

Friday, Sept. 22, 2023

Mayor's Newton Update

Village Center Zoning and MBTA Communities Act: Listen In and Speak Up

Tuesday night, the City Council wants to hear from you.



For the past two and a half years, we've undertaken an intensive effort to update the zoning for Newton's village centers. We're now on Version 3.0 and the City Council Zoning and Planning Committee is holding its third public hearing and perhaps final opportunity to hear testimony.

Newton is special in many ways. Unlike many cities and towns, we have 13 villages rather than one single downtown or Main Street. The zoning for all of them was last updated in the late 1980s. Our village centers are a tiny part of our 18.2 square miles; they comprise just about 3% of our land area. But they are often where we come to meet and eat. They offer so much in the way of community and opportunity – think of the Austin Street plaza in Newtonville that never existed before but is now such a fixture and a well-used, happy gathering spot.

While our village centers have many things going for them, we also face serious challenges. Zoning alone cannot solve all our issues, but thoughtful zoning helps and we can undo a bunch of unnecessary roadblocks in our current zoning.

What are the challenges in our village centers that intersect with zoning?

- **Housing:** We have a lack of housing options for older residents who want to age in place and for younger people, and really high housing costs. This is due in part to how difficult our zoning ordinance makes it to build new multifamily housing.
- **Traffic and Climate Change:** As we look to provide more housing opportunities, we have to do so in a way that does not continue to exacerbate climate change and traffic issues. Locating multifamily housing in walkable village centers and near transit not only provides new opportunities for young adults, families, and seniors looking to age in community, but does so in a way that reduces reliance on automobiles. Plus, any new building will be required to be fossil fuel free and highly energy efficient.
- **Business Success:** Businesses are struggling to compete with online retail. We don't want empty storefronts in our villages. We need foot traffic

because Newtonians want thriving village centers, where we can walk to get a coffee or go out to dinner. Housing in village centers increases the customer base for village businesses.

- Complying with State Law: Before the end of 2023, the City Council is required to update our zoning so we are in compliance with a new State law, the MBTA Communities Act. This law requires us to allow for more development “by right.” (In other words, a landowner knows what our “rules” are and builds according to the rules, rather than coming to the City Council for a special permit.) More on this in a bit.
- Different Villages need Different Zoning: Newton Centre’s commercial village center is really different from Upper Falls, for example. The new zoning is unique to each village.
- Aligning with Newton’s Historic Development Patterns: It wasn’t until 1987 that zoning for village center buildings went from allowing six stories to just two.

Alignment with Newton's Historical Development Patterns

The updated zoning includes new overlay districts that will cover 13 different village centers across the city. Since it only focuses on village centers, the new zoning does not impact about 97% of Newton.

An overlay district allows a property owner to choose whether to develop under the existing, underlying zoning or the overlay district. By opting into the overlay district, more development is allowed by right. However, there are still rules with strict design standards included. (For example, new development in the core of bigger village centers will require wide sidewalks, active uses such as shops and restaurants on the ground floor, transparent storefronts, and the parking if provided, within or behind the building.)

In the most recent version, Version 3.0, the City Council Zoning and Planning Committee City Councilors, with assistance from the Planning staff and our zoning consultants, Utile, looked block by block at 13 village centers. They designed three types of zoning districts.

- Village Center 3 (or VC3) in red in the map below is the most dense and allows 4.5 stories (the upper story in all districts must be stepped back or pitched), a 15,000 square feet (sf) building footprint, and a mix of commercial and residential uses.
- Village Center 2 (or VC2) in blue is similar except buildings are a bit smaller at 3.5 stories and a 10,000 sf footprint.
- Multi-Residence transit (or MRT) in green is the transition area from the commercial core to the surrounding neighborhoods which allows buildings that can be 2.5 stories with a small footprint and up to 4 units, or existing

homes can add an addition and have up to 6 units. In other words, the new zoning encourages preservation of existing homes in those neighborhood areas immediately adjacent to our commercial centers.

By the way, the new zoning does not allow for the creation of larger development than the maximums listed above. This means more clarity and predictability. In addition, development on lots greater than 30,000 sq. ft., like Trio on Washington Street for example, would still require a special permit from the City Council and have to be designed as multiple smaller buildings.

(Click [here](#) to access a larger version of the citywide map above and to see individual village centers.)

A key component of the new zoning is the mixed use priority streets. Within the core of each village center are portions of streets designated where new development *must* be mixed-use with active commercial uses on the ground floor and residential or commercial above.

