



Zoning & Planning Committee Report

City of Newton In City Council

Monday, March 26, 2018

Present: Councilors Albright (Chair), Danberg, Krintzman, Kalis, Downs, Brousal-Glaser, Baker and Leary

Also Present: Councilors Scibelli Greenberg, Auchincloss and Crossley

City Staff Present: Barney Heath (Director, Planning Dept.), James Freas (Deputy Director, Planning Dept.), Lily Reynolds (Community Engagement Manager), Rachel Nadkarni (Long Range Planner), Jonah Temple (Assistant City Solicitor), Karyn Dean (Committee Clerk)

#182-18 Appointment of Matthew Volpi to the Commission on Disability

HER HONOR THE MAYOR appointing MATTHEW VOLPI, 44 Oakmont Road, Newton Centre, as a member of the COMMISSION ON DISABILITY for a term to expire April 30, 2021. (60 days: 5/18/18)

Action: Zoning & Planning Approved 6-0 (Councilors Baker and Leary not voting)

Note: Matthew Volpi joined the Committee. He explained that he has lived in Newton for 18 years and his two daughters have disabilities: one has a neuromuscular disease and uses a motorized scooter and has a service dog; and his other daughter has learning issues. This has motivated him to work on making Newton as accessible as possible for all who live in the City. He has been attending Commission meetings since November and has completed an auditing project for Jini Fairley, the City's ADA Coordinator. He noted that because he personally has no disability, he can easily move around the City and provide assistance in that way to the Commission.

Mr. Volpi noticed that sidewalks in the winter are not accessible especially for people with mobility issues. He would like there to be more of an effort to educate the community on the importance of making sure sidewalks are safe and accessible. He would also like to be sure there are adequate curb cuts so that everyone can easily make their way on and off sidewalks, and through crosswalks. Councilor Albright said she has suggested that Newton have a YouTube channel and one video could demonstrate how to properly clear sidewalks and curb cuts.

A Committee member asked if Mr. Volpi supported increasing the membership of the Commission on Disability, which is up for discussion later in this meeting. Mr. Volpi remarked that having a larger membership would be beneficial in several ways including providing more points of view and more people to share the significant work of the Commission.

Mr. Volpi was asked his opinion on playgrounds in the City. He noted that the City needs to take into consideration not just the children's ability to access the property and equipment, but also the

needs of parents, grandparents or other caregivers of children. Those adults may have mobility issues or other disabilities and need to be accommodated.

Councilor Brousal-Glaser moved approval and the Committee voted in favor, unanimously.

#183-18 **Appointment of Melinda Broderick to the Auburndale Historic District Comm**
HER HONOR THE MAYOR appointing MELINDA BRODERICK, 42 Maple Street, Auburndale, as a member of the AUBURNDALE HISTORIC DISTRICT COMMISSION for a term to expire April 30, 2021. (60 days: 5/18/18)

Action: **Zoning & Planning Approved 6-0 (Councilors Baker and Leary not voting)**

Note: Ms. Broderick joined the Committee. She explained that she has lived in Newton since 1993 and she is now in a position where she has more time to devote to volunteerism. One of the reasons she purchased her current home was because of its historic nature and its setting among other historic properties. She would like to see historic areas of the City preserved but she also understands that it is expensive for homeowners to maintain historic character. She would like to be part of the Commission so she can work on ways to balance those needs. There are architects and other experts on the Commission and she could add the homeowner point of view.

A Councilor noted that there is such a wealth of talent on historic district commissions and that is a great benefit to the community. Ms. Brockerick was also asked how she would balance working with her neighbors and what they might want to do with their homes and the need to maintain historic character. Ms. Broderick said her work on the Securities and Exchange Commission has taught her how to engage in controversial or sensitive conversations and she feels confident in her ability. She also said she could recuse herself if something were too close for her, but ultimately the neighbors generally have a common goal of preserving the homes and historic nature of the neighborhood. The relationship with Lasell College, is a work in progress and she hopes she can facilitate those continued conversations.

Councilor Krintzman moved approval and the Committee voted in favor, unanimously.

#184-18 **Appointment of John Wyman to the Newton Upper Falls Historic District Comm**
HER HONOR THE MAYOR appointing JOHN WYMAN, 47 Old Orchard Road, Newton, as an alternate member of the NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION for a term to expire April 30, 2021. (60 days: 5/18/18)

Action: **Zoning & Planning Approved 8-0**

Note: Mr. Wyman joined the Committee and explained that he has been Chair of the Chestnut Hill Historic District Commission since 1992, when it was founded. The program in Chestnut Hill has been very successful and has done much to enrich the neighborhood. Many of the historic district commissions have had challenges in finding commissioners to serve and the Upper Falls commission in particular has been having quorum issues. He, therefore, volunteered to serve as an alternate member to fill in when necessary.

If action is not taken on an application within 45 days, it is constructively granted. If there are only four members, a unanimous vote is needed to pass something and this is where the number of members become tricky. He will continue his work on the Chestnut Hill Historic District Commission.

Mr. Wyman was asked if he felt comfortable with the Upper Falls area, since he lives in Chestnut Hill. Mr. Wyman said if he were moving into Newton as a new resident, he would look into moving into that area. It is a funky, friendly and interesting area that has some of the oldest houses in the City. The historic district commissions all operate from the same basic requirements and standards to provide a certain amount of predictability, but each area has its uniqueness. He felt he could apply judgment that is appropriate.

As a side note, Councilor Albright noted that Mr. Wyman did an incredible amount of work on the recodification process of the ordinances and that was a tremendous service to the City.

Councilor Baker noted that Mr. Wyman has been an extraordinary member of the Chestnut Hill Historic District Commission and moved approval of his appointment to the Upper Falls Commission. The Committee voted in favor unanimously, with thanks.

#161-18 Ordinance amendment to increase membership of Commission on Disability
HER HONOR THE MAYOR requesting to amend Chapter 22, Section 100 of the City of Newton Ordinances to increase the maximum number of members of the Commission on Disability from nine (9) to thirteen (13). This change will reflect amended state law, MGL Chapter 40, Section 8J, allowing to up to thirteen (13) members.

Action: Zoning & Planning Approved 8-0

Note: Councilor Albright explained that Mass General Law was adopted in 2016 to increase the maximum number of members of the Commission on Disability from 9 to 13. MGL Chapter 40, Section 8J was attached to the agenda. Jini Fairley, ADA Director for the City, provided a written explanation for requesting that the City amend the ordinance to comply with MGL. Her letter is attached.

A Committee member asked how many members have typically been serving on the Commission on Disability. Councilor Leary explained that some members may experience transportation or health issues that might prevent them from attending a meeting now and then, so having more people on the Commission not only expands opportunities for others who might want to serve, but assists in the operation of the Commission as well.

The Committee voted unanimously to approve this amendment.

#185-18 Discussion and adoption of Needham Street Vision Plan

DIRECTOR OF PLANNING requesting discussion and adoption of the Needham Street Vision Plan as an amendment to the 2007 Newton Comprehensive Plan.

Action: Zoning & Planning Held 8-0

Note: Barney Heath, Director of Planning, explained that he had just been at the Needham Street Engagement Committee meeting. Twenty-four community members are part of the Committee including business owners, residents, and various interest groups. There is a robust website that contains all the meeting summaries, presentation and information which can be found at:

<http://www.newtonma.gov/gov/planning/current/devrev/hip/needhamstreet.asp>

The process has gone very well and the attendance and public engagement has been vibrant. They are now taking all of the information and compiling it. The role of the Committee is to give staff feedback and then all of that information can be coalesced and presented to the Zoning & Planning Committee. This will be a template to look at developments along Needham Street to help in decision making moving forward.

Councilors Kalis and Crossley have been involved in this process. Councilor Kalis felt the process has been going well and concerns have been articulated. There was out of the box thinking and new ideas have been proposed. It will be interested to see what the Planning Department does with those ideas. Councilor Crossley agreed and felt the Committee is filled with excellent representation and points of view. The points of view have been tempered by the very logical and focused way information has been presented. It is a big task to take all that input and turn it into something directive. The group has been very good at identifying the challenges and goals so it will be interesting to see what happens on the ground on Needham Street. Some ideas can be impacted by the City and some cannot without an enormous amount of investment. Mr. Heath said proposals can be separated into short, medium and long term measures.

A public meeting will take place on April 23rd and get the information to Zoning & Planning soon after.

The Committee voted to hold this item.

#186-18 Zoning Amendment for Shared Parking Pilot Program

DIRECTOR OF PLANNING requesting amendments to Chapter 30, Newton Zoning Ordinance, to allow for a Shared Parking Pilot Program as an accessory use in commercial districts.

Action: Zoning & Planning Held 8-0

Note: Rachel Nadkarni, Long Range Planner, addressed the Committee. She explained that the Shared Parking Pilot Program came out of the Newton Centre Parking Strategy. She provided a PowerPoint presentation, which is attached to this report. Please refer to it for more detailed information, including implementation of other recommendations from the Newton Centre Parking Strategy.

This pilot essentially will be connecting parking capacity with those who are looking for parking. It is frustrating for drivers to see available, but unusable spaces in lots when they are looking for parking. In the current zoning ordinance, parking is associated with a particular use and sharing it is prohibited; however, those parking spaces are generally only utilized during specific periods of time. This pilot provides the opportunity for the public to utilize parking spaces when they are not needed by the business that they serve.

Staff is proposing a 3-year pilot, limited to non-residential zoning districts citywide. A zoning review of the private lot to determine that the parking spots have been legally created will be required. Acceptance into the program by the Commissioner of Inspectional Services would be required, which establishes an appeals pathway to the Zoning Board of Appeals. The City Council would receive annual re-evaluation reports for the 3-year term of the pilot. Developing the program would include application requirements and requirements for how lot owners interact with parkers.

Draft zoning and pilot program language will be developed for a more in-depth discussion with Committee on April 9th

Committee Questions/Comments

Ms. Nadkarni explained that blackout dates provide flexibility for lot owners. For example, if a Church has an event on a Saturday, the owner can block access to spaces through an App so that they are available for congregants.

It was asked if current casual shared parking arrangements would need to make any changes to their current practice. Ms. Nadkarni noted that practice is known that those agreements do exist in various parts of the City. The zoning ordinance is explicit that that practice is not allowed, but it is up to the Council how flexible the pilot program should be.

A Committee member said he would like data to be collected and shared on how the parking is being used, for example, where did those parkers go after they parked. This would be helpful in forming policy moving forward.

It was asked how lots owners feel about this concept. Ms. Nadkarni explained that the City had asked lot owners if they would be willing to participate in shared parking. The issues that lot owners were most concerned with were how do they deal with the changing needs of their business/church - if an event comes up, how do they preserve parking for their purposes. This is where the blackout dates came into play and the ability to turn availability on and off in real-time through an App. Liability is another big concern and this is an issue that is being addressed by Apps as well, and they provide insurance and take on the liability. The App can also track revenue for tax purposes. Essentially, the City is enabling private sector driven shared parking through a body of regulation. The lot owners can decide what they want to charge and the market will determine the correct price point. The lot owner would identify which App they would be contracting with when they apply with the City. Boston and Cambridge have been using shared parking Apps and they have been successful. It was asked if any taxes are paid to the City. Ms. Nadkarni said she would look into that, but no fees comes to the City through the App or the lot owners.

A Councilor noted that a non-profit organization does not pay taxes and there should be some care taken that they do not have a profit-making enterprise on the side. Another Committee member noted that a non-profit organization would have to pay tax on rental spaces. She pointed to the example of the Carr School renting out parking spaces to a small business in the City and that revenue was taxed.

Another Councilor said there is nothing stopping a homeowner from using an App to rent out their driveway, whether that is legal or not is another question. The sharing economy is something that has to be looked at, because this is an active practice and the City should be looking at regulations. She is concerned that this could encourage driving, however. Generally, she felt that the current parking requirements in the zoning ordinance are excessive and there is a better way to use land in the City.

