



Zoning & Planning Committee Agenda

City of Newton In City Council

Monday, January 28, 2019

7:00PM
Room 205

Items Scheduled for Discussion:

- #631-18** **Appointment of Warren Abramson to the Commission on Disability**
HER HONOR THE MAYOR appointing WARREN ABRAMSON, 77 Court Street, Newton, as a member of the COMMISSION ON DISABILITY for a term to expire January 31, 2022. (60 days 02/15/19)
- #408-18** **Discussion and adoption of Economic Development Strategy Plan**
DIRECTOR OF PLANNING requesting discussion and adoption of the Economic Development Strategy Plan as an amendment to the 2007 Newton Comprehensive Plan.
- #13-19** **Adoption of the Climate Action Plan**
DIRECTOR OF PLANNING requesting discussion and adoption of the Climate Action Plan as an amendment to the 2007 Comprehensive Plan.
- #43-19** **Discussion of Riverside Vision Plan**
DIRECTOR OF PLANNING requesting regular progress reports on the Riverside Vision Plan.
- #632-18** **Zoning Amendment to allow RMDs and marijuana retailers in MU districts**
COUNCILOR SCHWARTZ, KELLEY, NORTON, AND COTE proposing to amend Chapter 30, **Section 4.4.1. Business, Mixed Use & Manufacturing Districts.** to allow Registered Marijuana Dispensaries and marijuana retailers by special permit in Limited Manufacturing and Manufacturing Districts.

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

#220-18 Discussion relative to the Washington Street Corridor Action Plan
DIRECTOR OF PLANNING requesting monthly progress discussions on the Washington Street Corridor action plan.

Chair's Note: *The Committee will be reviewing the Zoning Toolkit and other tools.*

#518-18 Discussion and review relative to the draft Zoning Ordinance
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

Chair's Note: *The Committee will be reviewing the Single Purpose Districts of the draft zoning ordinance.*

Respectfully Submitted,

Susan S. Albright, Chair



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

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rfuller@newtonma.gov

November 30, 2018

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Warren Abramson of 77 Court Street, Newton as a member of the Commission on Disability. His term of office shall expire on January 31, 2022 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

RECEIVED
NEWTON CITY CLERK
2018 DEC - 7 AM 10:59
DAVID A. OLSON, CLERK
NEWTON, MA 02459

Warren B. Abramson

Newton, MA

SUMMARY

Results-oriented, strategic sales professional with 20 plus years in the mortgage industry.

I have been a very successful Mortgage loan originator for many years helping clients achieve their dreams of home ownership or refinancing to help them lower their interest rate and monthly payments

I finance just about any situation from new construction to renovation including individuals with credit challenges. Commercial loans as well

SKILLS

Certified Mortgage Loan Originator with the ability to do loans nationwide where i work for a national lender

Credit check knowledge. have the ability to get client credit scores up very

Approachable

Uncompromising work ethic

Decision-making ability

Sales expertise

Sales proficiency

Flexible

Exceptional customer service

Reliable

Financial forecasting

Friendly

PROFESSIONAL EXPERIENCE

04/2014 to 05/2016

Sr. Loan officer

Prospect Mortgage — Woburn, ma

Submitted applications to credit analysts.

Negotiated payments with customers who had delinquent loans.

Approved loans that met specifications.

Complied applications and paperwork and double-checked for accuracy.

05/2016 to 03/2018

Sr. Loan Officer

Guaranteed rate — Waltham, m

Submitted applications to credit analysts.

Negotiated payments with customers who had delinquent loans.

Approved loans that met specifications.

Complied applications and paperwork and double-checked for accuracy.

03/2018 to Current

MLO

HomeBridge Financial Services, Inc. — Newton, MA

Submitted applications to credit analysts.

Negotiated payments with customers who had delinquent loans.

Approved loans that met specifications.

Complied applications and paperwork and double-checked for accuracy.

Collected company information and developed PowerPoint presentations for use in decision-making.

Built productive relationships with stakeholders to continually develop new business.

EDUCATION AND TRAINING

1975

Bachelor of Science: Business Finance

Boston University — Boston, MA, United States

Completed continuing education in finance management

Major in Finance and Business management

ACTIVITIES AND HONORS

Member, Alumni Association and board member at Boston university for 17 years

Top 5% of loan originators nationwide 2014

Active member and organizer at Greater Boston Aid to the Blind until New York office closed location

Application Form

Profile

Warren
First Name

B
Middle Initial

Abramson
Last Name

Email Address

77 Court St
Home Address

unit 208
Suite or Apt

Newton
City

MA
State

02458
Postal Code

What Ward do you live in?

Ward 2

Which Boards would you like to apply for?

Commission on Disability: Submitted

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I have a mobility issue and use both a cane and a walker. I feel the city could do a better job with our public ways to help those with a disability. When i was in the Napa valley area this past May it was amazing how easy it was to get around and there were many handicap parking spaces so I never had a problem. In the city we are lacking handicap spaces that are sorely needed and many curbs are too high making it hard to get on sidewalk I visited a castle and they made it very easy to enjoy the tour.

COD_resume_Warren_Abramson.docx

Upload a Resume



Ruthanne Fuller
Mayor

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Department of Planning and Development
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Barney S. Heath
Director

MEMORANDUM

DATE: January 25, 2019

TO: Councilor Albright, Chair
Members of the Zoning and Planning Committee

FROM: Barney S. Heath, Director of Planning and Development
James Freas, Deputy Director of Planning and Development
Kathryn Ellis, Economic Development Director

RE: **#408-18, Economic Development Strategy Plan Adoption**
Consolidated Amendments to Economic Development Action Plan

MEETING DATE: January 28, 2019

CC: Honorable Newton City Councilors
Jonathan Yeo, Chief Operating Officer
Economic Development Commission
Planning and Development Board

We have attached the complete set of pages (from the Economic Development Strategy Plan) where some language changes have been suggested.

Attachments

Economic Development Action Plan, Edited Pages

Economic Development Action Plan for the City of Newton

~~November 26, 2018~~ January 2019

Prepared for:

City of Newton, MA
1000 Commonwealth Ave.,
Newton Centre, MA 02459



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Saratoga Springs, NY 12866

518.899.2608

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- [Appendix Cttachment 3](#): Economic Base Analysis
- [Appendix Dttachment 4](#): Market Analysis
- [Appendix Ettachment 5](#): City Capacity Analysis
- [Appendix Fttachment 6](#): Retail Strategy Research
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Opportunities and Challenges Assessment

The findings of the interviews, data analysis, capacity assessment, and knowledge of the region were compiled into a list of the City of Newton's opportunities and challenges related to economic development and quality of life. This assessment is used to inform the goals, and actions identified in the Action Plan Matrix. The full list of opportunities and challenges are outlined below.

Newton's Opportunities

- Excellent location and proximity within Boston Metro
- Highly educated workforce
- Well established villages
- Well-known reputation as a great place to live
- High-quality schools
- Undergoing zoning redesign
- High incomes and consumer spending power
- Numerous new development projects in progress
- Strong demand for lab space in the region
- Boston College Schiller Institute and UMass Amherst developments
- Three commuter rail and seven MBTA Green Line stops
- Access to the Charles River
- Lower commercial property tax rate than Boston and neighboring communities

Newton's Challenges

- Limited space/sites for development
- Inadequate transportation infrastructure, traffic congestion, and parking challenges
- Limited diversity of housing options
- Negative perception related to predictability and ease of development
- Limited resources for economic development
- ~~Zoning regulations restricting development~~
- Outdated zoning ordinance
- Tension within community around the vision for the future of Newton
- Heavy reliance on residential values for tax base
- Difficulty attracting and retaining entrepreneurial and innovative businesses



■ **Planning and Development Process and Role of the City of Newton:**

~~The City's current planning and development review process has resulted in significant delays and increased costs for developers looking to do projects in Newton compared to other Massachusetts cities and towns. Unfortunately, Newton is well-known for being particularly difficult for developers. Some challenges include extensive community pushback, city process delays and unpredictability, and lengthy review and discussion periods. There are a number of large-scale proposals on the table that would have positive effects on the city; however, the current process makes it difficult for a developer to have any success moving forward.~~

A crucial recommendation outlined in the Action Plan Matrix is to update the development review process and land use policies to ensure that they align with Newton's goals and are streamlined and predictable.

- **Neighborhoods, Corridors, and Transportation:** Within the City of Newton, there are 13 unique villages ranging from small neighborhood-serving ones like Waban to major commercial hubs like Newton Centre. These villages, along with the commercial corridors of the City including Needham Street, Washington Street, and Route 9, all have varying degrees of development and community engagement. The economic development strategy must address the varying needs of the villages and corridors within the city to ensure all are able to attract and retain suitable development that supports small businesses, diversity in population and real estate product, and aligns with the community's vision for quality of life here.

