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Mayor

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Barney S. Heath  
Director

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## MEMORANDUM

**DATE:** February 3, 2023

**TO:** Councilor Deborah Crossley, Chair, Zoning & Planning Committee  
Members of the Zoning & Planning Committee

**FROM:** Barney Heath, Director, Department of Planning and Development  
Jennifer Caira, Deputy Director Department of Planning and Development

**RE:** **MBTA Communities Action Plan**

**CC:** City Council  
Planning Board  
Jonathan Yeo, Chief Operating Officer

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The Multi-Family Zoning Requirements for MBTA Communities (Section 3A of MGL c. 40A) require that rapid transit communities, such as Newton, adopt compliant zoning by December 31, 2023. In order to remain in compliance in the interim all communities had to submit an Action Plan by January 31, 2023. The Action Plan form asks for basic information about municipal plans to comply with the legislation, asks for any zoning strategies the community is considering, and finally, requires that the community set forth a schedule for compliance activities that will put the community on a path towards district compliance before its deadline. Completing the form, and having it approved by DHCD, allows an MBTA community to achieve interim compliance in time for the next round of funding from the Housing Choice Initiative, the Local Capital Projects Fund, and the MassWorks Infrastructure Program.

Attached is a copy of the Action Plan submitted by the Planning Department.

## Action Plan for MBTA Communities

**Description Area** Please read the Section 3A Guidelines before attempting to complete this form. Please note: Action Plan Forms must be submitted by a municipal official with authority to act on behalf of the municipality on matters of zoning, such as the municipal CEO or planning director.

### Section 1: Identification

**Description Area** The Section 3A Guidelines establish zoning metrics that apply uniquely to each MBTA community based on its local transit stations, existing housing stock, population, and developable land. This section of the Action Plan helps to identify the transit stations that determined each community's category. Appendix 1 of the Section 3A Guidelines lists each community's category and minimum multi-family unit capacity requirement.

**1.1 MBTA Community Name** Newton

**1.2. Community Category** Rapid transit community

**1.3. Multifamily Unit Capacity Requirement** 8330

**1.4. Does this municipality have any MBTA rapid transit stations within its boundaries?** Yes

**1.4a. Please list MBTA rapid transit stations that are located within this municipality's boundaries** Boston College, Chestnut Hill. Newton Centre, Newton Highlands, Eliot, Waban, Woodland, Riverside

**1.5. Does this municipality have any MBTA commuter rail stations within its boundaries?** Yes

**Description Area** Although there is an MBTA commuter rail station within its municipal boundaries, this municipality's community category is Rapid Transit. This is because a community's category is determined by the transit station with the highest level of transit service. If there are 100 or more acres of rapid transit stations' developable station area within municipal boundaries, then the community category is Rapid Transit regardless of whether the community is also served by the commuter rail. Section 1 of the Guidelines provides definitions of "transit station area", "developable station area" and "developable land" to explain how this determination was made.

<b>1.5a. Please list MBTA commuter rail stations that are located within the municipal boundaries</b>	Auburndale, West Newton, Newtonville
<b>1.6. Does this municipality have any other MBTA transit stations that are located outside of its municipal boundaries that may have "developable station area" within them?</b>	Yes
<b>Description Area</b>	Stations that are located outside of municipal boundaries but that have "developable station area" within the boundaries might affect district location criteria, as further described in Section 8 of the Guidelines. Please refer to Section 1 of the Guidelines for definitions of "transit station area", "developable station area", and "developable land".
<b>1.6a. Please list the MBTA transit stations that are located outside of the municipal boundaries but might have developable station area within them.</b>	Wellesley Farms
<b>1.7. Please provide the name of the person filling out this form</b>	Jennifer Caira
<b>1.7a. Title</b>	Deputy Director - Planning and Development
<b>1.7b. Email Address</b>	jcaira@newtonma.gov
<b>1.7c. Phone Number</b>	(617) 796-1121
<b>1.8 Please provide the name of the municipal CEO</b>	Ruthanne Fuller
<b>1.8b Mailing address of municipal CEO</b>	1000 Commonwealth Ave Newton, MA 02459
<b>1.8c Email address of municipal CEO</b>	rfuller@newtonma.gov
<b>1.9. Please briefly describe other members of the core team developing the multi-family zoning district.</b>	Municipal staff: Barney Heath, Planning Director; Zachery LeMel, Chief of Long Range Planning; Jane Santosuosso, Chief Zoning Code Official Consultants: Utile, Inc; Landwise Advisors

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## Section 2: Housing Overview

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**2.1. Does this municipality have any established housing related goals or strategies from municipal planning documents, such as a Housing Production Plan, Master Plan, or Economic Development Plan?**

Yes

**2.1a. Please briefly describe any relevant strategies, goals, or objectives, and the work that has been done to date.**

Relevant plans and strategies include the Comprehensive Plan (2007), Housing Strategy (2016), Transportation Strategy (2017), Economic Development Strategy (2019), Climate Action Plan (2019), and Washington Street Vision Plan (2019). These plans include many strategies and goals related to encouraging the production of new housing, increasing the diversity of housing types, increasing production of affordable and accessible housing, supporting commercial uses with additional housing, and focusing housing in walkable areas and near transit.