Changes to the zoning ordinance are required to implement this pilot program. Ms. Nadkarni said there would be an amendment to the zoning ordinance with a sunset clause after 3 years to enable this program.

There was a concern from a Councilor that Newton could become a node for parking for those who are not residents. This is an important public resource that may be made available for anyone who comes into the City. He wondered if someone could rent out a space as a "stand-by" space so that it would always be available for their use or client use. Taking the City out of the equation may create situations where the public function is not served. Each use should have sufficient parking so that cars do not spill over into residential neighborhoods. There is still a public enforcement issue involved in parking. He felt that the pilot program should take place in only one area of the City and not citywide.

The Chair asked if the City could limit the number of hours a parking space may be rented. Ms. Nadkarni said the primary reason for the parking crunch in Newton Centre, for example, is employees using front door spaces. The employees park and then move their car every 2 hours. There is a lack of available parking spaces that are long-term, so employees do have an issue with parking. The pilot can help determine solutions to some of these problems. The shared parking concept is just one approach to dealing with the parking issues in the City.

It was asked if there was a way to consider new uses as a result of a shared parking program. Ms. Nadkarni said that in the short-term, that it would not be taken under consideration. This is about the ebb and flow of spaces and not a reliable resource that can fulfill a condition of a special permit, for example. A Councilor said this should be taken into consideration at some point.

The Chair suggested that staff provide different options for the length of time of the trial and the areas that would be affected.

The Committee voted to hold this item.

DIRECTOR OF PLANNING requesting discussion of topics, issues, and ideas from the Zoning Redesign Event Series, with Committee feedback leading to staff preparation of the draft policy content outline for the new Zoning Ordinance.

Action: **Zoning & Planning Held 8-0**

Note: James Freas, Deputy Director of Planning, joined the Committee as well as Lily Reynolds, Community Engagement Director. They provided a PowerPoint presentation and Summary Report of the latest Zoning Redesign Event Series: *Building Shape, Size and Form in Neighborhoods and Village Centers*. This event was attended by over 70 people. Please see attached presentation and summary for details. Information on the Zoning Redesign process may be found at: <https://courbanize.com/projects/newtonzoning/updates>

Committee Questions/Comments

It was asked how the old lot/new lot distinction would work in the new ordinance. Mr. Freas said the expectation is that those distinctions would not be carried forward into the new draft. There was a concern that current non-conforming houses on old lots should not become illegal because of this. It was also noted that minimum lot sizes were discussed in the past and it was determined that 5,000 square feet was the appropriate size. The fundamental change of getting rid of old and new lots could bring about some unintended consequences that may make current non-buildable lots buildable.

The impact of noise is an important thing to consider. Also, there is an ordinance that allows a lot to be subdivided with a special permit. There is still going to be a sense of how the new ordinance would impact a particular situation and not just how it has impacted another community.

It would be helpful to have a table of each district showing the requirements of each for reference.

There was some concern about calling areas “corridors” because there are residences in what some consider a commercial corridor. This has to be handled sensitively because there is a fear amongst homeowners of being lumped into that category.

A Committee member asked about incentives in the zoning ordinance. Mr. Freas noted that zoning in and of itself has rewards and incentives built into it, which are then provided by the market. If building a larger house does not provide the incentive, perhaps a builder will renovate an existing house. The special permit process or undergoing certain reviews can lead a builder to do smaller or less intrusive projects.

A Councilor noted that the street classification system evolved from the Comprehensive Plan, which started identifying certain kinds of streetscape plans. It might be a good idea to review them in this context. Some neighborhoods were designed intentionally to have small lots. Some people bought several lots and put a small house in the middle, but now developers are buying them and building large houses on them. If those smaller lots could be legal for building, then smaller houses could proliferate and money can be made on those as well. Cottage Courts are a concept that is

becoming more popular. They allow smaller homes around a courtyard and there are some examples in Lexington.

It was asked if there could be some height standards. There are some grand Victorian homes that are much taller than others. A two and half story house in the middle of that would look out of context. There are also homes on sloped land that require that the back may be a story higher than the front, which makes sense. Otherwise, a developer may build up the land in the back which then requires a retaining wall.

A Councilor noted that pedestal houses, which were mentioned in the presentation, are only possible because Newton does not regulate grade changes on sites. There is a similar problem with retaining walls as well.

Sideway facing houses are addressed in the ordinance as well. Three family homes will be discussed in more depth at the next meeting.

It was asked that staff look at the percentage of non-conforming lots and what the new ordinance might do to that number.

The Planning Department will be scheduling a "Break the Ordinance Day" to try and poke holes in the proposed language to find loopholes that need to be addressed.

At the April 9th Zoning & Planning meeting, there will be a deeper discussion of this issue and ordinances from other communities will be presented.

The first joint meeting with the Land Use Committee is scheduled for April 30th. The zoning map will be presented by Sasaki Associates, which was based on policy objectives from the Comprehensive Plan and the data from the pattern book of development across the City. Staff will present new lines on the map and new districts along with the range of building types that would be allowed in each district.

The Committee voted to hold this item.

Meeting adjourned.

Respectfully Submitted,

Susan S. Albright, Chair

Karyn Dean

From: Jini Fairley
Sent: Monday, March 26, 2018 3:32 PM
To: Susan Albright; Karyn Dean
Cc: Marie M. Lawlor; Ouida C. M. Young; Dana Hanson; Jini Fairley; Amalia Timbers
Subject: RE: docket item increasing the size of the commission

Hi Susan,

As you requested, here is the explanation for this ordinance amendment.

Late last fall I was made aware of the fact that the state made a change in the maximum number of members for a Commission On Disability, organized under the state statute MGL Chapter 40, Section 8J. That change (MGL Chapter 133 Section 46), effective July 1, 2016, increased the maximum number of Commission members from 9 to 13.

At the same time, last fall, an uptake of interest in membership on the COD took place, where the COD would soon reach the original maximum number of members (9) if all prospective applicants were appointed. Both the COD and the Mayor's office wanted me to look into what was necessary to amend the city of Newton Ordinance to reflect that change in the state statute, in order to welcome more prospective applicants for the COD, up to a maximum of 13 members.

What you have as the docketed item is the language needed to amend the city ordinance to align with the state statute, MGL Chapter 40 Section 8J. This wording for the ordinance amendment was prepared and submitted by Marie Lawlor of the city's Law Department.

It is the intention of the Newton COD and the Mayor's office to request the City Council to adopt this amendment so that the Newton ordinance establishing the Newton Commission On Disability to be in conformance with the state statute which the COD is organized under, MGL Chapter 40, Section 8J.

If you have any questions or need further clarification, please let me know. I have included the language of the state statute from the state's website

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8J>):

Section 8J: Disability commission; powers and duties; members; terms

Section 8J. A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (2) advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; (3) coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or town as they affect people with disabilities; (5) provide information, referrals, guidance and technical assistance to

individuals, public agencies, businesses and organizations in all matters pertaining to disability; (6) coordinate activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

[Third paragraph effective until July 1, 2016. For text effective July 1, 2016, see below.]

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

[Third paragraph as amended by 2016, 133, Sec. 46 effective July 1, 2016. See 2016, 133, Sec. 203. For text effective until July 1, 2016, see above.]

Said commission shall consist of not less than 5 and not more than 13 members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Much appreciated,
Jini

Jini Fairley

ADA Coordinator
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459
617-796-1253
jfairley@newtonma.gov

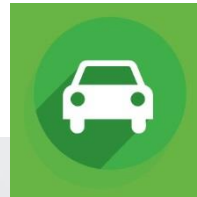
From: Susan Albright [mailto:susansophia.albright@gmail.com]
Sent: Monday, March 26, 2018 1:43 PM
To: Jini Fairley; Karyn Dean
Subject: docket item increasing the size of the commission

I think we are on our own on this docket item - which is ok but can someone summarize this need in a couple of sentences. When did this legislation pass? Were there any other changes?

--
Susan Albright
Councilor-at-Large Ward 2
Newton City Council

Shared Parking Pilot

*Zoning and Planning Committee Discussion
March 26, 2018*



Newton Centre Parking Strategy

Accomplishments

What have we accomplished so far?

Foundational capacity building:

- Hired a Transportation Director
- Hired a Parking Manager
- Launched Passport pay-by-phone technology
- Upgraded Directional Signs and identified all public parking lots in Google Maps so people can more easily navigate to parking



31% of people parking in Newton Centre now pay for parking using Passport

Newton Centre Parking Strategy

2018 Pilots

Shared Parking Pilot

Make some parking spaces in private lots open to public parking in off-hours times



Graphic: ZHAI HAIJUN/CHINA DAILY

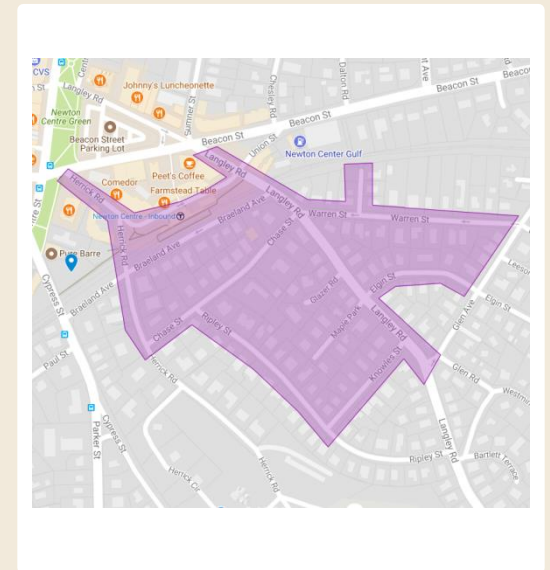
Kiosk Payment Pilot & Passport

Make payment & data collection easier



District Permit Pilot

Manage parking on surrounding neighborhood streets



Newton Centre Parking Strategy

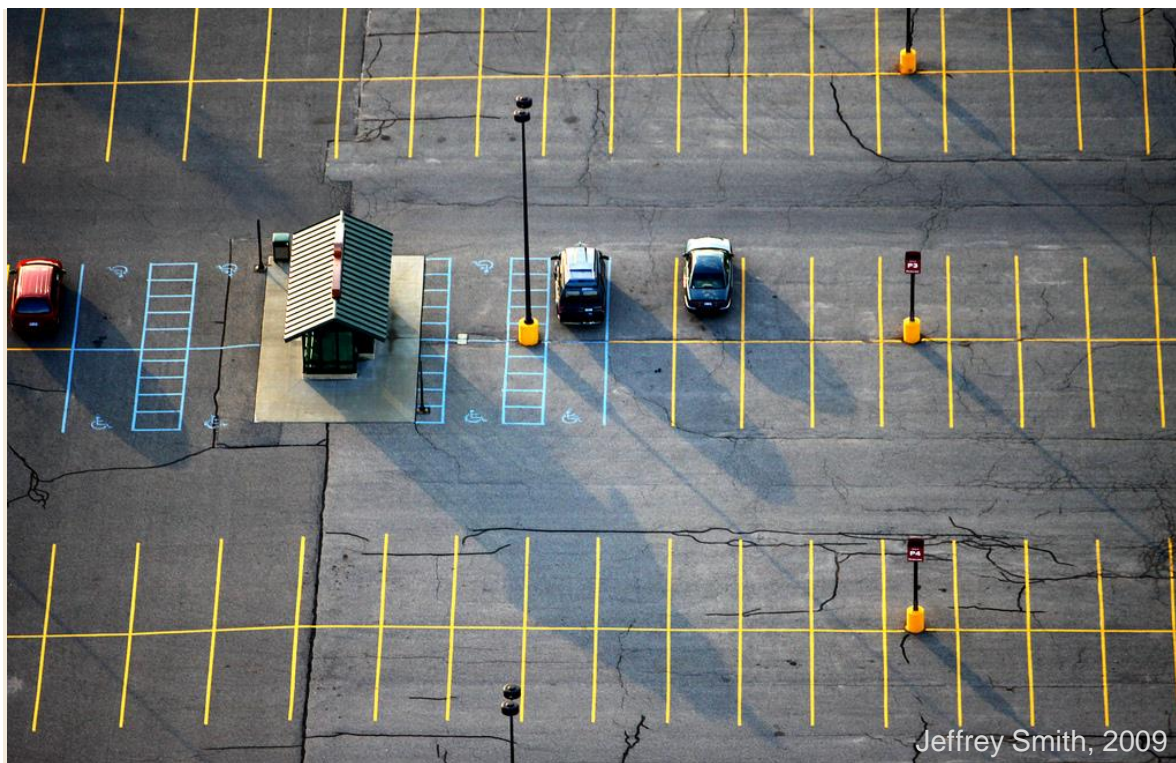
2018 Pilots

Shared Parking Pilot

Make some parking spaces in private lots open to public parking in off-hours times



Graphic: ZHAI HAIJUN/CHINA DAILY



Jeffrey Smith, 2009

- Set up system for parkers and lots with extra capacity to find each other

ROLL OUT: commercial village centers across Newton

Shared Parking Pilot

What's the challenge?