The issue of transportation related to economic development was discussed in numerous interviews, public engagement sessions, and within previous research. Transportation issues of congestion, insufficient public transportation options, lack of parking in some areas, and areas of unsafe bike and pedestrian infrastructure came up as a barrier to workforce and customer attraction and ultimately a barrier to business attraction. When businesses struggle to attract and retain their employees because of transportation cost and time, they will look to locate elsewhere, in particular, where employees can travel by bike, public transportation, or walk. Talent attraction is one of the most important factors businesses consider when they are making location decisions. Newton struggles to compete with other nearby localities who have

City of Newton Zoning Code

The City of Newton is undergoing a significant update of the zoning code and related land use regulations. This zoning re-write will address some of the major issues related to economic development, including bringing parcels into conformity with their current use to minimize appeals and amendments, reviewing parking requirements, and ensuring the types of uses that are desired are allowed in the villages and corridors.

Review of the zoning regulations and associated policies will also include considering ways to make the overall process more predictable and faster; this review aligns with the City's goal of growing the commercial tax base.

Housing Diversity

Although not always seen as a typical economic development concern, having a diversity of housing options in Newton is vital to having a range of both employees and commercial sectors. Allowing increased variety of housing in targeted locations, different types of housing options, and different price points ensures that Newton can be home to a range of people and that the businesses are able to get the workers they need, all of which impacts economic development.



Goal 4 Make the development process more predictable and efficient including community consensus and refinement of the review process.

Objective #4.A. - Create positive, community-based conversations around the future of Newton

- i. Engage villages residents around what they want for their local area. Include a citywide discussion around the future of Newton, and the role of "village" within the larger city as it pertains to the future.
- ii. Find ways to engage the residents of Newton in regular positive, open discussions around the core issues facing Newton including diversity, affordability, residential growth, inclusion, local initiatives and funding for projects. Make these conversations ongoing through multiple channels and use the information gathered to guide economic development in the direction desired by the community.

Objective #4.B. - Improve the development review process

- ~~i. Investigate the potential for creating two tracks for zoning review (small vs. large commercial projects)~~
- ~~i. Create two tracks for zoning review (smaller vs larger commercial projects) to allow for a more efficient process.~~
- ~~ii. Improve the existing one stop shop within Newton to assist with larger projects and act as a liaison through the review process.~~
- ~~iii. Improve and possibly streamline procedures for engaging the community around large projects that are being proposed. Engage developers early in community discussions to identify issues and have fewer delays.~~
- ~~iv. Implement a customer service survey for applicants to identify areas for improvement. Implement recommended changes as appropriate.~~

Objective #4.C. - Review ~~all~~ land use regulations and development policies

- i. Complete the zoning redesign project ~~to~~and ensure regulations are predictable and align with stated goals of the community around economic development, livability, diversity, density, and



inclusion. Create guidelines ~~for when and where to increase height and square footage allowed in commercial areas~~ to ~~growth~~ grow the commercial tax base and ~~have~~ enhance vibrancy. Focus on core commercial areas and village centers, particularly those areas with multi-modal transportation options and existing infrastructure.

ii. Focus zoning redesign ~~on reducing the need for special use permits to make~~ on making development more predictable and easier in places where it is appropriate.

iii. ~~Reduce or eliminate~~ Review -parking ~~requirements~~ for ground floor uses in village centers.

iv. Provide the public and decision makers better information about the fiscal impact of land use decisions by developing an impact analysis guide that outlines the fiscal result of various types of development (i.e. residential, commercial, industrial). Prepare an impact analysis guide that outlines the cost of different types of development on Newton including types of residential, commercial, retail, open space, etc. Use this as a tool to guide policy, decision making, and public education.

Objective #4.D. - Improve development review process to create more walkable developments in areas close to Newton's transit assets

- i. Use zoning update process to clarify regulations for more walkable villages and commercial corridors and to consider parking requirements in context.
- ii. Require analysis of transportation options as part of development analysis to understand impacts.
- iii. Streamline design review process to make it predictable and efficient for applicants.
- iv. Create a transportation fund, where developers can pay for site context improvements or for specific elements to be implemented in the capital improvement program.

Goal 5 Maintain and enhance the special qualities of Newton while improving transportation throughout Newton for residents, businesses, and visitors.

Objective #5.A. - Promote multimodal transportation safety and comfort in villages and neighborhoods

- i. Enhance sidewalks, crossings, and add bike parking to increase safety, attractiveness, and usability and to support a "park once" environment to reduce extra driving in village centers.



Appendix A

Goal 4: Make the development process more predictable and efficient including community consensus and refinement of the review process.

Rationale: Enhancing the efficiency of the development process, while at the same time respecting the wishes of the community, will create a more positive

Objective	Actions	Lead and Partners	Priority and Timeframe	Resources	Measures for Progress and Success
4.A. Create positive, community-based conversations around the future of Newton	<ul style="list-style-type: none"> i. Engage village residents around what they want for their local area. Include a citywide discussion around the future of Newton, and the role of 'village' within the larger city as it pertains to the future. ii. Find ways to engage the residents of Newton in regular positive, open discussions around the core issues facing Newton including diversity, affordability, residential growth, inclusion, local initiatives and funding for projects. Make these conversations ongoing through multiple channels and use the information gathered to guide economic development in the direction desired by the community. 	City of Newton, EDC, Neighborhood Area Councils	High, Immediate and ongoing	Moderate Staff Time	Number of events and sessions held
4.B. Improve the development review process	<ul style="list-style-type: none"> i. Create two tracks for zoning review (smaller vs larger commercial projects) to allow for a more efficient process. ii. Investigate the potential for creating two tracks for zoning review (Small vs. large commercial projects). iii. Improve the existing one stop shop within Newton to assist with larger projects and act as a liaison through the review process. iv. Improve and possibly streamline procedures for engaging the community around large projects that are being proposed. Engage developers early in community discussions to identify issues and have fewer delays. v. Implement a customer service survey for applicants to identify areas for improvement. Implement recommended changes as appropriate. 	City of Newton, EDC	High, Immediate and ongoing	Moderate Staff Time and Salary	Development review process time,
4.C. Review all land use regulations and development policies	<ul style="list-style-type: none"> i. Complete the zoning redesign project and to ensure regulations are predictable and align with stated goals of the community around economic development, livability, diversity, density, and inclusion. Create guidelines for when and where to increase height and square footage allowed in commercial areas to grow the commercial tax base and have enhance vibrancy. Focus on core commercial areas and village centers, particularly those areas with multi-modal transportation options and existing infrastructure. ii. Focus zoning redesign on reducing the need for special use permits to make on making development more predictable and easier in places where it is appropriate. iii. Reduce or eliminate Review parking requirements for ground floor uses in village centers. iv. Provide the public and decision makers better information about the fiscal impact of land use decisions by developing an impact analysis guide that outlines the fiscal result of various types of development (i.e., residential, commercial, industrial). Prepare an impact analysis guide that outlines the cost of different types of development on Newton including types of residential, commercial, retail, open space, etc. Use this as a tool to guide policy, decision-making, and public education. 	City of Newton	High, Immediate	Moderate Staff Time	Complete the re-zoning project
4.D. Improve development review process to create more walkable developments in areas close to Newton's transit assets	<ul style="list-style-type: none"> i. Use zoning update process to clarify regulations for more walkable villages and commercial corridors and to consider parking requirements in context. ii. Require analysis of transportation options as part of development analysis to understand impacts. iii. Streamline design review process to make it predictable and efficient for applicants iv. Create a transportation fund, where developers can pay for site context improvements or for specific elements to be implemented in the capital improvement program. 	City of Newton	Medium, Short Term - Change to High, Immediate	Moderate Staff Time	Zoning update

Goal 5: Maintain and enhance the special qualities of Newton while improving transportation throughout Newton for residents, businesses, and visitors.

