



# Zoning & Planning Committee Report

## City of Newton In City Council

**Monday, March 13, 2017**

Present: Councilors Hess-Mahan (Chair), Albright, Yates, Kalis and Leary

Absent: Councilors Baker, Danberg and Sangiolo

Also Present: Councilors Crossley and Norton

City Staff: James Freas (Deputy Director, Planning Dept.), Rachel Blatt (Long Range Planner), Katy Hax Holmes (Historic Planner), Lily Reynolds (Community Engagement Manager), John Lojek (Commissioner, Inspectional Services), Marie Lawlor (Assistant City Solicitor), Maura O'Keefe (Assistant City Solicitor), Karyn Dean (Committee Clerk)

**#140-14      Zoning amendment for lodging house ordinance**

ALD. CROSSLEY AND HESS-MAHAN requesting to amend **Chapter 30**, City of Newton Zoning Ordinances, to include a "lodging house" ordinance to promulgate rules requiring annual fire, safety and health inspections and licensing of buildings providing single room occupancy and/or congregate living arrangements.

**Action:      Zoning & Planning Held 5-0**

**Note:** Rachel Blatt, Long Range Planner, joined the Committee. She explained that she would be providing an introduction to the boarding house regulations, including data from case study communities and the state. Ms. Blatt provided a presentation which is attached to this report. Please refer to it for more information on the topics discussed below.

Boarding, Lodging and Rooming Houses are interchangeable terms except that Boarding houses have historically referred to establishments that provide food as well as a room. Landlords in all cases would have responsibility for furnishing, repairing and cleaning the shared spaces and the boarders or lodgers would be responsible for their rooms. This is different from an apartment situation where all tenants in an apartment have shared responsibility for the entire space that is being rented.

Newton's definition of boarding house is similar to Brookline's and the state's definition: a dwelling designed for occupancy of 4 or more persons, with no separate cooking facilities as part of their private space. Lodgers are not members of a housekeeping unit. Please see the presentation for the detailed definitions in the state and Brookline regulations.

Newton currently regulates these boarding houses primarily through zoning by defining the term, establishing where they can be located, and when special permits are required. There are also

parking standards. Fees are associated with boarding houses but any changes to them would be in Chapter 17, not in the zoning ordinance.

Other communities use a combination of zoning and licensing to regulate boarding houses. Brookline requires special permits for all boarding houses and they are allowed only in certain districts. Their parking requirement is .02 spaces per bedroom while Newton's is 1 per bedroom. Brookline also requires licensing of the "operator" with certain responsibilities for managing lodgers and the property as well as an operator education requirement. There is an option for limited cooking facilities in private rooms which must meet safety criteria.

Another example community would be Louisville, KY. They just added licensing to their regulations because they had many boarding houses and they were receiving complaints. They use a multi-departmental approach for safety inspections and otherwise their updated regulations are very similar to Brookline's but also allow some by right options. They also have a preferred preference for locations close to public transit. They also take into consideration whether there are other similar uses in the neighborhood, but it is not specified whether that would be favorable or not. Please see presentation for more details.

Ms. Blatt noted that Newton might consider enhancing the boarding house regulations in order to address life safety concerns such as blocked egress, smoke detectors, etc. This would allow the inspection departments to go out on an annual basis. Licensing is an effective vehicle for dealing with problem operators and situations and licensing hearings would allow the neighborhood to know about boarding houses near them and what the regulations and protections are.

#### Committee Questions/Comments

There are several pre-existing, non-conforming boarding houses in the City. While they could not be made to come in now for a special permit, the City could conduct the inspections and require the licensing. This kind of housing is attractive to many people, but if they are not safe and in good order they are not good for anyone. The Planning Department noted in their memo that there are 3 boarding houses in the City, but a Councilor said that there are at least 3 group homes as well and those are not listed. Marie Lawlor, Assistant City Solicitor, explained that state law lists certain establishments that would not fall under the lodging house definition for licensing and group homes is one of them. She would have to research further to find out if the particular group homes in Newton would be eligible for local licensing or state licensing.

It was noted that there are specialized group homes in Brookline and they have to comport with their regulations for boarding houses. The annual inspections cost about \$600-\$800 a year because so many departments are involved, but it is important that the homes are safe as they are heavily used. A Committee member thought that the Department of Mental Health probably conducts inspections as well, however, they are usually different kinds of inspections. DMH checks for standards of care while the City would be inspecting for plumbing, electric, accessible egress and other such issues.

It was asked if “fraternity” houses would be subject to licensing and health inspections for life and safety issues. Brookline requires all university housing that is not on campus to be inspected and licensed.

There were some questions about 111 Chestnut Street which was being operated as an illegal boarding house. When it was inspected due to a proposed sale, egregious violations were found in the construction of the units which included problems with egress and electrical wiring. This is a good example of how annual inspections could prevent these unsafe situations. This item was docketed in order to find a way to legalize existing boarding houses and to provide the opportunity to create new boarding houses and make sure they are safe through regulations and licensing.

Ms. Lawlor explained that there was a fire at a house on Cherry Street recently and the fire department found it was being operated as an illegal boarding house. There were no smoke detectors or fire alarms, electrical and construction work had been done unpermitted and there were numerous locked doors and blocked egress. Inspectional Services had to shut it down and the residents had to move out due to the safety issues. The owner then put the house on the market. Another boarding house, owned by the same person as the Cherry Street house, also sustained a fire and the fire department found four units on the property. Two units were in the house which had many locked doors which is illegal and there was a basement unit which did not have proper egress and was in deplorable condition. Another unit was in the old garage and there were no proper means of egress. These are the very reasons why inspections are necessary and licensing is needed.

Rachel Blatt explained that the Planning Department has been working with Police, Fire, Inspectional Services and the Health Department on trying to identify the issues that need to be considered when working on this ordinance. Councilor Hess-Mahan asked that Planning keep working on the item and come back with some draft language on criteria. Brookline, Cambridge and Boston would be some good models to draw from.

#### Licensing Docket Item

Councilor Hess-Mahan would also like the Committee to docket a parens item which would address the licensing part of the regulations. Maura O’Keefe explained that there is a statutory framework for boarding and rooming houses in Chapter 140 and the Board of Licensing Commissioners is the licensing authority in Newton. They have authority to promulgate their own regulations and they have done so in the past on other issues. She felt it would be best to have the ordinance set out the criteria by which the City Council would like to see the licenses issued. Then the Licensing Commission, which incorporates the ordinances by reference into its regulations already, would be bound by the criteria set and could then promulgate the administrative regulations to enact the ordinance. Licensing Commission already works very closely with Inspectional Services as well as the Fire and Police Departments on the issuance of other types of licenses, so this will be an extension of that collaboration. The Committee voted to docket the parens item and the Law Department will work with the Clerk on proper language.

The Committee voted to hold the item, 5-0.

#### **Local Historic District Commission Preview**

Katy Hax Holmes, who staffs the Newton Historical Commission, joined the Committee. She explained that Newton Highlands and West Newton Hill are both submitting proposals for Local Historic District review. Ms. Holmes provided a flow chart describing the review and approval process, which was attached to the agenda.

The Newton Historical Commission (NHC), the Mass Historical Commission (MHC) and the Planning Board are all involved in the early stages. The Newton Historical Commission is established as the Study Committee by the four existing local Historic District Commissions. The Study Committee then guides a grassroots group of volunteers through the Chapter 40C report review process.

The NHC has approved a study report for the Newton Highlands proposal. The MHC also met and gave their stamp of approval; their review is non-binding, however. The next step is for the City to hold a public hearing; however, it may not do so until at least 60 days have elapsed since the MHC first received the report for review. The Newton Highlands group has asked the City to wait until early May for a public hearing in order to coordinate the NHC, Planning Board and Zoning & Planning Committee for one joint public hearing.

Chapter 40C also provides suggestions for what should be on the agenda for a public hearing which includes a brief history of the proposed district, justification of boundary, integrity of historic resources, challenges and other options. Newton Highlands and West Newton Hill will have separate hearings, with dates to be determined.

Answers to the questions asked at the public hearing will be incorporated into the final report which will be submitted to the City Council for a vote. There is no timeframe within which a vote must be taken.

The criteria for City Council review include reviewing the final study report for completeness, assessing the historical validity of the boundary and assessing property owner support.

