Uses & Locations Opportunity Matrix

Use Type	Market Potential	Target Locations (applicable districts in <i>italics</i> , 13 villages in bold)					
		Needham Street Corridor	Washington Street Corridor	Charles River Mill District	Major Office Centers	Major Retail Centers	Village Centers
		<i>N-Squared Innovation District</i>	West Newton, Newtonville, Newton Corner	Nonantum	<i>Wells Ave, Riverside</i>	Chestnut Hill, Route 9, Newton Centre	Auburndale, Highlands, Upper Falls, Lower Falls, Waban, Oak Hill, Thompsonville
Office	High vacancy level and a lack of Class A space limit potential for new development, but opportunities exist to reposition and amenitize current inventory.	●	●	●	●	?	○
Lab	Robust growth and soaring rents in Cambridge/Boston life sciences sector presents an opportunity to create a lab space node in Newton.	?	?	●	●	○	○
Medical Office	An aging population and shifting trends in health care delivery means strong demand for medical office space into the future.	?	?	?	?	●	?
Industrial	Land availability constraints and high land costs limit potential for comparatively low-value industrial development.	?	○	?	?	○	○
Retail	High incomes and significant spending leakage are an opportunity for new retail development in the city, but rising rents are squeezing out existing mom-and-pop shops.	●	●	?	?	●	●
Hotel	Sluggish commercial development in Newton and increased room supply in nearby suburbs limits potential, but differentiated boutique hotels are viable.	?	●	○	?	●	○
Multifamily Residential	Urgent need for smaller, affordable workforce units to house the talent required to attract commercial development. To be affordable, affordable units are more likely to be multifamily rather than single-family	●	●	●	?	?	?

Key

High Potential ●

Some Potential ?

Limited Potential ○