Rationale: Quality of place is an important factor for economic development and specifically business and talent attraction. The City of Newton offers

Objective	Actions	Lead and Partners	Priority and Timeframe	Resources	Measures for Progress and Success
5.A. Promote multimodal transportation safety and comfort in villages and neighborhoods	<ul style="list-style-type: none"> i. Enhance sidewalks, crossings, and add bike parking to increase safety, attractiveness, and usability and to support a "park once" environment to reduce extra driving in village centers. ii. Expand placemaking and beautification measures at street level to promote walkability. iii. Implement slow traffic zones where needed. iv. Invest in transit and cycling networks and measures that want alternatives to commuting by car. Specifically, focus on linking gaps between mass transit services and bike paths and employment centers. 	City of Newton	High, Short Term and ongoing	Capital Investment	Number of improvements made
5.B. Use shared parking to reduce parking footprint in village centers	<ul style="list-style-type: none"> i. Update zoning policy to enable shared parking exceptions. ii. Assist willing property owners in drawing up and implementing joint agreements that would allow for shared parking opportunities. iii. Establish and adopt a parking availability goal (could be village-wide or sub areas) iv. Regularly evaluate supply and demand of public and private parking use to evaluate needs and compliance with goal. v. Use supply and utilization data to examine the right amount of parking as part of future developments. vi. Use parking technology to encourage motorists to park in the most appropriate places. 	City of Newton	High, Short Term and ongoing	Minimal Staff Time	Number of shared parking agreements
5.C. Comprehensively evaluate private shuttle routes that operate to create a more inclusive and comprehensive community transit system	<ul style="list-style-type: none"> i. Partner with operators to develop a mutually-beneficial system between private and institutional shuttles while also filling needed gaps in service. ii. Partner with adjacent municipalities to create sub-regional service. iii. Promote and incentivize ridership. 	City of Newton, Operators	Medium, Mid-Term - Change to High, Short Term	Minimal Staff Time	Number of partnerships established, Number of riders
5.D. Focus on maintaining the character and unique feeling of the villages while supporting economic vibrancy	<ul style="list-style-type: none"> i. City of Newton representatives should continue to regularly visit businesses and attend neighborhood meetings to identify concerns and challenges to the business environment and how small businesses can be supported. Work with residents to identify any issues or concerns that impact their quality of life and their ability to interact at the neighborhood level. ii. Invest in public infrastructure, streetscape improvements, street furniture, parks, and green space to create opportunities for increased interactions among neighbors and walkability. iii. Work cooperatively with businesses and residents to create small scale community gathering places (playgrounds, street furniture, etc.) events and opportunities for place making and neighborhood scale networking. 	City of Newton, Chamber of Commerce	Medium, Mid-Term	Staff Time	Number of commercial businesses in smaller village centers
5.E. Enhance Newton's thriving arts community	<ul style="list-style-type: none"> i. Support the Newton Cultural Alliance and Newton Pride and engage the arts community in identifying and addressing what issues or challenges they are facing. ii. Develop a Newton Cultural Plan that outlines needs, opportunities, and specific strategies for implementation. iii. Review permitting process for art events and other events in the community. Make adjustments as appropriate to streamline requirements and make it more accessible. iv. Incorporate art into new projects such as space for artists to live or work, commissioning of pieces, and more community art experiences. v. Continue to provide matching funds to support Newton's participation in the Mass Cultural Council. vi. Work with the Chamber and the Economic Development Planner to continue to connect developers with the art community for engagement and strategizing. 	Newton Cultural Alliance, Chamber of Commerce	Medium, Mid-Term	Minimal Staff Time and Financial Resources	Completion of a Newton Cultural Plan
5.F. Create initiatives that highlight and promote the unique aspects and quality of life of Newton	<ul style="list-style-type: none"> i. Enhance the use, appreciation, and protection of the Charles River by attracting water enhanced and water based businesses. Implement recommendations identified in the N2 Innovation District Plan to develop trail connections along the Charles River to create a "river walk." Repurpose the unused rail bridge across the river between Christina Street and the river walk for pedestrian access. Expand infrastructure for canoeing and kayaking in the Charles River, such as additional boat launches. Market these recreational opportunities to residents, employees, and visitors. Highlight access and view points to incorporate the Charles into the day-to-day life of Newton residents and workers. ii. Invest in the gateways at the main "entrances" to Newton including signs, planters, street art, and other techniques to engage those who are passing through and ensure that they know they are arriving in Newton, a special city. iii. Enhance the unique Newton feel of each village and commercial corridor with signage, benches, light fixtures, planters, art, etc. iv. Work cooperatively with business and residents to create small scale community gathering places (playgrounds, street furniture, etc.) events and opportunities for place making and neighborhood scale networking. 	City of Newton, N2	Medium, Mid-Term	Staff Time and Moderate Investment for Gateways	Reuse of the unused rail bridge. Amount of investment in infrastructure for river use. Number of gateway improvements

Appendix B

- *Budget implication:* Integrate initiative with website changes identified above and create regular online communication via newsletter to business (quarterly). Will require staff time to prepare plus the annual subscription cost platform.
- ii. Establish land use policies that encourage or require affordable rent for locally-owned retail establishments in targeted locations throughout Newton.
 - *Budget implication:* Initiative will require staff and volunteer time to develop the policy.
- iii. Recognize historic businesses as special Newton assets by creating a database of long-established small retail businesses and evaluate using this information to design a financial assistance program.
 - *Budget implications:* Integrate into the business visitation software and may require additional resources to meet the specific needs of the retailers.
- ii. Consider employing small business friendly zoning.
 - *Budget implications:* Initiative will require additional research and policy development to achieve goals

5. LEVERAGE THE ECONOMIC DEVELOPMENT COMMISSION (3.B)

- i. Use the Economic Development Commission as a partner in implementation of the Economic Development Action Plan.
 - *Budget implications:* No additional cost or staff but will require providing clear assignment to EDC.

6. BETTER UNDERSTAND AND PROVIDE MORE SUPPORT TO EXISTING BUSINESSES BY EXPANDING NEWTON'S BUSINESS VISITATION PROGRAM. (3.D)

- i. Implement a formal Business Retention and Expansion program.
- ii. Continue to create a schedule and priority list for what companies to conduct visitation with.
 - *Budget implications:* Design or subscribe to business visitation digital tools and staff time to begin to implement the program, collect and report the information, and do proper follow through.

7. IMPLEMENT REGULAR OPPORTUNITIES FOR FEEDBACK FROM BUSINESSES IN THE VILLAGES AND CORRIDORS (3.G) AND CREATE POSITIVE, COMMUNITY-BASED CONVERSATIONS AROUND THE FUTURE OF NEWTON (4.A)

- i. Run a series of round-table discussions in each of the villages to gather information from landlords, property owners, business owners and residents about what they want for their village.
- i. Engage villages residents around what they want for their local area. Include a citywide discussion around the future of Newton, and the role of "village" within the larger city as it pertains to the future.
 - *Budget implications:* Initiative may require additional staff or staff time.

8. PROMOTE MULTIMODAL TRANSPORTATION SAFETY AND COMFORT IN VILLAGES AND NEIGHBORHOODS (5.A)

- i. Enhance sidewalks, crossings, and add bike parking to increase safety, attractiveness, and usability and to support a "park once" environment to reduce extra driving in village centers.
- ii. Expand placemaking and beautification measures at street level to promote walkability.
 - *Budget implications:* To be determined based on physical improvements necessary and desired.

Commented [NS1]: Moved from Medium to Long Term Priorities section to High Priority

MEDIUM TO LONG TERM PRIORITIES

1. MONITOR DEVELOPMENT OF RIVERSIDE, NORTHLAND AND WASHINGTON STREET CORRIDOR

- i. Encourage uses that align with the goals of Newton in terms of building out co-working space/office/lab space, diversity of housing types, and diversifying and growing the tax base.
 - *Budget implications:* Initiative may require additional staff or staff time.
- ii. Engage neighbors and business community in project discussions.

~~3-1. PROMOTE MULTIMODAL TRANSPORTATION SAFETY AND COMFORT IN VILLAGES AND NEIGHBORHOODS (5.A)~~

- ~~i. Enhance sidewalks, crossings, and add bike parking to increase safety, attractiveness, and usability and to support a "park once" environment to reduce extra driving in village centers.~~
- ~~ii. Expand placemaking and beautification measures at street level to promote walkability.~~
 - ~~*Budget implications:* To be determined based on physical improvements necessary and desired.~~

Commented [NS2]: See #8 Above – moved to High Priority

3-2. REVIEW ALL LAND USE REGULATIONS AND DEVELOPMENT POLICIES (4.C) AND IMPROVE THE DEVELOPMENT REVIEW PROCESS (4.B)

- i. Complete the zoning redesign project and ensure regulations are predictable and align goals.
- ii. Focus zoning redesign ~~on reducing the need for special use permits~~ to make development more predictable and easier in places where it is appropriate.
 - *Budget implications:* Initiative is underway and can utilize existing staff capacity and resources.
- iii. ~~Create two tracks for zoning review (smaller vs larger commercial projects) to allow for a more efficient process.~~
 - ~~*Budget implications:* Initiative may require additional staff or staff time.~~
 - ~~Investigate the potential for creating two track for zoning review (small vs large commercial projects)~~

Commented [NS3]: Updated text

4-3. MAXIMIZE PARKING MANAGEMENT SYSTEMS TO ASSIST COMMERCE IN VILLAGE CENTERS (5.B)

- i. Update zoning policy to enable shared parking exceptions.
 - *Budget implications:* Initiative will require additional staff or staff time.
- ii. Assist willing property owners in drawing up and implementing joint agreements that would allow for shared parking opportunities.
 - *Budget implications:* Initiative may require additional staff or staff time from planning and legal team.
- iii. Continue to implement programs like bike share, car share and differential parking rates to reduce congestion and promote multi-modal transportation.