The zoning proposal removes mandatory parking requirements, leaving it to the market to determine the appropriate amount of parking. This creates greater flexibility for businesses looking to locate in Newton, as well as for businesses that may evolve to include other uses, or increase the number of seats or employees. This also reduces the cost of housing. We've found that close to half of existing multifamily parking sits empty. Moreover, Newton's existing zoning requires parking even where none has ever existed and changes to the size of the space, number of seats, or employees triggers more parking requirements, all necessitating special permit waivers from the City Council.

Parking Allowed but not Required



No curb cuts or garage entryways along Main Street - Brattleboro, VT

- Not requiring parking improves:
 - Streetscape/pedestrian experience
 - Environment
 - Traffic congestion
 - Cost of construction

- Half of existing multifamily parking sits empty



Unused parking from Newton multi-family housing

What are the key differences between the last version and the updated Version 3.0?

- Reducing the overall land area proposed to be included in the Village Center Overlay Districts (VCOD) from approximately 1,450 parcels to 1,250 parcels.

- Reducing the number of units that can be built by right.
- Scaling back on maximum allowed heights.
- Increasing the required top story setbacks in the Village Center 2 (VC2) and Village Center (VC3) zones from 7 feet to 10 feet.
- Increasing the required front and side setbacks in the Multi-Residence Transit (MRT) zone.
- Increasing the side and rear setbacks in the VC2 and VC3 zones when adjacent to a residential or public use zoning district.
- Requiring a minimum of 35% open space in all residential MRT zones (where none had been required before).

MBTA Communities Act Compliance

We started our work over two and a half years ago. While our effort was underway, the State passed the MBTA Communities Act. To address the high cost of housing and an estimated shortage of 200,000 units in the Commonwealth, the State created a mandatory requirement for 177 communities served by the MBTA to update zoning to allow for multifamily housing to be built by right. In Newton, the State requires us to adopt zoning by December 31, 2023 that allows for at least 8,330 units to be built by right near public transit stations.

To clarify, Newton is not required to build these units; rather our zoning must *allow* for them. The State's unit capacity calculation also does not take into account any existing housing that is on the ground, and the calculation assumes every site is a blank slate and is completely built out anew and that the lot wouldn't accommodate any parking whatsoever (an unlikely scenario).

While the need for housing is great, we know that development happens gradually, and that many sites are unlikely to see redevelopment for a number of reasons (site of recent development, existing building is larger than the zoning would allow, historic designation, long term leases, lack of owner interest, etc.). In the past 20 years, with an extremely favorable economic climate and incredible housing demand, just over 1,300 units of multi-family housing have been built in Newton.

Version 2.0 of the new zoning for the Village Centre Overlay District had an MBTA District-zoning capacity of approximately 10,000 units. In Version 3.0, that capacity is reduced to 7,300 units as Councilors removed some areas and downzoned others. The 7,300 units would not have met the minimum requirements from the State of 8,330. However, just over a month ago on August 17, the State issued new guidelines allowing communities to count a portion of the units from areas requiring mixed-use (ground floor commercial uses with housing above). Both Version 2.0 and 3.0 have mixed use but previously we could not include these areas in our calculation. With this recent rule change, we

would be able to count this additional housing capacity such that our total MBTA District capacity would come in at 9,330.

How would the zoning impact the Newton Public Schools and other City services?

We welcome the opportunity for families to move to Newton and educate their children here, especially as the number of NPS students has been declining and are expected to decline even more.

We also know that recent multi-family developments have not added many school-aged children to our classrooms. For example, at Trio in Newtonville on Washington Street with 140 units of housing, there are 18 students enrolled in the Newton Public Schools.

We also know that new housing takes years moving from concept to actual housing, which allows us to coordinate closely with the Newton Public Schools and plan accordingly for any new students.

The City has sufficient water supply and sewer capacity through the MWRA and we are currently well into both a water and sewer line upgrade and replacement program throughout the City.

In addition, this is village center rezoning, locating much of the housing near public transportation and resulting in less dependency on driving, putting less burden on our roads.

To wrap up, after almost four decades since the last major zoning revision for village centers, we are taking charge of our future and ensuring the long term health of our villages. We are reducing red tape for new businesses. We are providing more housing opportunities, allowing more people to live above and near businesses. All of this also means thriving village centers and an increased commercial tax base.

The updated zoning is the result of over two years of intensive outreach to the community. We have had visioning sessions, surveys, focus groups, individual conversations, public testimony, and 50 City Council Zoning and Planning Committee meetings. We look forward to hearing more feedback as we finalize it.