#### **Committee Questions/Comments**

A Committee member asked how they can assess the historical validity. Ms. Holmes said the Committee will have access to the various reports and recommendations and be able to assess the boundaries. The inner core of the districts tend to be solidly valid and the edges tend to be where there is more debate. The testimony at the public hearing should be helpful in that criteria as well as determining property owner support. The Newtonville district, for example, asked people to specifically indicate on a list whether they were in support or not. Neither MHC nor Chapter 40C requires that sort of "head count". Ms. Holmes has not seen the kind of tallying in other districts that Newtonville had done.

It was asked if the City Council had any control over the boundary of the Historic District and Ms. Holmes said it could. Any data leading up to the decision to make changes must be historically significant and justifiable.

A Councilor asked what would happen to a pocket of homes well within a Historic District that is not historic. Ms. Holmes said there is no such thing as a “non-contributing” home or area within a Local Historic District in Newton. They would still have to go under review for external changes and likely have to make those changes appropriate to the era of their particular home. National Register Districts can have a boundary around them and some homes within it can be excluded, but not for Newton’s Local Historic Districts.

Those within the proposed LHD should be getting a required leaflet explaining the process and how it will affect them. It is incumbent upon the grassroots groups and the City to make sure residents have the information they need before the public hearing. The City Council will get to see what is being sent out. A Councilor said many residents have misinformation and wanted to be sure as many people as possible have the facts. Ms. Holmes said reports for both proposals are on the City’s website and Councilors should feel free to refer residents to her for information as well. She said she will put as much information as possible online.

The Committee thanked Ms. Holmes for the presentation and information.

**#80-13      Updates on the zoning reform project**

THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project. [02/25/13 @ 12:31 PM]

**Action:      Zoning & Planning Held 5-0**

**Note:** Chris Freda from Sasaki Associates joined the Committee to give an update on the progress of the zoning redesign project. Mr. Freda provided a PowerPoint which is attached to this report. Please refer to it for details.

He reminded the Committee that Phase 1 of the project included the reorganization of the zoning code which has been completed. They are now working on Phase 2 which is the compilation of the Pattern Book and subsequently a draft ordinance for City Council review.

Mr. Freda said long tours of the City have been taken, focus groups, data review and GIS analysis have all been done. They are now in the production stage and are working on turning all the information into a digestible and comprehensible format. They had a great working session with the Planning Department two weeks ago to share the information. A draft will be forthcoming for review by the residents and the City Council. The Pattern Book will then inform the new zoning ordinance and vice versa. They will progress together in draft form until completion of the process. They feel they are about halfway through the project.

### Committee Questions/Comments

It was asked how much community engagement they are seeing in the process. Mr. Freda said there have been a number of engagement opportunities including general open houses and focus groups for particular expertise, and the CoUrbanize website has been seeing a constant flow of ideas from contributors. The Pattern Book is a retrospective process analyzing what currently exists in the City already. The Ordinance will ultimately take into consideration more of the priorities and principles of the people who live here and what they want to see for the future, so community engagement will become even more important at that stage.

Some Councilors noted that there are some areas that are in transition and those need to be taken into consideration. Mr. Freas said that is why the analysis is being broken down into smaller areas and they are able to capture the data points to describe those areas.

It was asked if Historic Districts will show up in the Pattern Book. Mr. Freda said they would not because the boundary of any particular Historic District is not pertinent, but the characteristics within them are certainly being taken into consideration and discussed.

Sasaki is working with CoUrbanize on this project, and they set up a website for input from the community. One part of that online platform was the distribution of signs around the City to engage the community by asking questions about the built environment. The questions are strategically located and specific to each area. Residents can then respond via text to a number provided on the sign. It was asked how someone might respond if they don't text. Ms. Reynolds said that one could ask a friend to text on your behalf, an email could be sent or a phone call can be made directly to the department. The Councilor did not like the text-focused method. Ms. Reynolds said it was a good way to let people around the City know what is going on and it provides a quick and easy way for people to respond via text. Mr. Freas said this is just one methodology for providing input and is just one prong of the outreach strategy. People can respond online, via phone, mail a letter or come to focus groups.

Ms. Reynolds reminded the Committee that a Zoning Redesign Update Memo was sent to the City Council in February with information about the sign campaign. The update memos are sent out every 2-3 weeks to the City Council and are also posted on the website. It was suggested that Scott Lennon includes a reminder on his weekly News, Notes and Reminders. It was also suggested that Council Members could pass out palm cards with contact information for the project.

It was asked who the focus groups were. Ms. Reynolds said that they wanted some input from groups and commissions who work in the community such as the Conservation Commission, the Urban Design Commission, the Commission on Disability, The Mayor's Office of the Arts and some architects who work closely with the zoning ordinance. A general invitation was made to architects to talk about patterns of development in the City. There is no zoning text being written yet. The Neighborhood Area Councils have also been involved and have been invited to all the open houses and meetings. The Councilor was concerned that the focus groups are skewing towards development. Other Committee members disagreed.

The Chair noted that the Lily Reynolds is very open to suggestions and anyone should feel free to send any questions or suggestions to her.

Mr. Freda said the draft Pattern Book will be coming to the Committee on April 12<sup>th</sup>. The drafting of the ordinance should begin within a week or two and come to the Committee in October. Councilor Hess-Mahan said great efforts are being made to make the process extremely transparent and provide as many opportunities for outreach and contribution as possible.

It was asked where the standards would be included. Mr. Freas noted that right now they are identifying key areas. There will then be a group of staff that will provide some policy direction for those areas which will then inform the development on an initial draft ordinance. They will start looking for input on things like storm water, retaining walls, etc.

The Committee thanked Mr. Freda and voted to hold the item.

### **Referred to Finance and Appropriate Committees**

**#257-12**

#### **Review of fees in Chapter 17 and Chapter 20**

RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

Finance voted NAN

Programs & Services voted NAN

**Action: Zoning & Planning voted No Action Necessary 5-0**

**Note:** No progress has been made on this item since 2012. Recodification is being undertaken again this year so this item should be voted No Action Necessary as other Committees have done. The Committee voted in favor of No Action Necessary 5-0

Meeting adjourned.

**Respectfully Submitted,**

**Ted Hess-Mahan, Chair**

# Zoning and Planning Committee

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## **INTRODUCTION TO BOARDING HOUSE REGULATION**



# Outline

2

- What is a boarding house?
- How does it compare to a group of roommates?
- What is Newton's definition of a boarding house?
- How does it differ from the definition in state law and from Brookline's?
- How does Newton currently regulate a boarding house?
- How do the case study communities regulate boarding houses?
- Why might Newton consider regulating boarding houses?

# What is a boarding house?

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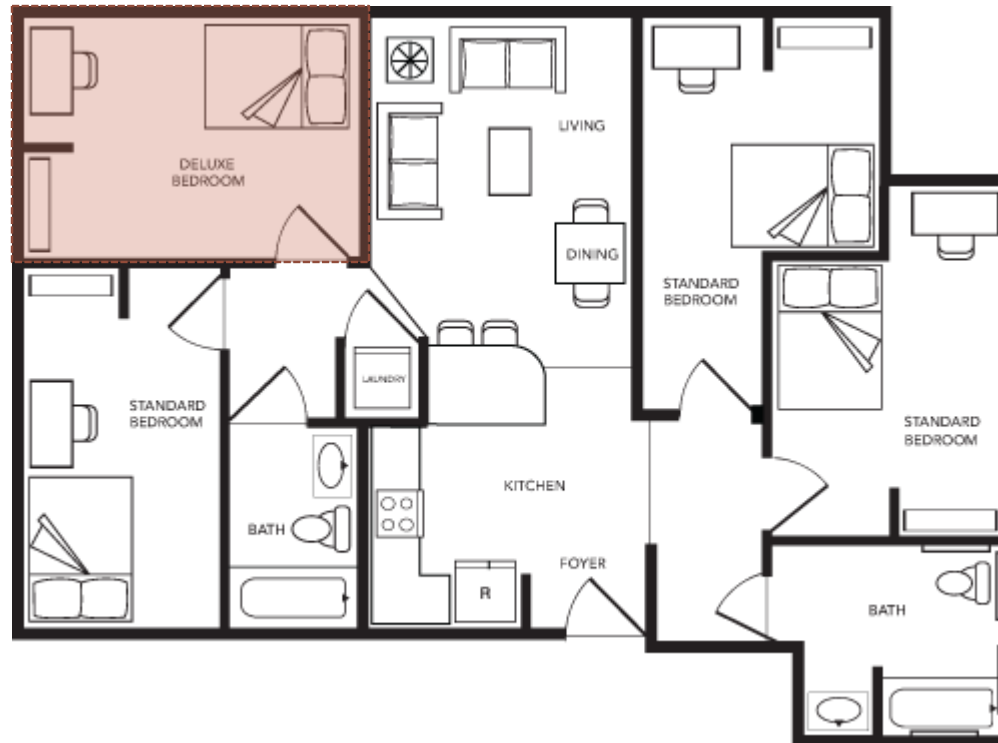
## **Boarding/Lodging/Rooming House**

