



Zoning & Planning Committee Report

City of Newton In City Council

Monday, January 8, 2018

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

Also Present: Councilors Scibelli Greenberg, Grossman, Crossley and Kelley

City Staff: Barney Heath (Director, Planning Dept.), James Freas (Deputy Director, Planning Dept.), Lily Reynolds (Community Engagement Manager), Rachel Blatt (Long Range Planner), Maura O'Keefe (Assistant City Solicitor), Marie Lawlor (Assistant City Solicitor), Karyn Dean (Committee Clerk)

Introduction to Zoning & Planning

Chair of the Committee, Councilor Albright, explained that since there new members of the City Council as well as new members to the Zoning & Planning Committee, the Planning Department will be presenting an introduction to the role of the Planning Department and its relationship with the work of the Zoning & Planning Committee.

Barney Heath, Director of Planning addressed the Committee. Please refer to the attached presentation for the details of this review. It covers an introduction to the Planning Department, a summary of the Newton's Comprehensive Plan, an introduction to zoning, review of the zoning redesign project, strategies, vision plans and upcoming items for the Zoning & Planning Committee.

Mr. Heath asked that Committee members consider priority items for the Committee in the coming term, to be reported and discussed at the next meeting.

Zoning Redesign Project and Event Series

Councilor Albright stated that the Planning Department is looking for feedback from the Committee on the zoning redesign events that have been held within the community. Four sessions have been held already with two reported back to Committee: *Zoning for a Sustainable Newton*; and *Zoning and Economic Development*.. The two most recent sessions will be reviewed at this meeting: *Zoning for Homeowners*; and *Zoning for Whom?: Zoning, Affordability, and Fair Housing*.

Information on all the events, including video and presentations may be found at:

<https://courbanize.com/projects/newtonzoning/updates>

Five more events are planned through the spring with the goal of delivering a draft zoning map and detailed ordinance outline to the Committee in May. This outline will include policy directions and content proposal overviews for the Committee to discuss. Planning Staff will be looking for straw

votes from the Committee on proposals in each section of the ordinance. These decisions will guide the policy directions for a draft ordinance to be created over the summer and delivered to Committee in October. The Committee will then have in-depth discussions and recommendations on the draft ordinance.

Zoning Redesign Event: Cracking the Code: Understanding Zoning for Homeowners

Rachel Blatt, Long Range Planner, explained that each Zoning Redesign Event begins with a “Zoning 101” presentation to inform the audience of the tools of zoning. Please see attached presentation for details of this review.

James Freas, Deputy Director of Planning, presented an overview of the Zoning for Homeowners community session. Please see attached presentation for details. The Planning Memo also contains an overview of this event and can be found at:

<http://www.newtonma.gov/civicax/filebank/documents/86918>

Committee Questions/Comments

Councilor Crossley explained that the Zoning Reform Group reached out to hundreds of people who participated in the process of studying the zoning ordinance. The themes in that report, reviewed in the attached presentation, are informing the zoning redesign project currently underway. Councilor Albright requested that the 2011 final report of the Zoning Reform Group be sent to the Committee members.

A Committee member noted that there were items put aside in Committee with the goal of dealing with them through the redesign process. The Recodification Committee has also made some recommendations for amendments to the zoning ordinance. He did not want those items to be forgotten. Councilor Albright explained that Mr. Freas is aware of the items and they are being taken into consideration in scheduling.

A Councilor noted that the minimum lot size for a residential lot has gone up gradually over the years. To build a new house in a SR1 zone, a 25K square foot lot would be required. He would like to see how that would change with the proposed context based zoning ordinance. Mr. Freas said that the lot standards and building standards would be derived from the existing neighborhood. So, if a neighborhood is composed of 10K square lots, for example, a new house would be allowed on a 10K square foot lot. The Councilor said he would like to see comparisons from current requirements to any proposed requirements so the Committee can clearly see how the changes will be effected. Mr. Freas said he hoped that these event discussions would help with that as well.

A Committee member asked if the old lot/new lot model would continue under the new ordinance. Mr. Freas said that it would not.

It was asked if Floor Area Ratio (FAR) would continue to be in use in the new ordinance. Mr. Freas explained that it would not. It would be replaced with the context based zoning that considers lot types and neighborhood context along with dimensional controls for both flexibility and

predictability. At the time FAR was adopted in Newton, it was considered state of the art. Many communities are still using it but many have moved past it as a tool. It is not a very transparent tool, and it is difficult and confusing to apply. Inspectional Services personnel spend a lot of time at the counter just trying to explain what it is. There will be different approaches that will be appropriate for different parts of the City. FAR was developed to deal with bulk. Bulk is the height, width and depth of a structure. For certain lots there could be minimum and maximum building widths and depths in which the footprint is essentially defined. In other instances, a primary building lot coverage maximum, tied to the lot size, would be implemented. Stepback Plane rules may be required on higher buildings to mitigate the "loom" factor.

Councilor Albright said there was a division in the FAR Working Group as to whether FAR was the best method. It was a close vote and did not come out with unanimous confidence. The City has seen how the building community has found ways to tinker with the FAR requirements that have resulted in strange roofs, basements and attics.

Mr. Freas said that the plan is to test these FAR alternatives by inviting a group of builders and architects to apply them to projects or test lots to see if they can "break" them by finding loopholes. There are current ordinances in other communities that use these alternative approaches so they are a good resource as well.

It was asked if "tiny houses" would be allowed. Mr. Freas noted that they are not currently allowed in the zoning ordinance.

A Committee member asked that the garage issue be addressed again. Councilor Albright reminded Mr. Freas that she and Councilor Crossley, along with others, asked for amendments to the garage ordinance. She would like those reviewed when this is being considered. A Councilor suggested that curb cuts be considered as well because one of the objectives of changing the garage ordinance was protecting pedestrians. Another Committee member asked that there be some regulation to require front doors facing the street.