SUMMARY GUIDANCE ON COSTS

The specific immediate and high priority action items have been identified above based on priorities set and outlined in the matrix and additional information received from the City of Newton related to day to day work responsibilities. Additionally, we have included guidance related to the impact of these initiatives on the City’s budget, including both financial and personnel resources. The budget implications can be broken into three main categories:

- 1) Direct expenditures: These are items like designing and operating a new website, upgrading GIS capabilities, and necessary costs associated with a new location of the NIC facility.
- 2) Capital budgeting: These items are multi-year longer requirements and will require incorporating the annual costs into capital budgeting. Typically, they are physical infrastructure upgrades that will need to be determined based on available funds and desires of the community.
- 3) Staff time: Many of the action items will not necessarily require additional financial resources but will require staff resources.

Appendix E

Introduction

As part of the economic development strategy being prepared for the City of Newton, a review of the city's capacity related to economic development was conducted. This includes both city processes and development review, transportation infrastructure, water and sewer infrastructure, and the city's marketing and economic development capacity. The information gathered from this assessment will inform the development of targeted strategies and tasks that will build off of the existing capacity and mitigate any related challenges.

Planning and Development Review Process Assessment

A major factor in any community being attractive to new businesses and developers is the ability to offer a predictable and efficient permitting process. Permitting processes and site plan review requirements are in place to protect property value, the environment, and neighboring parcels and they ensure that development is in line with community values. ~~However, there are often ways that process and procedural issues can unintentionally hinder development.~~ To gain insights into the permitting process, interviews were conducted with representatives from the City's Planning Department. Some of the major findings of this interview as well as discussions with others familiar with the process are outlined below:

- The Planning Department estimates the process can take as little as four months for minor projects. Larger projects with respect to size, scale, and/or density can take longer including multiple presentations to the Land Use Committee, and to the neighborhood
- The first step requires the petitioner to schedule meeting with the Development Review Team which is an internal group of City staff which reviews the project with the petitioner, providing feedback and direction for next steps.
- The petitioner then submits plans to the Chief Zoning Code Official who reviews the petition regarding zoning and produces a memo outlining the relief required from the Newton Zoning Ordinance. The Chief Zoning Code Official has 45 days per the City's Ordinances to review the petition, but reviews are often done sooner.
- The petitioner then files with the Planning Department and City Clerk to schedule a public hearing with the Land Use Committee. During the public hearing, Councilors and members of the public may offer comments and ask questions. At this stage, questions may require the petitioner to collect additional information and return for a subsequent meeting(s) before the Committee approves the petition. Once approved by the Land Use Committee, the City Council votes on the petition.
- If approved by City Council, the petitioner records the special permit at the Registry of Deeds and files for a building permit. a building permit which may require review from the Engineering Division, in addition to Current Planning staff before the Inspection Services Department has the opportunity to review. Per State law, Inspection Services has 30 days to review and issue the permit.
- The special permit process is governed by M.G.L. 40A which requires a public hearing, a 2/3 majority vote of the City Council, and a 20-day appeal period. The only additional layers of review placed upon the proponent are the DRT and the zoning review. There is no formal customer service survey or similar tool used to identify and/or address areas for improvement with the process.
- The ongoing re-write of the city's zoning ordinance, Zoning Redesign, is intended to bring a large number of parcels into conformance with the zoning ordinance allowing for greater predictability for both residents and developers. and tailor the type of development review to the type of petition. By tailoring the review process to the type of request, the permitting process can be simplified.

Appendix F

Actions

- The City will create a registry for Newton’s long-established small retail businesses. This information will be used to customize the following recommendations and strategies specifically to the needs of Newton businesses as well as better connect the small business community across the thirteen villages.
- As part of the registry, the City will collect information about:
 - Type of businesses (goods sold or services offered)
 - Age of business, brief history
 - Ownership structure and any succession plans
 - Size and type of space the business occupies
 - Lease rates and ownership status of space business occupies
- The City will use information collected when creating the registry to design a financial assistance program, including grants and tax credits, that will address high-rent blight. The program will support small retail businesses and/or property owners to offset rising rents and enable the businesses to remain in-place. This is can be tied into the creation of tax increment financing districts.

Employ Small Business Friendly Zoning

Spiking commercial retail real estate lease rates in cities across the U.S. is the result of developers focusing on the needs of large national chains. Cities can use their zoning code, one of their most powerful tools to guide development, to proactively preserve affordable retail space while still maintaining a friendly environment for large retailers.

Updating a zoning code can be a very time-intensive process. Cities like San Francisco and [New York City](#) use Special Purpose Districts to supplement their existing zoning code to respond to specific needs of individual neighborhoods.

Actions

Possible Actions to Consider as Part of Ongoing Zoning Review Include:

- **Restrict chain stores in village centers.** Create districts with provisions for ‘formula retail’ to cap how much street-level retail can be chain stores in Newton’s villages. Formula retail provisions can allow chain stores only by permit, not by right, and, by conducting outreach to residents when a project is proposed, can give the local residential community/consumer market the opportunity to be more engaged in the development process.
- **Use the city zoning code to preserve and increase the supply of smaller retail spaces.** Parameters might include a cap on storefront size, require mixed-use buildings to have a minimum number of storefronts, and put limits on when a retailer can knock down walls to create larger spaces.
- **Adopt a business diversity ordinance.** The ordinance can require businesses with many locations in the U.S. to apply for a special use permit in order to locate in one of Newton’s villages. The permit can consider how many businesses of that type are already in the district, assess if the business is compatible with the neighborhood, and consider if the applicant would bring something to the district that does not currently exist.

Create a “Buy Your Building” Plan

Businesses that own their own building have more control over their costs and are more resilient in a dynamic real estate market environment. Small business owners who own their own buildings build equity with their mortgage payments and build wealth that is more likely to stay locally in the community instead of out-of-town investors.

Many cities are in the process of designing programs and policies to help local small retail businesses owners purchase buildings. In [Austin](#) and [Salt Lake City](#), lease-to-own programs use a mix of federal grants and local lenders to help small businesses purchase buildings and in New York City, strategies are being proposed to





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Barney S. Heath
Director

MEMORANDUM

DATE: January 25, 2019

TO: Councilor Albright, Chair of the Zoning and Planning Committee
Members of the Zoning and Planning Committee

FROM: Barney Heath, Director of Planning and Development
Jennifer Steel, Chief Environmental Planner

RE:# # Docket # 13-19: **Adoption of the Climate Action Plan**
DIRECTOR OF PLANNING requesting discussion and adoption of the
Climate Action Plan as an amendment to the 2007 Comprehensive Plan

MEETING DATE: January 28, 2019

CC: City Council
Alissa Giuliani, City Solicitor
Jonathan Yeo, Chief Operating Officer
Planning and Development Board

Background: Below is a list of assumptions that currently guide drafting of the City’s Climate Action Plan. These assumptions are based on input to-date from Planning Department staff, the Mayor’s office, public input, and guidance from the Volunteer Climate Action Plan Working Group.

GOALS:

- The plan will set *qualitative* goals to achieve in the next five years (2019-2024) and
- a long-term greenhouse gas reduction target for 2050 that is in alignment with other relevant state and local commitments in Massachusetts.

TIME HORIZON: The plan is due to be completed in April 2019. The rolling climate action plan will include actions that the City intends to implement in the *next five years* (2019-2024), these

actions will focus on laying the groundwork for future years and set the City on the right course toward long-term climate action goals.

SCOPE: The scope of the actions included in the plan are points of *municipal leverage*. This includes action areas such as zoning ordinances, capital investments, financing, incentives, programs, education, and state and federal policy advocacy. These municipal actions will be set in the larger context of what the community at large needs to do to achieve reductions in greenhouse gas emissions.

FOCUS AREAS: The climate action plan will address greenhouse gas emissions within 6 focus areas.

1. Existing buildings (energy efficiency & fuel switching)
2. New construction (energy efficiency & fuel switching)
3. Clean energy supply
4. Transportation (private vehicles, public transit, and biking/walking – increase electrification, increase opportunities, etc.)
5. Municipal climate leadership (municipal buildings, education/resources, and advocacy)
6. Resource use, recovery, and disposal (i.e. waste sector, green infrastructure, and opportunities for carbon recovery etc.)

ACTIONS: Each proposed climate action will be characterized by its:

1. Scale of impact, i.e., GHG reduction (L, M, H)
2. Co-benefits (economic, public health, equity, ecological health and sustainability)
3. Timeline (short, intermediate, or long-term)
4. Cost to implement (L, M, H)
5. Sector affected (residential, commercial, and industrial)
6. Performance indicators (various)
7. Type of action: Programmatic, educational, fiscal, etc.
8. Feasibility, i.e., the existence of a successful model (links to pertinent models)
9. Implementer and partners (City departments, public partners, private partners)



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Barney S. Heath
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MEMORANDUM

DATE: January 25, 2019

TO: Councilor Susan Albright, Chair, Zoning and Planning Committee
Members of the Zoning and Planning Committee

FROM: Barney Heath, Director, Department of Planning and Development
James Freas, Deputy Director of Planning

RE: **#43-19 Discussion of Riverside Vision Plan**
DIRECTOR OF PLANNING requesting regular progress reports on the Riverside Vision Plan.

