



PLAN: Newmarket Zoning Amendment

October 12th, 2023

A 21st Century Industrial Neighborhood

21st Century
Industry

=

Viable Legacy Uses

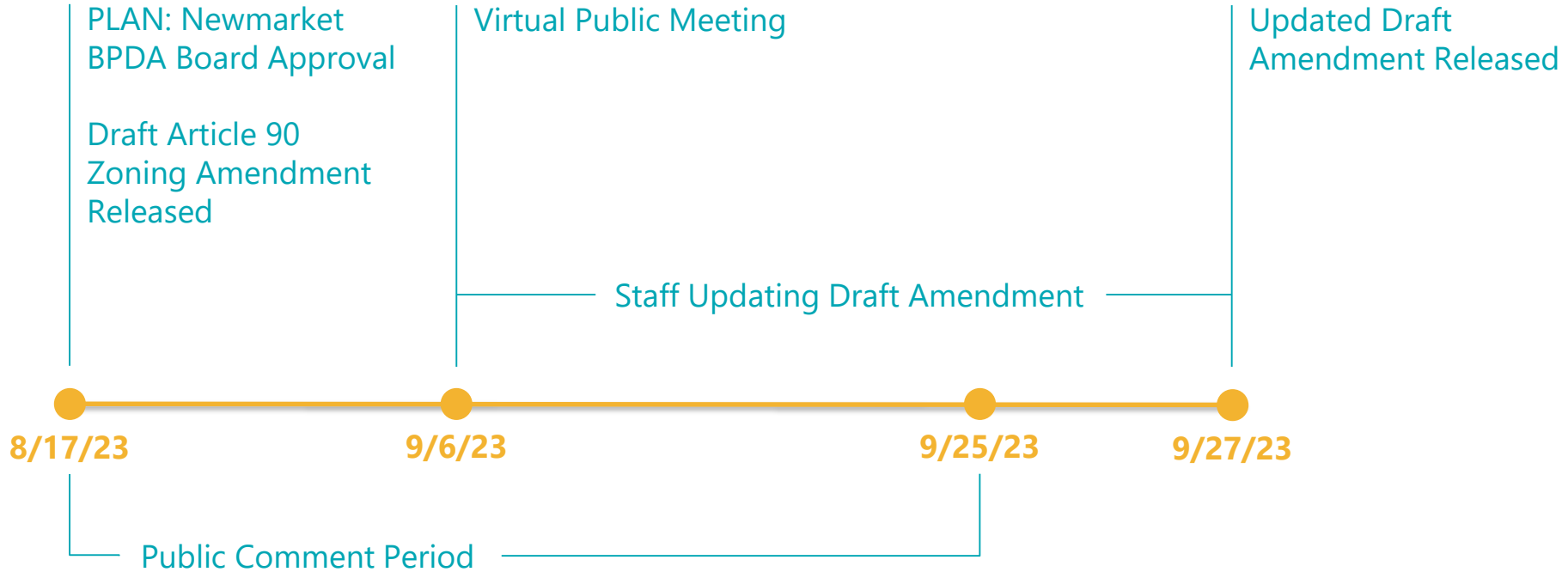


+

Emerging Uses



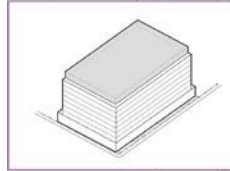
Amendment Process



PLAN: Newmarket Zoning Recommendations

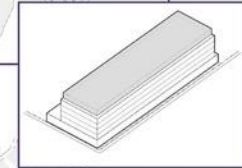
Gateway Industrial Zone

- Height not to exceed 8 stories, nor 140 feet.
- Ground floor minimum 21-foot clear floor-to-floor height.
- Uses must include minimum 15% industrial, workforce training, or creative economy space on any floor.
- Non-residential use only.



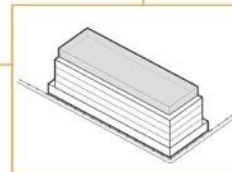
Core Industrial Zone

- Height not to exceed 5 stories.
- Industrial use required: 100% of occupiable square footage on first and second floors (excludes core and mechanicals).
- Ground floor minimum 21-foot clear floor-to-floor height.
- Lab/office/R&D permitted only on third floor, fourth, and fifth floors.
- Non-residential use only.



Arts Industrial Zone

- Redeveloped parcels are mainly light industrial use, with small-scale flexible arts/creative work space.
- Height not exceed 5 stories, nor 65 feet.
- Non-residential use only.