It was asked if the non-conformity statistic could be tracked relative to changes in the ordinance. Mr. Freas said he would be able to do that. A Councilor noted that non-conformity falls into different categories. For instance, the increase in lot size, which was implemented so that buildings would have more open space around them, makes smaller lots non-conforming but that was a policy choice. Lots under 5,000 square feet became unbuildable. Councilor Crossley noted there is no explanation in the zoning ordinance which explains why lot size was increased and perhaps that should be stated. Considering the changing housing needs, perhaps that policy should be reconsidered to allow building on smaller lots. The Cabot community comes to mind as an example.

Mr. Freas noted that the fence ordinance would be brought into the zoning ordinance. Currently, vegetation that acts as a fence is not being regulated. This is something that has to be addressed. They would also propose applying retaining wall rules to all retaining walls and not just those in the

setbacks. A Committee member noted that many new developments have fences that are detrimental to the streetscape and the pedestrian experience.

A Councilor noted that zoning is prospective and new rules are applied going forward. One concern about fences is that there may be some that are out of compliance. If the ordinance is kept out of the zoning ordinance, there may be an opportunity to have a retroactive impact that would not be allowable if it is the zoning ordinance. There are also ways to freeze existing zoning so people do not need to follow new rules, which is something that happened in Taunton a few years ago.

Zoning Redesign Event: Housing for Whom?: Zoning, Affordability and Fair Housing

James Freas, Deputy Director of Planning, presented an overview of the Zoning for Whom? community session. Please see attached presentation for details. The Planning Memo also contains an overview of this event and can be found at:

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Committee Questions/Comments

A Councilor asked if there was any way the City would be opening itself to litigation by incorporating fair housing considerations into the zoning ordinance. Also, the Historic Districts have some exemptions, therefore, staff should speak to Barbara Kurze, Senior Preservation Planner.

Mr. Freas noted that master planning has not been done for all of the village centers and will not be done between now and the fall. They will establish the best baseline zoning ordinance they can, recognizing that as the Mayor moves forward with an agenda for neighborhood planning, visioning efforts and master planning, they will be able to use those studies to enhance zoning for multi-family housing in job and transit locations. The Needham Street Vision and the Washington Street corridor project would be included in that. A Committee member noted that Wells Avenue would probably not be a good location due to its access issues. The Chair noted that an item has been docketed in Public Safety to look at a policy for autonomous vehicles in Newton. If autonomous vans could solve the last mile problem, that could be very beneficial.

A Committee member noted that there is not much buildable land available in the City. Finding housing for the "Missing Middle" housing such as triple-deckers, courtyard apartments, cottage court homes, etc. would have to replace something already in existence. He asked that Mr. Freas consider how this might impact neighborhoods as the opportunities would have to come from commercial sites or from single or two-family sites. Redeveloping those single family lots may not be as welcomed as redeveloping on commercial sites. Mr. Freas said there might be multiple types of areas for this. He would like the Committee to consider if there might be a middle ground for approvals for these projects; not by-right but not special permit.

Community Feedback: Both Events

Lily Reynolds, Community Engagement Manager, noted that the table discussions at the events on both topics produced some feedback. Please refer to the presentation for the topics that were discussed.

She noted that the next event in the series is on January 18th: *A parking lot for Goldilocks: Zoning for Just the Right Size* at 6:30 in the Druker Auditorium at the Library.

Committee Feedback: Both Events

Councilor Albright asked how much detail staff would like from the Committee. Ms. Reynolds said they that have stayed away from the finest detail such as square footage, etc., but they are happy to hear anything they would like to share.

Councilor Baker said the details will be important for feedback. For instance, the Committee would be in favor of the “Missing Middle” housing that was described, however, it would be critical to know what it would be taking the place of. The impacts are difficult to understand without knowing what the specific requirements and regulations will be on any of the issues. A proposal that is suggested may seem like a good idea, but in practice, does not work well on the ground. Replacing FAR with the alternative options mentioned is another example of this uncertainty.

It was asked if Planning staff could somehow take a model neighborhood near a village center and apply the new regulations to see how it might look and what the impact might be compared to the current regulations. Mr. Heath said he would prefer to bring previews in zone by zone and start with the residential districts and then move into the more complicated ones. He would not want to pick out a particular section of the City. Councilor Baker said there is a wholesale change in the zoning ordinance that is being proposed and they need more information and there needs to be some illustration of how it will affect individual neighborhoods. Other Committee members had similar concerns and would like to see a prototypical neighborhood. Mr. Freas said staff would spend some time thinking about how to do that.

Councilor Crossley noted that there have not been any proposals for triple-deckers in recent memory and she wondered why; is affordability an issue or is a combination of that with other issues. Councilor Danberg said she had spoken to a realtor recently who said that a two-family is no longer possible because people prefer their own grown floor entrances. Three story townhouses work for that reason, but two or three families do not.

Councilor Danberg wondered what the context would be in the Oak Hill neighborhood where large houses have replaced many of the smaller houses. Would the context be what originally existed, or what it has become. Councilor Baker noted that people in that neighborhood had concerns and were told issues could be solved in the zoning reform process. That cannot be forgotten and needs to be taken into consideration.

Councilor Baker was concerned that enforcement was not included in the discussion. Inspectional Services needs to be able to make sure that people are playing by the rules that are created. This should be discussed at the budget review to be sure there are resources available.

Councilor Downs noted that when a homeowner wants to make just minor changes, it can be very intimidating. The incremental changes should be made more possible to allow more organic

growth in the City. This will depend on context and location. Councilor Leary noted these are good reasons why context based zoning is so useful. Not everything should be a special permit, but there needs to be more discussions of unintended consequences of other kinds of reviews. She is focused on opportunities to create more diverse housing types particularly in village centers and where there are transportation, shopping, and other amenities within walking distance. The housing/transportation connection is key.

Follow Up

Councilor Albright said she would be meeting with Mr. Heath and Mr. Freas to figure out ways to get more detail back to Committee to address the stated concerns.