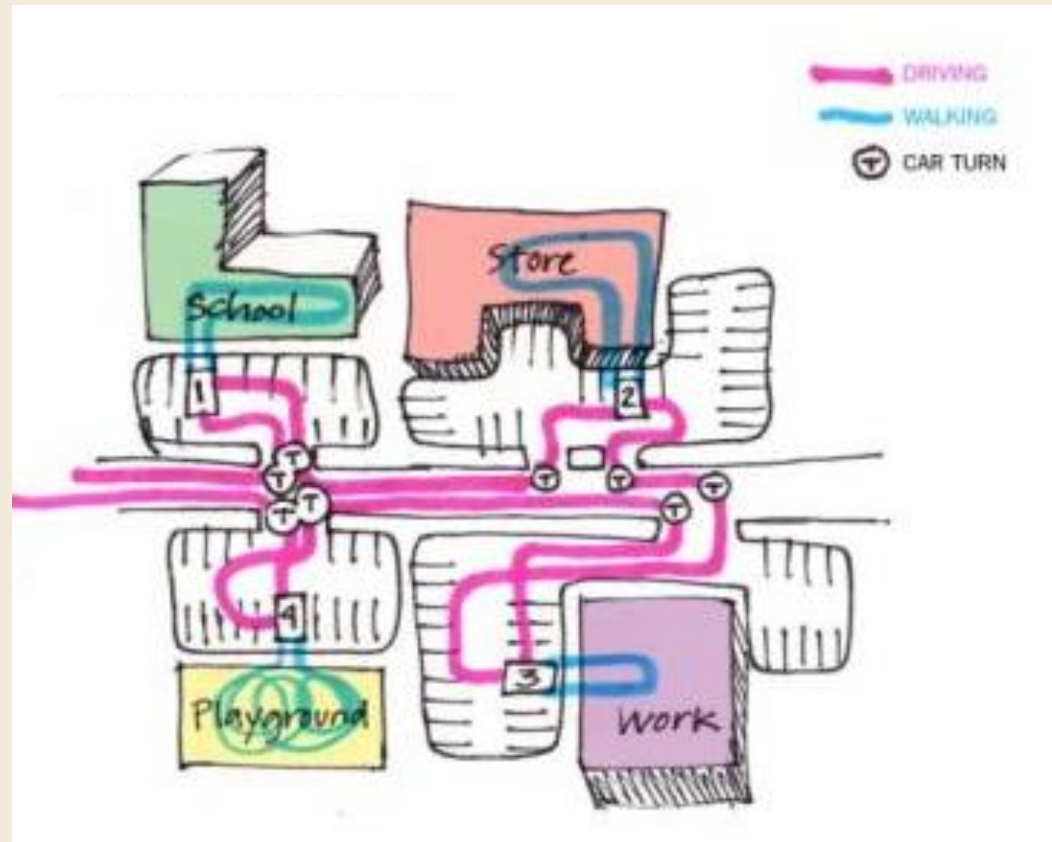
The frustration resulting from seeing a wide open parking lot and knowing you cannot use those spaces without risk of being towed



Shared Parking Pilot

How does the zoning ordinance address shared parking?

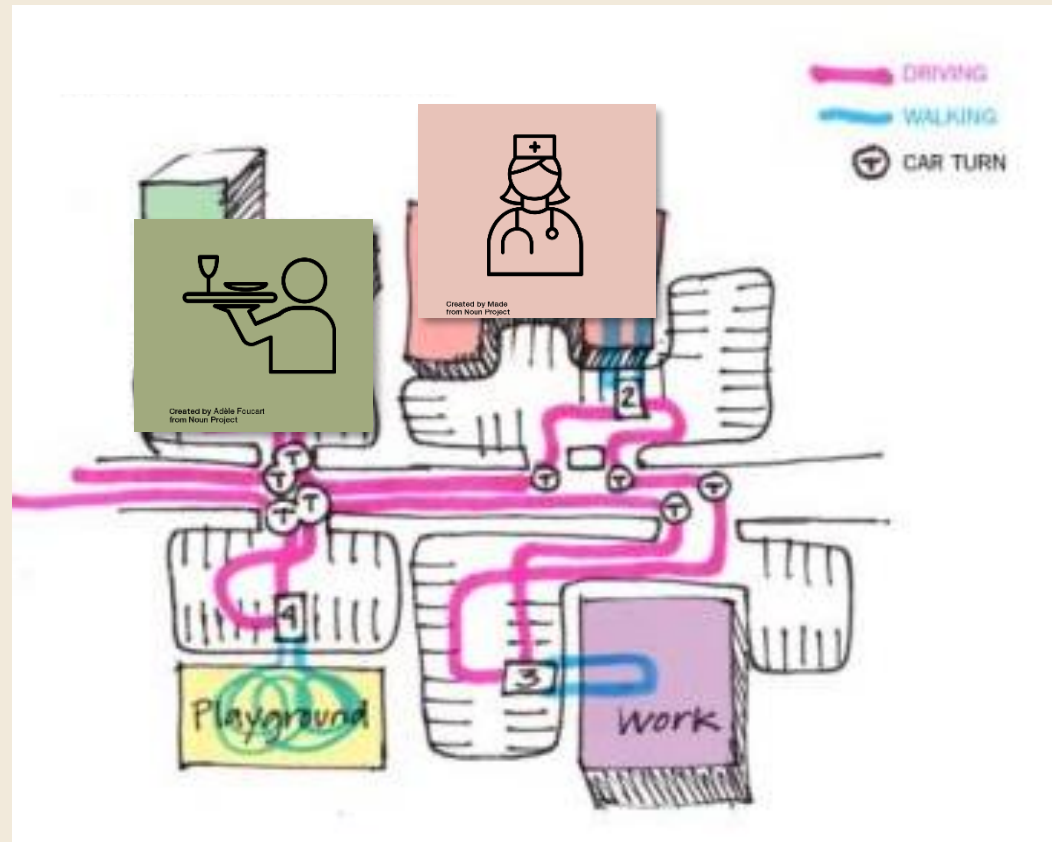
- Assumes every use is an island
 - Driving is the only way a visitor arrives. Must drive between destinations
- Parking requirement is based on highest day of use.



Shared Parking Pilot

How does the zoning ordinance address shared parking?

- Accessory Parking for each use
- Non-accessory agreement to use another property's parking lot



Shared Parking Pilot

Shared Parking Pilot

Make some parking spaces in private lots open to public parking in off-hours times



Graphic: ZHAI HAIJUN/CHINA DAILY

Define accessory shared parking

Sharing accessory parking spaces with the public when they are not needed by the business that they serve.

Shared Parking Pilot

Shared Parking Pilot

Make some parking spaces in private lots open to public parking in off-hours times



Graphic: ZHAI HAIJUN/CHINA DAILY

Zoning Amendment for 3-year Pilot

- Limit the pilot to non-residential zoning districts
- Require zoning review and acceptance into the pilot program before sharing parking
- Acceptance decision would be made by the Commissioner of Inspectional Services to establish an appeals pathway to the Zoning Board of Appeals
- Annual re-evaluation reports to the Council and a sunset clause on the pilot ending 3-years from adoption

Shared Parking Pilot

Shared Parking Pilot

Make some parking spaces in private lots open to public parking in off-hours times



Graphic: ZHAI HAIJUN/CHINA DAILY

Pilot Program Development

- **Application Requirements**
- **Requirements for how lot owners interact with parkers**
 - Require real time communications with parkers
 - Require to have option to blackout dates/times when the parking is needed by the lot owner
 - Require to provide customer service system in real time
 - Requirements for communications with the City

Shared Parking Pilot

Shared Parking Pilot

Make some parking spaces in private lots open to public parking in off-hours times



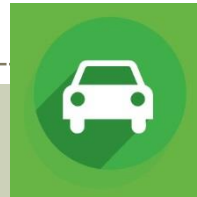
Graphic: ZHAI HAIJUN/CHINA DAILY

Drafts of the zoning language and pilot program will be developed for a more in-depth conversation on
APRIL 9th

What do you want to hear more about next time?

Shared Parking Pilot

additional material



Shared Parking Pilot

Options for Increasing Parking Availability in Private Lots

- **City leases spaces from a private owner for public use**
- Private owner leases spaces from another private owner
- Private owner opens spaces to public use, for example a bank after hours

From the Newton Centre Parking Strategy

BEST PRACTICE – Lexington, MA



In Lexington Center, the Town leases spaces at a church and local utility that are not used by the landowners during weekday peak hours. This has expanded parking supply for employees and customers, while creating new revenue for these two entities.

Shared Parking Pilot

Options for Increasing Parking Availability in Private Lots

- City leases spaces from a private owner for public use
- **Private owner leases spaces from another private owner**
- Private owner opens spaces to public use, for example a bank after hours

From the Newton Centre Parking Strategy

Allowed by
Special Permit

Used in a few
instances around
the city

Shared Parking Pilot

Options for Increasing Parking Availability in Private Lots

- City leases spaces from a private owner for public use
- Private owner leases spaces from another private owner
- **Private owner opens spaces to public use, for example a bank after hours**

From the Newton Centre Parking Strategy

Technology-enabled
shared parking
support
companies

Shared Parking Pilot

Importance of being dynamic

- One-off events & What If's
 - Religious facilities host private events – baptisms, funerals, etc.
 - Offices host occasional evening activities – open houses, holiday parties
 - One time activities are often barriers to participation in shared parking



Created by icon 54
from Noun Project



Created by Rockicon
from Noun Project

Shared Parking Pilot

For the Parker...

Shared Parking means a guaranteed space when arriving

The technology-enabled support companies provide...

- Online/In-Phone booking & payment
- Clear directions to the parking space
- In-App Communications with Space Owner if issues arise

Shared Parking Pilot

For the Lot Owner...

Shared Parking means supplemental revenue from an underutilized resource

The technology-enabled support companies provide ...

- Option to 'black out' dates and adapt to schedule changes
- Professional IT support
- Revenue tracking
- In-App communications with parkers if issues arise

Shared Parking Pilot

For the City ...

Shared Parking means more effective use of parking resources and freeing up of front door spaces for customers

The technology-enabled support companies provide ...

- Professional back end management and customer service
- Allows City to ensure only legal parking spaces are offered
- Reduce pressure on on-street parking
- Make the overall parking system more efficient



Newton Zoning Redesign

Building Shape, Size, and Form
in Neighborhoods and Village
Centers

03.15.18

Welcome!

