

PLAN: Newmarket Zoning Amendment

September 6th, 2023



Zoom Meeting Info + Tips

- The BPDA will be recording this meeting and posting it on the BPDA's project webpage. If you do not wish to be recorded during the meeting, please turn off your microphone and camera.
- Zoom controls are available at the bottom of your screen.
 Clicking on these symbols activates different features.
- Use raise hand function (dial 9 followed by 6 if joining by phone)
 and wait to be called upon before asking your question or
 providing comment.



Mute/unmute



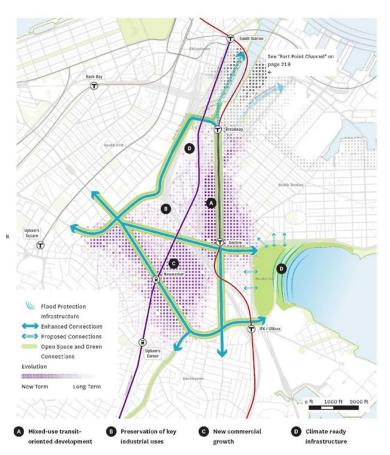
Raise hand to get in line to ask a question or provide comment



Turn video on/off



Imagine Boston 2030





A 21st Century Industrial Neighborhood



Figure 1.5: Newmarket Square (photo: Utile staff)

What is 21st Century Industry?

As defined by PLAN: Newmarket, a 21st Century industrial neighborhood is designed to sustain and retain legacy arts and industrial uses, while welcoming compatible commercial uses centered on newer technologies.

The policies put forward by PLAN: Newmarket seek to prepare the district for new uses, while supporting the retention of existing businesses, industries, and creative economy uses that cannot easily relocate to other Boston neighborhoods.