Committee Process and Scheduling

Councilor Albright pointed out that Committee has much work ahead. President Laredo has asked that all standing Committee meetings start at 7:00PM instead of 7:45PM and Councilor Albright felt that would be very helpful in getting work done. She also would like to consider adding a third meeting in a month to utilize if necessary. Most Committee members felt that a 7:00PM start time would be beneficial as well as having an optional third meeting, if needed. A Committee member noted that the calendar is quite busy and there may be other issues coming up in other Committees or in the full City Council that may need time. There also needs to be time for Committee members and staff to consider issues. The Chair asked the Clerk to look at some possible times to schedule extra meetings.

The Chair explained that there is an effort to hold public hearings on a more predictable schedule, typically the second meeting of the month, when necessary. This also allows the Planning & Development Board to schedule their time with the Zoning & Planning Committee to make the work more efficient. Mr. Freas noted that they have been following this general model in the last year and it has worked well.

The Chair also mentioned that Councilors Schwartz and Lipof suggested meeting with Zoning & Planning occasionally, to discuss the zoning project.

The Chair noted that the Recreational Marijuana item will be taken up at the next meeting.

Meeting adjourned.

Respectfully Submitted,

Susan S. Albright, Chair

Zoning and Planning Committee

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AN INTRODUCTION

1/8/2018

Outline

2

- Introduction to the Planning Department
- Newton's Comprehensive Plan
- Introduction to Zoning
- Zoning Redesign Project
- Newton's Strategies
- Vision Plans
- Upcoming Items for ZAP

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

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Newton's Department of Planning and Development is committed to community-based planning that guides the future of the City while promoting equity, healthful lifestyles, diverse housing options, a resilient economy, varied transportation options, and preservation of the built and natural environment.

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

-
- ❖ Rachel Blatt, *Long Range Planner*
 - ❖ Lily Canan Reynolds, *Community Engagement Manager*
 - ❖ Shubee Sikka, *Urban Designer*

Strategies
Vision Plans
Implementation Projects

LONG RANGE PLANNING

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

- ❖ Jennifer Caira, *Chief of Current Planning*
- ❖ Jane Santosuosso, *Chief Zoning Code Official*
- ❖ Neil Cronin, *Senior Planner*
- ❖ Michael Gleba, *Senior Planner*
- ❖ Valerie Birmingham, *Planning Associate*

CURRENT PLANNING - LAND USE

Development Review

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

- ❖ Jennifer Caira, *Chief of Current Planning*
- ❖ Katy Hax Holmes, *Senior Planner*
- ❖ Barbara Kurze, *Senior Preservation Planner*

CURRENT PLANNING - HISTORIC

Demolition Delay (NHC)
Local Historic Districts (LHDs)

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

- ❖ Jennifer Caira, *Chief of Current Planning*
- ❖ Jennifer Steel, *Chief Environmental Planner*
- ❖ Claire Rundelli, *Assistant Environmental Planner*

CURRENT PLANNING - ENVIRONMENTAL

Conservation Planning
Wetlands & Flood Reviews
(Conservation Commission)

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

- ❖ Rachel Powers, *Community Development Programs Manager*
- ❖ Amanda Lipson, *Community Development Planner*
- ❖ Amanda Berman, *Housing Development Planner*
- ❖ Malcolm Lucas, *Housing Planner*
- ❖ Doug Desmaris, *Housing Rehab/Construction Manager*
- ❖ Danielle Bailey, *Grants Manager*
- ❖ Mary Walsh Rines, *Accounts Specialist*

HOUSING & COMMUNITY DEVELOPMENT

Federal Programs: C.D.B.G. , H.O.M.E.,
Tenant Rental Assistance, Home
Rehabilitation Loans
Affordable & Fair Housing Planning

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

.....
❖ Nicole Freedman, *Director of Transportation Planning*

Transportation & Parking Strategies
Implementation Projects

TRANSPORTATION PLANNING

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

.....
❖ Kathryn Ellis, *Economic Development Director*

Economic Development Strategy
Business Attraction
Business Support

ECONOMIC DEVELOPMENT

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

.....
❖ Alice Ingerson, *CPA Program Manager*

Supports the Community
Preservation Commission

COMMUNITY PRESERVATION ACT

Introduction to the Planning Department

 **Barney Heath, Director of Planning and Development**

 **James Freas, Deputy Director of Planning**

.....
❖ Norine Silton, *Executive Assistant/ Supervisor Development Services*
❖ Heather Zaring, *Senior Development Services Assistant*
❖ Robert Barnacle, *Development Services Assistant*
❖ Adrianna Henriquez, *ZBA Clerk/Economic Development Administrative Assistant*
❖ Janet Antonellis, *Community Development Administrative Assistant*

Customer service
Office Management
Scheduling & Communications

DEVELOPMENT SERVICES

Introduction to the Planning Department

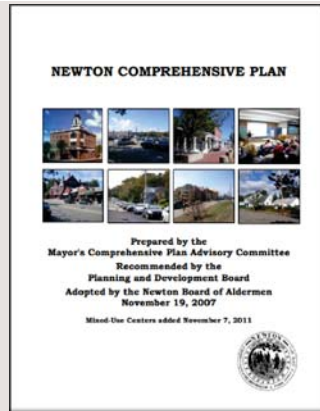
Newton's Comprehensive Plan

13

- Adopted in 2007
- Amendments
 - Mixed Use Centers

Central Elements

- Place-Making
- Multi-Stakeholder Engagement
- A Culture of Planning



Comprehensive Plan Implementation

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- Zoning Reform
- Strategies
- Vision Plans

Zoning Reform Group - 2011

15

Zoning Reform Group Themes

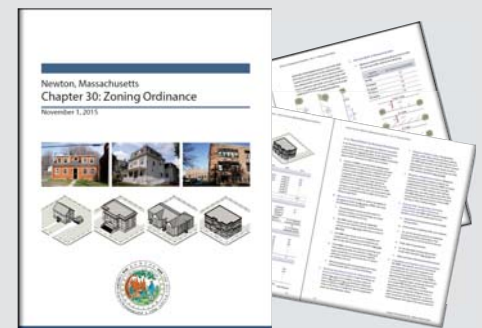
1. Better organize the Ordinance for ease of use
2. Simplify and streamline the permitting and review process
3. Recognize that each village center and commercial corridor is unique
4. Encourage mixed-use residential redevelopment in village centers
5. Create "soft transitions" between village centers and residential neighborhoods
6. Allow moderate, flexible growth on commercial corridors
7. Rationalize and streamline parking regulations
8. Protect neighborhood character and scale
9. Create more diverse housing opportunities
10. Institute a better process for managing change of religious and educational institutions
11. Improve natural resource conservation and sustainability