6:35

Zoning 101

6:45

Building Shape, Size, and Form in
Neighborhoods and Village Centers

7:20

Q&A

7:30

Table-top Sessions



Zoning 101



Zoning Is...

Zoning shapes our city. It ensures that buildings and uses of land promote positive outcomes for the community and are consistent with the neighborhood context.

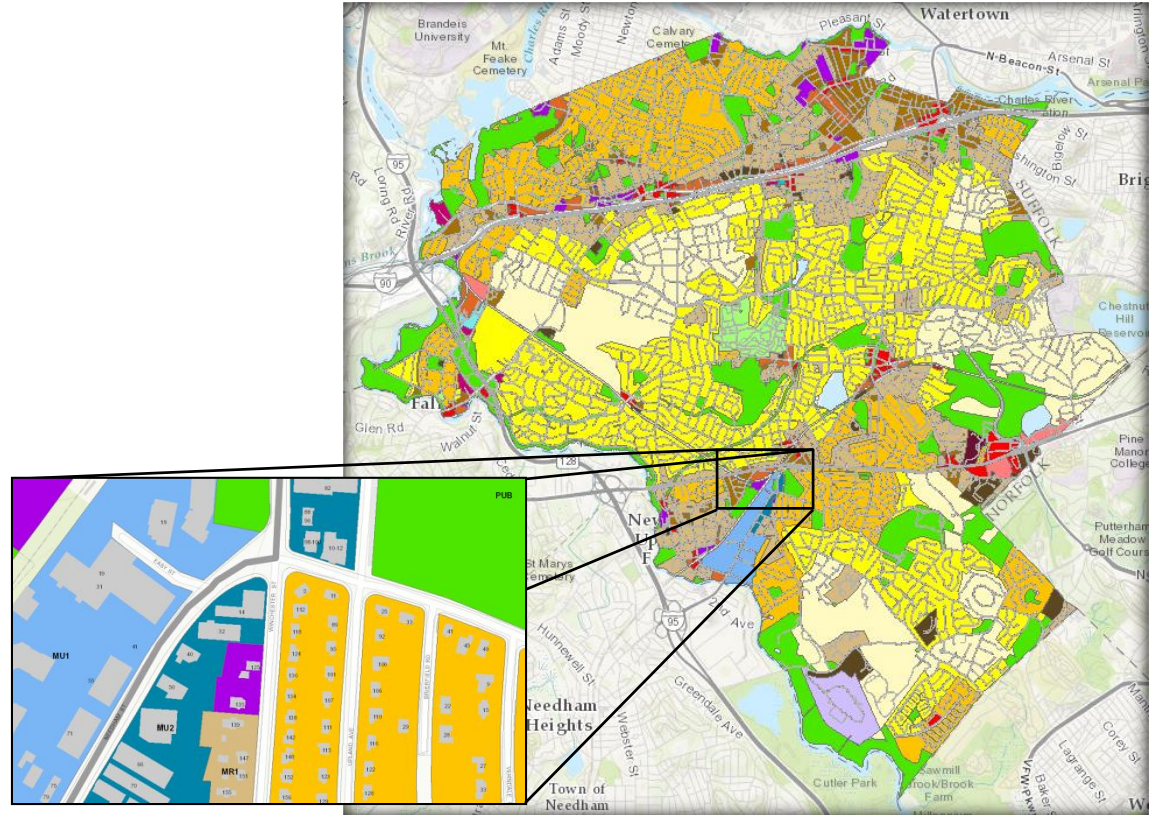
Zoning is the regulation of our built environment: types of buildings, their locations, and their uses.

#75-18



Central Elements of Zoning

- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
- Development and Use Standards
- Decision Making Processes

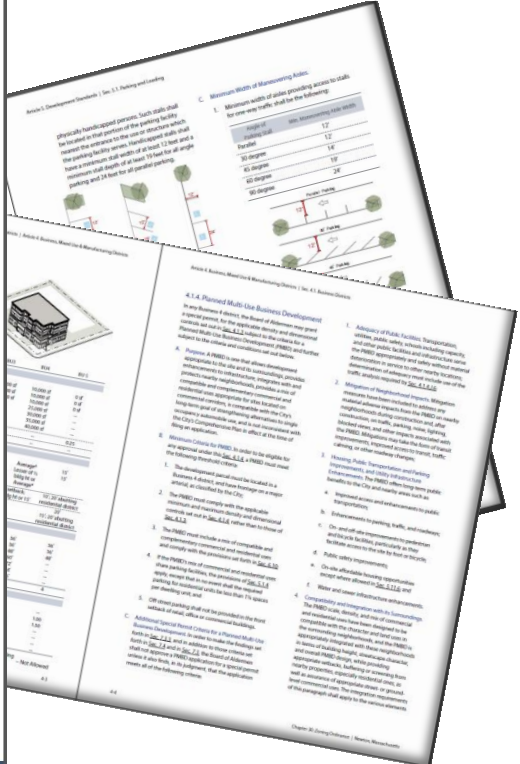





The Zoning Map divides the city into districts, each of which represents a different set of land uses and scales of building types.

Central Elements of Zoning

- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
- Development and Use Standards
- Decision Making Processes

Newton, Massachusetts
Chapter 30: Zoning Ordinance
November 1, 2015



Minimum Width of Sidewalks

Category	Minimum Width
Public	12'
Private	12'
30 degree	12'
45 degree	24'
60 degree	24'

Planned Multi-Use Business Development

1. The development shall be located in a building as defined in the Zoning Ordinance...

2. The building shall comply with the applicable minimum and maximum height and directional requirements set forth in the Zoning Ordinance...

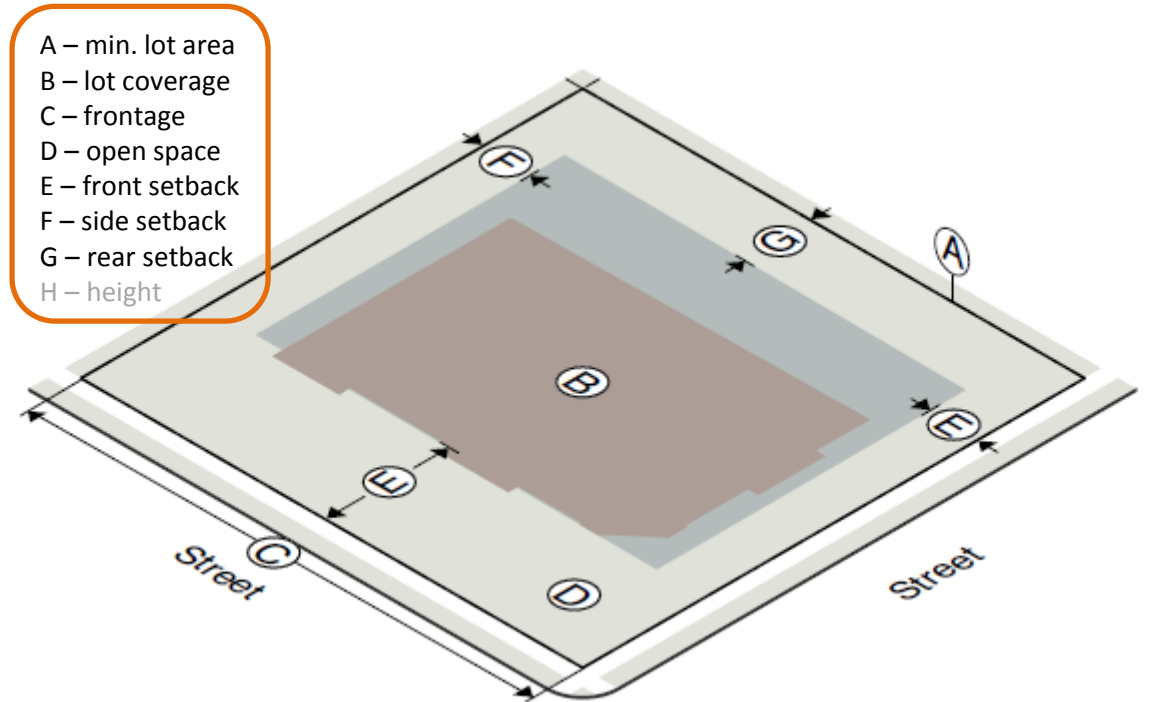
3. The building shall include a mix of commercial and residential uses and comply with the provisions of the Zoning Ordinance...

4. The building shall include a mix of commercial and residential uses and comply with the provisions of the Zoning Ordinance...

The Zoning Ordinance is the book of rules and regulations for how private property lots are divided, how buildings are constructed on those lots, and how those buildings are used.

Central Elements of Zoning

- The Zoning Map
- The Zoning Ordinance
- **Dimensional Requirements**
- Development and Use Standards
- Decision Making Processes

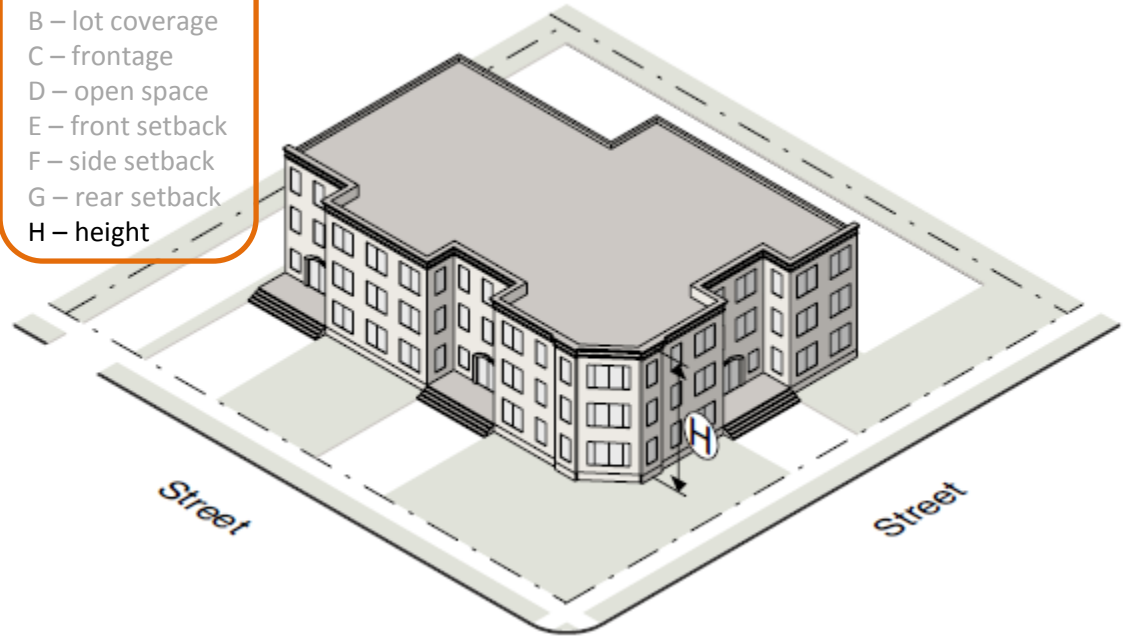


Dimensional Requirements control the dimensions of private property lots and the buildings constructed on them, including: width and depth of properties, height and overall scale or mass of buildings, as well as how far buildings are from the street and from neighboring property lines.