MEETING: January 28, 2019

CC: Planning and Development Board

The Riverside Visioning Process continues to move forward. The selection committee completed the interviews and selected Civic Moxie to be the Planning Department's consultant support for the project. Civic Moxie developed a draft scope of work inclusive of an initial price proposal for the not to exceed fee.

The project is intended to be funded with a contribution from Mark Development to the City of Newton. The price proposal has been sent on to Mark Development, and staff is currently waiting for a response.



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Barney S. Heath
Director

MEMORANDUM

DATE: January 25, 2019

TO: Councilor Albright, Chair
Members of the Zoning and Planning Committee

FROM: Barney Heath, Director of Planning and Development
James Freas, Deputy Director of Planning and Development
Marie Lawlor, Assistant City Solicitor
Jennifer Caira, Chief Planner

RE: #632-18 Zoning Amendment to allow RMDs and marijuana retailers in MU districts
COUNCILOR SCHWARTZ, KELLEY, NORTON, AND COTE proposing to amend Chapter 30, Section 4.4.1. Business, Mixed Use & Manufacturing Districts. to allow Registered Marijuana Dispensaries and marijuana retailers by special permit in Limited Manufacturing and Manufacturing Districts.

MEETING DATE: January 28, 2019

CC: Jonathan Yeo, Chief Operating Officer
Ouida Young, Acting City Solicitor
John Lojek, Commissioner of ISD
Planning and Development Board
Marijuana Working Group

On December 3, 2018, the City Council adopted zoning amendments for marijuana establishments and Registered Marijuana Dispensaries (RMDs). The zoning allows RMDs and marijuana retailers in the Business 2 (BU2), Business 4 (BU4), Business 5 (BU5), and Mixed Use 1 (MU1) zones. This represents a slight change from the previous zoning for RMDs, which permitted the use in the BU2, BU5, and MU1 zones. In addition to marijuana retailers and RMDs, zoning was adopted for additional

marijuana uses including craft marijuana cooperative, independent testing laboratory, marijuana cultivator, marijuana product manufacturing, marijuana research facility, marijuana transporter, and microbusiness. These uses are limited to the Manufacturing (M) and/or Limited Manufacturing (LM) zones.

When evaluating zoning for marijuana retailers and RMDs, the Planning Department considered all commercial and manufacturing zones. Ultimately the Business 1 (BU1) zone was eliminated in order to not locate marijuana retailers in village centers due to the limited transparency associated with these uses. The Mixed Use 2 (MU2) zone contained conflicts with sensitive uses and much of it would be eliminated with the half-mile buffer required around an approved RMD nearby. The Mixed Use 3 (MU3) and Mixed Use 4 (MU4) zones were eliminated due to the mixed-use nature of buildings located on or proposed on those sites.

The Manufacturing zone was considered, but ultimately eliminated for the following reasons:

- There are unique security concerns with marijuana retailers due to the product and the nature of the business, which operates primarily in cash. While operators are required to have a security plan, this type of business is inherently safer when it is in a visible location and near regular activity. Additionally, one of the criteria required for approval of the Special Permit is that the “lot is located where it may be readily monitored by law enforcement and other code enforcement personnel”. Manufacturing areas tend to be less pedestrian oriented and more isolated and have little to no activity in the evening, which is expected to be the peak period for marijuana retailers.
- The guidance for zoning from the Cannabis Control Commission recommends zoning marijuana uses based on the nature of their primary business operations, for example zoning marijuana retailers in the same manner as any other retailer. Manufacturing zones currently do not allow any retail uses. Newton has a limited amount of manufacturing districts and Planning staff had concerns that introducing a retail use such as this to these zones could be incompatible and would further limit the space where true manufacturing uses could operate. It would also increase competition for these spaces and potentially drive up rents for those uses that cannot locate anywhere else.
- Another goal of the zoning for marijuana retailers and RMDs was to distribute the zoning districts across the city as much as possible so they would not concentrate in one area. Newton’s commercial zoning is already somewhat concentrated on the north side of the city. The zoning that was proposed by Planning and adopted by the City Council includes districts on both the north and south sides of the city. In addition, the half-mile buffer required between marijuana retailers and RMDs will force further distribution. The addition of the manufacturing zones could further concentrate these establishments on the north side of the city as there are very few manufacturing districts on the south side of the city.
- While there are some manufacturing districts located along commercial corridors or on the edges of the city, there are also pockets of manufacturing districts located entirely in residential neighborhoods. While it will be impossible to only propose zones that are not

adjacent to residential districts given the limited commercial zoning and residential nature of Newton, an attempt was made to focus on commercial zones with limited adjacency to residential uses.

The Limited Manufacturing zone was also considered for marijuana retailers and RMDs and ultimately eliminated for the following reasons:

- The Limited Manufacturing zone is only located at Wells Avenue. Wells Avenue has a deed restriction that does not permit retail uses, which would need to be amended to permit marijuana retailers and RMDs. This area is meant to serve as an office park with a focus on jobs-producing uses. For this reason, the LM zone was only included for those marijuana related uses that would operate similarly to the uses targeted for Wells Avenue, such as the independent testing laboratory and marijuana research facility.
- While Wells Avenue was intended to primarily include office uses, there are also a number of childcare or school related uses. This further complicates locating marijuana retailers and RMDs at this location due to the required buffers from schools and places where children commonly congregate. Once the buffers are applied to the school and childcare uses, it is likely that for any marijuana retailer or RMD to locate along Wells Avenue, City Council would need to waive the buffer requirement



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Barney S. Heath
Director

MEMORANDUM

DATE: January 23, 2019

TO: Councilor Susan Albright, Chair
Members of the Zoning and Planning Committee

FROM: Barney Heath, Director of Planning & Development
James Freas, Deputy Director of Planning & Development
Lily Canan Reynolds, Community Engagement Manager
Rachel B. Nadkarni, Long Range Planner

SUBJECT: #220-18 Zoning Toolkit and Other Tools of Washington Street Vision Plan

MEETING DATE: January 28, 2019

CC: Planning & Development Board
City Council
Urban Design Commission

Over the last nine months the “Hello Washington Street!” Vision Plan process has been analyzing existing conditions of the study area, listening to community priorities for the future, and generating new ideas with the community about what Washington Street could look like in five, ten, twenty, and more years in the future. The two main products of this process are a vision plan and a zoning ordinance. In October 2018 the first drafts of each document were published and underwent a month-long comment period and have been the subject of several discussions at the Zoning and Planning Committee. Both documents will be presented as second drafts on February 11, 2019, followed by a second round of community comment before final drafts are submitted to City Council for consideration in late April 2019.

While both the vision plan and zoning documents provide guidance for future decision making, they fulfill different roles and are intended to work in tandem. The vision plan describes how different elements of a neighborhood should function together over time. It includes a vision for both physical infrastructure, such as streets, sidewalks, buildings, parks, and non-physical elements, such as transportation options, programs and services, policy goals, shops, people. The final draft of the vision plan document will summarize the public process, provide an overview of goals, objectives, policy recommendations, design options considered, and present a preferred plan as well as illustrations showing how the vision might look or feel, and clearly outline steps to implement the vision.

On the other hand, the zoning ordinance sets the mechanisms and standards for how physical infrastructure should be built by private landowners over time. Zoning intends to provide a predictable and clear set of rules so landowners can build the vision through the improvement of individual parcels and buildings. Because the Washington Street zoning is being written in tandem with the vision plan, the rules it contains are designed with a holistic vision in mind and incorporates a high degree of nuance developed in the planning process. In addition to parameters for private development, the zoning will emphasize how buildings relate to public spaces, including streets and parks, as well as the relationships between buildings.

Zoning Tools for Washington Street

In the first draft of the vision plan, illustrations showed what could happen in the future under three categories of regulatory and policy decisions: ‘market driven’, ‘courtyard’ and ‘incremental’ scenarios were described for key sites in the Washington Street study area. Overwhelmingly the comments on the first draft vision plan from members of the community and from members of City Council indicate the ‘market driven’ scenarios are the least aligned with Newton’s community goals and desired physical form. Community comment indicates more support for the ‘incremental’ and ‘courtyard’ scenarios because these scenarios provide a physical form that is more consistent with existing and historic character of Newton, as well as more in keeping with community goals including vibrant village centers, environmental sustainability, and neighborhoods for all ages. In anticipation of the release of the second draft vision plan and zoning on February 11, it is important to understand the proposed zoning tools and how they can help implement the Washington Street vision. The Zoning Toolkit includes the following key features designed to implement a vision that is illustrated by the ‘courtyard’ and ‘incremental’ scenarios for Washington Street.