Zoning Reform Phase 1

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Zoning Reform Group theme #1 - "Better organize the Ordinance for ease of use"

- **Established organizing principles**
 - Districts
 - Development Standards
 - Use Standards
 - Definitions
- **Clarifying information for future users**
 - Intent statements
 - Illustrative graphics



Phase 2 - Zoning Redesign

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Where we've been:

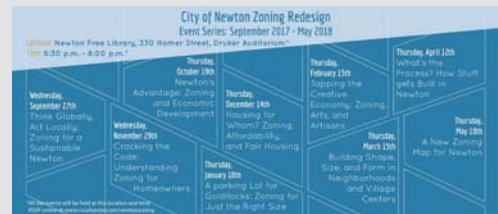
- 2016- 2017 data analysis and Pattern Book writing
 - ✦ 3 Open Houses
 - ✦ Online mapping exercise
 - ✦ Text-in campaign
 - ✦ Office Hours

Phase 2 - Zoning Redesign

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Where we are now:

- 2017- 2018 Event Series
 - ✦ Monthly community forums on key topics in Zoning ReDesign
 - ✦ Follow-up discussions on each forum with ZAP



Phase 2 - Zoning Redesign

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Where we're going:

- May – Draft Zoning Map & Detailed Ordinance Outline
 - ✦ Districts outlined
 - ✦ Detailed ordinance outline will include policy directions & content proposal overviews
 - ✦ Discussion and straw vote
 - We will be looking for a straw vote on the policy directions in June to guide the summer drafting
- October – Delivery of a draft ordinance
 - ✦ Spend October and November ZAP meetings in in-depth discussions

Strategies

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Newton's Strategies set the course for action in key topic areas: housing, transportation, and economic development

- Housing – launched June 2016
- Transportation – launched April 2017
- Economic Development – starting soon



Economic Development Strategy

Housing Strategy Actions

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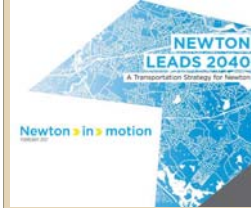
Priority Actions Status Update

Progress in 2017

Project	Status/Next Step
113-134 Stanton Ave	RFP Awarded
1294 Centre St	RFP Awarded
28 Austin St	Construction starts 2018
Crescent St	Concept Design
Jackson Gardens	Secure CPA Funding
Newton Centre Triangle	Re-use request to City Council
Northland Development on Needham St	Needham St Vision Plan
Richardson St lot	Re-use request to City Council
Washington Place	Await outcome of litigation
Accessory Apartments	Approved
Inclusionary Zoning	Ongoing ZAP discussion

Transportation Strategy Actions

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Priority Actions Status Update

Progress in 2017

Project	Status/Next Step
Roads Program	Completed first season in 2017
West Newton Square	Nearing final design
Walnut Street	Concept design process '17-'18
Washington Street	Preparatory Planning
Newton Corner	Early Upgrades in 2017-2018
Bikeshare	Regional Launch 2018
Bike Lane Network	Preparatory Planning
Shared Transit Partnership	Founding Partnerships on north and south sides
Pilot Kiosk Payments	Pilot in Newtonville 2017
Village Center Parking Plans	Working on package of investments in Newton Centre

Vision Plans

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The City is engaged in two vision plan projects:

- Needham Street Area Vision Plan
 - We are working with a Community Engagement Group and the broader community to draft a vision plan for the Needham Street area.(Dec – April 2018)
 - ✦ Updates and discussions will be held at ZAP throughout the next 4 months
 - ✦ Draft Amendment to the Comprehensive Plan to be presented in May

Washington Street Vision Plan

Upcoming Topics

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- Recreational Marijuana
- Lodging Houses
- Inclusionary Zoning
- Shared Parking Pilot
- Needham Street Vision

Committee Priorities Discussion Next Meeting

Newton Zoning Redesign

Cracking the Code:
Understanding Zoning for Homeowners

11. 29. 17

Housing for Whom?
Zoning, Affordability, and Fair Housing

12.14.17

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 Redesign Timeline



Zoning 101

Zoning is the primary tool for implementing the Comprehensive Plan

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.



Central Elements of Zoning

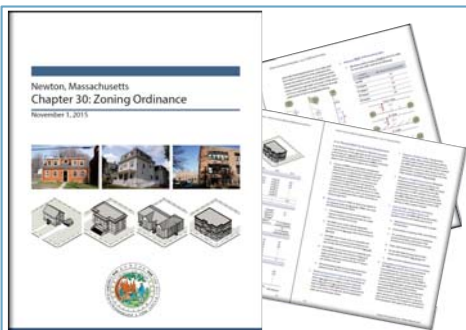
- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
- Development and Use Standards
- Decision Making Processes



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

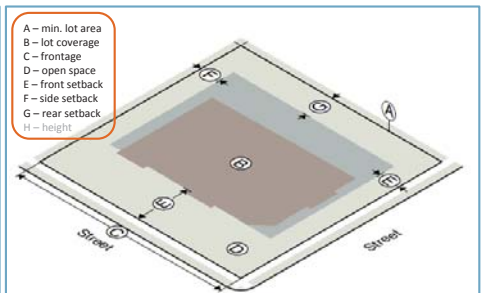
- The Zoning Map
- **The Zoning Ordinance**
- Dimensional Requirements
- Development and Use Standards
- Decision Making Processes