Central Elements of Zoning

- The Zoning Map
- The Zoning Ordinance
- **Dimensional Requirements**
- Development and Use Standards
- Decision Making Processes

A – min. lot area
B – lot coverage
C – frontage
D – open space
E – front setback
F – side setback
G – rear setback
H – height



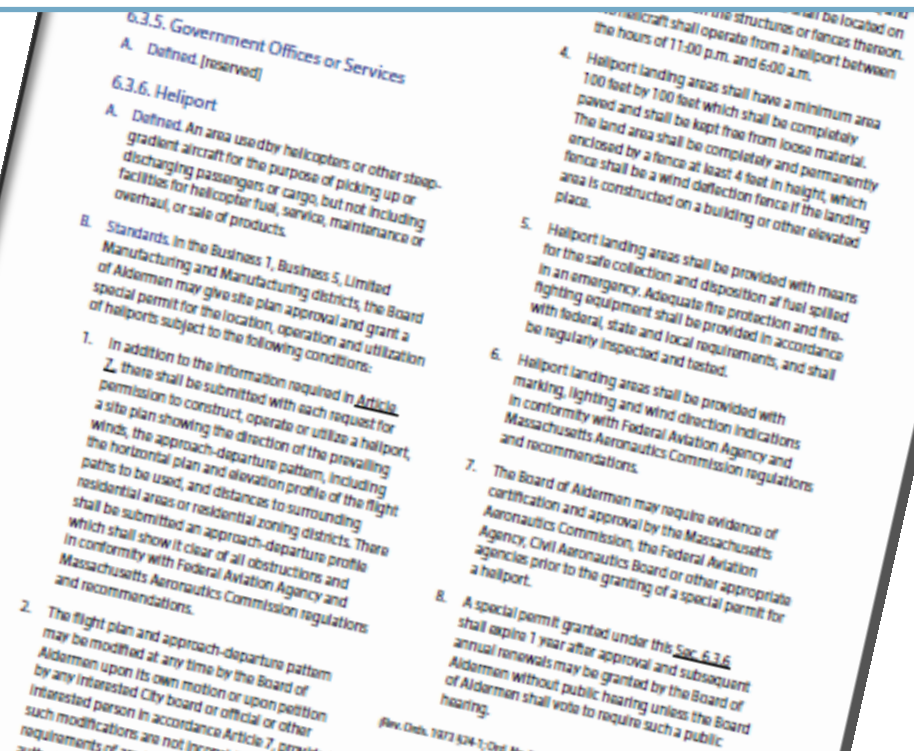
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Central Elements of Zoning

- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
- Development and Use Standards
- Decision Making Processes

For each use

- Define it. State Intent.
- Set standards - Specific application materials, specific site layout standards, specific operations standards



Central Elements of Zoning

- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
- Development and Use Standards
- **Decision Making Processes**

Who approves? What standards for approval are applied?

City Council

e.g. Special Permit

Zoning Amendments

Zoning Board of Appeals

e.g. Variance

Inspectional Services

Department

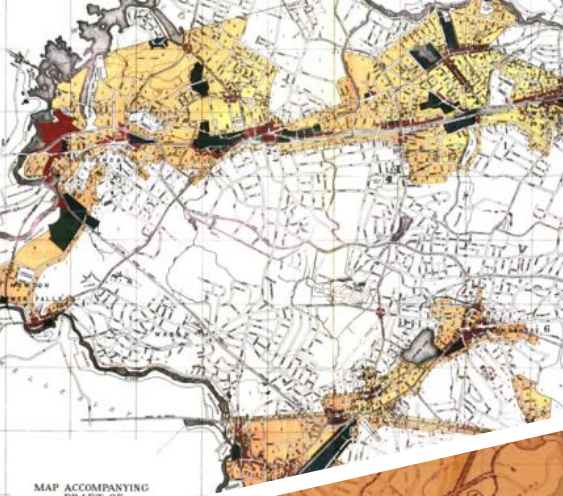
e.g. Building Permit



Created by Creative Stall
from Noun Project

Decision Making Processes for applying the zoning rules are outlined in the ordinance as well.

30-Second History of Zoning in Newton



1922 – First zoning code in Newton

1940 – Introduce lot sizes & setbacks

1953 – Increase required lot sizes

1987 – Major reorganization, and
update to commercial zones

2011 – Zoning Reform Group

2015 – Phase One completed

2018 – Phase Two – TODAY!

*Current
efforts*

What is Zoning Redesign?

The Zoning Redesign initiative aims to create a zoning code that is more **flexible, predictable, and context-based** in order to encourage development / redevelopment within Newton that is in keeping with the city's celebrated **character** while **directing growth** and economic development to the most appropriate areas.

The Pattern Book

The Pattern Book represents several months of effort collecting first-hand data and analysis. Final version forthcoming Spring 2018.


Complete draft online at:

www.courbanize.com/newtonzoning

Zoning Redesign Timeline

#75-18





Zoning is our opportunity to shape the future of Newton



Building Shape, Size, and Form in Neighborhoods, and Village Centers

Building Shape, Size, and Form in Neighborhoods and Village Centers

#75-18

March 15, 2018 6:30 - 8:00 p.m.
Newton Free Library, 330 Homer Street

www.courbanize.com/newtonzoning

Zoning is one of the most important tools the City has to ensure that the basic design principles that define Newton's great villages and neighborhoods are maintained even as buildings change over time. In Newton's villages the streets are lined with open shopfronts and frequent building entrances that make for a lively and interesting pedestrian environment. For many of Newton's neighborhoods, there is a consistent context of building scale and setback that makes for a pleasing sense of community. In either of these environments, the architectural style and the building materials can vary, as long as these design principles are reinforced and maintained.

What are the design principles that make for a great village center or neighborhood?

On March 15th, we will explore how Newton's Zoning Ordinance could:

- Maintain and enhance the great design found in many of the city's villages and neighborhoods.
- Introduce these same design principles into other parts of the city so that we improve our commercial areas and provide greater contextual consistency in neighborhoods as they change.
- Provide options for addressing the issue of tear-downs / mansionization in residential neighborhoods.
- Guide appropriate building forms in areas that transition between village centers, commercial areas, and neighborhoods.

Wheelchair accessible location. For ADA accommodations, contact Jini Fairley, at least two business days in advance: jfairley@newtonma.gov or 617-796-1253. For City's TTY/TDD: 617-796-1089. For TRS, dial 711.



What is Zoning Redesign?

The Zoning Redesign initiative aims to create a zoning code that is more **flexible, predictable**, and **context-based** in order to encourage development / redevelopment within Newton that is **in keeping with the city's celebrated character** while **directing growth** and economic development to the most appropriate areas.

Zoning...

...is the rulebook that determines the shape, size, and form of new buildings and changes to existing buildings.

#75-18





Neighborhoods

Village
Centers

+

Commercial
Corridors



Neighborhoods

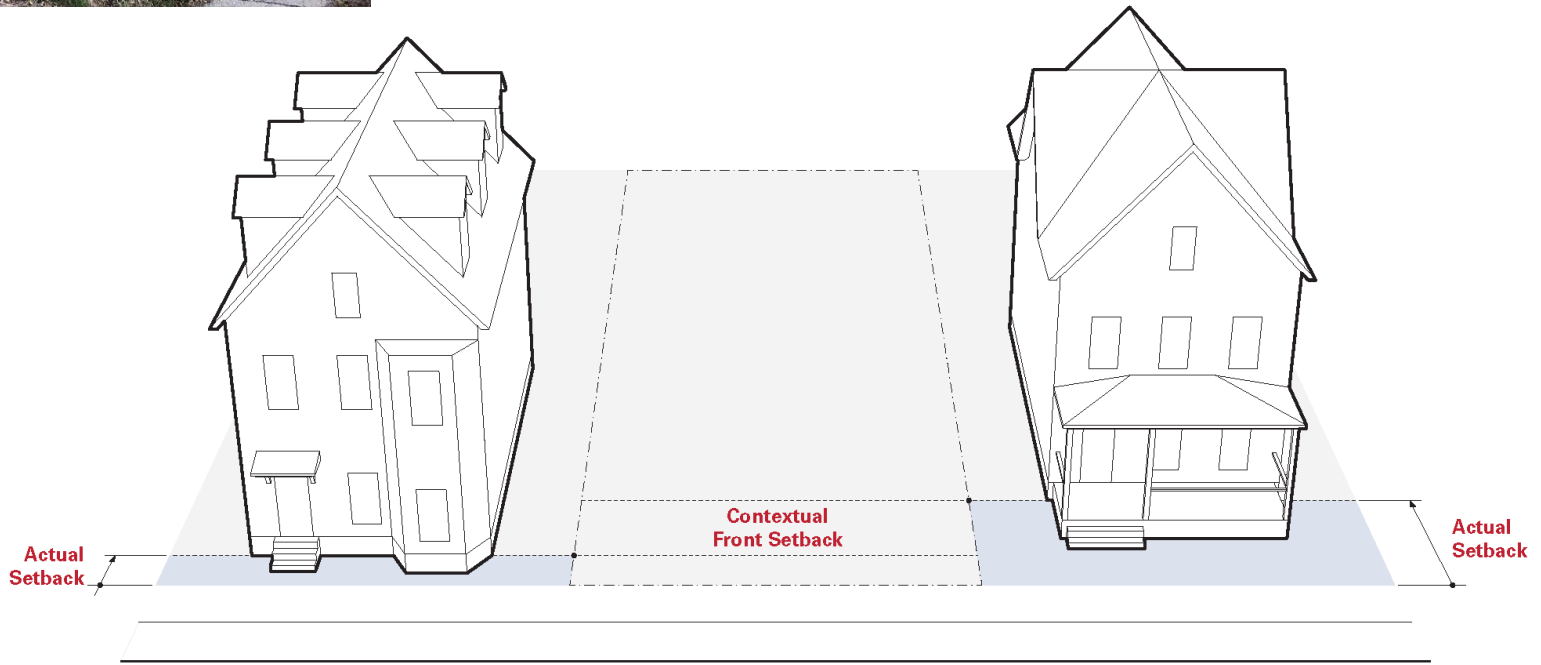
Village
Centers

+

Commercial
Corridors



The Trick or Treat Test



Setbacks



Character Features in Setback

Neighborhood Design Policy

Goal: To promote compatibility in neighborhood design

1. Front doors for the “Trick-or-Treat” test
2. Update contextual front setbacks for neighborhood context
3. Character features in setback : porches, vestibules, front entries, cornices & trims