Zoning Changes Summary

Mapping

- New Article 90 District Boundary
- 3 New Subdistricts

Uses

- New industrial categories
- Simplification + reorganization

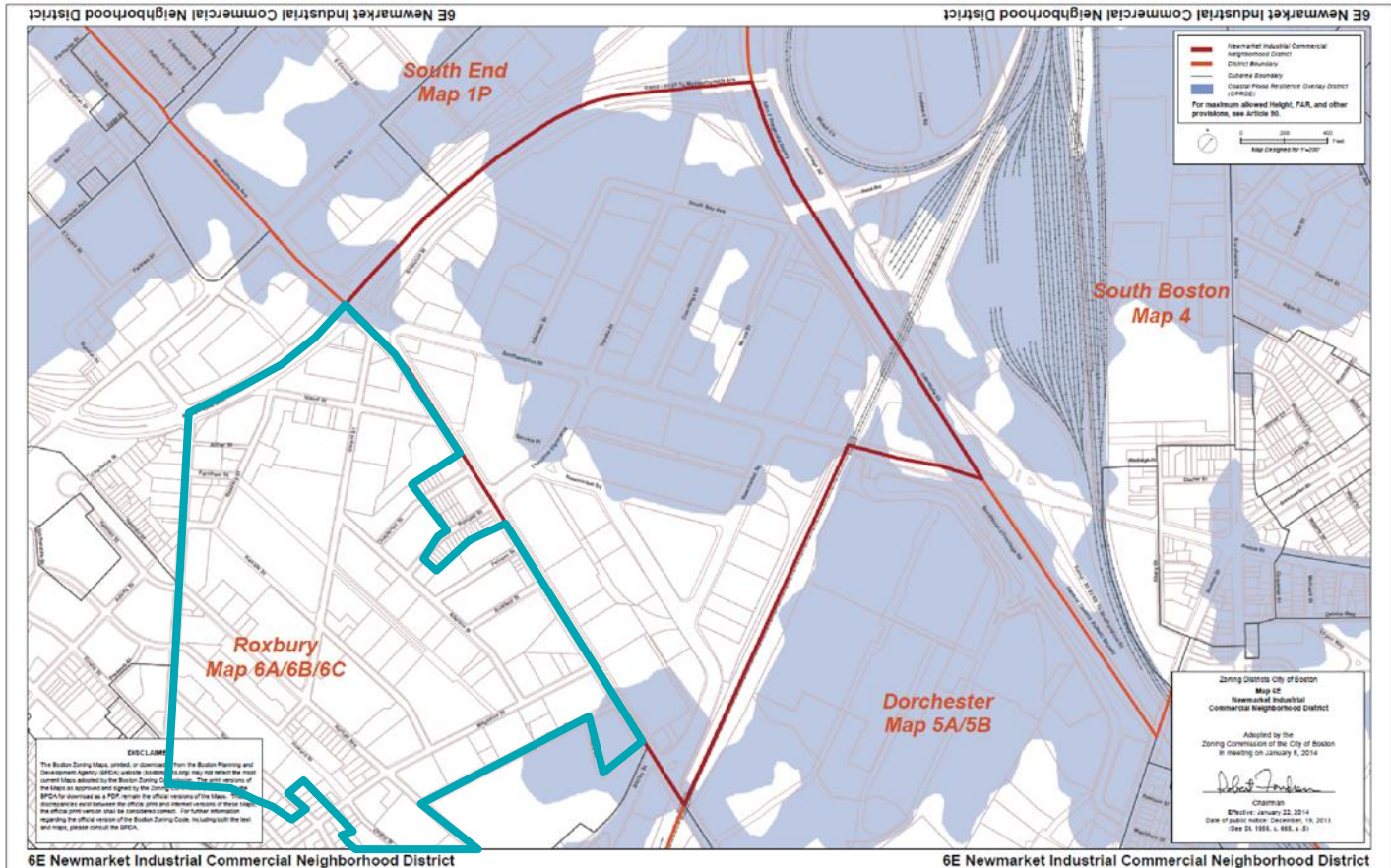
Dimensions

- Ground Floor Height Minimums
- Dimensional Regulations (removing FAR)