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

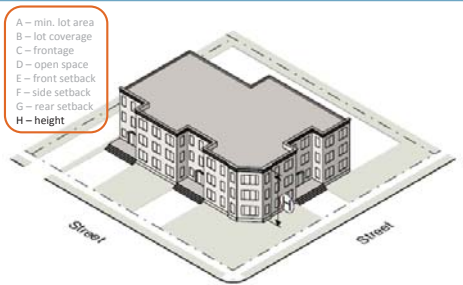
- The Zoning Map
- The Zoning Ordinance
- **Dimensional Requirements**
- Development and Use Standards
- Decision Making Processes



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

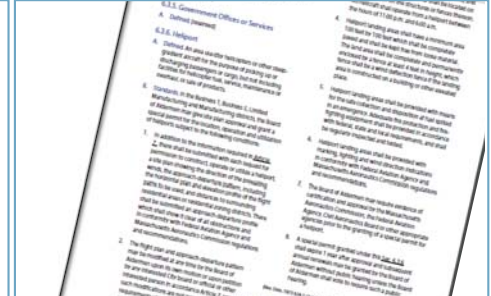
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Dimensional Requirements control the dimensions of private property lots and the buildings constructed on them, including: width and depth of properties, height and overall scale or mass of buildings, as well as how far buildings are from the street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

Central Elements of Zoning

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



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

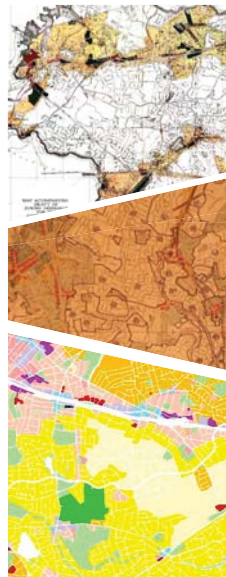
Zoning Board of Appeals
e.g. Variance

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.



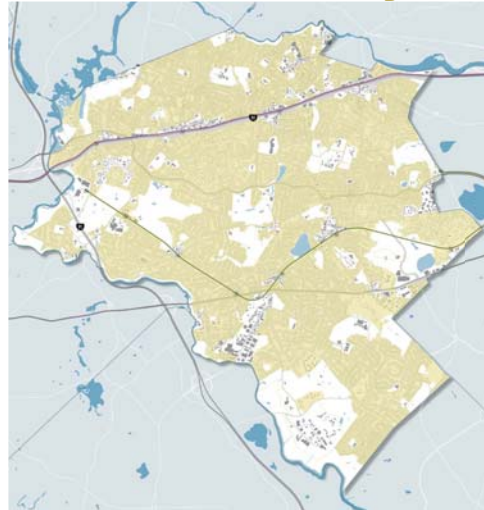
30-Second History of Zoning in Newton

- 1922 – First zoning code in Newton
- 1941 – Added dimensional standards
- 1953 – Increased lot sizes & setbacks
- 1987 – Major reorganization, and update to commercial zones
- 2011 – Zoning Reform Group
- 2015 – Phase One completed
- 2017 – Phase Two – TODAY!

Current efforts

Cracking the Code: Understanding Zoning for Homeowners

Pattern Book: Newton's Neighborhoods



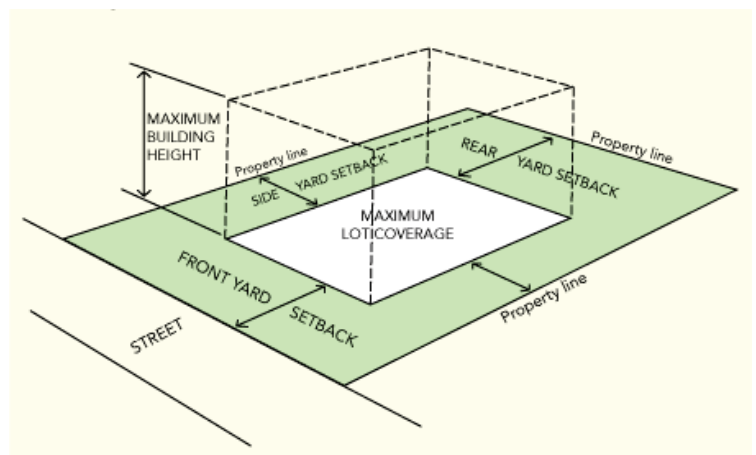
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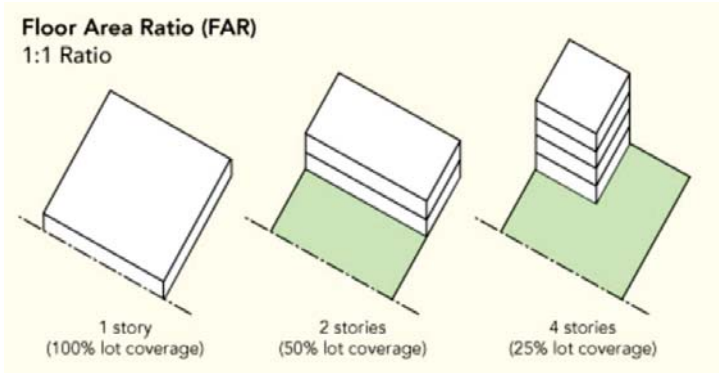
Objectives for Zoning for Homeowners

1. Easy to use and administer.
2. Clear guidance on what a homeowner can do.
3. Reasonable ability to modify a property to meet the homeowner's changing needs.
4. Ensure changes to property respect the context of the neighborhood.