I am proud of the efforts of Newton's Planning staff and the City Council Zoning and Planning Committee members who have so thoughtfully updated our zoning so we can achieve so many of the City's larger goals, have well designed housing for older residents downsizing, for younger adults coming home after college, or for families seeking a safe, welcoming community with great schools. The zoning enhances our village centers and helps our small businesses. The zoning also allows us to achieve the City's compliance with the important goals of the Massachusetts MBTA Communities Law. The new zoning helps with congestion and moves us towards climate sustainability. I'm enthusiastic.

The next step is the continued public hearing on Tuesday, Sept. 26 at 7:00 pm. Join by [Zoom](#) here or come to the City Council Chamber at City Hall (1000 Commonwealth Avenue).

Version 3.0 of the zoning ordinance text and maps, along with prior versions and a redline of the changes from Version 2.0, can be found [here](#).

Remembering, Honoring and Supporting

We pause to remember lives lost, honor those recovering, and support those struggling as September is both National Recovery month and National Suicide Prevention month.

National Recovery Month emphasizes that recovery is possible for everyone. Treatment can save a life and help people with substance use disorders recover from addictions' powerful effects on brain and behavior. Treatment and recovery make it possible for individuals, families, and communities to heal and thrive. Please click [here](#) for substance use resources.

National Suicide Prevention Month remembers lives lost to suicide, the millions of people who have struggled with suicidal thoughts and acknowledges the individuals, families, and communities that have been impacted. This is also a time to raise awareness about suicide prevention and share messages of hope. Please click [here](#) for suicide prevention & emergency support resources.

In addition, Newton's Health & Human Services Department has created a new coalition addressing substance use in our community, the Newton Coalition for Community Wellness (CCW). The Newton Coalition for Community Wellness includes representatives from Newton Health and Human Services, Newton Public Schools, Newton Police & Fire, Coastal Ambulance, Newton-Wellesley Hospital, Newton residents, parents, and more. Newton CCW focuses on providing resources and services to community members that will address substance use with care, compassion, and connection. For more information, visit the Newton CCW page [here](#).

Warmly,

Ruthanne

P.S. I wish all those who observe **Yom Kippur** an easy fast beginning at sunset this Sunday, Sept. 24.



P.P.S. The **Family Access** celebration scheduled for tomorrow has been postponed until Saturday, Oct. 28. Join Family Access on the new date and help celebrate their 115 years of strengthening our community with programs and services. The celebration with food, live music and kids' activities is from 11:00 a.m. to 1:00

p.m. at Family Access Newton, 492 Waltham Street,
West Newton.

P.P.P.S. From the grand stage of New York City's Lincoln Center, Lyn Dilies wows her audiences with eye-defying illusions and audience participation. People of all ages are invited to join the fun at our **Magic & Illusion Show** on Thursday, Oct. 5 from 1:00 to 2:00 p.m. at the Hyde Community Center, 90 Lincoln St. The show is sponsored by the Jayne Colino Fund of the Senior Citizens Fund of Newton. RSVP requested. Please call 617-796-1675 or send your name, telephone number, and email address to seniorprograms@newtonma.gov.



P.P.P.P.S. Make your voice heard to help build a healthier Newton by taking a few minutes to fill out the [MA Community Health Equity Survey](#). Survey results will be used to improve programs, make decisions about funding and resources, and support policies to improve health equities. The survey is available in 11 languages, is easy to take, and anonymous.

P.P.P.P.P.S. Did you know **Bluebikes has an income eligible discount program**? Newton residents who qualify are eligible to ride Bluebikes, the bike-share program with bikes and stations around Newton and Greater Boston, at a significant savings. The discounted price is \$50 per year, or \$5 for 30 days. (The typical cost is \$129 per year or \$29 monthly.) Click [here](#) to learn more about the program. If you have any questions, contact Josh Ostroff, Director of Transportation Planning at jostroff@newtonma.gov or call 617-796-1481.

Past P.S.s happening soon:

P.S. **Newton Free Library's 2nd Annual Plant Sale** is tomorrow, Saturday, Sept. 23 from 3:00 to 4:00 p.m. at the library's Druker Auditorium. Click [here](#) for more information.

P.P.S. Learn about **Aging in Place in Newton** and get your questions answered at a virtual presentation on Thursday, Sept. 28 from 1:00 to 2:00 p.m. Register in advance for the Zoom program at <https://newtonmagov.zoom.us/meeting/register/tZ0ufqqqz8jHtMkqBBTVftFAFOelSsnejt9>

P.P.P.S. With rain in the forecast for Sunday, **Newtonville Village Day** is postponed until Sunday, Oct. 8.



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