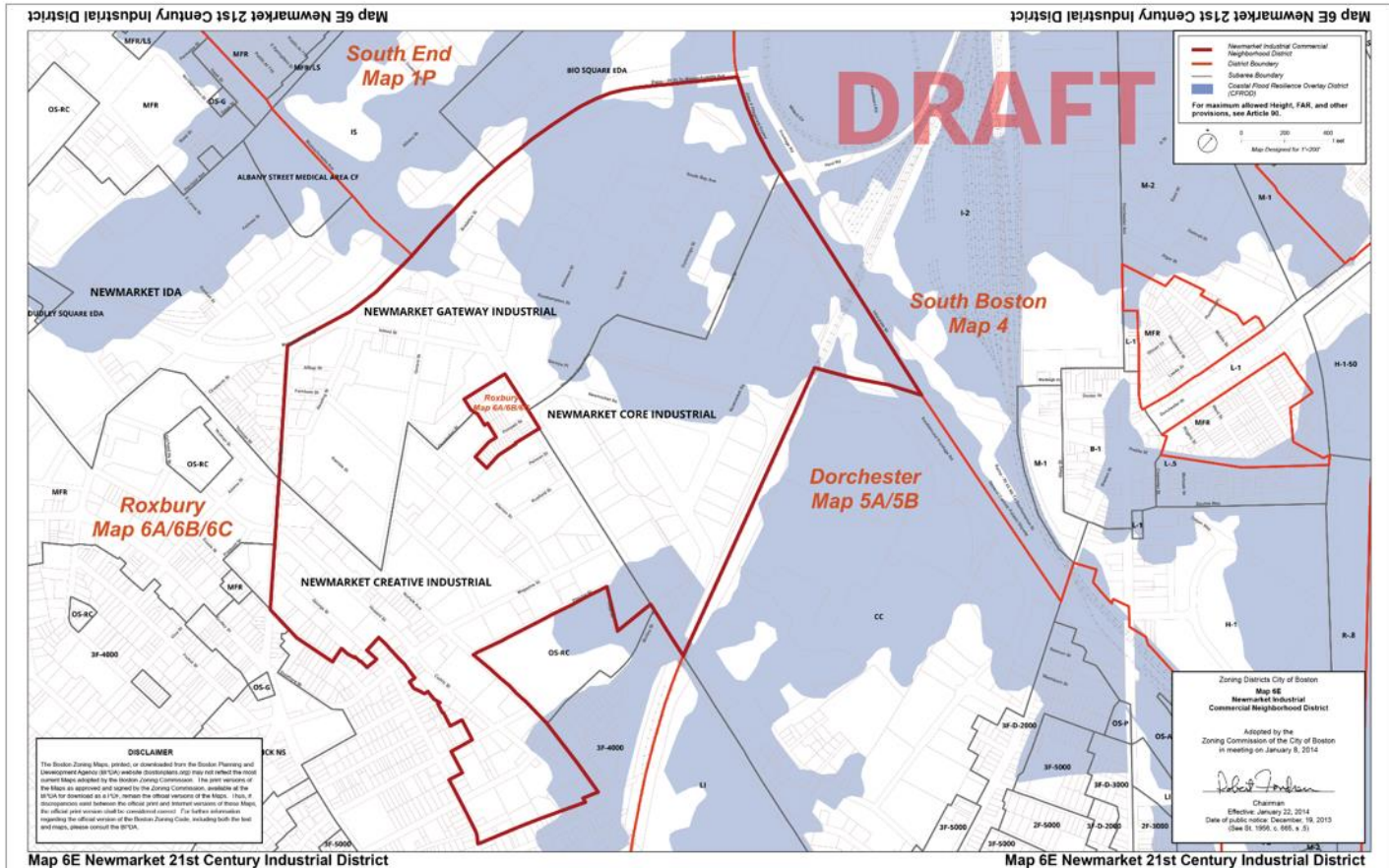
Miscellaneous

- Parking Minimums
- Performance Standards

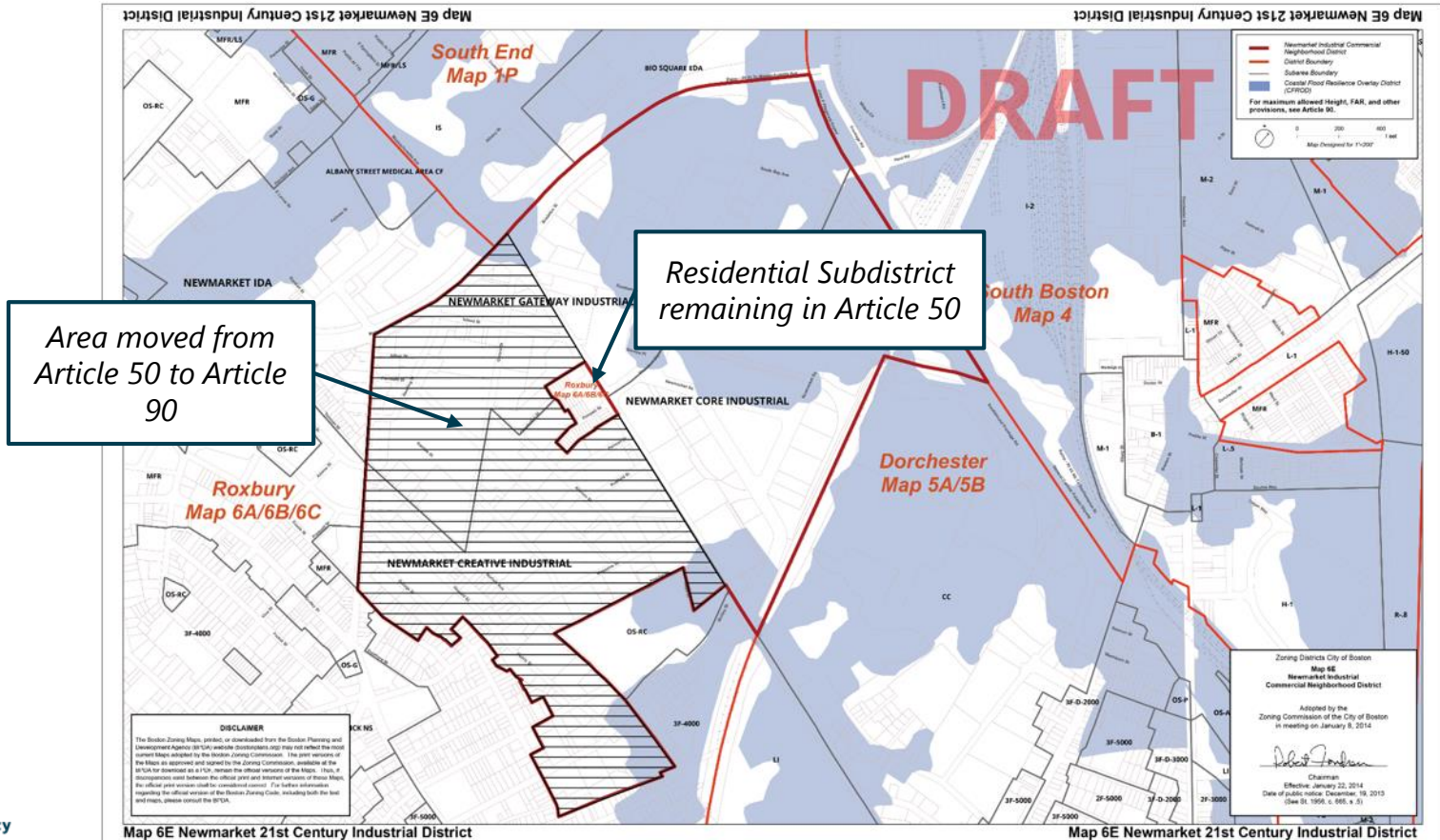
Existing Newmarket (Article 90) Zoning Map



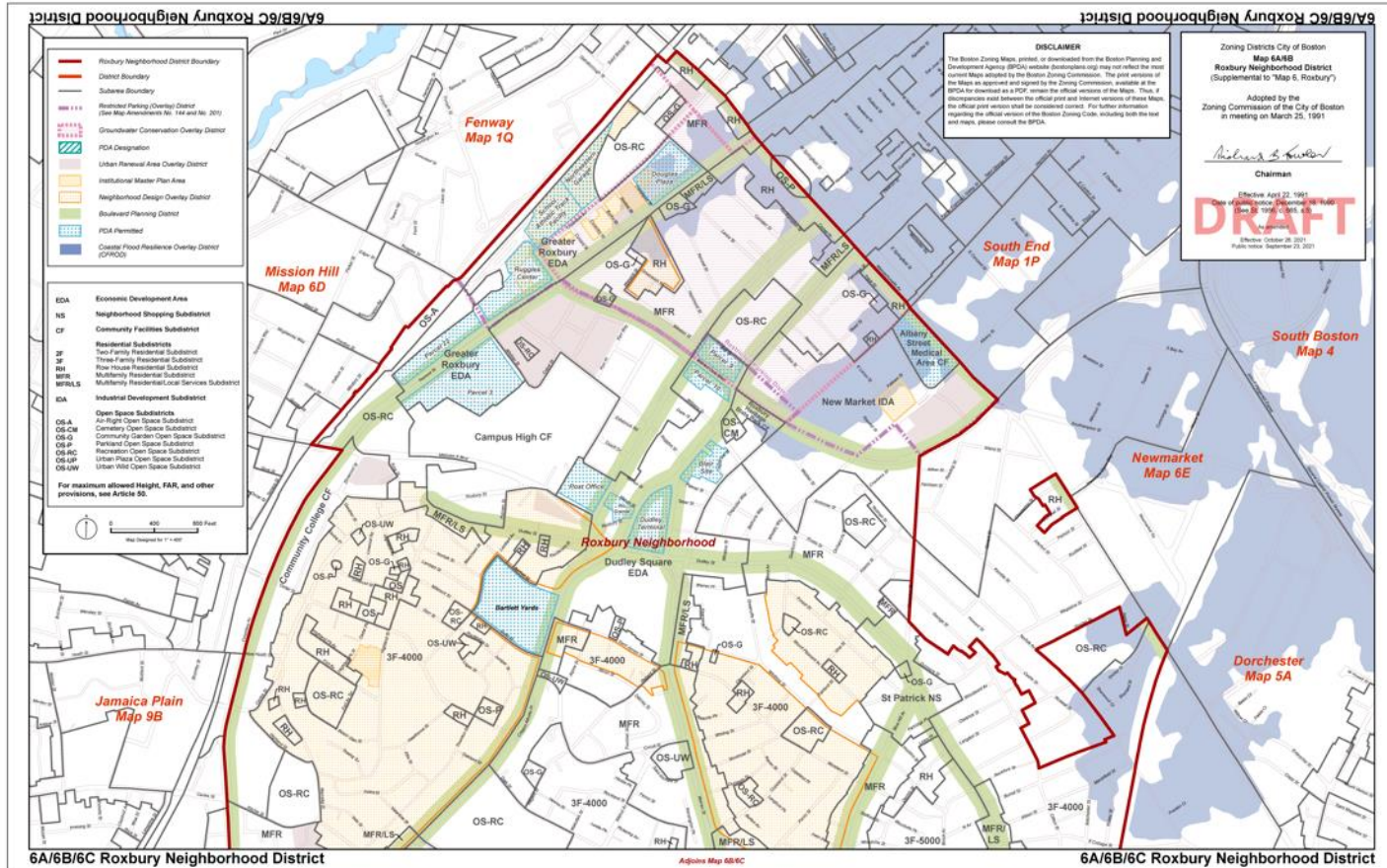
Proposed Newmarket (Article 90) Zoning Map