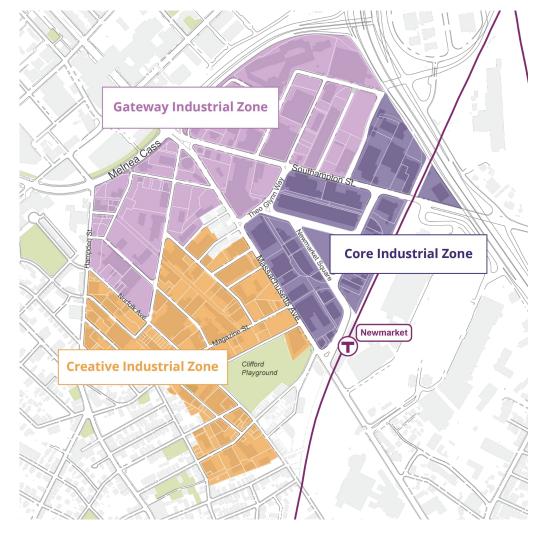


Timeline





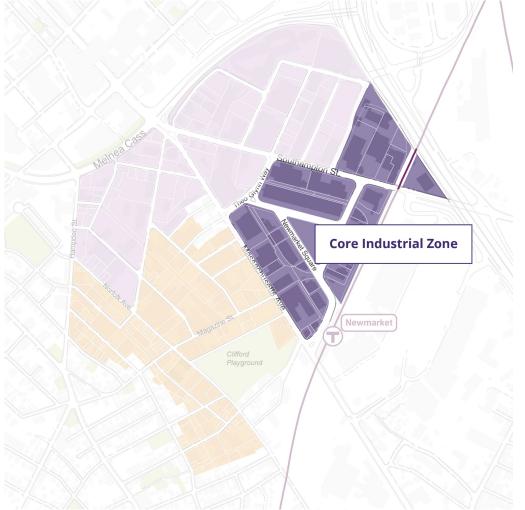
Proposed Subdistricts





Core

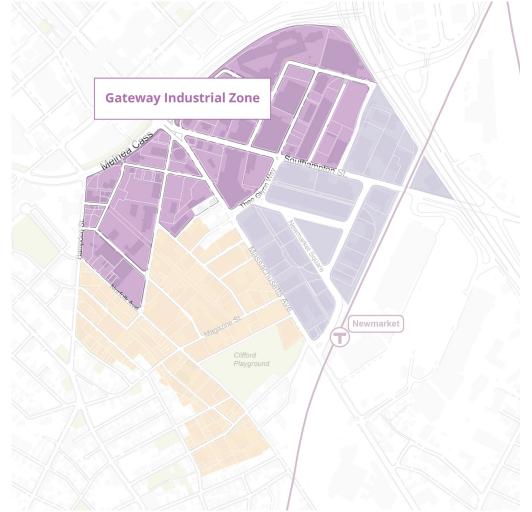
- Height <5 stories, <140 feet
- Ground floor height minimum 21 feet
- Industrial use required on 1st and 2nd floors
- Lab/Office/R&D allowed on 3rd, 4th, and 5th floors
- No residential