- 4+ individuals living in a quasi-group setting
- Leasing a room rather than sharing in an apartment lease
- Access to but not legal responsibility for shared kitchen and bath facilities

# What is a boarding house?

4

Renter #1



# What is a boarding house?

5

Renter #1

Renter #2



# What is a boarding house?

6

Renter #1

Renter #2

Renter #3



# What is a boarding house?

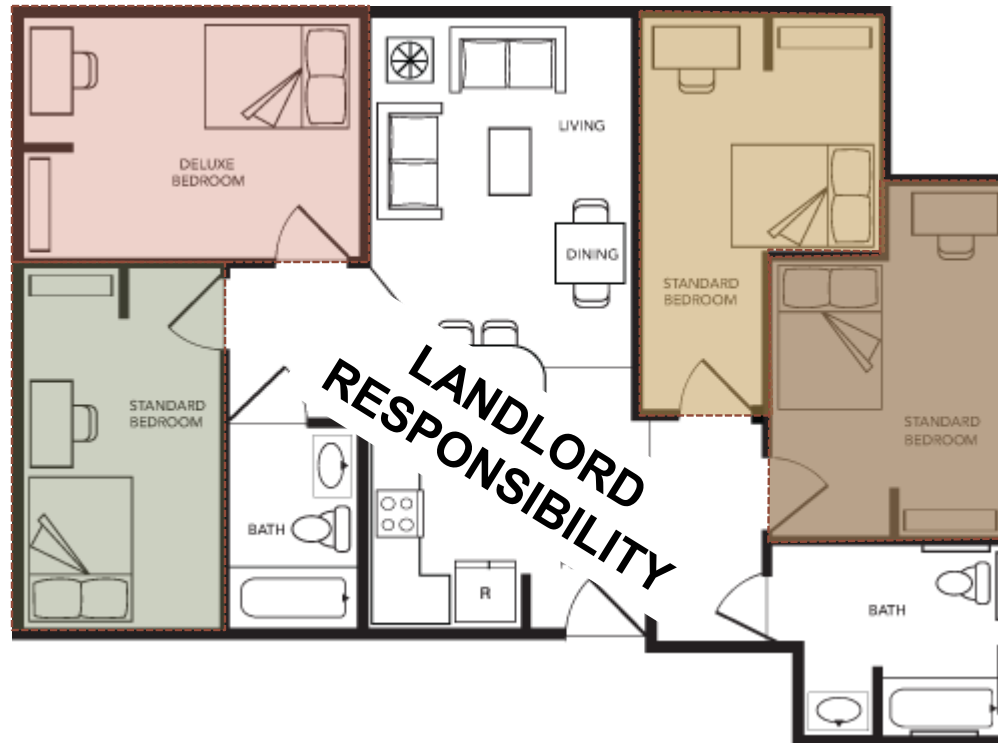
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Renter #1

Renter #2

Renter #3

Renter #4

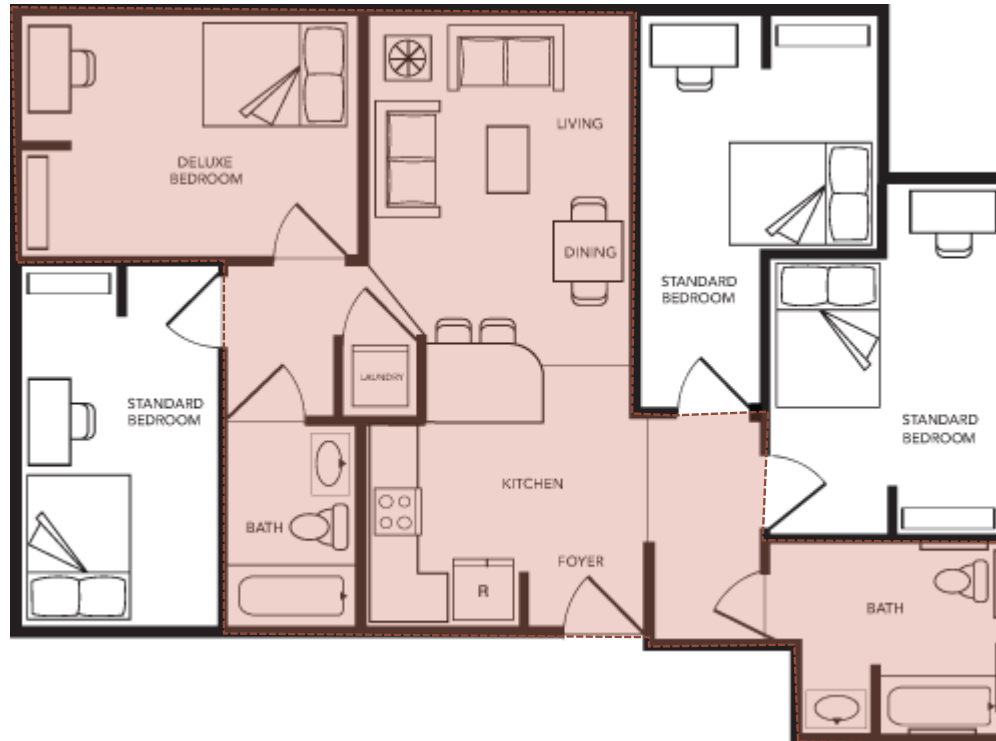


# How does this compare to a group of roommates?

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## Group of Roommates

Roommate #1  
(UNIT OWNER)



# How does this compare to a group of roommates?

9

## Group of Roommates

Roommate #1  
(UNIT OWNER)

Roommate #2





# How does this compare to a group of roommates?

10

## Group of Roommates

Roommate #1  
(UNIT OWNER)

Roommate #2

Roommate #3



# How does this compare to a group of roommates?

11

## Group of Roommates

Roommate #1  
(UNIT OWNER)

Roommate #2

Roommate #3

Roommate #4



# How does this compare to a group of roommates?

12

## Group of Roommates

Roommate #1  
(UNIT OWNER)

Roommate #2

Roommate #3

Roommate #4



# What is Newton's definition of a boarding house?

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## Lodging House Defined.

Any dwelling designed, occupied or intended for **occupancy by 4 or more lodgers** (defined as a person who occupies space for living and sleeping purposes **without separate cooking facilities**, paying rent, which may include an allowance for meals; and who is not a member of the housekeeping unit). Includes rooming house, lodging house.

*Newton Zoning Ordinance §6.2.7*

# How does it differ from the definition in state law and from Brookline's?

#140-14

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## Massachusetts state laws include the following definitions:

“Lodging House” means...“a house where lodgings are let to **four or more persons not within second degree of kindred to the person conducting it**, and shall include fraternity houses and dormitories of educational institutions, but shall not include dormitories of charitable or philanthropic institutions or convalescent or nursing homes licensed under [other sections of the code]”.

*MGL, c. 140, s.22 – Massachusetts General Laws*

“Rooming House” means...“every dwelling or part thereof which contains **one or more rooming units** in which space is let or sublet for compensation by the owner or operator to **four or more persons not within the second degree of kindred to the person compensated**. Boarding houses, hotels, inns, lodging houses, dormitories and other similar dwelling places are included, except to the extent that they are governed by stricter standards elsewhere created; [not including hospitals, nursing homes, and other such facilities licensed by the Dept. of Public Health]

[and]...

“Rooming Unit” means... “the room or group of rooms let to an individual or household for use as **living and sleeping quarters but not for cooking**, whether or not common facilities for cooking are made available.”

*105 CMR 410.020 – State Sanitary Code*

# How does it differ from the definition in state law and from Brookline's?

#140-14

15

## **Brookline uses the following definitions:**

Lodging House: Every dwelling or part thereof which contains **one or more rooming units** in which space is let or sublet for compensation by the licensee, owner or operator to **four or more persons not within the second degree of kindred to the person compensated**. The term Lodging House shall include: boarding houses, rooming houses, inns, bed and breakfast establishments, dormitories, fraternity houses and other similar dwelling places.