Flexible Parking

In general, the illustrative scenarios from the draft vision preferred by most community input are the ones that show ‘incremental’ or ‘courtyard’ buildings designed with smaller below grade parking lots. Because the shape and size of buildings are greatly influenced by the number of parking spaces it contains and whether parking is above or below ground, the draft zoning proposes **no minimum off-street parking requirements** and encourages parking to be **located underground**. Over the last several decades a growing number of cities and towns have found that zoning is a poor tool for regulating parking. In fact, using zoning to regulate parking often results in building unnecessary parking and attracting more congestion. Instead, this zoning tool would mean that **individual land owners could determine how many parking spaces they would provide on their site** for any new buildings. Private landowners are the most interested party when it comes to ensuring that their building is responding to market demands for parking; and they are perhaps nimbler and more equipped to adapt to changing transportation technology that is reducing personal car ownership. The current zoning for Washington Street, which requires a minimum of two parking spaces per residential unit plus additional parking for businesses, is much more likely than this proposed zoning tool to result in buildings illustrated as the ‘market driven’ scenarios. In addition to zoning, **transportation demand management** tools are programmatic ways to discourage large new buildings that are designed to accommodate parking garages.

Building Size

The proposed zoning ordinance controls the length and width of buildings and their floor plate using **building types**, similar to the Zoning Redesign First Draft Zoning Ordinance. See Article 3 of the Zoning Toolkit (page 3-53 to 3-93) for a full list of potential building types for Washington Street. All building types have a maximum number of stories as well as a minimum and maximum height for first floors and upper floors. Each building type is allowed in some districts but not others depending on the character of the

district. These zoning mechanisms help to prescribe the shape of buildings and make sure that only those building types that are suitable for an area are allowed. In general, these zoning tools are more likely to produce new narrower, 'incremental' buildings for Washington Street than the current zoning, which uses lot area per unit to determine massing and is more likely to result in buildings illustrated as the 'market driven' scenarios.

Small Buildings

Another zoning tool that could lead to smaller 'incremental' buildings, is to allow buildings of a certain size to be permitted by-right as an incentive. The draft zoning proposes allowing building types that are **three or fewer stories in height to be approved by-right**, meaning landowners would not have to go through a special permit process. Because the building type tool also dictates building width and length, by-right buildings with a maximum of three stories would also have maximum widths and lengths. If this zoning tool is adopted, then any landowner who wants to build four or more stories would need to go through the special permit process, which may provide an incentive for landowners to build three or fewer stories. The current zoning for a majority of the village centers and commercial areas along Washington Street today allows a maximum of two stories by-right and in recent years has resulted in approved special permits for zoning at four and five stories.

Upper story setback

In instances where buildings taller than three stories are allowed by special permit, the draft zoning proposes that the building **step back by 10 feet at the fourth floor**. This design-oriented zoning tool reduces the amount of building massing that is visible by a person from the street. This tool is recommended for building types on Washington Street that allow four or more stories.

Varied Building Height

Community input in this planning process has identified that there should be no instances on Washington Street where the buildings 'feel monolithic' or like a 'canyon'. One way to avoid this outcome is to vary the building heights. A **courtyard building group** is a proposed building arrangement that would allow a number of buildings to be located around a central civic space. This scenario was illustrated using the 'courtyard' in the first draft vision plan and showed a large underground parking garage that would serve several buildings. The proposed courtyard building group assumes single land ownership, so the building group can carefully regulate building heights to ensure a varied roof line. This zoning tool proposes that **buildings within a courtyard must vary in story height a minimum of three times along the primary frontage and a minimum of two times along a secondary frontage**.

Shopfront Width

The draft zoning prioritizes the rhythm of shopfronts typical to the villages along Washington Street. As proposed in the draft, **shopfronts may not be greater than 30 feet in width** along the street to provide multiple opportunities for retail activity and a lively and engaging activity within the villages. Additional requirements for **shopfront streets**, such minimum and maximum sidewalk widths, could compliment this zoning tool to fine-tune the design of a vibrant sidewalk and street space in village centers on Washington Street.

Step Down to Neighborhoods

A community priority for Washington Street is to ensure that any new buildings in the village centers or at the edge of villages are designed to make a soft transition in height and scale to abutting residential neighborhoods. Today the residential neighborhoods along Washington between West Newton, Newtonville, and Crafts Street and north of these commercial areas are predominantly one and two-unit

residential buildings between 1.5 and 2.5 stories. The proposed zoning would require **buildings that are on lots abutting residential districts to be no more than one story greater than the maximum allowed height of the residential neighborhood.** The proposed maximum height for most residential districts is two stories, which means that buildings adjacent to homes could be no more than three stories. The current zoning for Washington Street does not have any specific step down height controls for buildings abutting residential neighborhoods.

Historic Façade Preservation

The Washington Street vision plan explores ways to preserve the historic fabric of these core areas and to sensitively plan compatible new development. There are buildings along Washington Street and in the villages of West Newton, Newtonville, and Newton Corner that are historically significant or contribute to the historic character. The proposed zoning provides an **incentive for preserving historic building facades within the village centers along Washington Street by providing an additional story of development when facades are preserved and restored.** New construction that maintains historic facades must be **set back 10 feet** from the historic façade in order to create a relationship between new and old structures that visually communicates that the two structures are distinct.

Parks and Civic Spaces

The vision for Washington Street emphasizes the importance of spaces for community to gather outdoors, access nature, and enjoy public life. The proposed zoning includes standards to ensure that Washington Street has a variety of functional and beautiful civic spaces in addition to the existing public parks, like Captain Ryan Park or Davis Field in West Newton. **One zoning tool proposed would require larger new buildings to create a park, open space, or plaza of a certain size.** In some cases, there could be an option for the project to contribute funding to a civic space fund. Zoning can also use a **‘park shed’ tool**, which indicates if an existing park is within a certain distance of a new building, then the building would be exempt from creating a new park or civic space. This aims to have parks of varying sizes well-spaced throughout a neighborhood. The zoning includes different civic space types, for example Common, Park, Plaza, or Square, and outlines different size requirements as well as some design-oriented guidelines.

Residential Unit Factor

The Washington Street proposed zoning uses two different tools to determine the maximum number of housing units allowed. **First, for small buildings, the proposed ordinance lists the maximum number in the building type.** For example, the Townhouse building type is limited to three units maximum. **Second, for larger buildings, the proposed ordinance uses a residential unit factor.** This tool is also proposed in the Zoning Redesign first draft ordinance. The residential unit number is a number that helps tie the building size to the maximum number of units. For example, using a residential unit factor of 1,000, a building of 10,000 square feet inhabitable space could have no more than 10 units. The proposed residential unit factor does not control the minimum size of the housing units, as this is regulated by building code. By using this tool, zoning controls the total number of units, but allows two buildings of similar size and shape to respond to different housing preferences.

Residential unit factor: $\frac{10,000 \text{ sf}}{1,000} = \text{maximum } 10 \text{ units}$

Example Building A: 5 “two-bedroom” units x 2,000 sf

Example Building B: 2 “three-bedroom” units x 3,000 sf + 4 “one-bedroom” units x 1,000 sf

Example Building C: 8 “one-bedroom” units x 1,000 sf + 2,000 sf common space

So, Building A could have five units of 2,000 square feet each; and a second building could have two units of 3,000 square feet and four units of 1,000 square feet; and a third building could have eight one units of 1,000 square feet and a common space of 2,000 square feet.

Sustainable Buildings

Similar to the first draft ordinance being considered for Zoning Redesign, the proposed Washington Street zoning **incentivizes landowners to build sustainable buildings**, such as LEED Certified or net zero buildings. The plan recognizes the value that sustainable buildings provide to Newton as a way to help reach climate action goals, meanwhile dealing with the higher cost of this type of construction. One way to accomplish this goal is to reduce the residential unit factor applied to the building. This approach would not change the size of the building, it would only affect the maximum number of units allowed.

$$\text{Sustainable residential unit factor: } \frac{10,000 \text{ sf}}{750} = \text{maximum 13 units}$$

Affordable Housing

Newton's existing Inclusionary Zoning Ordinance would continue to apply to Washington Street. This ordinance has led to the approval of dozens of permanently affordable units in recent years and would continue to be in effect for Washington Street. As an **additional incentive to build affordable housing**, both the proposed zoning for Washington Street and for Zoning Redesign include a different residential unit factor for 100% permanently affordable housing. This would not change the size of the building, it would only affect the maximum number of units allowed.

$$\text{Affordable residential unit factor: } \frac{10,000 \text{ sf}}{750} = \text{maximum 13 units}$$

Thoroughfares

This proposed zoning tool for Washington Street helps to achieve the goals of **creating a well-connected street network** composed of direct and convenient routes for driving, walking and biking. In addition, by requiring thoroughfares or passageways in projects of a certain size, this zoning tool does not allow long, monotonous buildings and instead breaks up buildings with a passage way for people and activity. Finally, having frequent pathways is a good way to support businesses on Washington Street who stand to benefit from more exposure and an active frontage.