Zoning cannot stop tear downs altogether, but can regulate what gets rebuilt



Large Houses



Scale



Height & Massing



Façade Treatment – Windows & Roof Line



Cottage



House



Large House

Lot size range

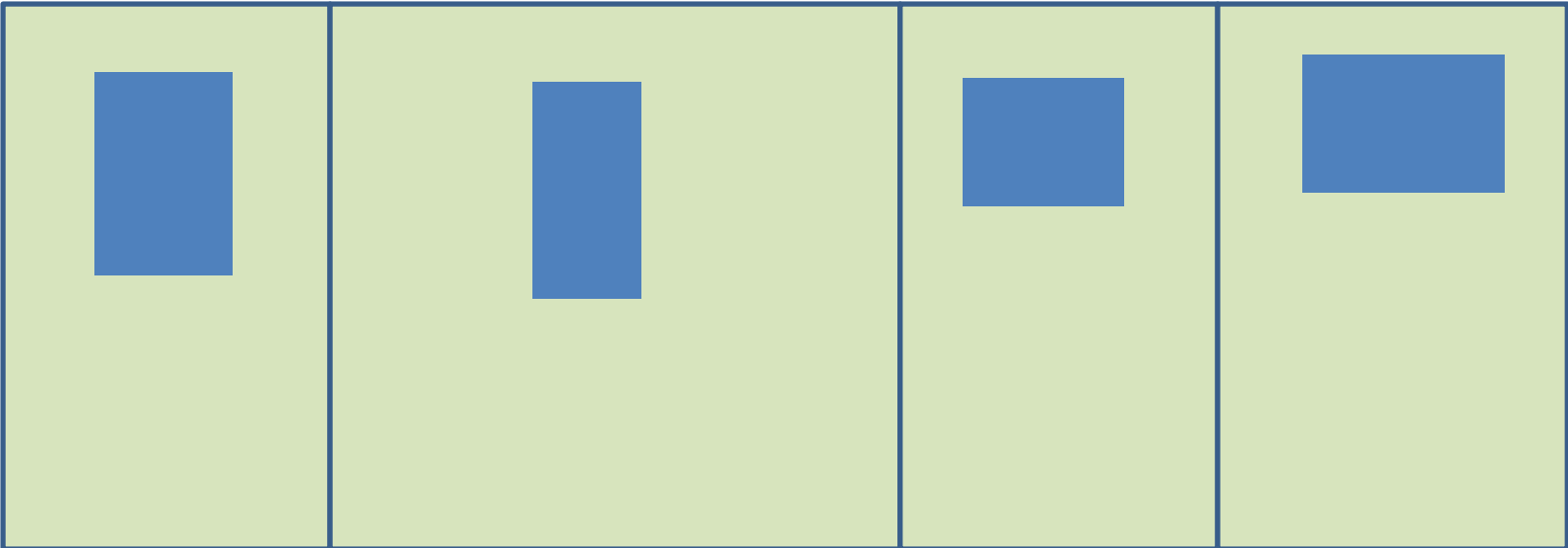
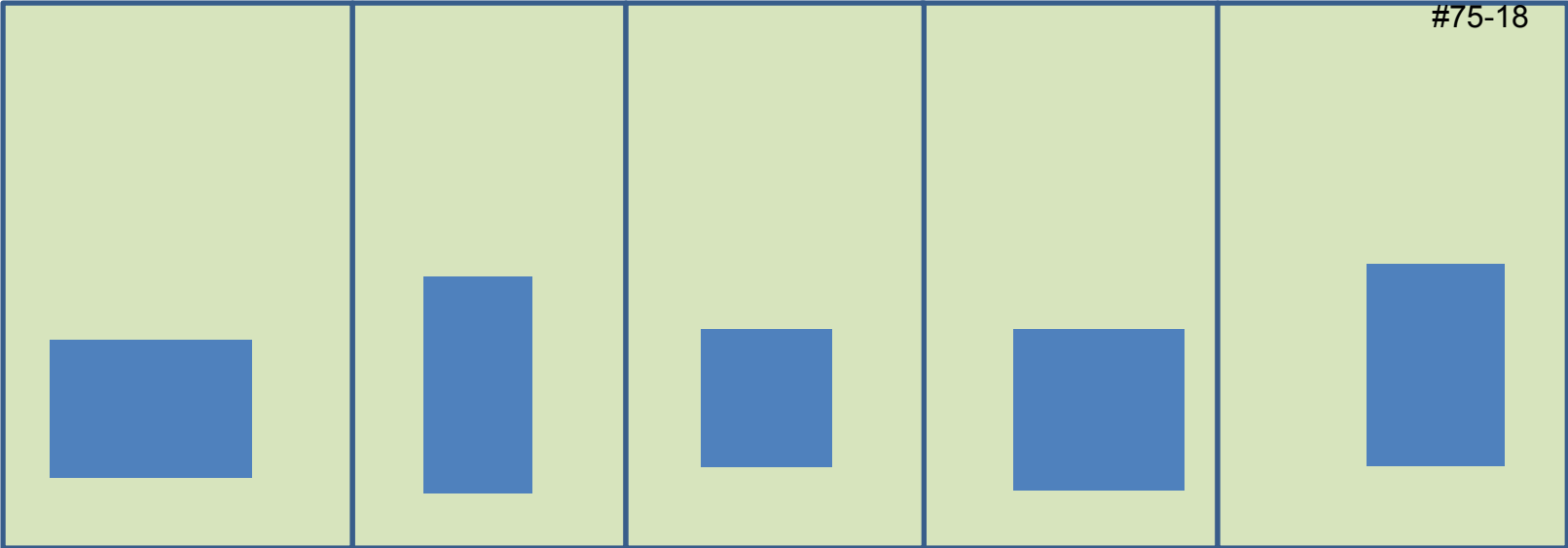
House width min/max

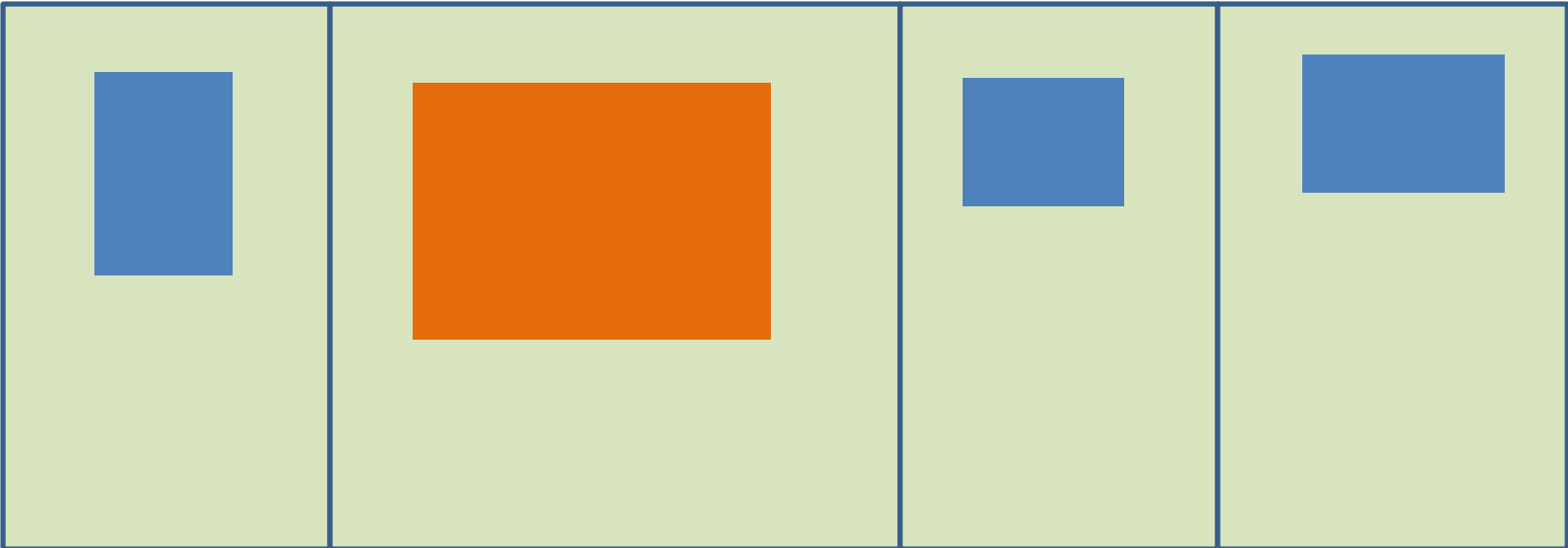
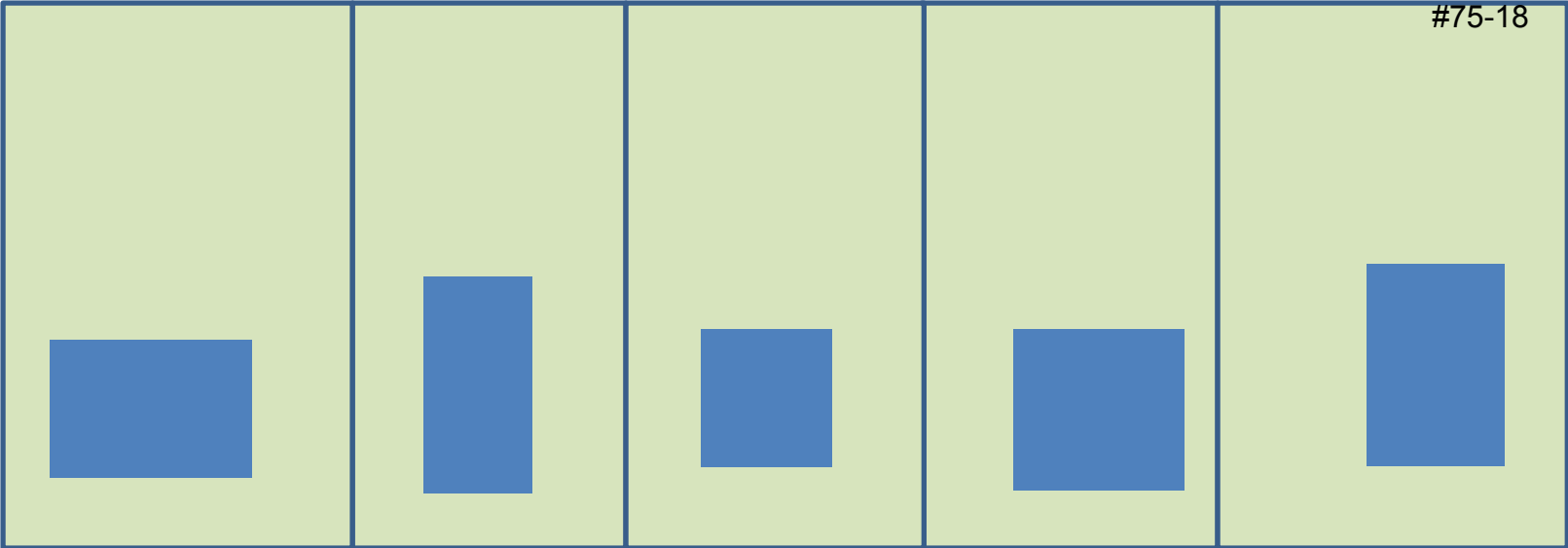
House depth min/max