Rooming Unit: The room or group of rooms let to an individual or household for **use as living and sleeping quarters**.

# How does Newton currently regulate a boarding house?

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## Newton, MA

### Zoning

- Defines a boarding house
- Establishes where boarding houses can be located and by what process those locations are approved
  - Use is allowed by Special Permit in the MR-1, MR-2, MR-3, and MR-4 districts (3.4.1)
- Sets parking standards
  - 1 parking stall per sleeping room plus 1 per 3 employees (5.1.4)

### License Fees

- \$50/year Lodging House License (§17.3)
- \$50/quarter On-site Inspection Fee (§17-10)
- NO REGULATIONS ASSOCIATED WITH THE FEES

# How do the case study communities regulate boarding houses?

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## Brookline, MA

### Zoning

- Sets where boarding houses are allowed and by what process
  - All require a Special Permit
  - Allowed in Three Family (Res-F), Apartment House (Res-M), Local Business (Bus-L), and General Business (Bus-G) zoning districts
- Sets parking requirements
  - 0.2 parking spaces per bedroom



# How do the case study communities regulate boarding houses?

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## Brookline, MA

### License

- Granted to an operator
- Outlines operator responsibilities
  - Responsibilities regarding managing lodgers
    - Maintaining a log of lodgers and their contact/emergency info
    - Setting house rules re: noise, waste, cleanliness, disorderly behavior
    - Providing for housekeeping: furniture, clean bedding, clean kitchens and bathrooms, pest control
  - Responsibilities regarding property management
    - Meeting all fire and sanitary code requirements
    - Prohibiting use of candles, space heaters, and cooking in private bedrooms (except microwaves)
    - Maintaining the structure and grounds including snow/ice removal
- Requires operator education

# How do the case study communities regulate boarding houses?

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## Brookline, MA

### License – enhanced single room occupancy option

- An option for operators to allow limited cooking facilities in private rooms
  - All ‘rooming units’ must meet...
    - affordability criteria
    - higher safety standards (two means of egress, fire extinguishers, etc)

# How do the case study communities regulate boarding houses?

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## Louisville, KY

### Zoning

- Defines boarding houses – min. of 4 lodgers, max. of 8 lodgers
- Sets where boarding houses are allowed and by what process
  - By-right in Office/Residential Districts (OR-1, OR-2, OR-3, OTF); Commercial Zones (C-1, C-2, C-3, CM); Industrial zones (EZ-1, PRO)
  - Limited in Transit District Transition – *meaning Planning Commission approval of the site plan*
  - Conditional Use Permit in all single-family residence zones, except U-N; some multi-family districts (R-6, R-7, R-8A)
- Sets parking requirements
  - Minimum: 0.75 spaces for each bedroom
  - Maximum: 1.5 spaces for each bedroom

# How do the case study communities regulate boarding houses?

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## Louisville, KY

### License

- Granted to an operator
- Outlines operator responsibilities
  - Responsibilities regarding managing lodgers
    - Set rules of conduct and business management plan
    - Specify if support services will be provided
    - Propose maximum stay for residents
  - Responsibilities regarding property management
    - Code compliance
    - Annual health department inspections
  - Crossovers to zoning topics
    - Prohibits signs identifying a boarding house as such
    - Encourages boarding houses to be located near transit and have sufficient parking

# Why might Newton consider regulating boarding houses?

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- Life Safety Concerns of existing boarding houses
- Licensing is a more effective vehicle for dealing with problem operators/problematic situations
- Uniformity of standards for all existing and future boarding houses
- Transparency – clear information for operators and neighbors

# Initial Questions for discussion

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1. Should Newton issue licenses for boarding houses?
2. Should Newton adjust the zoning requirements for boarding houses?
3. Should Newton require annual inspections?
4. Should Newton include training in the requirements?
5. Should Newton allow for some units with independent cooking facilities as Brookline has?
6. Should Newton include bed and breakfasts in these regulations as Brookline has?
7. Should Newton establish a pathway to bringing existing boarding houses up to license standards? Should this apply to only legal pre-existing boarding houses or also illegal ones?



# Newton Zoning Redesign

Developing a context-based zoning code for an evolving city.

13 MARCH 2017

# Newton's Overall Zoning Reform Process



## Zoning Redesign Process



## Pattern Book Development





# Newton's Overall Zoning Reform Process



## Zoning Redesign Process



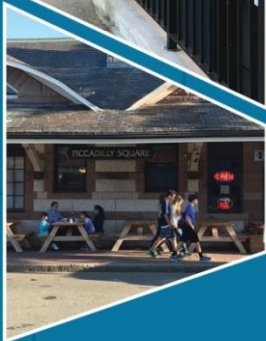
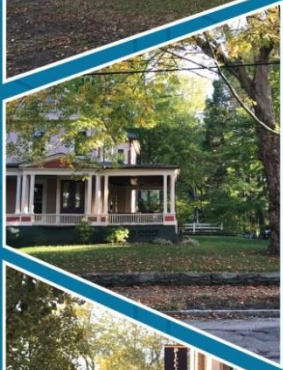
## Pattern Book Development



The background is a soft-focus photograph of an outdoor setting. On the left, a large tree trunk is visible, with its canopy extending towards the top of the frame. The sun is shining from the upper left, creating a bright, hazy glow. In the middle ground, there's a paved path or road. To the right, a building with a blue roof and a brick chimney is partially visible. The overall atmosphere is bright and airy, with a bokeh effect on the background elements.

# Draft Pattern Book Materials

*The Newton Pattern Book was produced on behalf of the City of Newton as part of the 2017 Comprehensive Zoning Reform initiative.*



# Newton Pattern Book

2017

## Table of Contents:

1. Introduction to the Pattern Book
2. The Development of Newton
3. Newton's Patterns
4. The Pattern Book Process
5. Glossary of Terms

# 1. Introduction to the Pattern Book

- Purpose of the Pattern Book
- The Pattern Book & The New Zoning Ordinance
- The Pattern Book Methodology
- Using the Pattern Book to Inform Development/Redevelopment in Newton

**WORK IN PROGRESS!**

## Introduction to the Pattern Book

### Purpose of the Pattern Book

Newton is a city defined by and renowned for its rich historical character and overall high quality of life. Over the past three centuries, Newton has developed from a quiet agricultural town consisting primarily of pastureland and small clusters of housing to a modern—almost entirely built-out—city of nearly 90,000 residents. Today's Newton is a rich tapestry of buildings, institutions, and places simultaneously representing the past, present, and future of Newton—all working in concert to create a high quality, twenty-first century place to live, work, learn, play, and create.



Masonic Building in Newtonville

Anyone who spends time exploring Newton's various neighborhoods and village centers will come to realize the city comprises a great diversity of development patterns. These patterns reveal themselves in the size, shape, and character of the streets, parcels, and buildings that together compose a neighborhood or village center, and can be understood in the context of their development era, proximity to historical thoroughfares and rail lines, and the planning and design decisions made by the city and other governing entities over generations. As part of the City's 2017 comprehensive zoning reform initiative ("Zoning Redesign"), Newton sought to catalog these existing development patterns to best understand the city's context. The resulting analysis is documented in this pattern book. It is the goal of the City to use this pattern book to serve as the foundation of a new context-based zoning ordinance (described in greater detail below) and to serve as a resource for regulators, property owners, developers, and designers who wish to reimagine and reshape areas of the city with new development/redevelopment.

Pattern books—in the context of planning and development—were historically used primarily to guide design decisions in communities seeking a degree of consistency between existing and future development. In more recent years, planners and designers have repurposed the pattern book concept to work alongside tools like form-based

codes—and zoning more broadly—in service of a new approach to guiding development within cities. This new approach is called context-based zoning, and it will serve as the foundation of Newton's zoning and regulatory framework for years to come. The core concept underlying context-based zoning is that the city we're planning for is already a place of significant history and beloved character. While the city must encourage growth and development to maintain equality of access, its revered diversity, and the economic vibrancy that keeps Newton humming—that which makes Newton great today can serve as a model for the future.