Other Tools for Washington Street

The first draft of the Washington Street vision includes a range of community benefits and infrastructure investments that many people in the community would like to see improved or built. These investments include improved commuter rail stations, a safer street on Washington with more crosswalks, better sidewalks, bike lanes, and new parks and courtyards. These goals range from medium- and long-term investments that the City of Newton cannot fund alone.

District Improvement Financing

District Improvement Financing is a mode of municipal financing utilized in areas that are designated as DIF districts by the State's Economic Assistance Coordinating Council (EACC). DIF districts are selected by the municipality because of their need for **infrastructure enhancements to unlock significant economic**

development potential or attract nearby private investment. As with a TIF, a DIF creates a partnership between a company and a municipality through the **reallocation of incremental real estate property taxes.** However, unlike a TIF, a DIF does not result in any real estate property tax relief for the company, but rather allows the municipality to utilize the incremental real estate property tax to fund public infrastructure projects in the DIF district. After a project has been authorized as a DIF development, the city issues bonds (or effectively takes out a loan) to pay for the necessary infrastructure development. When the project is complete and the business begins paying real estate property tax, the city will use incremental real estate property tax to service the bonds (or pay off the loan). This process grants municipalities the flexibility to prioritize infrastructure work that will encourage development and brings developers more directly into the process.

I-Cubed

The Commonwealth of Massachusetts website states, “The Infrastructure Investment Incentive Program (“I-Cubed”) is an innovative public-private partnership created to spur economic development and job growth in the Commonwealth through support for large-scale private real estate development projects with significant new public infrastructure requirements estimated to be in the range of \$5 million to \$50 million. Enabling legislation was initially passed in 2006, and has since been amended in 2008, 2012, and 2016. The program is administered by the Secretary of Administration and Finance and the Commissioner of the Department of Revenue in partnership with MassDevelopment.” The planning team is looking into this tool and how it could be used on Washington Street. Staff is also monitoring potential changes to this enabling legislation at the State level. The City used I-Cubed to finance improvements on Route 9 as part of the Chestnut Hill Square project.

Transportation Demand Management

TDM is a broad range of strategies intended to reduce drive-along car trips at the peak demand hours and increase use of public transportation, shared mobility services, walking, and biking. TDM is the alteration of travel behavior through a program of incentives and disincentives, services, and policies, that move drive-alone vehicle trips out of the peak travel period (e.g. change in work hours) or eliminate them altogether (e.g. through switch to carpooling or transit). Implementing zoning that requires TDM on Washington Street will be a key way to reduce the likelihood of congestion and large-scaled buildings oriented to large amounts of parking. Because community input for the first draft Washington Street vision identified preference for smaller, incremental buildings TDM is a key tool for implementing the vision for Washington.

Staff will present to the Committee on Monday, January 28, 2019 and will facilitate a discussion to gather feedback from the Committee. Next month, staff and the Principle Group will present the second draft of the Washington Street Vision Plan and Zoning, which will be the subject of the February 11, 2019 Committee meeting.

*Please bring your printed copy of the first draft Vision Plan and Zoning Toolkit to the meeting for reference. Staff will provide extra copies of the height map for the discussion.



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Barney S. Heath
Director

MEMORANDUM

DATE: January 25, 2019

TO: Councilor Susan Albright, Chair, Zoning and Planning Committee
Members of the Zoning and Planning Committee

FROM: Barney Heath, Director, Department of Planning and Development
James Freas, Deputy Director of Planning
Rachel Nadkarni, Long Range Planner

RE: **#518-18 Discussion and review relative to the draft Zoning Ordinance**
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the
draft Zoning Ordinance.
Village Districts Discussion Summary – January 14, 2019

MEETING: January 28, 2019

CC: Planning and Development Board
John Lojek, Commissioner of Inspectional Services
Marie Lawlor and Jonah Temple, Law Department

Attached is a meeting summary of the discussion on residential districts from the November 26th meeting. Staff will be creating a meeting summary like this for each topic regarding the First Draft Zoning Ordinance to track work flow, next steps, and to digitize the notes taken during the discussion.

At the January 28th meeting, staff will briefly present the meeting summary, and take note of any additional thoughts that the Committee has reflecting back on the previous discussion.

Zoning Redesign Meeting Summary

Topic: Village Districts

Date: January 14, 2018

Part 1: Staff Summary (Points of General Agreement)

During the discussion of village districts, staff introduced several topics related to the development of, and modification to, properties in the Newton's village centers. Staff have attempted to summarize those points of agreement that were noted in the meeting and other areas where there appeared to be general agreement, understanding that details on these topics still need further discussion. These notes will be used to direct work flow over the next months and do not represent any decision of the Committee members.

Standards for Lots and Building Types

- Building width - There was general agreement that the building widths on some of the larger buildings, the ones that have a current maximum of 200 ft, may be too wide still. Staff will continue to investigate building widths in Newton's village centers and explore changes to the maximum on all of the building types where this is the maximum.
- Principal Entrance Spacing – there was general agreement that this tool was a positive addition.
- Standards for Vibrant Sidewalks – there was general agreement that the tools included in the first draft to ensure that new buildings create a more continuous and active street edge were a positive addition to the draft, among the tools pointed out was the requirement for frequent building entrances. There was also a discussion of the front setback, and if the front setback default should be more than 0 ft in order to ensure that sidewalks are widened when new buildings come in. Staff will continue to explore the interplay of the front setback, frontage buildout, and building fenestration tools in the village districts to build on the goal of creating vibrant sidewalks in the village centers.
- Parking setbacks – there seemed to be general agreement that the parking setback tool, which requires parking to either be alongside or behind buildings in the village districts was the correct direction to move forward with.

Uses in the Village Districts

- Formula Retail and Restaurants – after a robust discussion about the tools described in the first draft ordinance to place strict standards on formula or chain retail and restaurants and the successes as well as challenges such rules have faced in other Massachusetts communities, there was general agreement that staff should continue to pursue tools to reduce the negative externalities of formula restaurant and retail uses in the village districts.
- Banks – there was also general agreement that staff should further explore and provide standards for banks in the village center. Among the ideas discussed were requiring a Special Permit for anything on the ground floor, setting a by-right size limit on the ground floor, and setting a proximity rule. Staff will investigate the range of tools available and provide a recommended set of standards for banks in the second draft.

Topics needing more discussion

- Residential Unit Factor – staff understood that the committee is looking for more information on the recommended residential unit factor and how the standards for the residential unit factor in the first draft ordinance relate to recent projects.
- Outdoor amenity space – staff understood that the committee is also looking for more information on the recommended standard for outdoor amenity space (24 sf for every unit) and how this relates to the amenity spaces provided by recent development projects.
- Appointment-based Personal Services – there was a robust discussion of appointment based personal service uses and whether they can appropriately work on the ground floor or are better suited to upper stories (where available). Staff understood that this topic merited further discussion, particularly in the context of the window transparency requirements. Staff will highlight how the window transparency requirements in village districts may affect the direction on this set of uses during the development standards discussion.
- Futureproofing the Use Categories – the committee discussion on futureproofing the diversity of uses allowed in the zoning ordinance is a discussion that needs more time. As the review of the first draft continues, staff asks the Committee, and will more broadly ask the business community, to assist us in identifying any uses that should be included at this point so that the use table is relatively future proofed for the next several years, understanding that it will be impossible to anticipate all possible future use categories.

Part 2: Meeting Facilitation Notes Documented

Below is the Zoning Redesign Notes Matrix from the Village Districts Discussion at the Zoning and Planning Committee Meeting on January 14th.

Recorded Zoning Redesign Facilitated Discussion Matrix

<p>Points of Agreement</p> <ul style="list-style-type: none"> • Building widths may be too wide – revisit the 200’ maximum building width • Frequent entrances are beneficial • Village street frontage is important - continuous street wall • Parking setbacks – make sense to have behind or in line with building • Pursue keeping chain stores out of villages – by SPGA only? 	<p>Proposed Modifications</p> <ul style="list-style-type: none"> • Ground floor – consider no personal service in village – could fenestration requirement help? What about places without 2nd floors? (example: 2nd floor yoga) • Determining complex mix of uses in a business – ISD can determine Principle uses vs. Accessory uses – across space and time • Balconies – maybe don’t require, some locations (e.g. adjacent to golf course) are problematic
<p>Points to Discuss Next Time</p> <ul style="list-style-type: none"> • For each village...what does this mean? • Residential Unit Factor- need more info, example lots and buildings 	<p>Points that need Staff Research</p> <ul style="list-style-type: none"> • Banks – 1st floor square footage restriction, security deposit boxes • Built out analysis for villages • Uses and new uses in future
<p>Ideas to Come Back to</p> <ul style="list-style-type: none"> • Signs – will discuss during development standards meeting • Fence design standards – height (fence standards are not in the zoning ordinance) • Curb cuts affect public safety • Coliving –do we need to include? Does this differ from association of persons? 	



