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MEMORANDUM

DATE: July 19, 2024
TO: Councilor R. Lisle Baker, 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
Zachery LeMel, Chief of Long Range Planning

RE: **#85-24 Request for discussion and possible amendments to enhance the preservation of existing homes.**
COUNCILORS BAKER, OLIVER, MALAKIE, KALIS, GETZ, LUCAS, LOBOVITS, AND WRIGHT requesting a discussion and possible amendments to Chapter 30 Zoning or other City Ordinances to enhance the preservation of existing homes over their replacement by larger and more expensive structures.

#41-24 Amend the setbacks in the MR zones to encourage preservation of existing buildings.
COUNCILORS ALBRIGHT, DANBERG, KRINTZMAN, AND LEARY seeking a discussion with the Planning Department to consider ordinance amendments that would revise the metrics in the multi-residence (MR1, MR2 and MR3) zones, to regulate the size of new buildings better, enable a wider range of housing options close to public transit, and better incentivize preservation and renovation of existing housing stock.

MEETING: July 22, 2024

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

The Planning Department last presented on these items at the April 8, 2024 Zoning and Planning Committee (ZAP) meeting. The discussion focused around:

1. Analysis of the demolition of single- or two-unit homes being replaced by **by-right** single- or two-unit homes between 2017 and 2022. An additional filter was new development must be up to date in the Assessor database.
2. Comparison of the zoning allowed square footage for single- and two-unit homes in neighboring communities.
3. Review of community, regional or national, efforts to combat teardowns and incentivize the preservation of existing homes/construction of smaller, single- and multi-unit, homes.

The presentation and report from that ZAP meeting can be [found here](#).

Next Steps

Staff believe there are no “quick” or “targeted” solutions to fully address the Council concerns expressed through these docket items. In addition, any zoning change would apply to all of the City’s Single- and Multi-Residence Districts, which represent more than 90% of all City parcels. Given the scope of possible changes, staff recommend a multi-step planning process (July 2024-March 2025) combined with broad communications and outreach moving forward, which can be found in Attachment A – Residence District Workplan.

Attachments

Attachment A Residence District Workplan

Project Workplan
Residential District Zoning Review

Introduction

This year the City Council has docketed multiple items related to the impact of development and redevelopment within Newton's residential neighborhoods. These include:

- A. #85-24 Request for discussion and possible amendments to enhance the preservation of existing homes.
- B. #41-24 Amend the setbacks in the MR zones to encourage preservation of existing buildings.
- C. #76-24 Discussion and possible ordinance amendment to deal with grade changes created during construction causing stormwater runoff on neighboring properties.
Note: While this item specifically calls out impacts on stormwater, analysis has shown that grade manipulation also allows for larger homes, or ones that appear larger, due to regrading. Given this, it may prove relevant to the broader workplan outlined below.

In addition, these docket items intersect with numerous City Council adopted plans and policies including the [Comprehensive Plan](#) from 2007, the 2017 [Newton Leads 2040 Housing Strategy](#), the 2019 [Climate Action Plan \(CAP\)](#), and the recently adopted VCOD/MBTA Communities zoning amendments.

Intent

This document lays out a process to analyze the current dynamics (e.g., regulatory, economic) in place influencing the redevelopment of properties in Newton's residential neighborhoods. This analysis will be surrounded by robust community participation and input. **Together, this input and analysis will lead to a series of options for potential updates to Newton's residential regulations.** The intent of this effort is to:

1. Hear directly from City Councilors on the principal issues that need to be examined in the context of Newton's current zoning regulations.
2. Review and analyze the current regulations, development review processes, and market factors that are influencing Newton's on-going residential development patterns.
3. Identify specific aspects of the existing zoning code and resulting concerns corresponding to Council/Community input.
4. Research and present alternative updates to the zoning code, and other City Ordinances.
5. Collaborate with the City Council/Community along each step of the project.

Project Workplan
Residential District Zoning Review

Workplan

Task 1. Hear directly from City Councilors on the principal issues that need to be examined in the context of Newton's current zoning regulations.

(July-August 2024)

- Sub-tasks
 - a. Dedicate a ZAP discussion(s) to hearing from City Councilors on these docket items.
 - b. Develop a Public Participation and Input Plan (e.g., public meetings, focus groups, round tables, info sessions, online survey, etc.)
- Outcomes
 - a. An initial list of issues to analyze
 - b. A developed Public Participation and Input Plan for the project
 - c. A finalized project timeline

Task 2. Review and analyze the current regulations, development review processes, and market factors that are influencing Newton's on-going residential development patterns.

(September-October 2024)

- Sub-tasks
 - a. Evaluate current zoning and land use regulations in conjunction with land costs and market pressures.
 - b. Analyze how building code review requirements impact development decisions
 - c. Conduct economic analysis of recent developments, incorporating recent updates impacting development (e.g., electrification, stormwater, and tree ordinances).
 - d. Conduct market research with industry experts to understand market preferences and factors that influence decision making.
- Outcomes
 - a. An understanding of the current rules and regulations and their impact, collectively
 - b. An understanding of the economic incentives created by the current regulations

Task 3. Identify specific aspects of the existing zoning code and resulting concerns corresponding to Council/Community input.

(September-November 2024)

- Sub-tasks
 - a. Summarize and present findings from Tasks 1 and 2 in City Council ZAP workshop(s)
 - b. Host community meeting(s) and focus group meeting(s) on findings
 - c. Further refine the statement of issues and concerns based on analysis and community input

Project Workplan

Residential District Zoning Review

- Outcomes
 - a. Comprehensive list of regulatory areas to address per analysis and community outreach
 - b. Shared understanding of the issues and concerns

Task 4: Research and present alternative updates to the zoning code, and other City Ordinances.

(November 2024 - March 2025)

- Sub-tasks
 - a. Draft zoning guiding principles to achieve desired outcomes
 - b. Develop case studies that visualize allowed designs of proposed zoning changes
 - c. Evaluate potential impacts of proposed updates on property values and property costs
 - d. Economic analysis of proposed changes including feasibility of construction, impacts on property values, and impacts on municipal finances
 - e. Input from the building and realtor communities that outcomes from new regulations are feasible from a market perspective
 - f. Adapt draft regulations to the neighborhood context by considering rules appropriate to Newton's varied locations
 - g. Solicit robust input from community on recommendations and materials developed
- Outcomes
 - a. Outline of proposed zoning and other ordinance amendments
 - b. Draft implementation plan for above

Task 5: Collaborate with the City Council/Community along each step of the project.

(Ongoing)

- Sub-tasks
 - a. Host workshop(s) at ZAP/City Council
 - b. Refine and then finalize recommendations for approval
 - c. Hold public hearing at ZAP/Planning Board
- Outcomes
 - a. Approved zoning and other ordinance amendments
 - b. Develop and implement a tracking system to determine outcomes and possible changes needed

Project Workplan
Residential District Zoning Review

Timeline

Calendar Overview

2024						2025		
July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Task 1. Hear directly from City Councilors on the principal issues that need to be examined in the context of Newton’s current zoning regulations.								
Task 2. Review and analyze the current regulations, development review processes, and market factors that are influencing Newton’s on-going residential development patterns.								
Task 3. Identify specific aspects of the existing zoning code and resulting concerns corresponding to Council/Community input.								
Task 4: Research and present alternative updates to the zoning code, and other City Ordinances.								
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Task 5: Collaborate with the City Council/Community along each step of the project.								
* Draft recommendation to be provided by December 2024 for consideration through early 2025								