To build a zoning ordinance that respects and responds to that which is working and celebrated in Newton today, the various patterns that makeup Newton must first be understood and cataloged. The pattern book aims to fulfill that objective with a rigorous analysis based on geographic

information system data, historical records, regulatory/policy documents, existing conditions measurements, and first-hand interactions with Newtonians who know the city best. Following this information-gathering stage, the planning team (Cassaki and the City of Newton Department of Planning and Development) began to identify and categorize development patterns across the city. These patterns were grouped, illustrated, and described to detail the underlying conditions that constitute each pattern. This process involved both quantitative and qualitative deliberation to determine which factors were most important in defining patterns, and therefore which factors would be relevant to future designers and property owners who look to the pattern book to make decisions with respect to their own development goals. The specific patterns identified and the factors considered in defining those patterns are outlined, in detail, in chapter 4: Newton's Patterns.



A home in Newton Centre



# 2. The Development of Newton

- Newton's Development (1630 - 2017)
- Newton Today
- The Evolution of the City
- Zoning History
- Recent Planning Initiatives

## The Development of Newton

### Newton's Development (1630 - 2017)

Newton has historically existed as a residential and farming suburb to Boston's commercial and industrial centers. Otatate con num fugitibus solent mi, ides pro in porrore, nimped etur, optate quam quasperum que aut quamus dolorestio consequas sitiunt plecto experch illabore, atur? Asperch itiust, sit audit doloro te nost officipiet et fugitio nsentur atur ma quam aliam res sinulpa ipsusae aborescid ut as es ius expe consedit fuga.

#### The Settlement of Newton

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#### Boston Regional Growth (17XX - 18XX)

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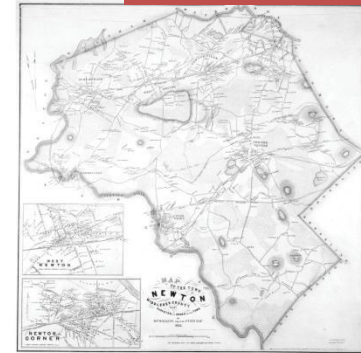


Historic Photo



Historic Photo

## WORK IN PROGRESS!



Historic Newton  
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#### Newton Connects Boston Westward

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# 3. Newton's Patterns

- Pattern Book Organization
- Citywide Analysis
- Development Types
- Pattern Subsets
- Village-based Areas
- Building Inventory

## Village-Based Areas

### 2. West Newton Area

#### Development Types & Pattern Subsets

With close proximity to both Waltham and Watertown to the north, the West Newton set of neighborhoods and centers includes all seven categories of residential building type and five of the six development types cataloged in this pattern book. The area includes a pedestrian-scale street network with consistent, walkable sidewalks and a mix of

small and large development blocks. Residential properties are tightly packed within this area's neighborhoods, with average side setbacks as small as ten feet in several places. The main commercial area is the linear West Newton village center situated along I-90.

#### Village Center

The West Newton Area's only village center is the West Newton village center, located in the south, along I-90. This center is medium in size, relative to Newton's several village centers, with a substantial mix of 19th and 20th century buildings and styles and a dense, highly-walkable urban form.



#### Regional Center

West Newton is home to two regional employment centers (on either side of the West Newton village center) and two regional legacy industrial centers to the north, abutting Waltham. The employment centers are strung along Washington Street and primarily house uses such as offices, a grocery store, automotive service shops, and other larger-scale commercial/retail operations. The legacy industrial centers in the north comprise offices, small manufacturers, storage facilities, a music studio, and small retail spaces.



#### Campus

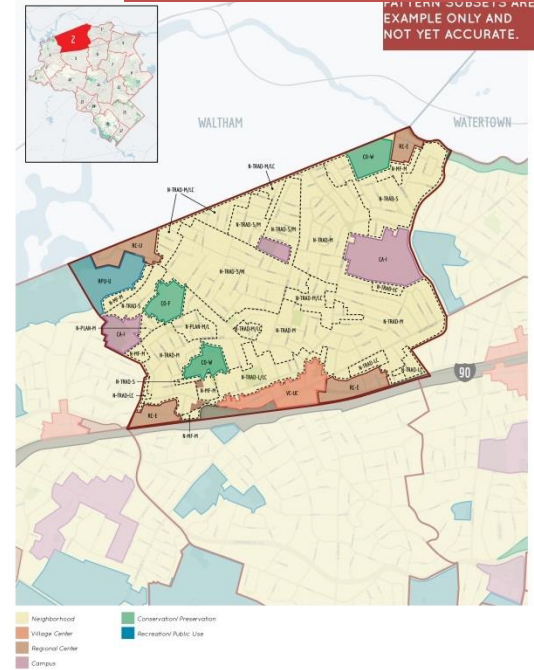
The West Newton Area contains one campus development type—the Fessenden School. This private 41-acre primary school comprises academic and recreation facilities as well as playgrounds, outdoor sports fields and courts, and large landscaped open space.

#### Neighborhood

The neighborhoods of West Newton developed in the city's early years in response to development types and the introduction of rail service to the area. The neighborhood patterns predominantly include traditional 1 and traditional 2 subsets, featuring mainly one-, two-, and three-family residential properties on small lots. Larger residential properties and denser building types are primarily clustered near the village and regional centers.

## WORK IN PROGRESS!

PATTERN SUBSETS ARE EXAMPLE ONLY AND NOT YET ACCURATE.



# 4. The Pattern Book Process

- Research/Analysis
- GIS Operations
- Public Engagement
- Revising the Pattern Book

WORK IN PROGRESS!

4

The Pattern Book  
Process



# Chapter 3: Newton's Patterns Deep Dive



### Citywide Analysis

This analysis shows several data sets at the city scale. The maps are intended to convey the composition of Newton and the systems operating citywide through various data lenses. The layers in these maps reveal patterns and allow users to draw conclusions from a citywide perspective.

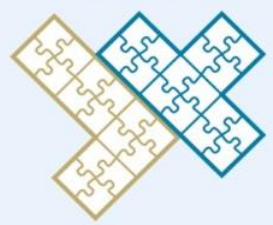
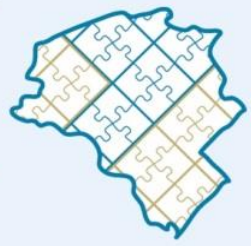


*Seeing data sets on the citywide scale is useful for understanding the similarities and differences between Newton's various neighborhoods and centers. To understand these data on a more local scale, they have been broken down by VBA.*

*Data compiled in the citywide analysis informed the definitions of development types and pattern subsets.*

### Development Types & Pattern Subsets

Development types (blue squares in the diagram to the right) are broad categories describing the predominant land use and composition of Newton's neighborhoods and centers. Pattern subsets (gold puzzle pieces in the diagram to the right) are the more specific areas within development types that describe the more detailed form, scale, and density of development within each development type.



#### Development Types

*Development types are large, generalized areas describing the predominant use(s) and the development composition of Newton's neighborhoods and centers. The pattern book breaks the city into six development types: neighborhood, village center, regional center, campus, recreation/public use, and conservation.*

#### Pattern Subsets

*Pattern subsets are the more specific and measured patterns comprising each development type. Each development type contains a menu of detailed subsets describing the scale, form, and density of development as well as the relationship of buildings to each other and to the street.*

### Village-Based Areas

After reviewing the city's data layers and experiencing firsthand the unique mix of styles, densities, development eras, and uses that comprise Newton's neighborhoods and village centers, the planning team broke the city into seventeen "village-based areas" (VBA). The intent of these areas is to distinguish neighborhoods from one another in order to understand the composition and shared characteristics of development within an area, and of areas relative to each other.



#### Area Overview

*Each VBA is described in terms of its boundaries and development composition.*



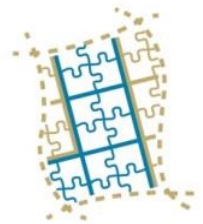
#### Land Use Analysis

*A generalized land use map shows the patterns of development within each VBA. Key development metrics are measured by land use.*



#### Street Type Analysis

*Street types are mapped within each VBA and key development metrics are displayed by street type.*



#### Development Types & Subsets

*Each VBA is broken down and analyzed using the same development types and subsets described above.*

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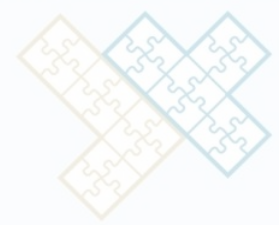
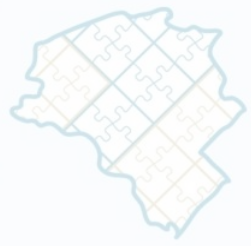


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#### Land Use Analysis

A generalized land use map shows the patterns of development within each VBA. Key development metrics are measured by land use.