Ruthanne Fuller
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Barney S. Heath
Director

MEMORANDUM

DATE: January 25, 2019

TO: Councilor Susan Albright, Chair
Members of the Zoning and Planning Committee

FROM: Barney Heath, Director of Planning and Development
James Freas, Deputy Director of Planning and Development
Rachel Nadkarni, Long Range Planner/Zoning Specialist

RE: #518-18 - DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.
Single Purpose Districts – Primarily Articles 5 & 6, Reference to Articles 7 and 9.

MEETING DATE: January 28, 2019

CC: City Council
Planning and Development Board
Jonathan Yeo, Chief Operating Officer
John Lojek, Commissioner of ISD
Alissa O. Giuliani, City Solicitor
Marie Lawlor, Assistant City Solicitor
Jonah Temple, Assistant City Solicitor

The Special Purpose Districts within the 1st Draft Zoning Ordinance are the “non-contextual” zoning districts; the districts that govern those areas that do not fit into the traditional and predominant development patterns of the City.

These areas typically represent single use areas such as the Wells Avenue Office Park, the mall-like properties in Chestnut Hill, and secluded residential complexes like Nahanton Woods or The Gables. These districts are intended to govern the continued management and upkeep of these properties and are not intended as districts that other areas of the City would be rezoned into. Future development in the City is anticipated to make use of the village and residence districts or substantially similar new zoning districts that might be proposed by a developer or result from a City planning process.

There are seven non-contextual districts, with the Public Use and Recreation Districts in Article 5 and the remaining districts in Article 6, as shown below:

<u>Article 5: Public Use and Recreation Districts</u>	<u>Article 6: Single Purpose Districts</u>
Public Use	Office
Recreation	Fabrication
	Regional Retail
	Non-contextual Multi-unit Residence
	Campus/Institutional

The following describes the primary 1st Draft Zoning Ordinance provisions that apply within the single purpose districts, how they work and how the standards and rules could be changed in order to achieve different outcomes, and how they compare to the existing Newton Zoning Ordinance. This document will not cover development standards such as stormwater and parking or review processes such as the special permit process, as these topics will be addressed later in the 1st draft ordinance review process. This document will identify key issues and policy questions for discussion and the inherent balancing or trade-offs involved.

Finally, this document provides an overview of *Article 7: Overlay & Master Plan Districts*, which is a placeholder for future area-specific planning work.

Reading List: In preparation for this meeting, Committee members should read this memo, all of Articles 5, 6, and 7, along with Article 9 Secs 9.2.4, 9.2.7, and 9.2.13.

Non-Contextual Districts (Public Use, Recreation, and the Single Purpose Districts)

The single purpose zoning districts in the 1st draft zoning ordinance are designed to closely reflect the existing conditions of these areas of Newton. Each district in the 1st draft ordinance provides four primary pieces of information, the district description and purpose, the rules for lots and building placement on the lot, the building types or development alternatives allowed in the district, and the allowed uses.

As with the other districts, the starting point for creating the single purpose districts, and the rules within them, was understanding the building form and context of the City – the work encompassed by the Pattern Book. The most important factors in defining the context are the types and scales of the buildings, the spacing between those buildings, their relationship to the street, and the ratio of built to unbuilt space on a given lot. So the rules in each district focus on these issues.

Public Use District

The Public Use District applies to all publicly owned properties, including all City and state properties such as parks, schools, City Hall, and MBTA stations. Notably, the exception is that this zoning district only applies where the publicly owned parcel is being used for a public

purpose. Therefore, a parcel like Riverside, which may be owned by the State, is subject to a long term lease for private development purposes, and therefore must be zoned to an appropriate district that allows those uses (Mixed Use 3 under the current zoning ordinance). In Newton, all public streets are considered to be in the Public Use District, though they do not show up as such on the Zoning Map.

The Public Use District exempts public properties from zoning requirements and processes, instead directing all City-owned parcels to the Section 5-58 process provided in the City Ordinances. State-owned parcels used for public purposes are exempt from local regulation. This is now the case for the Mount Ida campus, since it was purchased by the University of Massachusetts.

Recreation District

The Recreation District is intended to apply to private recreation facilities, primarily golf courses but tennis clubs and similar would also be included. Privately owned cemeteries were also included within this district as they similarly include open space and limited buildings. Most of these facilities in Newton are currently zoned in residential districts, meaning that the development of these facilities into residential uses is allowed by-right. Under the first draft residential uses, with the exception of a caretaker residence, is not allowed. The range of building types and uses allowed in the recreation district are intended to cover the full range of facilities and activities that currently exist in these districts, with a few new uses to the recreation facilities, like dining uses or a bed and breakfast.

Office District

The Office District encompasses properties that are standalone office buildings, exemplified by the Wells Avenue Office Park, but also found in a small number of additional locations, typically near highway interchanges. Looking at Wells Avenue specifically, the proposed changes will allow for taller buildings than are currently allowed in that district, up to five stories. The district also allows for a limited range of other commercial uses including restaurants, hotels, and other uses that are either typically seen in office buildings in Newton or are generally considered appropriate support to office uses.

Fabrication District

The Fabrication District in the 1st Draft Ordinance replaces Newton's current Manufacturing District. As properties in this district are often underutilized or undervalued relative to the overall market, one intent of this section is to attempt to preserve lower cost commercial/industrial space for a range of entrepreneurial/innovation economy, arts-related, or general commercial-type uses that frequently do not fit well into other mixed-use or commercial districts. Reflecting Newton's 19th century manufacturing past, many of the city's manufacturing districts are relatively small and interspersed into residential neighborhoods, while others are in prime locations near the Charles River or transit lines that likely should be considered for higher value uses. For the purposes of the 1st Draft Ordinance Zoning Map, nearly all Manufacturing Districts were simply transferred to the new Fabrication District.

Regional Retail

In the current ordinance, the same business district zoning rules apply in Newton Center and at Chestnut Hill mall, despite the fact that the building types and scale and mix of businesses are very different in these two locations. The primary objective of the Regional Retail District in the 1st Draft Ordinance is to recognize these types of existing regionally oriented shopping centers and provide a set of rules that match their character so that they can remain conforming. These more tailored rules will allow for easier management and operation of these properties for tenant turnover and other issues.

Non-contextual Multi-unit Residence District

The Non-contextual Multi-Unit Residence District, similar to the Regional Retail District recognizes and allows for the existing large-scale residential developments in Newton so that they can remain conforming with the ordinance. This district is designed to encompass both the single large building examples, such as Chestnut Hill Towers or Nahanton Woods as well as the multi-building townhouse style, more spread out examples such as The Gables or the Terraces. Making these properties conforming and creating a tailored set of rules for these properties that are set apart from the typical residential street patterns will make it easier for maintenance and minor changes to these properties.

Campus/Institutional District

The Campus/Institutional District applies to the campuses of private secondary schools, colleges, and universities as well as the hospital, removing these properties from the residential district. Similar to the Recreation District, this change means that a campus cannot sell off parcels for residential development by-right but would instead require a rezoning process through the City Council. These types of properties are unique in the way that they encompass multiple buildings and uses in a coherent and inter-related place. The rules need to reflect that nature of these places, while still managing the relationship of these places with the surrounding neighborhoods and, for the colleges, acknowledging their special status as Dover protected uses partially exempt from local zoning.

Overlay and Master Plan Districts

Article 7 is a placeholder at the moment. The first draft ordinance places all land into a base zoning district, either a contextual district (one of the residential or village districts), or one of the non-contextual districts described above.

The Zoning Redesign process anticipates that this is not Newton's final zoning ordinance and that changes will be made throughout Newton's future. Anticipated in the near future is an ongoing effort to have in-depth community discussions about specific areas of the city and new zoning that reflects the vision plans developed for those places. The work ongoing for Washington Street is such an example.

Additionally, Newton may choose to make use of overlay districts for particular purposes, like the location of marijuana establishments, or to require specific standards in areas that will see

more intense climate change related flooding. Overlay districts, apply simultaneous to the base districts but add specific information about a range of uses or development standard.

Restricted Uses

Newton's current ordinance includes a number of restricted uses with a number of criteria and rules. These uses and rules have been carried forward as Section 9.2.13 with little change except to update the language and formatting. The Keno use has been renamed as Gambling to reflect the expanded range of gambling now allowed in Massachusetts.

Parking, signage, and other development standards are scheduled for upcoming discussions.