Dimensional Controls

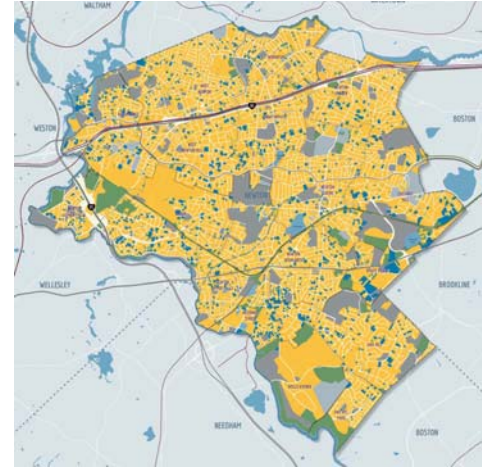


Dimensional Controls: Floor Area Ratio



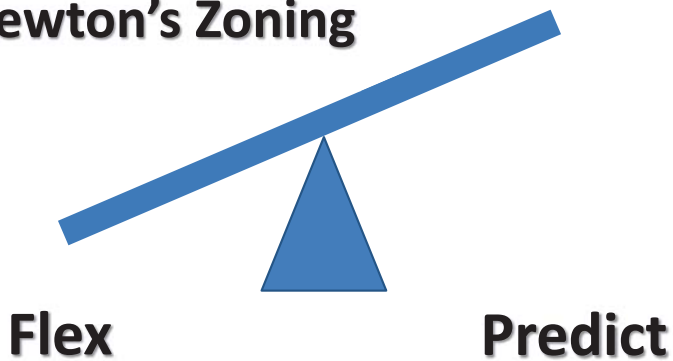
Non-Conforming Homes, Old Lots, & Special Permits

87%
Non-Conforming



Flexibility and Predictability

Newton's Zoning



Zoning & Homeowners

Lot Types & Context
Regulating dimensions for neighborhood consistency

Dimensional Controls
Options relative to flexibility & predictability
How to handle massing

Garages
Where do they go?

Fences & Retaining Walls
Making good neighbors

Lot Types & Context



Lot Types & Context

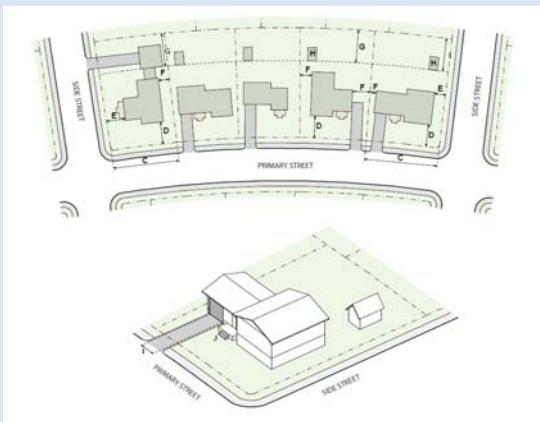


Cottage



Multi-Family Building

Lot Types & Context



Lot Types & Context Based Zoning

Goal: Direct development to be consistent with existing and desired context and differentiate rules based on types of building.



Zoning & Homeowners

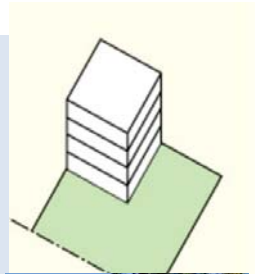
Dimensional Controls:

- Setbacks - min and max, contextual
- Height - Re-evaluating how this is measured
- FAR -
- Lot Coverage - potentially more prominent role as replacement to FAR.

Dimensional Controls

Floor Area Ratio:

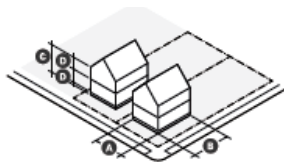
- Not intuitive or easy to explain
- Not easily verified by outside parties
- Complicates treatment of basements and attics
- Leads to a multitude of unintended outcomes as builders work to maximize building size within the rules



Floor Area Ratio Alternatives

Set rules for building height, width & depth

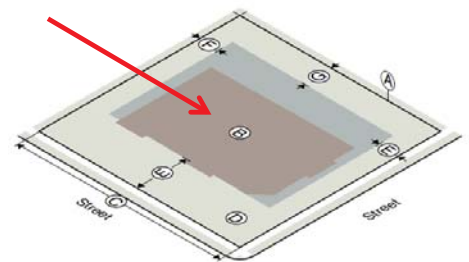
- Allow exceedance of these numbers under certain circumstances or within clear guidelines.



Main Body	
Facade Build Out (min)	60%
A Width (min/max)	22 ft 26 ft
B Depth (min/max)	24 ft 32 ft
C Building Height (max)	2 stories
D Story Height (min/max)	10 ft 12 ft
Ground Floor Elevation (min)	2 ft
Roof Type	Flat, Gable, Mansard

Floor Area Ratio Alternatives

Create a primary building lot coverage max



Floor Area Ratio Alternatives

Stepback Plane rules

- Used to protect access to sunlight, reduce building massing at edges.



Proposed Dimensional Controls Policy

Goal: Support more easily interpreted and enforced rules that result in contextually appropriate development.

1. Have min and max setbacks.
2. New rules for measuring height - better account for slopes.
3. Replace FAR with some combination of:
 1. Building width & depth rules
 2. Building lot coverage rules
 3. Stepback plane rules



Garages



Zoning & Homeowners

Garages:

- Address issue of garages dominating streetscape.
- In some districts, establish min garage setback and max garage width



Proposed Garage Policy

Goal: Support strong connection between homes and street and promote welcoming streetscape.

1. Set a minimum front setback for garages behind the front building facade.
2. Set max garage width based on percentage of building width.
3. Vary these rules based on context district.



Fences & Retaining Walls



Proposed Fence Policy

Goal: Ensure consistency of fence ordinance with zoning. Make fence and retaining walls better and improve enforceability of the rules

1. Move fence ordinance into Zoning Ordinance.
2. Apply fence rules to vegetation/bushes that effectively serve as fences.
3. Apply retaining wall rules to all retaining walls, not just those in the setbacks.



What do you think?

Lot Types & Context
Regulating dimensions for neighborhood consistency

Dimensional Controls
Options relative to flexibility & predictability
How to handle massing

Garages
Where do they go?

Fences & Retaining Walls
Making good neighbors

What did you like?
What did you not like?
What did we miss?
How should we refine these proposals?

Housing for Whom? Zoning, Affordability, and Fair Housing

Housing History

- Over the course of your lifetime, what different types of houses (buildings) have you lived in?
- What types of houses do you plan to live in?

Zoning can...

...promote a diversity of housing choices.

...ensure that needed housing development occurs in the appropriate places.