#### Street Type Analysis

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#### Development Types & Subsets

Each VBA is broken down and analyzed using the development types and pattern subsets.

# 1. Citywide Analysis



### Citywide Analysis

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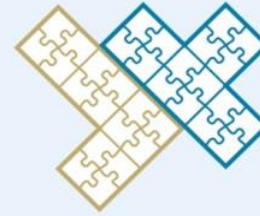


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#### Area Overview

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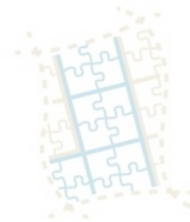
#### Land Use Analysis

A generalized land use map shows the patterns of development within each VBA.



#### Street Type Analysis

Street types are mapped within each VBA and key development patterns are identified.



#### Development Types & Subsets

Each VBA is broken down and analyzed using the development types and pattern subsets.

# 2. Development Types & Pattern Subsets

### Citywide Analysis

This analysis shows several data sets at the city scale. The maps are intended to convey the composition of Newton and the systems operating citywide through various data lenses. The layers in these maps reveal patterns and allow users to draw conclusions from a citywide perspective.

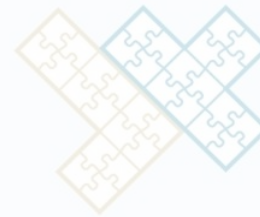


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Data compiled in the citywide analysis informed the definitions of development types and pattern subsets.

### Development Types & Pattern Subsets

Development types (blue squares in the diagram to the right) are broad categories describing the predominant land use and composition of Newton's neighborhoods and centers. Pattern subsets (gold puzzle pieces in the diagram to the right) are the more specific areas within development types that describe the more detailed form, scale, and density of development within each development type.



#### Development Types

Development types are large, generalized areas describing the predominant use(s) and the development composition of Newton's neighborhoods and centers. The pattern subset breaks the city into six development types: neighborhood, village center, regional center, campus, recreation/public use, and conservation.



#### Pattern Subsets

Pattern subsets are the more specific and measured patterns comprising each development type. Each development type contains a number of detailed pattern subsets that are measured and analyzed to each city and to the street.

## 3. Village-based Areas

### Village-Based Areas

After reviewing the city's data layers and experiencing firsthand the unique mix of styles, densities, development eras, and uses that comprise Newton's neighborhoods and village centers, the planning team broke the city into seventeen "village-based areas" (VBA). The intent of these areas is to distinguish neighborhoods from one another in order to understand the composition and shared characteristics of development within an area, and of areas relative to each other.



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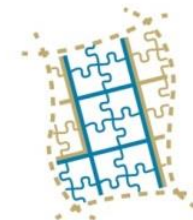
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#### Street Type Analysis

Street types are mapped within each VBA and key development metrics are displayed by street type.



#### Development Types & Subsets

Each VBA is broken down and analyzed using the same development types and subsets described above.

# 1. Citywide Analysis

## Citywide Systems

- Circulation: Walkability
- Circulation: Transit Access
- Circulation: Automobile Access
- Circulation: Parking
- Open Space
- Physical Barriers
- Watersheds

## Development Forms

- Land Use
- Business Centers
- Lot Sizes
- Gross Square Feet (development)
- Development Height in Stories
- Streetwall
- Accessory Structures
- Mean Tax Revenue/Acre
- Nonconforming Parcels (existing zoning)
- Changes in Density Over Time
- Permeable & Impermeable Surfaces



# 1. Citywide Analysis

**WORK IN PROGRESS!**



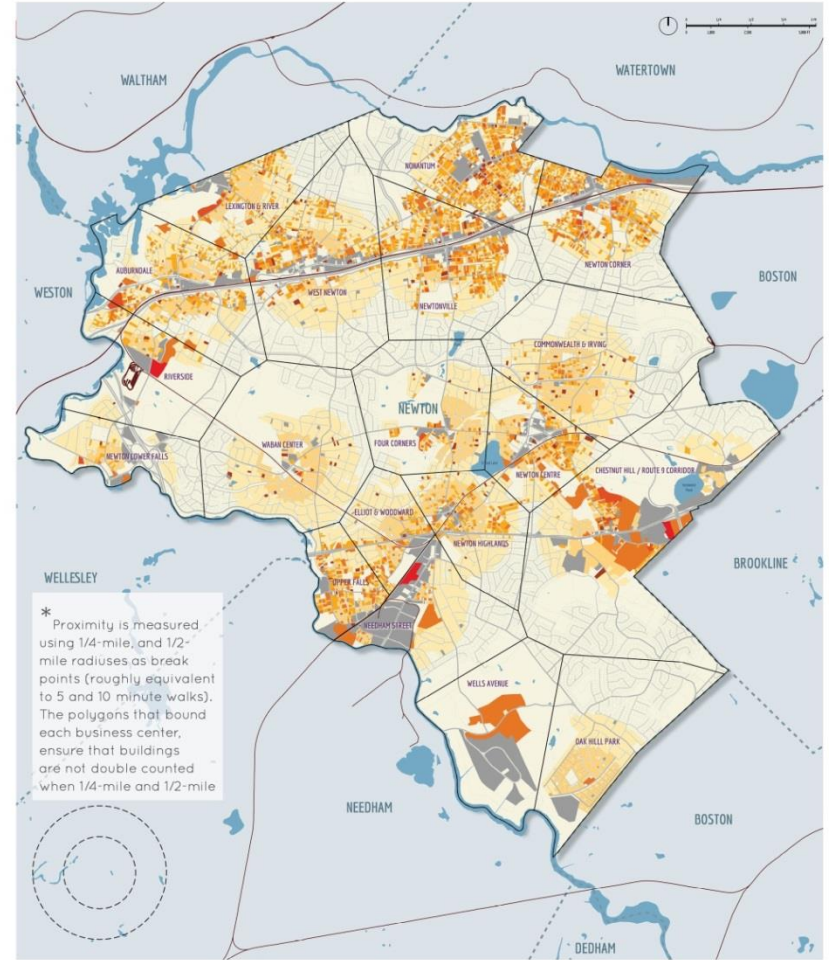
## Development Forms

### Business Centers

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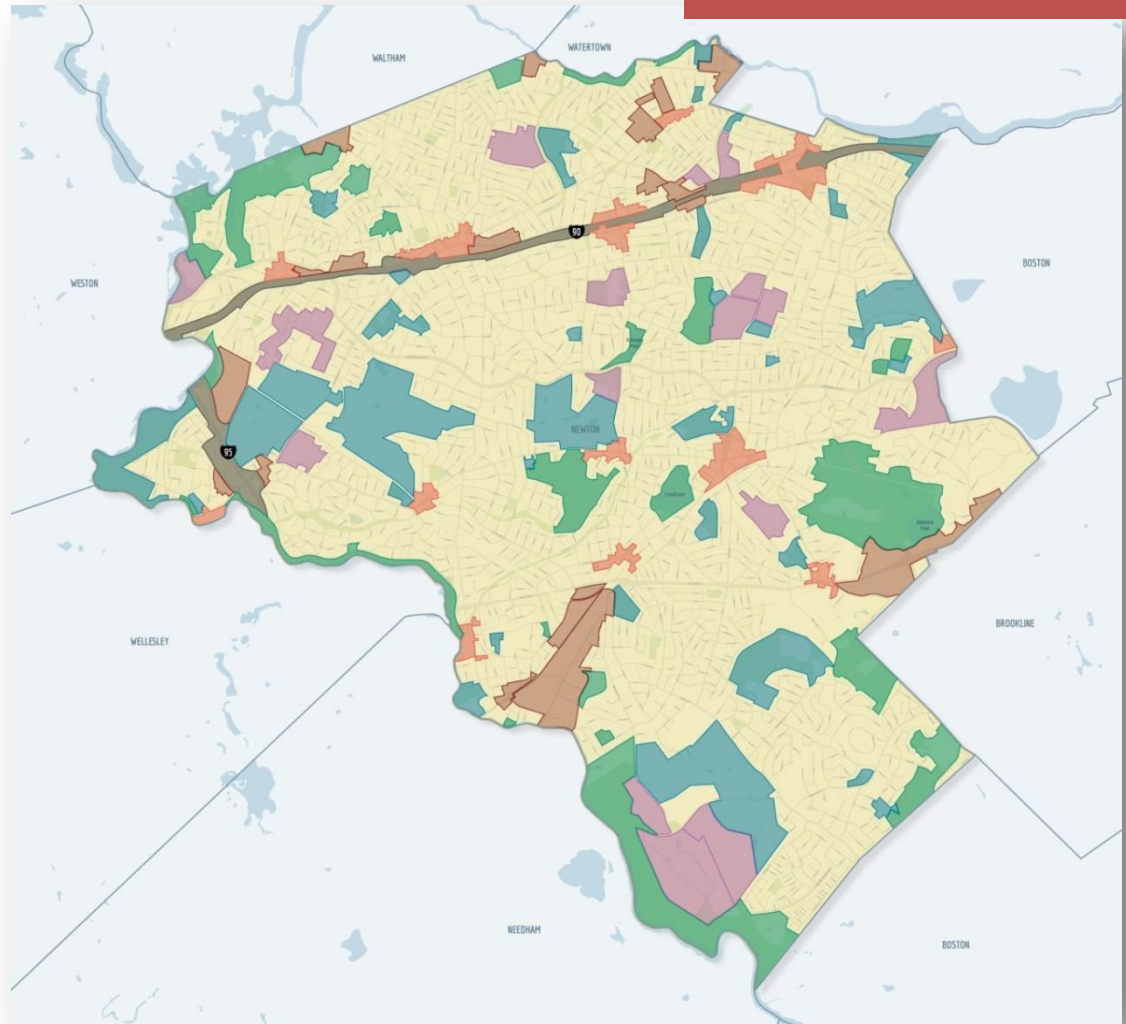
### Legend