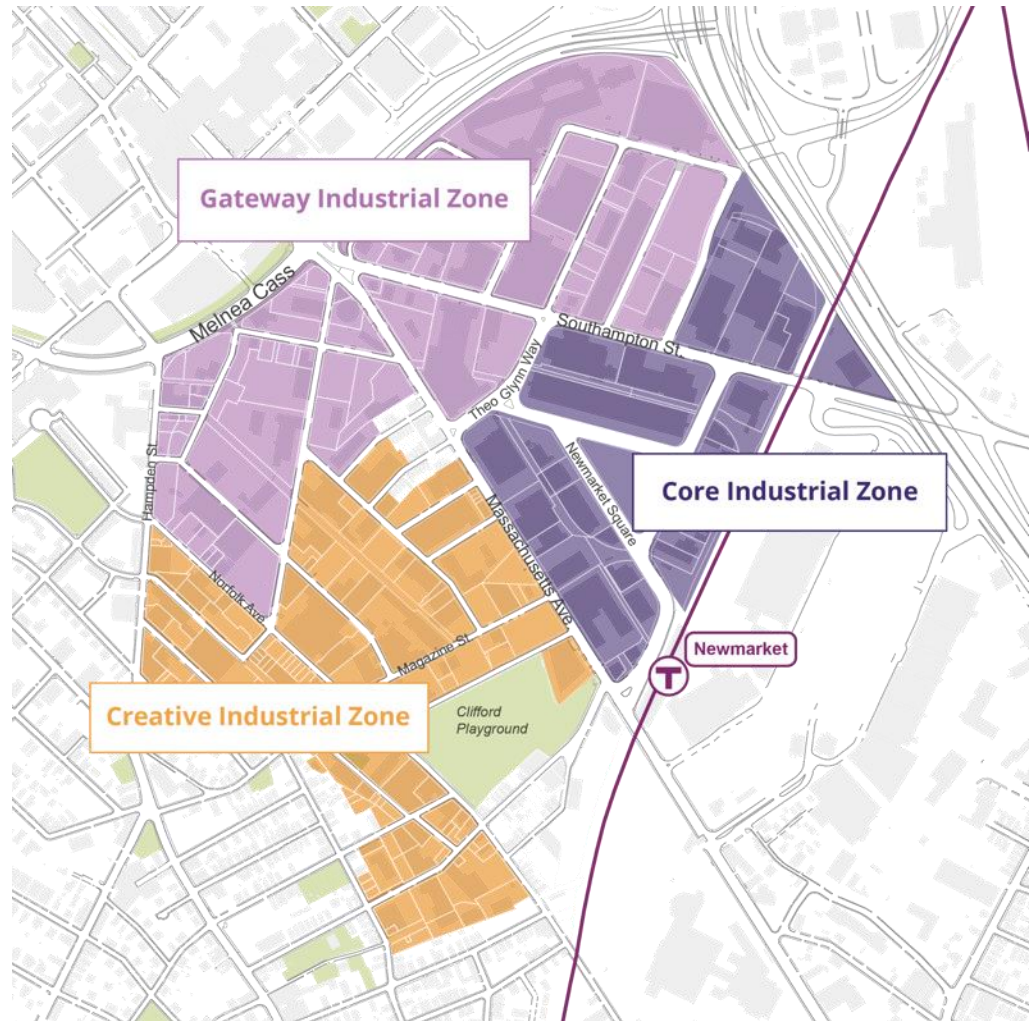
Proposed Newmarket (Article 90) Zoning Map



Proposed Roxbury (Article 50) Zoning Map



Proposed Subdistricts



Core

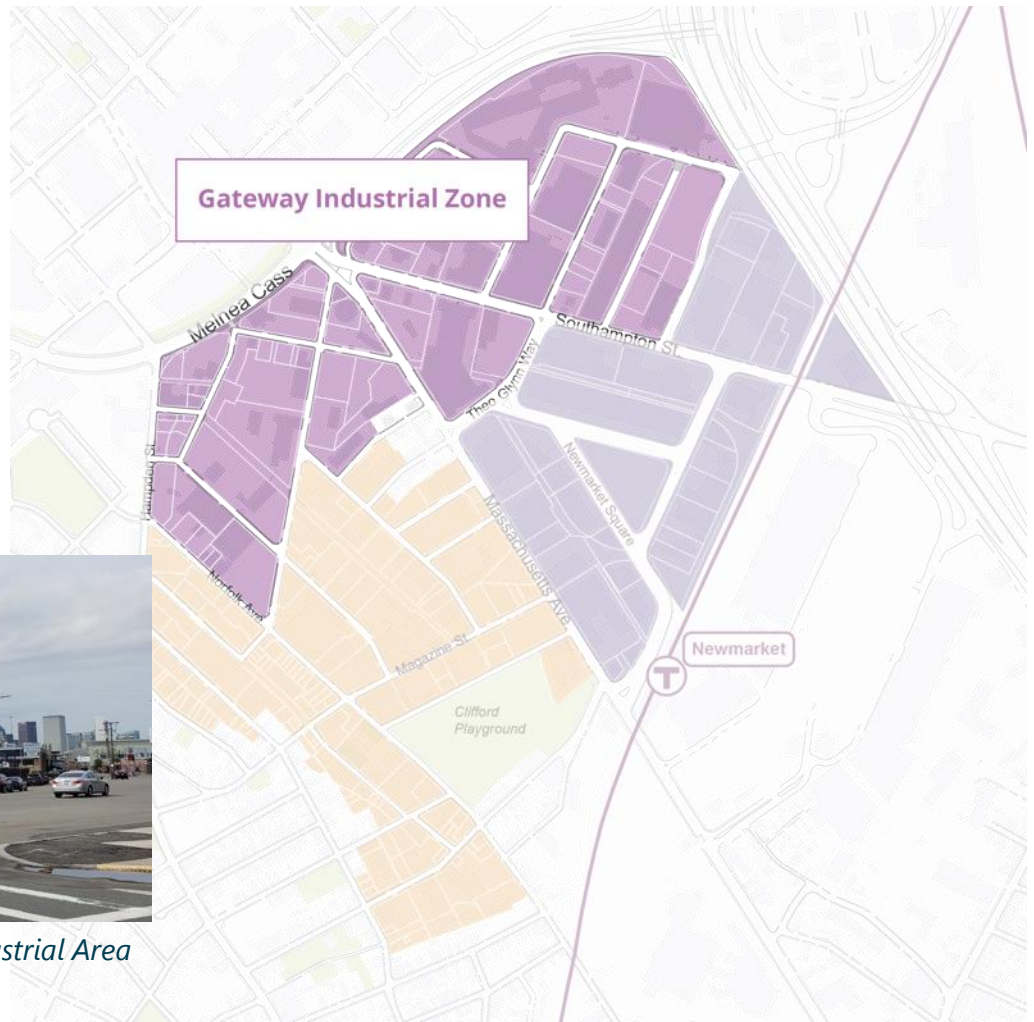
- Height ≤ 5 stories, ≤ 95 feet
- Ground floor height minimum 21 feet
- Industrial use required on 1st and 2nd floors
- Lab/Office/R&D allowed on 3rd, 4th, and 5th floors
- No residential