Housing Needs: Affordability

BETWEEN 2000-2013

+4,200
HOUSEHOLDS
MAKING \$200K
OR MORE

-4,700
HOUSEHOLDS
MAKING \$125K
OR LESS

Loss of Low and Middle Income Households

Between 2000 and 2013 Newton gained 4,200 households earning \$200,000 or more, while at the same time losing 4,700 households earning \$125,000 or less.

Source: Housing Strategy Report, pg.12

Housing Needs: Affordability

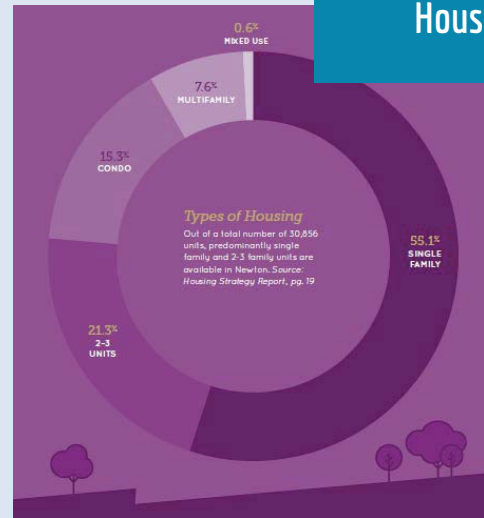
Between **4,713** and **5,092** lower income households in Newton are housing cost burdened*

Source: Housing Strategy Report, pg. 35

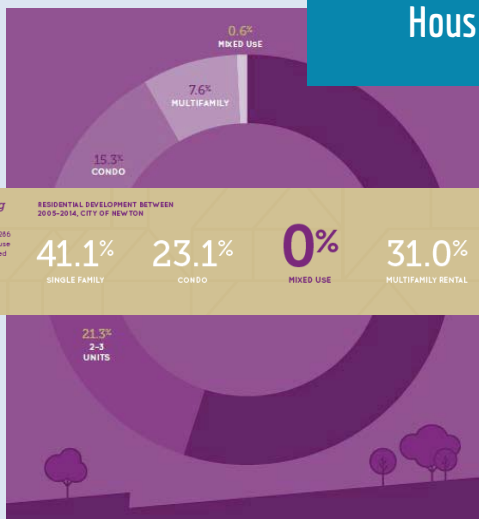


*Cost burdened is when a low- or moderate-income household pays more than 30% of its monthly income on housing costs.

Housing Needs: Options



Housing Needs: Options



Housing Needs: Options

Why does Newton lack diverse housing types given the need?

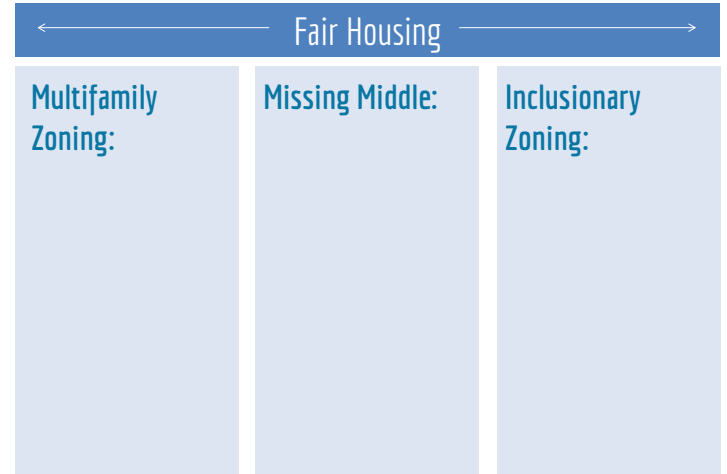
- Current zoning doesn't allow OR restricts
 - Lot area per unit
 - Dimensional controls
 - Requires a special permit
- Results in by-right 1-2 family projects and a few large projects by special permit or 40B

The ordinance doesn't promote innovative solutions

Objectives for Zoning for Housing

- Meet changing housing needs in Newton
- Diversify housing choices
- Encourage creative housing solutions
- Integrate new housing into existing Newton development patterns
- Ensure Newton is an open, diverse and welcoming community in terms of its housing supply.

Zoning for Housing



Fair Housing

- Fair Housing Act of 1968
 - protects people from discrimination when they are renting, buying, or securing financing for any housing
- An obligation to affirmatively further fair housing

Fair Housing

- Protected classes
 - race
 - color
 - religion
 - national origin
 - disability
 - Age
 - sexual orientation
 - gender identity or expression
 - marital status
 - familial status (families with children under 18 or pregnant women)
 - public assistance (including rental vouchers)
 - genetic information
 - military status

Fair Housing

- Incorporate Fair Housing into the Zoning Purposes
- Recognize the affirmative duty to further fair housing in overall zoning purpose
- For development review procedures, recognize fair housing considerations relative to both how development review is conducted and with regard to development review outcomes

Fair Housing



Proposed Fair Housing Policy

Goal: Incorporate Fair Housing requirements, definitions, and standards into Newton's Zoning.

1. Zoning Ordinance Purpose Statement
2. Development review process purpose statements.
3. Waivers for ramps or other accessibility features
4. Update regulations for group homes



Zoning for Housing

Fair Housing		
Multifamily Zoning: Homes close to jobs, transit, and amenities <ul style="list-style-type: none">• Diverse housing types• Meet needs of Newton residents• Environmental sustainability• Designed to fit context	Missing Middle:	Inclusionary Zoning:

Multi-Family Zoning



Multi-Family Zoning



Multi-Family Zoning



Multi-Family Zoning



Multi-Family Zoning Policies

Goal: Direct multi-family and mixed use development to transit and job oriented locations through zoning.

1. Lower lot area per unit requirements and adjust dimensional requirements.
2. Address transportation demand.
3. Provide clear guidance as to City's objectives
4. Establish baseline zoning for future master planning efforts to build from.