Gateway

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





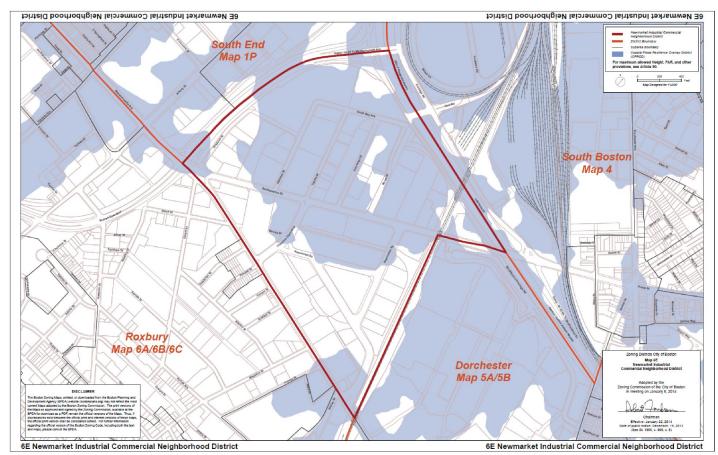
Creative

- Height <65 feet
- Light and creative industrial use
- No residential



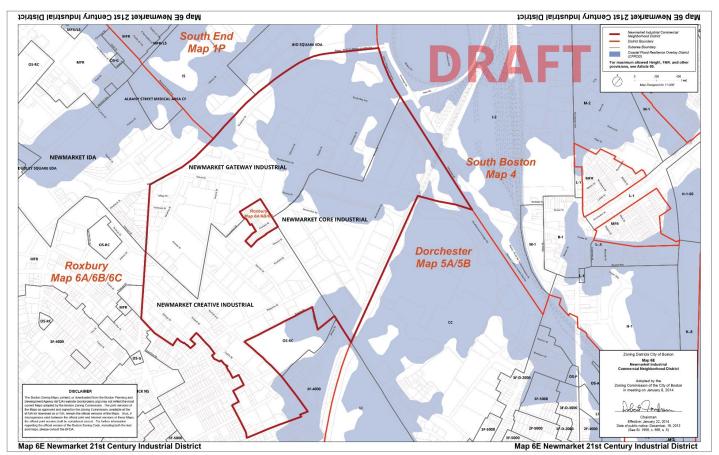


Existing Newmarket (Article 90) Zoning Map



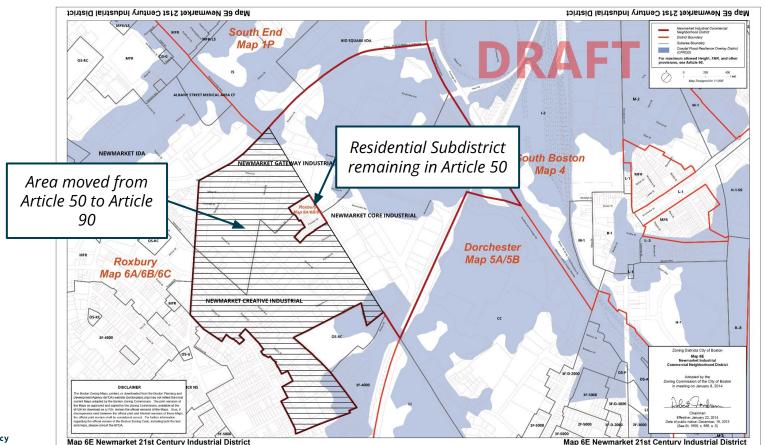


Proposed Newmarket (Article 90) Zoning Map



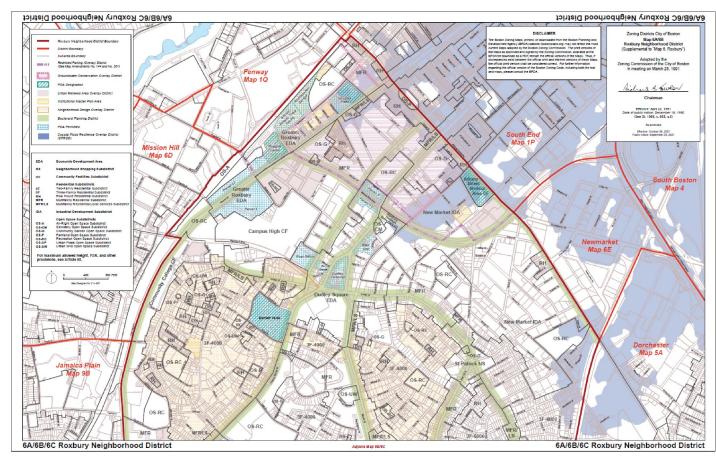


Proposed Newmarket (Article 90) Zoning Map



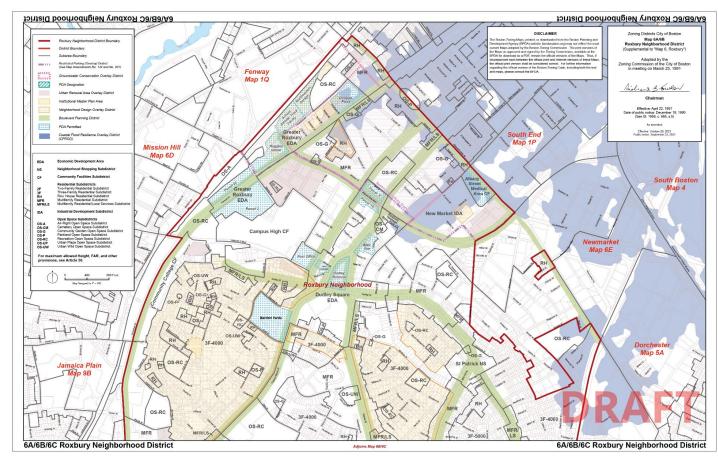


Existing Roxbury (Article 50) Zoning Map



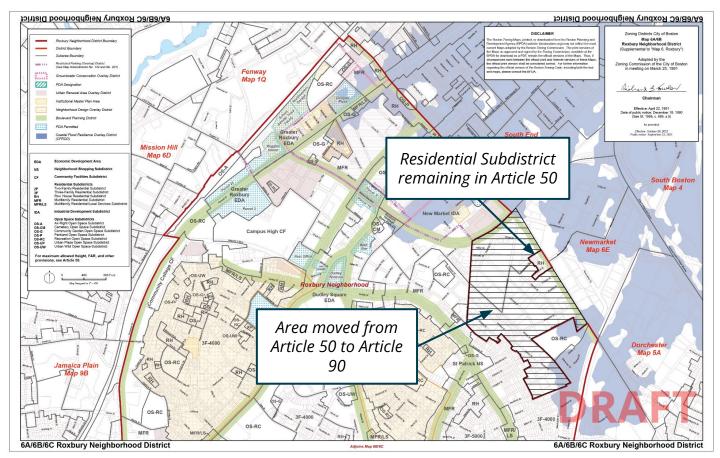


Proposed Roxbury (Article 50) Zoning Map





Proposed Roxbury (Article 50) Zoning Map





Zoning Changes Summary

Mapping

- Subdistricts
- Article 50 // Article 90 Boundary

Use Table

- Simplification + Organization
- Light, Heavy, Creative Industrial
- Adding existing nonconforming uses
- Use allowances for subdistricts

Dimensional Table

- New dimensional regulations for each subdistrict (except Creative Industrial)
- Ground Floor Height Minimums

Miscellaneous

- Text consolidation
- Streamlined Performance Standards
- Parking minimums



Use Table | Simplified + Organized

LIGHT INDUSTRIAL USES

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 A¹; nuclear is C

Life-Tech Industries: incl: biotechnology, pharmaceuticals, medical devices & equipment; agricultural feedstock & chemicals

Beverage & Tobacco Product Manufacturing: incl: breweries, distilleries, wineries, tasting rooms, food service; retail is C²; tobacco is F

Urban Agriculture: See Article 89

Utilities: incl: rooftop solar, geothermal, biomass, wind turbine/rooftop electric power generation; hydroelectric, nuclear and ground-based solar are C; fossil fuel is F

Specialty Trade Contractors

Food Manufacturing: incl: processing and distribution; slaughtering is C

Apparel Manufacturing

Wood and Furniture Product Manufacturing