- Single Family (1/4M)
- Single Family (1/2M)
- Two Family
- Multi Family (<10)
- Mixed Use
- Apartment (10+)
- Apartment (10+)
- Commercial / Industrial

## 2. Development Types

- Neighborhood
- Village Center
- Regional Center
- Campus
- Recreation/Public Use
- Conservation

**WORK IN PROGRESS!**



# 2. Development Types

WORK IN PROGRESS!

## Development Types & Pattern Subsets

### Neighborhood

Newton is today a predominantly residential community. Over the course of its three centuries of history, the majority of structures within the city have been single family homes. These homes when clustered together form unique neighborhoods comprising XX% of Newton's land area.

While the neighborhood classification is primarily composed of residential structures, neighborhoods in cities like Newton are almost always dotted with additional uses and building typologies. It is not at all uncommon for small commercial and retail establishments to become embedded in these areas, in the form of doctors' offices, dental practices, small commercial offices, banks, coffee shops, small grocers, and restaurants. These outliers offer local residents the benefit of convenience and small instances of the vitality that comes with a mix of uses in a neighborhood.

#### Traditional Neighborhoods

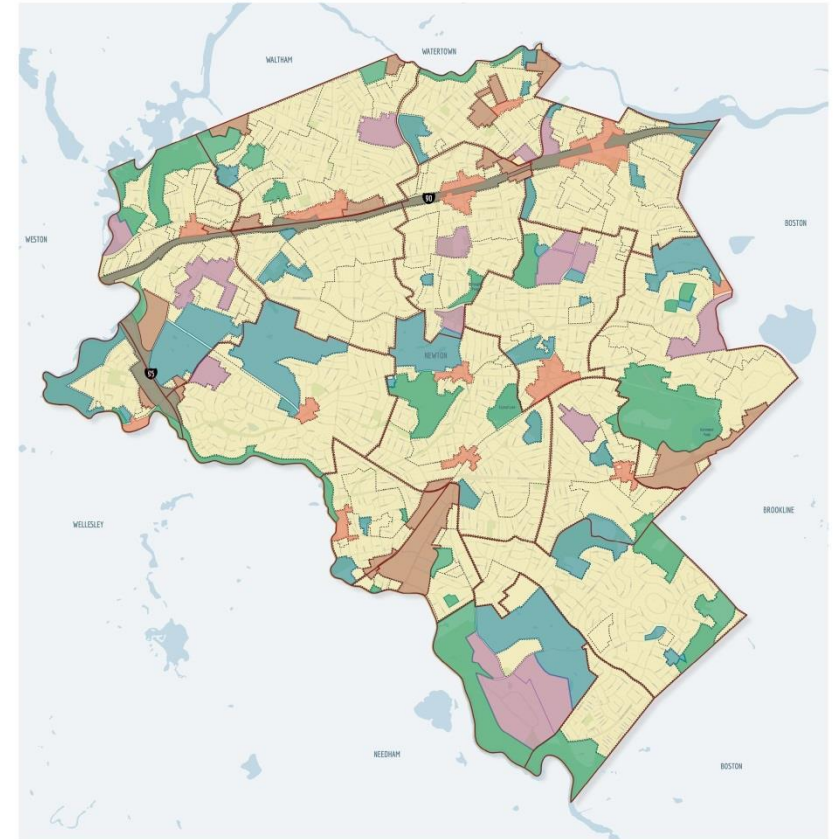
These neighborhoods evolve over time and are typically arranged on grid-like streets with rectilinear lots, pedestrian friendly, etc

#### Planned Neighborhoods

These neighborhoods are typically developed over a short period of time by one or a few builders and feel architecturally uniform. Street patterns are more curvilinear and can be disconnected from the larger urban fabric; feeder streets connect to larger arterials.

#### Manor Neighborhoods

Manor neighborhoods often have large houses with large setbacks, which can reduce the feeling of walkability of the neighborhood.



### Newton's Neighborhoods

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## 2. Pattern Subsets

### Neighborhood

- Traditional - Small
- Traditional - Medium
- Traditional - Large Compact
- Traditional - Large
- Manor
- Planned
- Planned Unit Development
- Multifamily - Medium
- Multifamily - Large

### Village Center

- Convenience Center
- Neighborhood Center
- Urban Center
- Gateway Center

### Regional Center

- Employment Center
- Retail Center
- Legacy Industrial Center

### Campus

- Civic
- Corporate Park
- Institutional

### Recreation/Public Use

- Regional/Neighborhood Park
- Golf Course
- Utility
- Cemetery/Burial Ground

### Conservation

- Easement
- Natural Landscape/Formation
- Wetland/Ecological Resource
- Water Body
- Forest

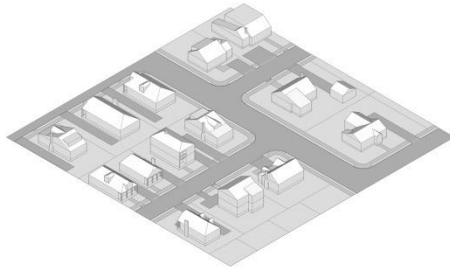
# 2. Pattern Subsets

**WORK IN PROGRESS!**

## Development Types & Pattern Subsets

### 1. Small Traditional

Small traditional neighborhoods have a grid-like street structure with a relatively high frequency of intersections, creating small, walkable blocks. They are characterized by their small lot size and short, uniform front setbacks, which contribute to a continuous streetwall that defines the public realm. These neighborhoods often have contiguous sidewalks on both sides of the street, interrupted for driveway curb cuts that are most typically wide enough for one car.



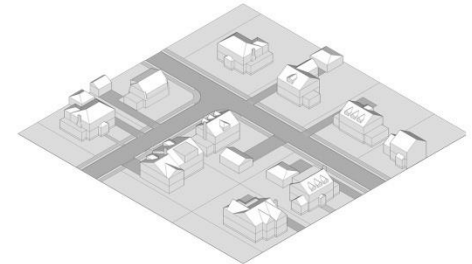
#### Typical Dimensions

LOT SIZE	1,000 - 7,000 SF
DEVELOPMENT SIZE	0 - 2,000 SF
HEIGHT	1.0 - 1.75 stories
STREETWALL	Continuous
SETBACK	0 - 25 FT
SIDE SETBACK	xx - xx
DEVELOPMENT FORM	Buildings are relatively small for Newton. They range from single-story to 1.75 stories, which are as tall as two-story homes but have steeply pitched roofs which limit the habitable space on the second floor. They may be accentuated with window dormers that allow for light, but are not large enough to accommodate significant additional habitable space.



### 2. Medium Traditional

Medium traditional neighborhoods have a grid-like street structure with a relatively high frequency of intersections, creating small, walkable blocks. Lot sizes range from 7,000 gross square feet to 15,000 gross square feet, which typically allows for a driveway, backyard, and side yards between structures. Uniform building setbacks, contiguous sidewalks, and limited curb cuts enhance the pedestrian quality of the public realm, though generous front setbacks ranging between 15 and 35 feet separate the public realm from the private homes.