Zoning for Housing

Fair Housing

Multifamily Zoning:

Homes close to jobs, transit, and amenities

- Diverse housing types
- Meet needs of Newton residents
- Environmental sustainability
- Designed to fit context

Missing Middle:

Creating opportunities for diverse housing types

- Small - Medium scale
- Match scale of neighborhood context

Inclusionary Zoning:

The "Missing Middle" Building Types



The Housing Options "In-Between"

The "Missing Middle" Building Types



Newton, MA

The Triple-Decker

The "Missing Middle" Building Types



The Cottage Court

The "Missing Middle" Building Types



The Multi-family Mansion

The "Missing Middle" Building Types



The Live-Work

The "Missing Middle" Building Types



Courtyard Apartments

“Missing Middle” Building Type Policies

Goal: In the right locations, permit a range of neighborhood scaled, multi-family building types.

1. Allow the right building types in the right places.
2. Base the approval process on the type and location of the building ranging from by-right to design review with public input.



Zoning for Housing

Fair Housing

Multifamily Zoning:

Homes close to jobs, transit, and amenities

- Diverse housing types
- Meet needs of Newton residents
- Environmental sustainability
- Designed to fit context

Missing Middle:

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Inclusionary Zoning:

Creating more affordable units

- Financing from private sector
- Range of affordability
- High quality units
- Affordable and market rates integrated

Inclusionary Zoning

- Newton one of the first Massachusetts communities with Inclusionary Zoning
- Harness private market to create affordable units
- Newton Leads 2040: Housing Strategy



Inclusionary Zoning

- Objectives:
 - Create more units
 - Clarify existing ordinance
- Ordinance in drafting stage
 - Preliminary presentations to ZAP
 - Read draft online

Proposed Inclusionary Zoning Policy

Goal: Strengthen the ordinance to better meet the vast and diverse housing needs of Newton today

1. All residential projects with 4+ new units
2. Require 15% - 25% affordable units, depending on project size
3. Extend affordability to include middle income
4. Cash payment for fractional units with funds directed to the creation of low income affordable housing.



Community Feedback



Community Feedback: Zoning & Homeowners

Lot Types & Context

- Predictability vs. flexibility
- Reflect variation more precisely
- What is the context based on?
- Non conformity 87% surprising

Dimensional Controls

- Support for minimum lot sizes flexibility
- Growth should be proportional to lot, neighborhood, account for topography
- Fair

Garages

- Balance: predictability/flexibility
- Neighborhood street/alley

Fences & Retaining Walls

- No objections
- Visibility and safety
- stormwater

Community Feedback: Zoning, Affordability, Housing

Fair Housing

- General support
- Need to clearly define

Missing Middle

- Slightly more density
- Transition between commercial/village centers and residential

Inclusionary Zoning

- Bridge very large gap
- Middle income earners

Multi-Family Zoning

- Mixed feedback
- Housing options for different stages in life
- Housing within context and scale
- Location discussions
- Mixed use
- Housing connected to transportation / community assets
- Accommodating growth
- Design review

Event Series

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 Goldlocks: 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 ADA/504 Coordinator and Facility, at least two business days in advance of the meeting. #info@newtonma.gov or 978.552.3223.
The City's TTY/VOICe line is: 978.796-1885. For the Telecommunications Relay Service (TRS), please dial 711.

Event Series

City of Newton Zoning Redesign
Monthly events since September 2017

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

Videos of presentations online

340+ people subscribe to emails

49% open rate **27%** click through rate

Community Engagement

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

9 Drop-In Office Hours since May

5 more planned

Next: January 24, 2018 5:00 p.m.

Thursday, January 18th, 2018 - 6:30 PM

**A Parking Lot for Goldlocks:
Zoning for Just the Right Size**

January 18th, 2018 6:30 - 8:00 p.m.
Newton Free Library, 330 Homer Street
www.courbanize.com/newtonzoning

43% all public and private parking lots in Newton City are empty or just full.

26% empty or almost empty at morning rush hour by Boston Parks and Rec Dept.

MANAGING TRANSPORTATION DEMAND
Newton's Current Zoning Ordinance assumes that each person drives themselves, alone, to a single destination, and then promptly returns home. Expanding the model driving paradigm, we also plan for the most parking that is most accessible to residents and in doing so the zoning code encourages people to make driving their default choice. We also know that our town has many people who do not drive. At least 27% of residents take themselves out of peak commute traffic by walking, biking, or using transit to work, as well as working from home. We want to encourage new development approved under the Zoning Ordinance to address the gaps set in Newton's Transportation Strategy and make alternatives to driving great options and not just necessary choices.

SMOOTH PARKING MANAGEMENT
Creating a parking lot "for Goldlocks" requires being strategic about parking management and design. The design of every driver is to find a convenient parking space at their destination and there are too few to meet their number of spaces to make that convenient a reality. Communities successful in managing parking find that their commercial centers do, plan and build districts, and encourage parking efficiency across property lines. This, in turn, encourages a mix of commercial, and encourage or require shared and intermodal parking lots.

TECHNOLOGICAL SHIFTS IN TRANSPORTATION
Riding, e-scooter, and transportation hubs are available to the general public. You can call an Uber/Lyft and be driven directly door to door. Electric vehicles need charging spaces, reduced idling stations. Biking and electric-assist bikes are becoming more and more popular each year. Experts on autonomous vehicles predict they'll be commonplace by 2025. Just 7 miles from here, why not buildings are expected to have 250,000 parking spaces in the time to drive about the transportation future?

*Newton Free Library location. The ADA coordinator, contact: ADA Training, Head from Newton ADA Coordinator. #info@newtonma.gov or 978.552.3223. For the Telecommunications Relay Service (TRS), please dial 711.

Zoning Redesign Timeline



What do you think? Zoning & Homeowners

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Regulating dimensions for neighborhood consistency

Dimensional Controls
Options relative to flexibility & predictability
How to handle massing

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What do you think? Zoning & Housing

Fair Housing
Affirmatively furthering fair housing

Multi-Family Zoning
Homes close to jobs, transit, and amenities

Missing Middle
Creating opportunities for diverse housing types

Inclusionary Zoning
Creating more affordable units

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