Core Industrial Area

Gateway

- Height ≤ 8 stories, ≤ 140 feet
- Ground floor height minimum 21 feet
- Required $> 15\%$ industrial, workforce training, or creative industrial use
- No residential



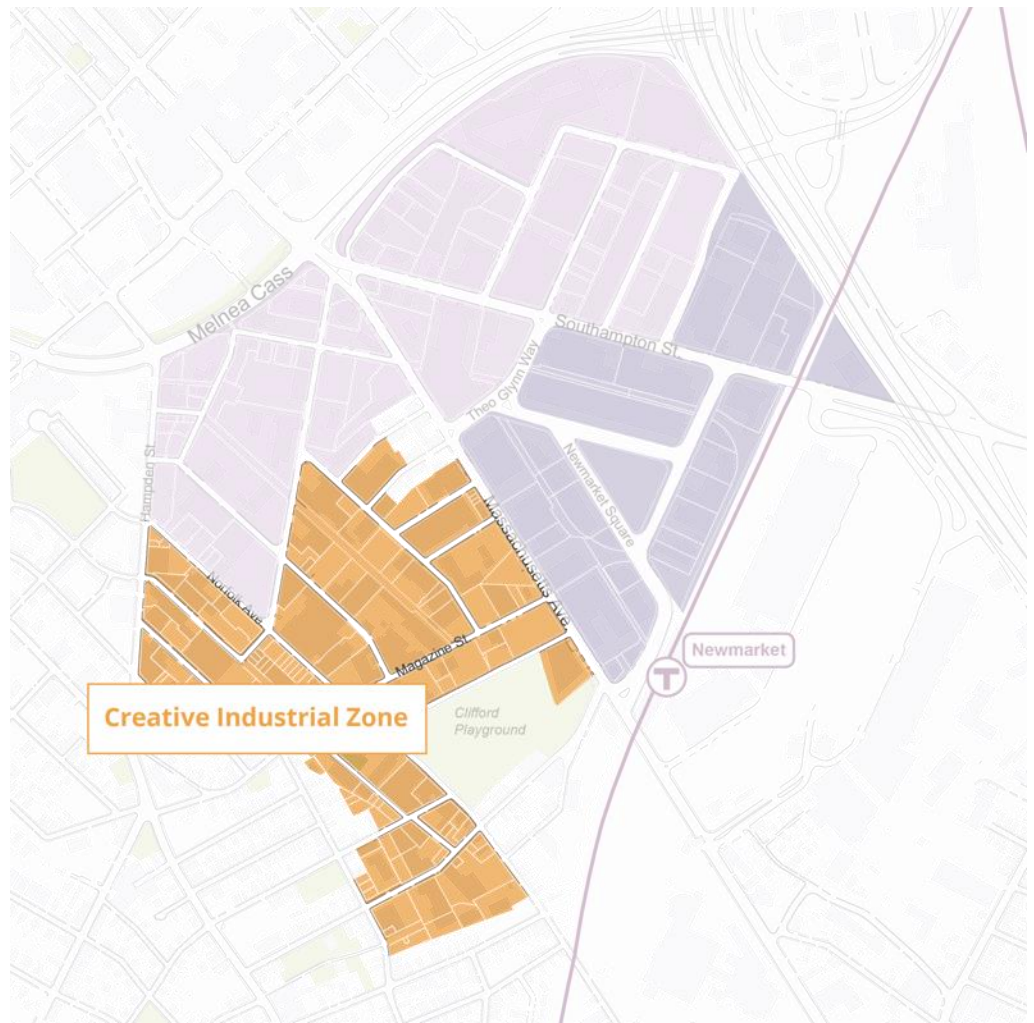
Southampton St in Gateway Industrial Area

Creative

- Height ≤ 5 stories, ≤ 65 feet
- Light and creative industrial use
- No residential



Norfolk Ave in the Creative Industrial Area



Use Table | Industrial Categories*

Light Industrial

Animal Production (F)
Apparel Manufacturing
Beverage & Tobacco Product Manufacturing
Computer & Electronic Product Manufacturing
Construction of Buildings
Food Manufacturing and Distribution
Green and Clean Technologies
Light Manufacturing
Miscellaneous Light Manufacturing
Nonmetallic Mineral Product Manufacturing
Paper, Leather & Allied Product Manufacturing
Printing and Related Support Activities
Research Laboratory
Specialty Trade Contractors
Textile & Textile Product Mills
Urban Agriculture
Utilities
Wood and Furniture Product Manufacturing

Heavy Industrial

Chemical Manufacturing
Electrical Equipment, Appliance, & Component Manufacturing
Fabricated Metal Product Manufacturing
Heavy & Civil Engineering Construction (F)
Machinery Manufacturing
Mining and Extraction (F)
Petroleum & Coal Products Manufacturing (F)
Plastics & Rubber Products Manufacturing
Waste Management & Remediation Services (F)

Creative and Arts Industrial

Art Display Space
Artists' Mixed-Use (F)
Art Use
Accessory Art Use
Concert Hall
Creative Industries and Information Services
Motion Picture, Sound Recording, Publishing & Broadcasting Industries
Studios
Theatre
Arts Trade Uses