Printing and Related Support Activities

Nonmetallic Mineral Product Manufacturing: incl: jewelry, and clay or glass products; cement and concrete is A^{PS2}

Computer & Electronic Product Manufacturing

Construction of Buildings: incl: pre-fabricated and modular

Miscellaneous Light Manufacturing3: incl: ice, sporting and athletic goods

Animal Production

Paper, Leather & Allied Product Manufacturing

Textile & Textile Product Mills: incl: textile mills are CPS2

Alphabetized

Light Industrial Uses

Animal Production

Apparel Manufacturing

Beverage & Tobacco Product

Manufacturing: incl: breweries, distilleries, wineries, tasting rooms, food service; retail is C¹²; tobacco is F

Computer & Electronic Product

Manufacturing

Construction of Buildings: incl: pre-

fabricated and modular

Food Manufacturing: incl: processing and distribution; slaughtering is C

Green and Clean Technologies: incl: wasterecycling, advanced materials, renewable energy-related (air/wind, biomass, geothermal, solar), smart grid, fuel cells & hydrogen, rooftop farming, conventionial fuels, energy-related service companies, & recycling; accessory composting is A²¹: nuclear is C

Life-Tech Industries: incl: biotechnology, pharmaceuticals, medical devices & equipment; agricultural feedstock & chemicals

Light Manufacturing

Miscellaneous Light Manufacturing incl: ice, sporting and athletic goods

Nonmetallic Mineral Product Manufacturing: incl: jewelry, and clay or glass products; cement and concrete is APSS



Use Table | Simplified + Organized

¹ Allowed if <20% Gross Square Footage; and PS2

² Conditional if <33% Gross Square Footage

³ See Definitions Section 90-18 - "Miscellaneous Light Manufacturing" consists of manufacturing activities with less environmental impacts that use moderate amounts of <u>partially-processed</u> materials to produce small consumer goods.