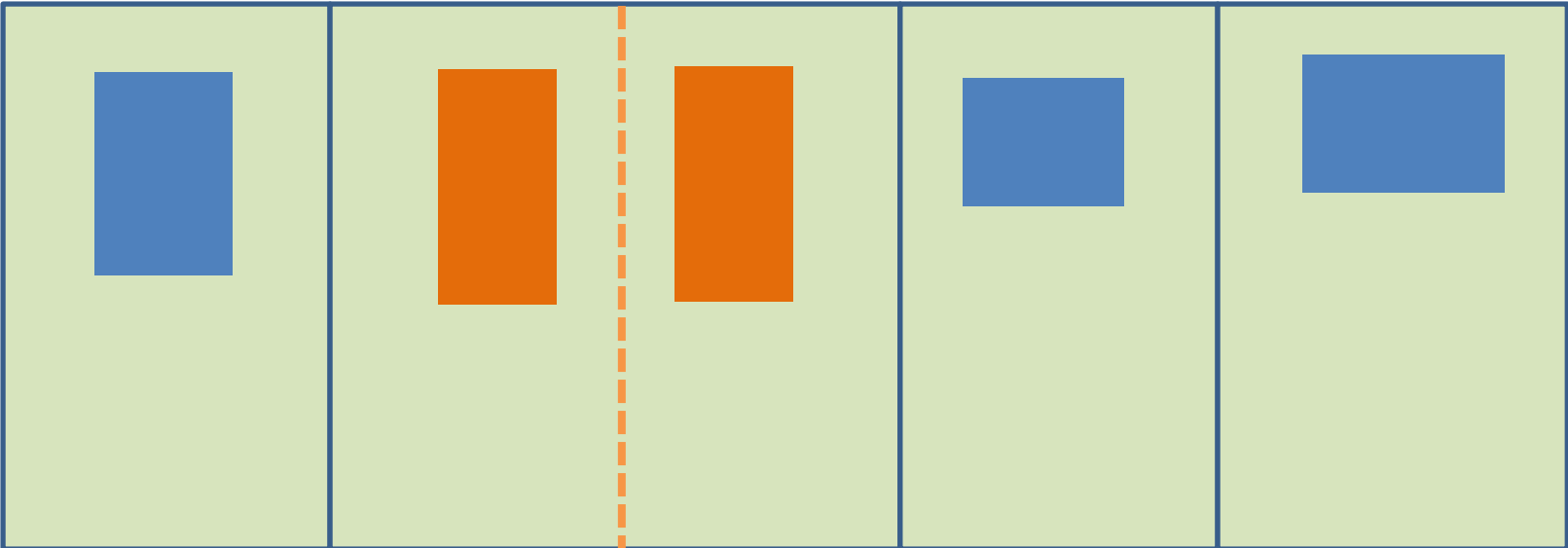
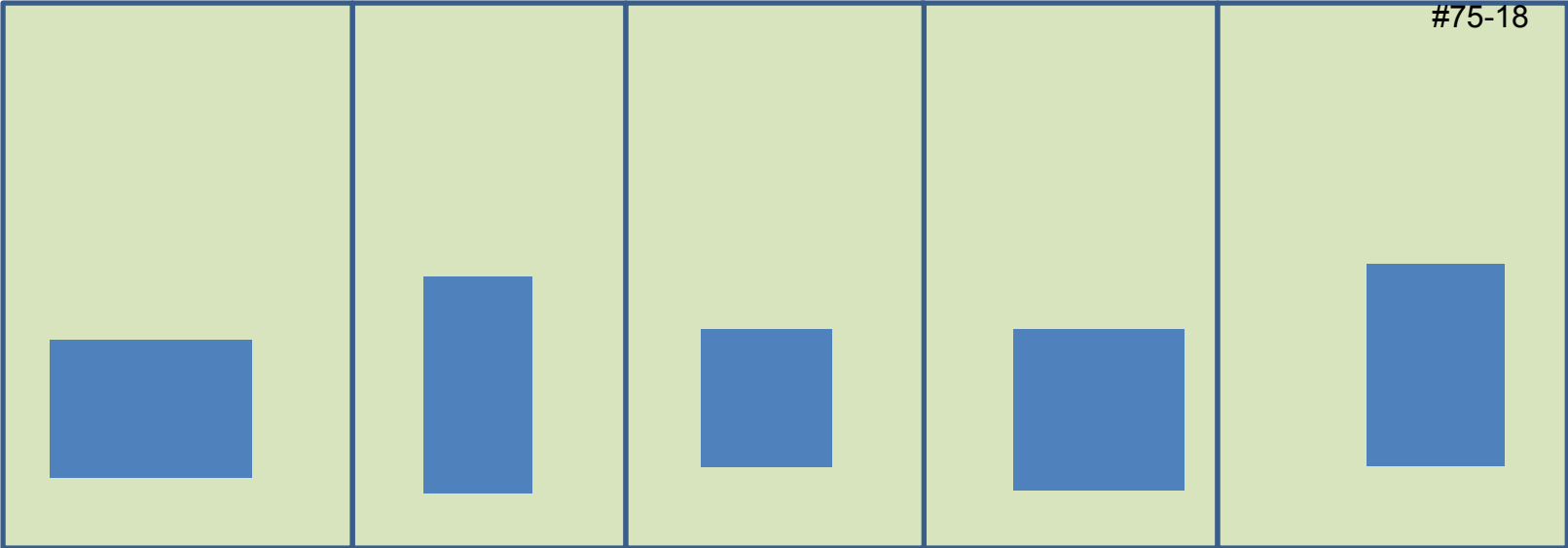
Height

Lot Coverage

Residential Building Types









Flat roofs are an unintended consequence

Large House Review



Large House Policy

Goal: To promote compatible houses in neighborhoods and provide predictable outcome for the community

1. Disincentivize incompatible construction
 - Limit size of house that can be built by right & discourage bulky construction
 - Reduce minimum lot size to allow contextual building types
 - Eliminate unintended consequences – i.e. pedestal houses, low pitched roof
 - Design Review