***Uses may be allowed, conditional, or forbidden**

Indicates new

Use Table | Existing Nonconformities

Elementary School



Samuel W Mason School

Public Service



City of Boston Fire Headquarters

Use Table | Simplified + Organized

Alphabetized

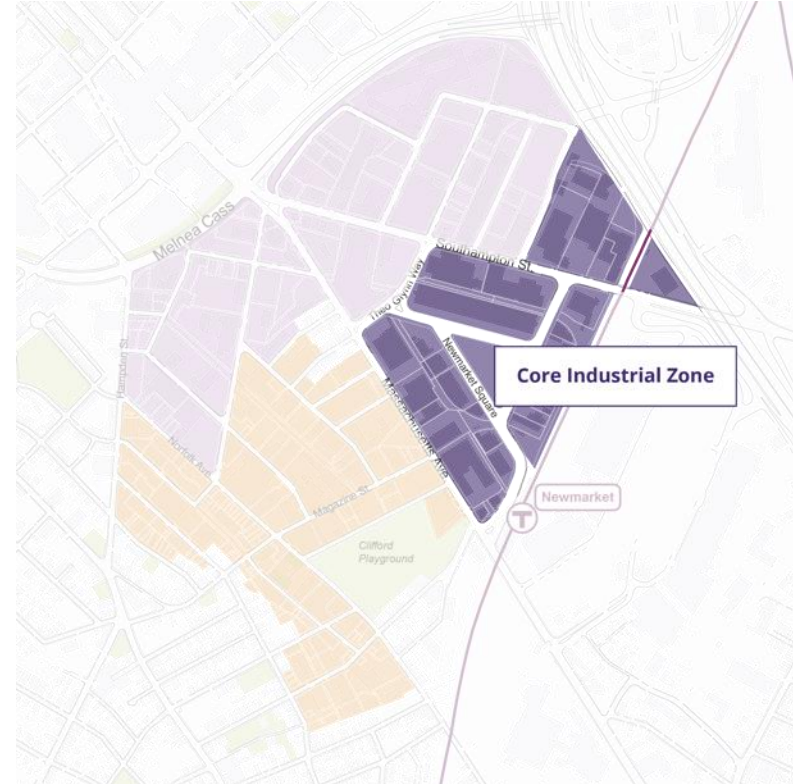
Light Industrial Uses
Animal Production
Apparel Manufacturing
Beverage & Tobacco Product Manufacturing: incl: breweries, distilleries, wineries, tasting rooms, food service; retail is C ¹² ; tobacco is F
Computer & Electronic Product Manufacturing
Construction of Buildings: incl: <u>pre-fabricated</u> and modular
Food Manufacturing: incl: processing and distribution; slaughtering is C
Green and Clean Technologies: incl: waste-recycling, advanced materials, renewable energy-related (air/wind, biomass, geothermal, solar), smart grid, fuel cells & hydrogen, rooftop farming, conventional fuels, energy-related service companies, & recycling; accessory composting is A ²¹ ; nuclear is C
Life-Tech Industries: incl: biotechnology, pharmaceuticals, medical devices & equipment; agricultural feedstock & chemicals
Light Manufacturing
Miscellaneous Light Manufacturing ³ : incl: ice, sporting and athletic goods
Nonmetallic Mineral Product Manufacturing: incl: jewelry, and clay or glass products; cement and concrete is A ⁶⁵²

Footnote duplication removed

- ¹ Conditional if <33% Gross Square Footage
- ²⁵ Allowed if <20% Gross Floor AreaSquare Footage; and PS2
- ² Conditional if <33% Gross-Square-Footage
- ³ See Definitions Section 90-158 - "Miscellaneous Light Manufacturing" consists of manufacturing activities with less environmental impacts that use moderate amounts of partially-processed materials to produce small consumer goods.
- ⁴ Allowed if <50,000 Gross Square Feet
- ⁵ Allowed if ≤25% of Gross Square Footage on the floor it occupies
- ⁶⁶ Allowed if <20,000 Gross Square Feet
- ⁷⁶ Conditional if between 20,000-49,999 Gross Square Feet
- ⁸⁹ Forbidden if ≥50,000 Gross Square Feet
- ⁹ Allowed if <50,000-Gross-Square-Feet
- ¹⁰ Allowed if <50,000-Gross-Square-Feet
- ¹¹ Provided that, where applicable, such Research and Development Use shall comply with: 1) all the guidelines and standards promulgated by the National Institutes of Health ("NIH") concerning the care and use of laboratory animals; and 2) all applicable federal and state requirements and regulations for operating labs as classified by the Center for Disease Control and Prevention ("CDC") and Boston Public Health Commission ("BPHC"). If such Research and Development Use is subject to and does not satisfy the requirements of items 1 and 2 of Footnote 4, such Research and Development Use shall be forbidden.
- ¹² Allowed if <20,000-Gross-Square-Feet
- ⁹⁴⁴ Cannabis Establishment, provided that any cannabis establishment shall be sited at least one-half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only. (Text Amd. No. 421, § 2, 11-18-16 ; Text Amd. No. 432, § 3, 4-13-2018)

Use Table | Core Industrial

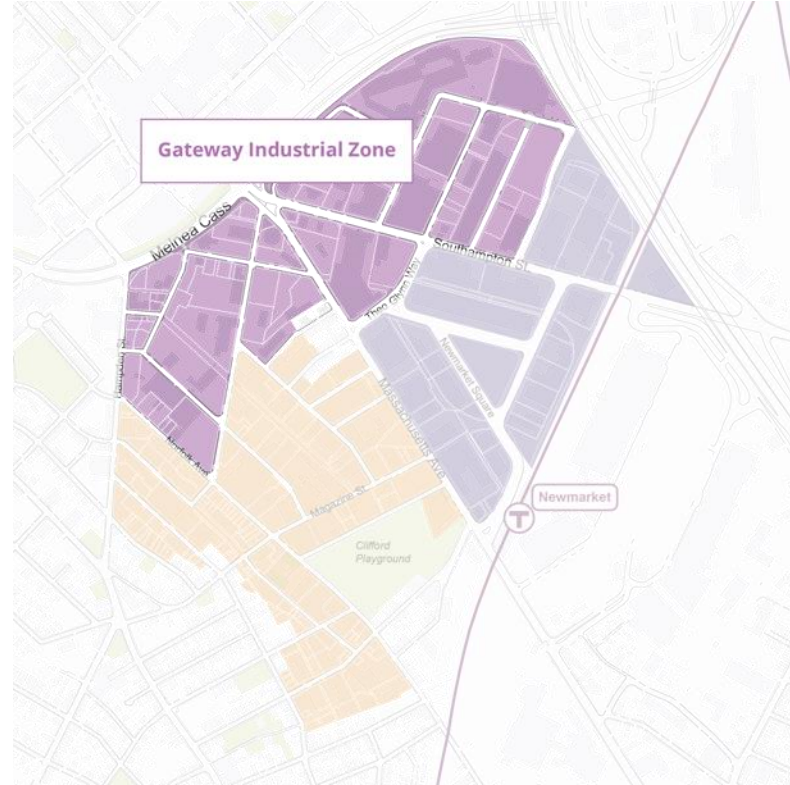
	1st and 2nd Floor	3rd, 4th, and 5th Floors
Light and Heavy Industrial	✓	✓
Trade schools	✓	✓
Creative Industrial Uses	✓ if <25% of square footage	✓
Highly-trafficked commercial e.x. restaurants, bars, retail	✓ if <25% of square footage	✓
Lab + Office	✗	✓
Residential	✗	✗