⁴ Allowed if <50,000 Gross Square Feet

⁵ Allowed if <20,000 Gross Square Feet

⁶ Conditional if between 20,000-49,999 Gross Square Feet

⁷ Forbidden if =50,000 Gross Square Feet

9 Allowed if <50,000 Gross Square Feet

Allowed if <50,000 Gross Square Feet</p>

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

¹³ 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)

Footnote duplication removed

¹Conditional if <33% Gross Square Footage

²¹ Allowed if <20% Gross Floor AreaSquare Footage; and PS2

²Conditional 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

⁵Allowed if ≤25% of Gross Square Footage on the floor it occupies

⁶⁵ Allowed if <20.000 Gross Square Feet

⁷⁶ Conditional if between 20,000-49,999 Gross Square Feet

87 Forbidden if =≥50,000 Gross Square Feet

9-Allowed if <50,000 Gross Square Feet</p>

¹⁰ Allowed if <50,000 Gross Square Feet

¹⁺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.

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Use Table | Industrial Definitions*

Light Industrial

Animal Production (F)
Apparel Manufacturing
Beverage & Tobacco Product Manufacturing
Computer & Electronic Product Manufacturing
Construction of Buildings
Food Manufacturing
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



Use Table | Existing Nonconformities

Elementary School



Samuel W Mason School

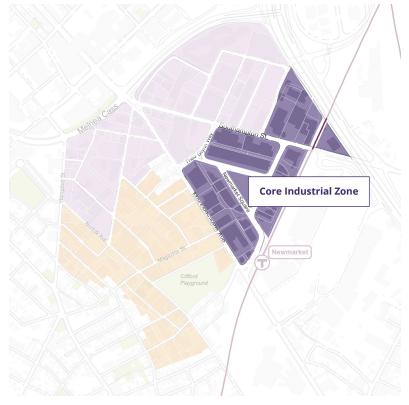
Public Service



City of Boston Fire Headquarters



| | 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 | X | 1 |
| Residential | x | X |





| | 1st and 2nd Floor | 3rd, 4th, ar Floor | | | | | |
|----------------------------------|---|---------------------------------------|----------------------------|---------------------------|--------------------------------------|---------------------------------------|--------------------|
| Light and Heav | Key: A=Allowed, C=Conditional, F=Forbidden incl="Including but not limited to" | Newmark et- Industrial | Core Indust Subdistrict | rial | Gateway Industrial Subdistrict | Creative Industrial Subdistrict | |
| Trade schools | PS1, PS2 and PS3=See Article 90-9 for Performance Standards requirements | Commerci al- Neighborh | First & Second Story | Third Story & Above | Subulstiffer | Subulstrict | acominamicon St. |
| Creative Indus | | ood District | | | | | Core Industrial Zo |
| Highly-trafficke | Light Industrial Uses | | | | | | Newmarket |
| commercial e.x Restaurants, b | Animal Production | F- | F | F | F | F | |
| Lab + Office | Apparel Manufacturing | A | Α | А | Α | Α | |
| Residential | Beverage & Tobacco Product Manufacturing: incl: breweries, distilleries, wineries, tasting rooms, food service; retail is C ¹² ; tobacco is F | A | А | A | А | A | |



| | 1st and 2nd Floor | 3rd, 4th, and 5th Floors | |
|---|-----------------------------|--|---|
| Light and Heavy Industrial | ✓ | ✓ | |
| Trade schools | ✓ | ¹ Conditional if <33% Gross Squ ²⁴ Allowed if <20% Gross Floor | |
| Creative Industrial Uses | ✓ if <25% of square footage | ² Conditional if <33% Gross Squ ³ See Definitions Section 90-15 | |
| Highly-trafficked commercial e.x. restaurants, bars, retail | ✓ if <25% of square footage | ⁴ Allowed if <50,000 Gross Squ ⁵ Allowed if ≤25% of Gross Squ ⁶⁵ Allowed if <20,000 Gross Squ | are Footage on the floor it <u>occupies</u> |
| Lab + Office | X | 76 Conditional if between 20,00 87 Forbidden if =≥50,000 Gross | |
| Residential | X | X | |