Neighborhoods

Village
Centers

+

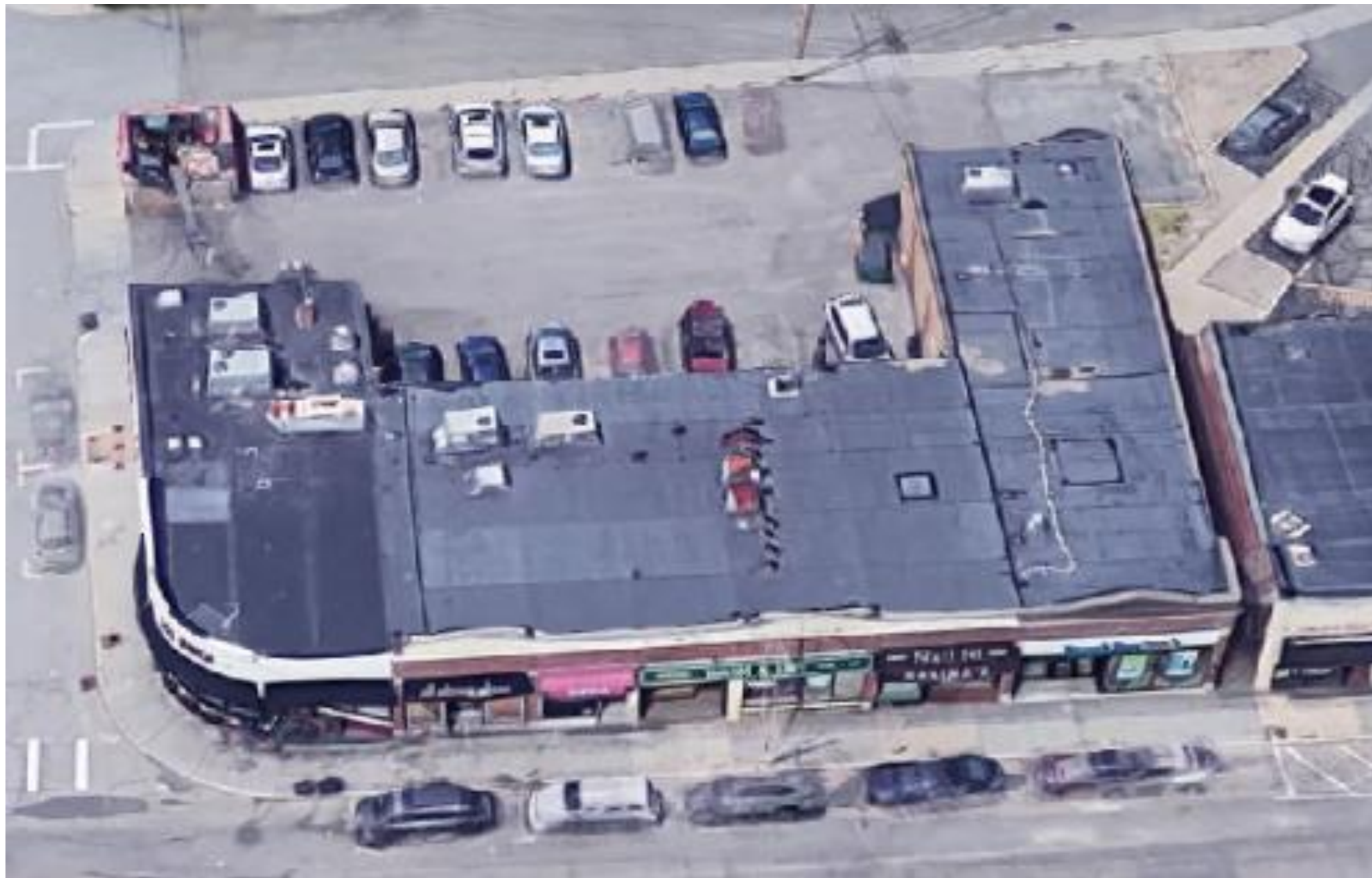
Commercial
Corridors



Massing & Façade Treatment



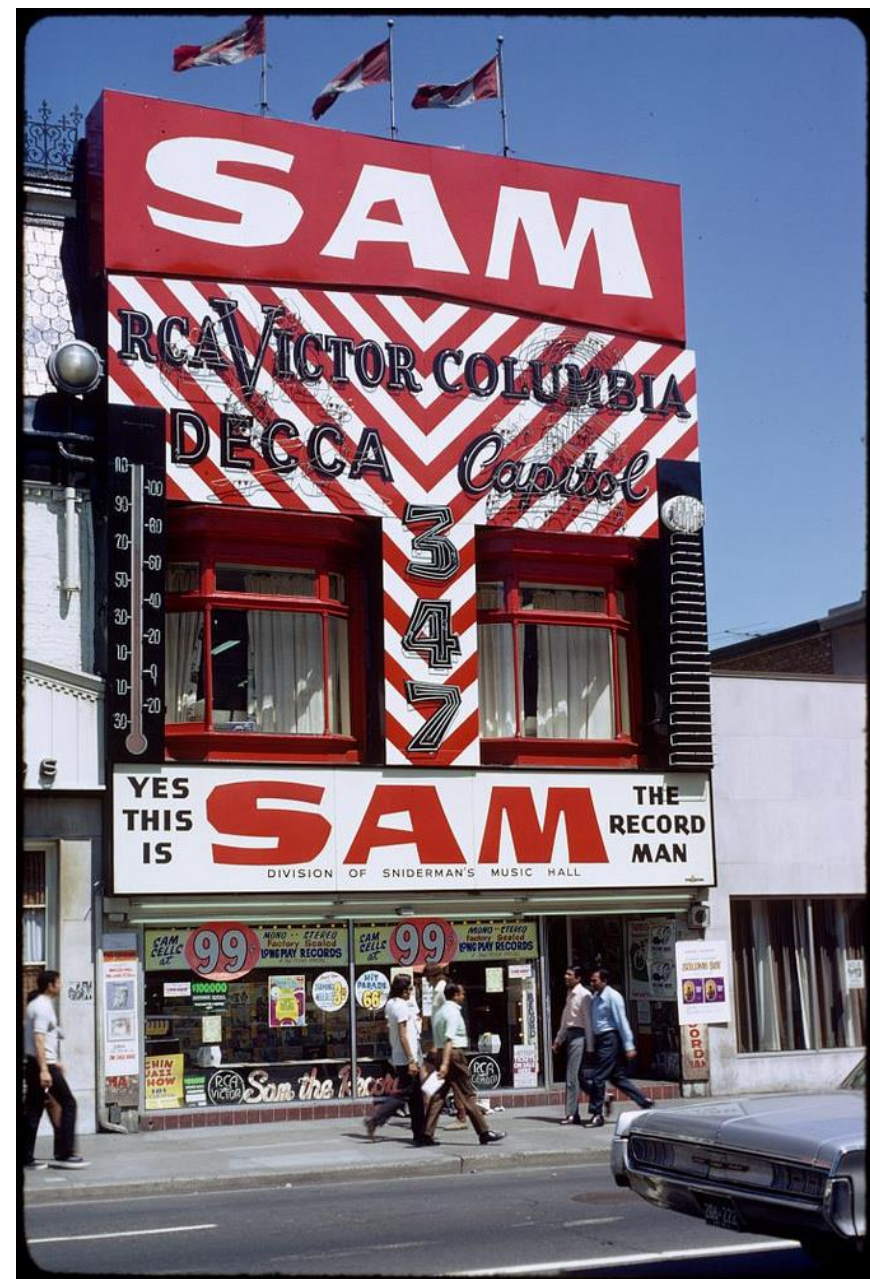
Active Store Fronts



#75-18







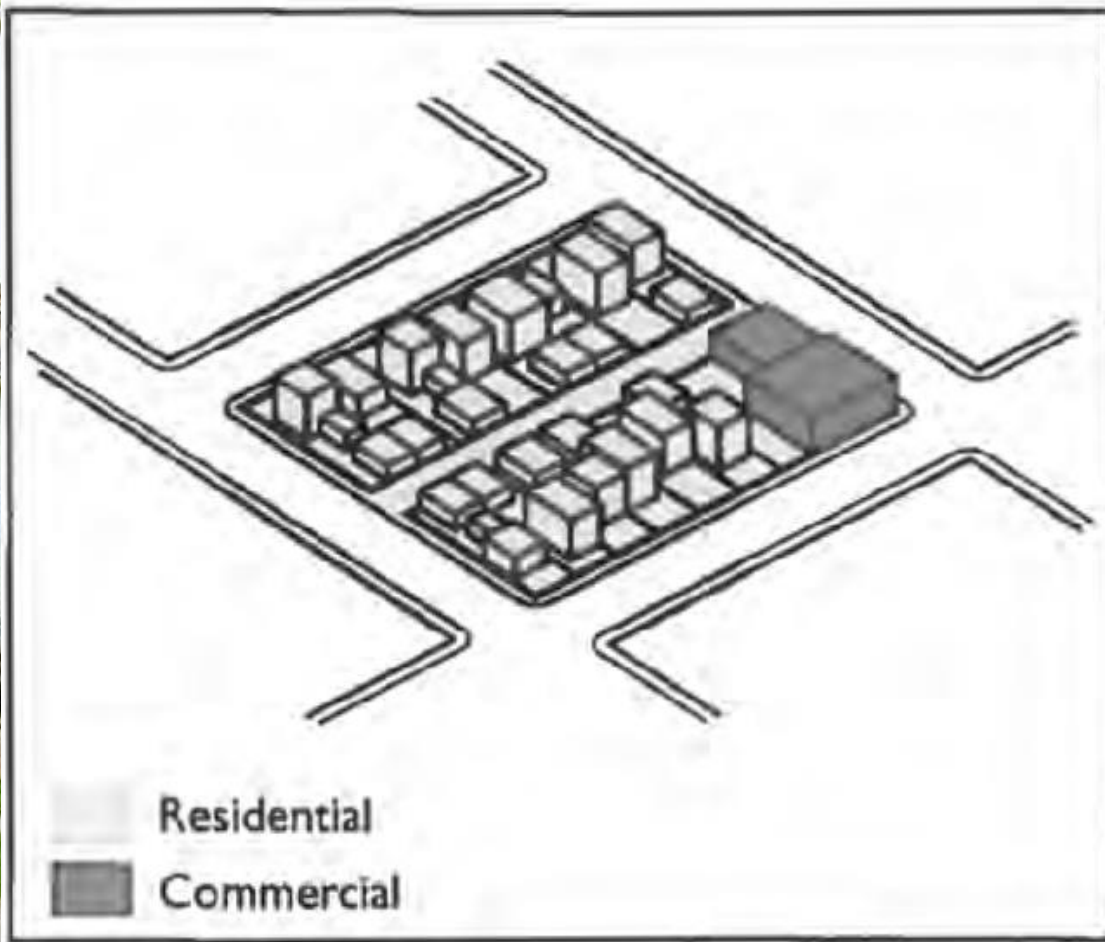
City of Toronto Archives | Fonds 1526, File 3, Item 25





Lighting

Pedestrian entrances should be lit
Parking lots need to be lit but at the right level



Transitions



Public Open Space





Village Centers & Commercial Corridors Policy

Goal: Promote design excellence and compatibility with context for new and infill projects

1. Incorporate design elements into commercial zones (as is currently in MU4)
 - High percentage of transparency on ground floors
 - Sign reviews
 - Update lighting standards



Village Centers & Commercial Corridors Policy

Goal: Promote design excellence and compatibility with context for new and infill projects

2. Be compatible with scale at transitions to residential neighborhoods
3. Require parking behind buildings & walk-up entrances from the street
4. Add design criteria for public open spaces



Stay involved

We've only scratched the surface today.
Participate in future events and online at:

www.courbanize.com/newtonzoning

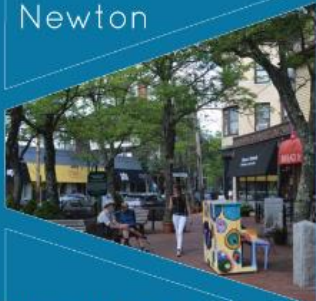
City of Newton Zoning Redesign Event Series: September 2017 - May 2018

Location: Newton Free Library, 330 Homer Street, Druker Auditorium*

Time: 6:30 p.m. - 8:00 p.m.*

RSVP online at www.courbanize.com/newtonzoning

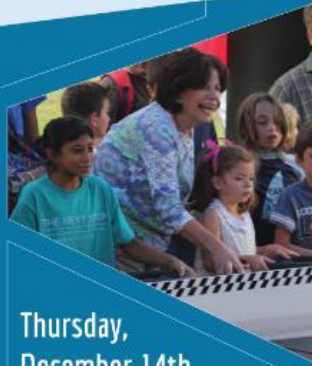
**Wednesday,
September 27th**
Think Globally,
Act Locally:
Zoning for a
Sustainable
Newton



**Wednesday,
November 29th**
Cracking the
Code:
Understanding
Zoning for
Homeowners

**Thursday,
October 19th**
Newton's
Advantage: Zoning
and Economic
Development

**Thursday,
December 14th**
Housing for
Whom? Zoning,
Affordability,
and Fair Housing



**Thursday,
January 18th**
A parking Lot for
Goldilocks: Zoning for
Just the Right Size

**Thursday,
February 15th**
Tapping the
Creative
Economy: Zoning,
Arts, and
Artisans

**Thursday,
March 15th**
Building Shape,
Size, and Form in
Neighborhoods
and Village
Centers

Thursday, April 12th
What's the
Process? How Stuff
gets Built in
Newton

**Thursday,
May 10th**
A New Zoning
Map for Newton



*All the events will be held at this location and time.

The location of this meeting is wheelchair 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/Sec. 504 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.



Thank You!



Summary Report

Building Shape, Size, and Form in Neighborhoods and Village Centers

This summary report is for the Zoning Redesign event on Thursday March 15, 2018 and the presentation slides and video of the presentation are available online (www.courbanize.com/newtonzoning). An informational sheet was published ahead of the event and is appended to this report. The event was well attended by over 70 people.

Community Feedback: Neighborhood Design Policy

Neighborhood Design Policy

Goal: To promote compatibility in neighborhood design

1. Front doors for the “Trick-or-Treat” test
2. Update contextual front setbacks for neighborhood context
3. Character features in setback : porches, vestibules, front entries, cornices & trims

The premise of the design policies proposed by staff is that, in general, new zoning should encourage similar design principles found in the existing forms of Newton’s neighborhoods and village centers. Community discussions at the event acknowledged that Newton’s charm is in the form of its diverse neighborhoods and villages and that new zoning should require good design. In general, attendees were supportive of the idea that zoning has a strong role to play in maintaining the context of Newton’s neighborhoods through design review and dimensional controls. Continuations of existing patterns should be allowed by-right to a large extent.

Yet, there was concern that zoning not mandate design to the extent that a more organic built form emerges. One group came to agreement that design policies need to take into account the diversity of housing types and cultural backgrounds that shape how people design and use their homes and yards.

Another table asked, since not all neighborhoods in Newton look the same, how would design principles be implemented? Some attendees wanted to see more mention of historic and aesthetic features in design principles. Attendees urged that any process for design review be prompt and make use of pre-development review meetings.

To the extent that small group discussions responded to the proposals regarding front door accessibility, or the “trick-or-treat” test, and contextual front setbacks, these two topics were generally well received. One group connected the design of front door accessibility to not allowing double-wide garages or snout-nosed houses.

Groups discussed dimensional limits for house sizes. One group wanted to see smaller allowable FAR generally and in the case a house was demolished a requirement that it only be rebuilt within 20% of old FAR. Another group voiced strongly that FAR is a failed tool within Newton’s existing zoning. This group was interested in dimensional controls for height and setbacks. A different discussion group proposed increasing side setbacks in some locations while allowing buildings to be closer to each other in other areas. Several groups discussed that maintaining modestly sized homes is a good thing but encouraging this via zoning without overregulating and allowing some flexibility is challenging. Another group asked how to reconcile zoning that includes design review and standards as needed to maintain context without taking away from individual property rights.

For multi-family dwellings, one group proposed zoning that encouraged some housing types discussed at the December 14, 2017 event as ‘missing middle’ options, such as three-family buildings by right, cluster housing, several smaller detached homes on one lot, co-housing, and housing types with shared community space. This group proposed that a higher FAR calculation should be allowed in instances where smaller detached structures are allowed on one lot. These could be part of the solution for providing more options for senior friendly living situations besides senior condo living or group homes.

Community Feedback: Large House Policy

Large House Policy

Goal: To promote compatible houses in neighborhoods and provide predictable outcome for the community

1. Disincentivize incompatible construction
 - Limit size of house that can be built by right & discourage bulky construction
 - Reduce minimum lot size to allow contextual building types
 - Eliminate unintended consequences - i.e. pedestal houses, low pitched roof
 - Design Review

In general, event attendees supported zoning measures that disincentivize teardowns of small houses and replacement with much larger houses. Groups asked what thresholds would be used to determine a ‘large house’ especially considering the different built forms of Newton’s neighborhoods. One group recommended that the threshold be set depending on the neighborhood context, rather than citywide. Several discussion groups were comfortable with setting dimensional limits for large houses and to re-examine FAR and instead provide tangible limits determining what can be built.

Different groups asked questions about what options would remain for large houses. Several groups expressed interest in the subdivision of large lots and preferred that there be a preference for “clustered” homes to preserve open yard space. A group recommended large homes be allowed to internally subdivide. There was interest in seeing that zoning allow a stacked two-family house in instances where it allows two-family attached houses. This arrangement could potentially allow more open space and accessibility.

One table discussion suggested large house review policy be informed by principles from historic districts. A group recommended speaking to builders about what features are needed to make a house attractive to families today and how to achieve that in a moderately sized building.

Many questions remained regarding large house review including what impact new limits may have on land values, if zoning could reward for remodeling instead of rebuilding, and if a stacked two-family could be encouraged instead of side-by-side two-family.

Community Feedback: Village Centers & Commercial Corridors

Village Centers & Commercial Corridors Policy

Goal: Promote design excellence and compatibility with context for new and infill projects

1. Incorporate design elements into commercial zones (as is currently in MU4)
 - High percentage of transparency on ground floors
 - Sign reviews
 - Update lighting standards
2. Be compatible with scale at transitions to residential neighborhoods
3. Require parking behind buildings & walk-up entrances from the street
4. Add design criteria for public open spaces

Group discussions were supportive of several design principles highlighted in the presentation, especially requiring parking to be located behind buildings, encouraging public realm enhancements like sidewalk cafes, zoning for the appropriate level of pedestrian down-lighting, and requiring both business signage and wayfinding signs. More transparency in storefronts was a high priority among several groups.

Similar to the neighborhood design principles, groups supported ways to preserve the unique and varying contexts of Newton's village centers. One group supported a mix of building heights in villages

centers. There were several groups who had questions about or objected to using 'corridor' to describe areas of Newton like Needham Street, Route 9 and Washington Street. The existing MU4 zone was not supported by one group who recommended removing it altogether. Attendees wanted to find ways to connect transportation and buildings using policy for example a shuttle system between villages, which was the subject of the January 18, 2018 meeting. Another group suggested using parking stations as a buffer between residential and commercial uses. A different group discussed environmental sustainability goals including energy efficient buildings, more incentives for green buildings, encouraging smart growth, cluster living, etc.

Groups were supportive of the idea of using zoning to transition between neighborhoods and village centers. Stepping the sizes of buildings near taller buildings was supported as well as using zoning to preserve open space in general and open space next to varying lots. One group supported zoning that would allow more people near villages including more zoning for housing and mixed uses. The same group suggested zoning should allow more different uses in the same building by right.

What's Next?

There were several comments on the process for zoning and design review, which happens to be the topic of next month: "What's the Process? How Stuff Gets Built in Newton" on April 12, 2018.