Use Table | Gateway Industrial

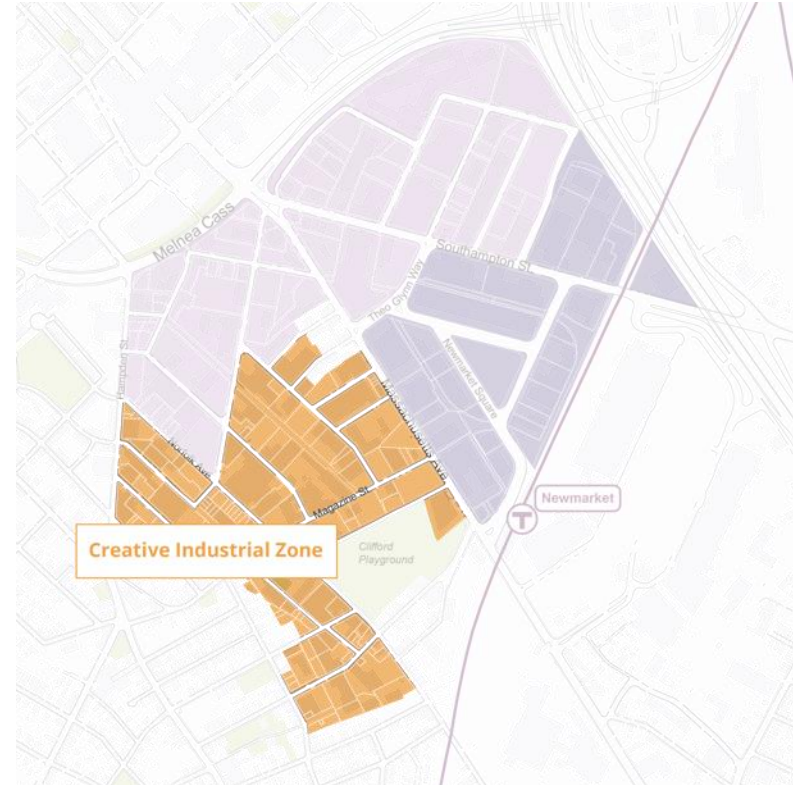
Light and Heavy Industrial	✓
Trade schools	✓
Creative Industrial Uses	✓
Highly-trafficked commercial e.x. restaurants, bars, retail	✓
Lab + Office	✓
Residential	✗

Must include in
at least 15% of
square footage



Use Table | Creative Industrial

Light Industrial	✓
Heavy Industrial	✗
Trade schools	✓
Creative Industrial Uses	✓
Highly-trafficked commercial e.x. restaurants, bars retail,	✓
Lab + Office	✓
Residential	✗



Dimensional Table

- Removing FAR as a density regulator
- Setback requirements along Southampton Street and Magazine Street
- Maximum building lot coverage for Creative Industrial

TABLE D Newmarket 21st Century Industrial District – Dimensional Regulations

	Core Industrial Subdistrict	Gateway Industrial Subdistrict	Creative Industrial Subdistrict
Maximum Building Height (Stories)	5 stories	8 stories	5 stories
Maximum Building Height (Feet)	95'	140'	65'
Minimum Ground Floor Ceiling Height	21'	21'	None
Minimum Front Yard	None ¹	None ¹	5' ²
Minimum Side Yard	None ¹	None ^{1,3}	3' ²
Minimum Rear Yard	None ¹	None ^{1,3}	12' ²
Maximum Building Lot Coverage (%)	None	None	50%

Footnotes

1. Minimum yard setback for any frontage along Southampton Street: 10'
2. Minimum yard setback for any frontage along the south side of Magazine Street: 5'
3. Minimum side or rear yard setback for any side or rear yard abutting residential zoning district: 20'

Dimensional Table | Ground Floor Height

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TABLE D Newmarket 21st Century Industrial District Dimensional Requirements

ARTICLE 2

Modify the definition of "Ground Floor Ceiling Height" in Article 2 as follows:

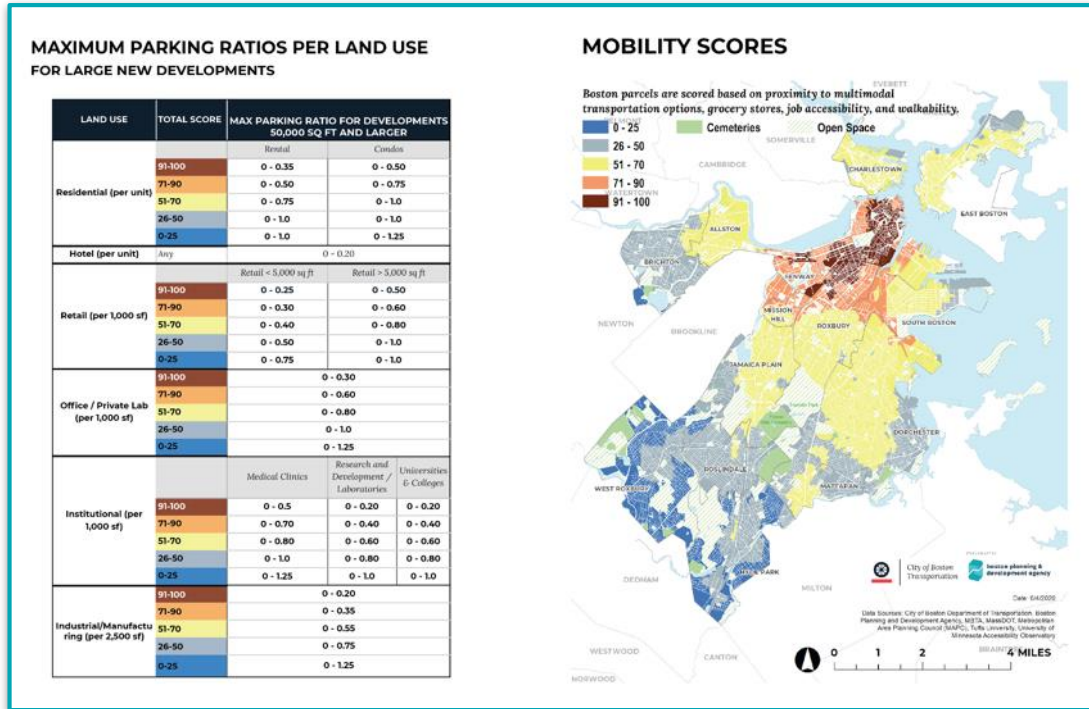
Ground Floor Ceiling Height. The dimension between the predominant ground floor elevation to the underside of the roof or floor structure above ~~height of the underside of the floor structure of the second floor.~~

ARTICLE 90

NEWMARKET 21ST CENTURY INDUSTRIAL-COMMERCIAL NEIGHBORHOOD DISTRICT¹

Miscellaneous | Parking Minimums

Use	Current (per 1,000 sf)	Proposed (per 1,000 sf)
Banking and Postal	1.0	0.3
Elementary or Secondary School	0.7	0.4
Industrial	0.5	0.14
Office	1.0	0.6
Places of Worship	3.0	0.3
Public Service	1.0	0.4
Research and Development	0.5	0.4
Restaurant	4.0	0.3
Retail, Service, and Trade	2.0	0.3
Storage	0.5	0.14
Transportation	0.25	0.14
Wholesale	0.25	0.14



Removed: Other Community Uses, Junior High School (through 10th grade), Kindergarten, Other Educational Uses, Health Care Uses, Police Station, Fire Station, All other Public Service Uses, Vehicular Uses

Miscellaneous | Performance Standards

Section 90-9. Use Performance Standards Applicable in Newmarket Industrial-Commercial Neighborhood District.