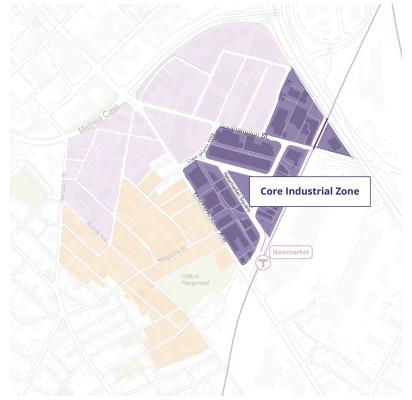


Newly Allowed

Light Manufacturing
Art Display Space
Art Use
Accessory Art Use
Studios
Arts Trade Uses
Bars
Child Care Center
Banking and Postal
Public Service

Newly Forbidden

Artists' Mixed-Use*
Concert Hall
Theatre
Ancillary Parking
Elementary or Secondary School

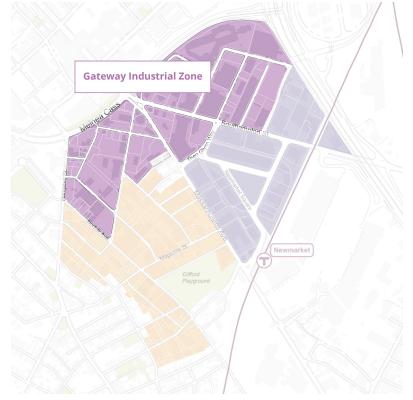


^{*}Artists' Mixed-Use defined in the zoning code as including residential use



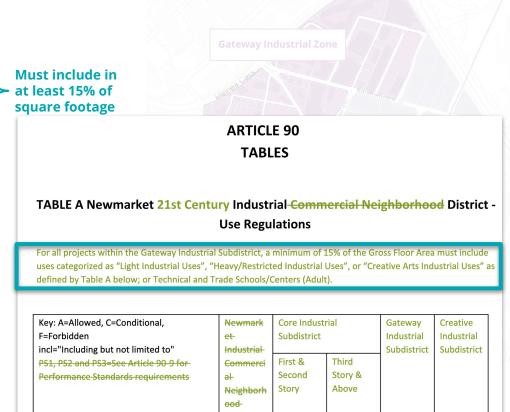
| Light and Heavy Industrial | ✓ |
|---|----------|
| Trade schools | ✓ |
| Creative Industrial Uses | ✓ |
| Highly-trafficked commercial e.x. restaurants, bars retail, | ✓ |
| Lab + Office | ✓ |
| Residential | X |

Must include in at least 15% of square footage





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



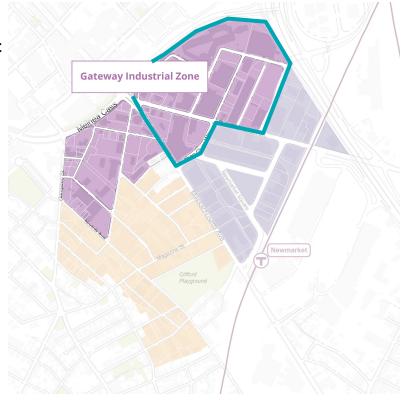


Newly Allowed in Newmarket

Light Manufacturing
Art Display Space
Art Use
Accessory Art Use
Concert Hall (C)
Studios
Theatre (C)
Arts Trade Uses
Bars
Child Care Center
Banking and Postal
Public Service

Newly Forbidden in Newmarket

Artists' Mixed-Use*
Ancillary Parking
Elementary or Secondary School



^{*}Artists' Mixed-Use defined in the zoning code as including residential use

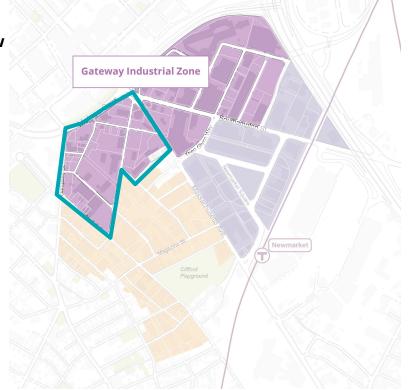


Newly Allowed in Former New Market IDA

Accessory Art Use Concert Hall (C) Theatre (C) Arts Trade Uses Accessory Fitness Centers