Work that has been done to date includes the approval of 40B and Special Permit multi-family and mixed-use projects that are consistent with these goals; updated inclusionary zoning requirements; updated accessory dwelling unit zoning; the creation of a municipal housing trust; and the work done to date on the village center zoning.

**2.2. Is this municipality currently working on any other planning for housing?**

Yes

**2.2a. Please briefly describe the housing work underway.**

The City of Newton has submitted an application for technical assistance to update a housing needs assessment done in 2016 and provide an updated Housing Snapshot. The Housing Snapshot will help the City understand the current facts of its housing stock, trends, demographics, and affordability.

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### **Section 3: Preliminary Zoning Strategies**

**3.1. To the best of your knowledge, which of the following zoning strategies is this community most likely to use for compliance? (Select all that apply)**

c. A new 40R or other overlay zoning district

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**3.1c. Please briefly describe the potential district and location. Optional: Attach any supporting documents that show planning work the community has already done for this district(s).**

Since 2020, the City of Newton has been considering a set of proposed zoning changes for Newton's village center commercial districts and portions of residential districts adjacent to the commercial districts. This work predates the MBTA Communities guidelines, however it is consistent with the intent to create more housing by-right in walkable areas near transit. The proposed Village Center Overlay District (VCOD) is being proposed for 12 village centers across Newton and a first draft of the text and zoning maps have been released (see attached). The proposed zoning would reduce or eliminate parking requirements, density limitations, and would increase the heights allowed. The VCOD is comprised of three sub-districts (VC1, VC2, VC3).

The VC3 District is the densest of the sub-districts and allows up to 2.5 stories for multi-family residential and 4.5 stories for mixed-use and a 15,000 square-foot building footprint as of right. This district is focused on the core of larger village centers and along major corridors. Ground story active uses are incentivized in this district.

The VC2 District facilitates mixed-use and residential development of moderate scale and allows up to 3.5 stories and a 10,000 square-foot footprint as of right. This district serves as the core of some village centers and as a transition district for other village centers.

The VC1 District facilitates small scale multi-family buildings and the conversion of existing homes to multiple units given its proximity to amenities, mixture of uses, and transit options found in Newton's village centers. This district acts as a transition between the mixed-use cores of village centers and the surrounding residential neighborhoods.

This zoning is expected to get us closer to 3A compliance, however we will also be exploring additional strategies to come into full compliance including exploring commercial corridors.

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**File** <https://www.formstack.com/admin/download/file/14099893293>

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**3.2. What non-housing characteristics are important for this community to consider in its 3A zoning district?**

The most important non-housing characteristics for this zoning district are creating vibrant streets with ground floor retail in commercial centers, creating more affordable and accessible housing, sustainability of new development, historic preservation, and creating new public spaces.

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## **Section 4: Action Plan Timeline**

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**Description Area**

This section creates a framework to input preliminary plans for a zoning adoption process. On the table below, please use Column 1 (from the left) to describe a task, Column 2 to input a start date, and Column 3 to input a finish date. Every community must provide a timeline for the below-listed tasks. Additional space is provided for any other tasks that a community wishes to list. DHCD will review proposed timelines for feasibility before approving an Action Plan.

Public outreach  
 Developing zoning  
 Applying DHCD's compliance model to test for density and unit capacity  
 Holding planning board hearings  
 Holding legislative sessions and adopt compliant zoning  
 Submit District Compliance application to DHCD

**Description Area**

Task

**Description Area**

Start

**Description Area**

Finish

**Short Answer**

Public Outreach - To date, the City of Newton has held three phases of community engagement on the village center zoning (dating back to 2021) focused on developing zoning priorities, responding to a zoning framework, and listening sessions following the release of draft zoning and maps. Additional limited engagement may be necessary as additional zoning strategies are considered to complement the village center zoning.

Jan 01, 2022

May 31, 2023

**Short Answer**

Developing zoning - Between February and June 2022, Planning Staff and the Consultant team workshopped a zoning framework with the Newton City Council in order to coalesce around foundational zoning amendments for village centers (i.e. additional height/stories, reduced parking requirements, design standards, etc.). This was accomplished through economic feasibility analysis and urban design case studies. The consensus achieved with the City Council was then presented to the public and used to create the version 1.0 zoning text and maps. The expectation is through additional community input and City Council workshops that staff will iterate on the zoning text and maps before holding public hearings in the spring/summer 2023. Once this zoning is tested for compliance with Section 3A staff and consultants will develop additional strategies for supplementing the zoning to come into compliance.

Jan 01, 2022

May 31, 2023

<b>Short Answer</b>	Applying the compliance model - Now that the compliance model has been provided, Planning staff and the consultant team will input the version 1.0 draft maps and zoning text regulations at the beginning of 2023. The team will then develop alternatives to achieve compliance to present to the City Council.
	Jan 23, 2023
	May 31, 2023
<b>Short Answer</b>	Planning Board hearings - the Planning Board will hold joint hearings with the City Council Zoning and Planning Committee
	May 31, 2023
	Jun 30, 2023
<b>Short Answer</b>	Legislative hearings and adoption
	May 31, 2023
	Nov 30, 2023
<b>Short Answer</b>	Submit compliance application to DHCD
	Dec 18, 2023
	Dec 29, 2023