Within the Newmarket Industrial-Commercial Neighborhood District, the following performance standards requirements shall apply when applicable as indicated by a footnote on the land use regulations Table A. The following effects shall not be allowed as indicated by the appropriate footnote for that set of performance standards.

PS1 Footnote - Compatible, Supportive Non-Industrial Uses

1. Any emission of any air, water, or other pollutants or of radiation or any release of toxic or biohazardous material in violation of federal, state, or local standards or regulations.
2. Any emission beyond the boundaries of the lot that is known to or can be shown to endanger human health or cause significant damage to property or vegetation.
3. Any surface water or groundwater contamination that exceeds any applicable state or federal regulations.

PS2 Footnote - Light Manufacturing Uses

4. Any noise, air pollutant, vibration, dust, odor, change of temperature, or direct glare of lighting that emanates beyond the boundaries of the lot on which the use is located, is detectable at such distance by human senses without aid of instruments, and is of sufficient quantity or duration to cause significant annoyance or interference with normal activities.

PS3 Footnote - Heavy/Restricted Industrial Uses

5. Any noise, air pollutant, vibration, dust, odor, change of temperature, or direct glare of lighting, that emanates (a) beyond any boundary of the lot that abuts a Residential Use or Subdistrict or a Open Space Use or Subdistrict; or (b) more than twenty (20) feet beyond any boundary of the lot that abuts any subdistrict (other than a Residential Use or Subdistrict or an Open Space Use or Subdistrict) where such use is not designated "A" (allowed) in the applicable table of uses; or (c) more than fifty (50) feet beyond any boundary of the lot that abuts a subdistrict where such use is designated "A" (allowed) in the applicable table of uses; if any such effect is detectable at such distances by human senses without aid of instruments and is of sufficient quantity or duration to cause significant annoyance or interference with normal activities.

Section 90-79. Use Performance Standards Applicable in Newmarket 21st Century Industrial-Commercial-Neighborhood District.

For general performance standards applicable to all industrial uses, see the definition of "Performance Standards" set forth in Article 2.

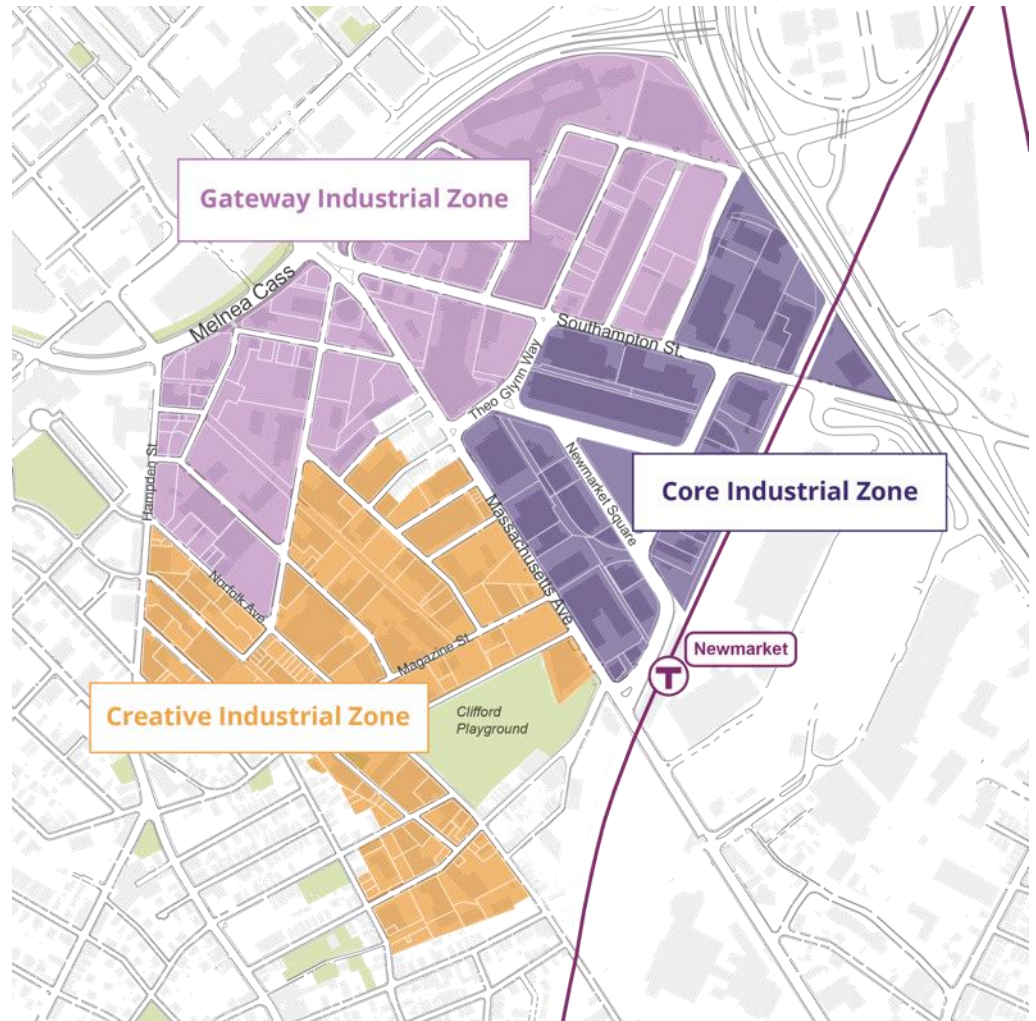
TABLE A Newmarket 21st Century Industrial-Commercial-Neighborhood District - Use Regulations

For all projects within the Gateway Industrial Subdistrict, a minimum of 15% of the Gross Floor Area must include uses categorized as "Light Industrial Uses", "Heavy/Restricted Industrial Uses", or "Creative Arts Industrial Uses" as defined by Table A below; or Technical and Trade Schools/Centers (Adult).

Key: A=Allowed, C=Conditional, F=Forbidden
incl="Including but not limited to"
PS1, PS2 and PS3=See Article 90-9 for Performance Standards requirements

	Newmarket Industrial Commercial Neighborhood District	Core Industrial Subdistrict		Gateway Industrial Subdistrict	Creative Industrial Subdistrict
		First & Second Story	Second Story & Above		
Light Industrial Uses					
Animal Production	F	F	F	F	F

Additional Public Feedback





Thank You!