Newly Forbidden in Former New Market IDA

Animal Production Ancillary Parking Artists' Mixed-Use*



^{*}Artists' Mixed-Use defined in the zoning code as including residential use



Use Table | Creative Industrial

| Light Industrial | ✓ |
|---|----------|
| Heavy Industrial | X |
| Trade schools | ✓ |
| Creative Industrial Uses | 1 |
| Highly-trafficked commercial e.x. restaurants, bars retail, | ✓ |
| Lab + Office | 1 |
| Residential | х |





Use Table | Creative Industrial

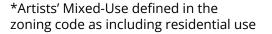
Newly Allowed in Former New Market IDA

Accessory Art Use
Concert Hall (C)
Theatre (C)
Arts Trade Uses
Accessory Fitness Centers
Ancillary Parking

Newly Forbidden in Former New Market IDA

Animal Production Heavy Industrial Uses Artists' Mixed-Use*







Dimensional Table

- Removing FAR for Core and Gateway
- Keeping FAR for Creative Industrial (no changes for former New Market IDA area)

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 | None |
| Maximum Building Height (Feet) | 140′ | 140' | 65' |
| Minimum Ground Floor Ceiling Height | 21' | 21' | None |
| Minimum Side Yard | None | None ¹ | None |
| Minimum Rear Yard | None | None ² | 12' |
| Maximum Floor Area Ratio | None | None | 2.0 |

Footnotes

- Minimum side yard setback for side yards abutting residential zoning districts: 20'
- 2. Minimum rear yard setback for rear yards abutting residential zoning districts: 20'



Dimensional Table | Ground Floor Height

- Requiring minimum 21' ground floor in Core and Gateway
- Amending definition of "Ground Floor Ceiling Height" in Article 2

TABLE D Newmarket 21st Century Industrial District – Dimensional Regulations

| | Core Industrial Subdistrict | Gateway Industrial Subdistrict | Creative Industrial Subdistrict |
|--|--------------------------------|-----------------------------------|------------------------------------|
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Footnotes

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Dimensional Table | Ground Floor Height

Requiring mini **ARTICLE 2** Core Amei Modify the definition of "Ground Floor Ceiling Height" in Article 2 as follows: defin Ground Floor Ceiling Height. The dimension between the predominant ground floor elevation to the "Grou

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-COMMERC NEIGHBORHOOD DISTRICT¹

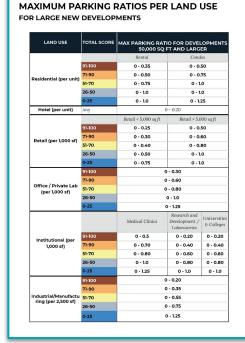


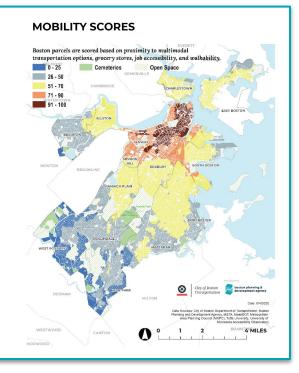
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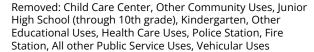
Artic

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 | | |









Miscellaneous | Text Consolidation

Section 90-1. Statement of Purpose, Goals, and Objectives.

The purpose of this Article is to update the land use table zoning regulations for the core of the Newmarket industrial district. The goals and objectives of this Article and the Newmarket Land Use Table Update Process are to reflect more contemporary uses of the present-day economy, ease permitting, retain and protect core industrial uses, and strengthen the identity of the core industrial district.

The Newmarket Industrial-Commercial Neighborhood District ("NIC District") is the region's economic engine for production and distribution of essential goods and services. It is a centrally located gateway that is in the heart of Boston with easy access to Logan International Airport, downtown Boston, interstate highways 90 and 93, and major public transportation routes. Historically, the NIC District has been Boston's established epicenter for food processing distribution, other light manufacturing industries, and non-industrial compatible uses which support these industries. More recently, it has also become home to core public/private services; professional, scientific and technical businesses; and health care facilities. Moving forward the NIC District seeks to integrate innovative and environmentally-friendly businesses, and create a diverse and expanding workforce.

As Boston's industrial/commercial backbone, industries within the NIC District typically support businesses elsewhere. As a key employment district, the NIC District strengthens the economy by providing sustainable-wage jobs while encouraging environmentally-responsible businesses. In support of these goals, the City/BRA works with business advocates to provide streamlined permitting, access to incentives, and job-training for established and prospective industries.

Section 90-6. Establishment of Newmarket Industrial-Commercial Neighborhood District.

This Section establishes the Newmarket Industrial-Commercial Neighborhood District ("NIC District") within a greater geographical area conventionally known as the Newmarket Industrial Area. The NIC District is established to reflect more contemporary uses of the present-day economy, ease permitting, retain and protect core industrial uses, and strengthen the identity of the core industrial district.

The Newmarket Industrial-Commercial Neighborhood District ("NIC District") is the region's economic engine for production and distribution of essential goods and services. It is a centrally located gateway that is in the heart of Boston with easy access to Logan International Airport, downtown Boston, interstate highways 90 and 93, and major public transportation routes. Historically, the NIC District has been Boston's established epicenter for food processing, distribution, other light manufacturing industries, and non-industrial compatible uses which support these industries. More recently, it has also become home to core public/private services; professional, scientific and technical businesses; and health care facilities. Moving forward the NIC District seeks to integrate innovative and environmentally-friendly businesses, and create a diverse and expanding workforce.

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Consolidated

Section 90-1. Establishment of Newmarket 21st Century Industrial District Statement of Purpose, Goals, and Objectives.

This Section establishes the Newmarket 21st Century Industrial District within a greater geographical area conventionally known as the Newmarket Industrial Area. The <u>District</u> is established to reflect more contemporary uses of the present-day economy, ease permitting, retain and protect core industrial uses, and support the growth of arts, creative, and maker work spaces. Historically, the Newmarket 21st Century Industrial District has been Boston's established epicenter for food processing, distribution, other light manufacturing industries, and non-industrial compatible uses which support these industries. Recently, it has also become the home to core public/private services; and professional, <u>scientific</u> and technical business. Moving forward, the <u>District</u> seeks to maintain and expand these uses, create a diverse and expanding workforce, and foster a creative artist 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

- 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.
- 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 annovance or interference with normal activities.

PS3 Footnote - Heavy/Restricted Industrial Uses

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, | Newmarke | Core Industrial Subdistrict | | Gateway | Creative |
|---------------------------------------|------------------------------|--------------------------------|------------------|---------------------------|-------------|
| F=Forbidden | t Industrial | | | Industrial Subdistrict | Industrial |
| incl="Including but not limited to" | Commerci | | | | Subdistrict |
| PS1, PS2 and PS3=See Article 90-9 for | al | First & | Second | | |
| Performance Standards requirements | Neighborh ood District | Second Story | Story & Above | | |
| Light Industrial Uses | | | | | |
| Animal Production | F | F | F | F | F |



Next Steps

Friday, September 8th

BPDA Comment Period Closes

Thursday, September 14th

BPDA Board Meeting

Wednesday, October 11th

Boston Zoning Commission Meeting

(public comment period for 20 days before)



Q&A

Please raise your hand make a comment or ask a question, or type it into the chat.

Thank you!

Please continue to submit comments and questions by September 8th via email to <u>jack.halverson@boston.gov</u> or via phone at 617.918.4461