#### Typical Dimensions

LOT SIZE	7,000 - 15,000 SF
DEVELOPMENT SIZE	2,000 - 4,500 SF
HEIGHT	2.0 - 2.5 stories
STREETWALL	Continuous
SETBACK	15 - 35 FT
SIDE SETBACK	xx - xx
DEVELOPMENT FORM	Most buildings in these neighborhoods are medium-sized single family homes. They range from two stories to 2.25 stories, which are two-story homes but have pitched roofs with small dormers and small attics that may have a limited amount of habitable space. On occasion, an office or a corner store is present in these neighborhoods.



## Neighborhood

# 3. Village-based Areas

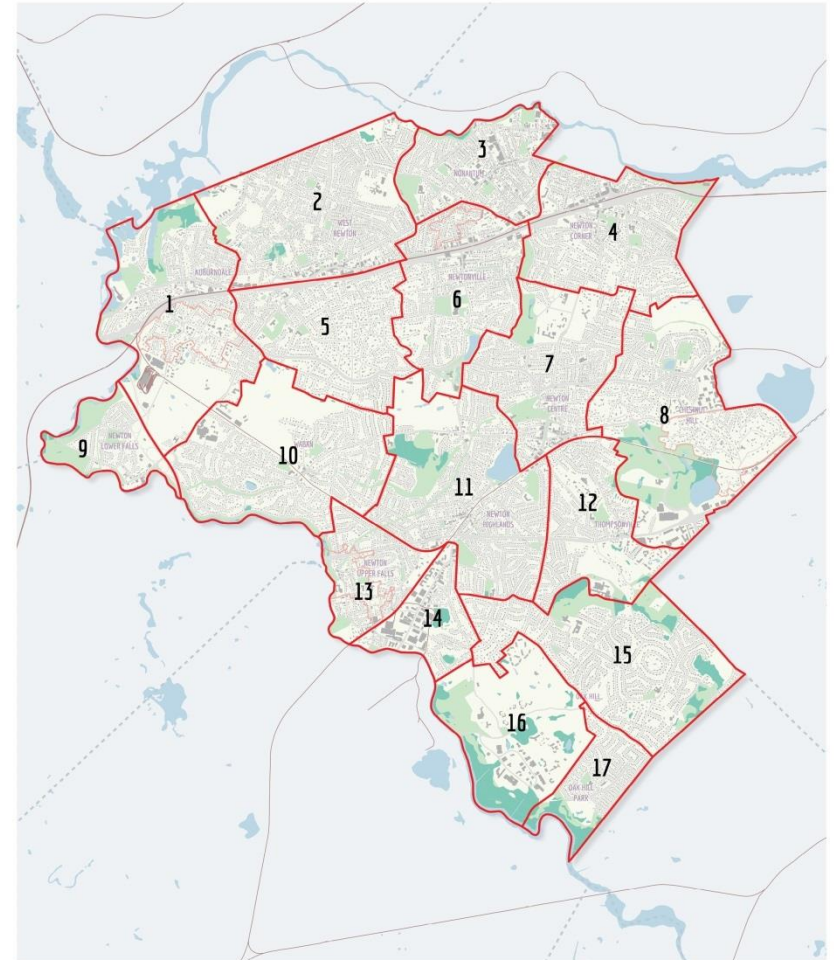
**WORK IN PROGRESS!**

## Village-Based Areas

### What is a Village-Based Area?

Newton is a city defined by its villages. Whether resulting from historical settlement patterns, transit and transportation decisions made decades ago, or the interventions of mid-twentieth century city planners, Newton's many villages and centers take on a variety of character types and patterns. To best understand the unique character of the city's many areas, it made sense to use these villages to inform a more localized analysis. As there are no official boundaries to Newton's villages—as well as some debate about how many there are—these village-based areas can be understood as approximations of their boundaries.

While these 17 areas may not directly correspond to popular understanding of a village's composition, they serve as a good starting point for the in-depth pattern analysis on the following pages. By analyzing patterns in a more finite geography than the city holistically, we can understand the differences between areas and compare development dimensions between village-based areas.





# 3. Village-based Areas

**WORK IN PROGRESS!**

## Village-Based Areas

### 2. West Newton Area

#### Area Overview

The West Newton Area is one of the most diverse collections of neighborhoods and centers in all of Newton. Representing a wide range of uses and building types, and spanning multiple centuries of development, the area has changed significantly over time and represents pieces of many eras and bygone development types.

West Newton contains some of the city's most dense and walkable neighborhoods. With an intersection density of 171 intersections per square mile as compared to the city's average of \_\_\_\_\_, The area contains approximately 36 acres of publicly accessible open space, comprising 3.8% of the area's 939 acres, counting it among the most urban areas of Newton.

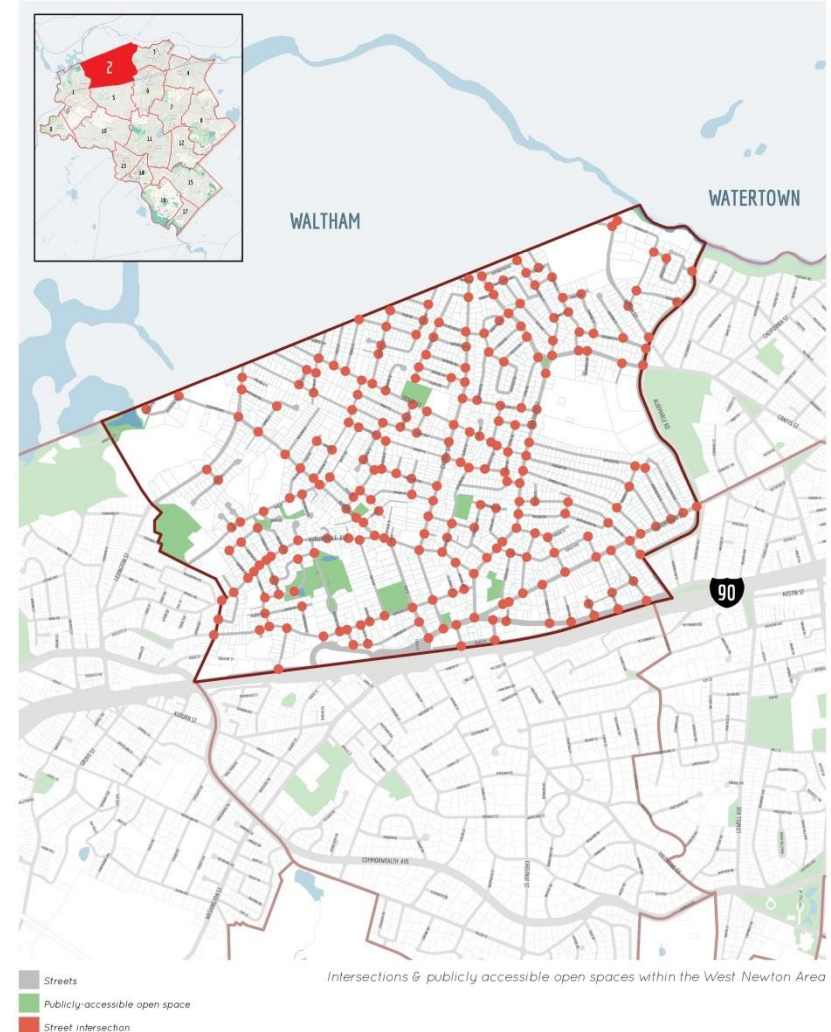


**939** total acres

**171** intersections per square mile

**3.8%** publicly accessible open space

**\$XXk** Average tax revenue per acre



# 3. Village-based Areas

**WORK IN PROGRESS!**

## Village-Based Areas

### 2. West Newton Area

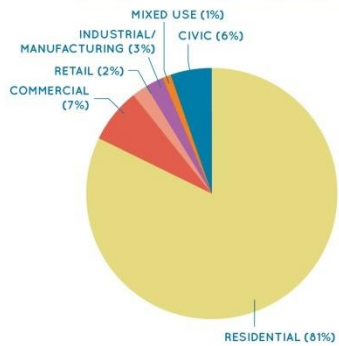
#### Land Use Analysis

The West Newton Area is framed by the Newton city boundary to the north, I-90 to the south, the Burr Elementary school to the west, and Albermarle Road to the east. This area is one of Newton's most diverse with respect to land uses and residential typologies. This area is home to the West Newton village center, which comprises a variety of

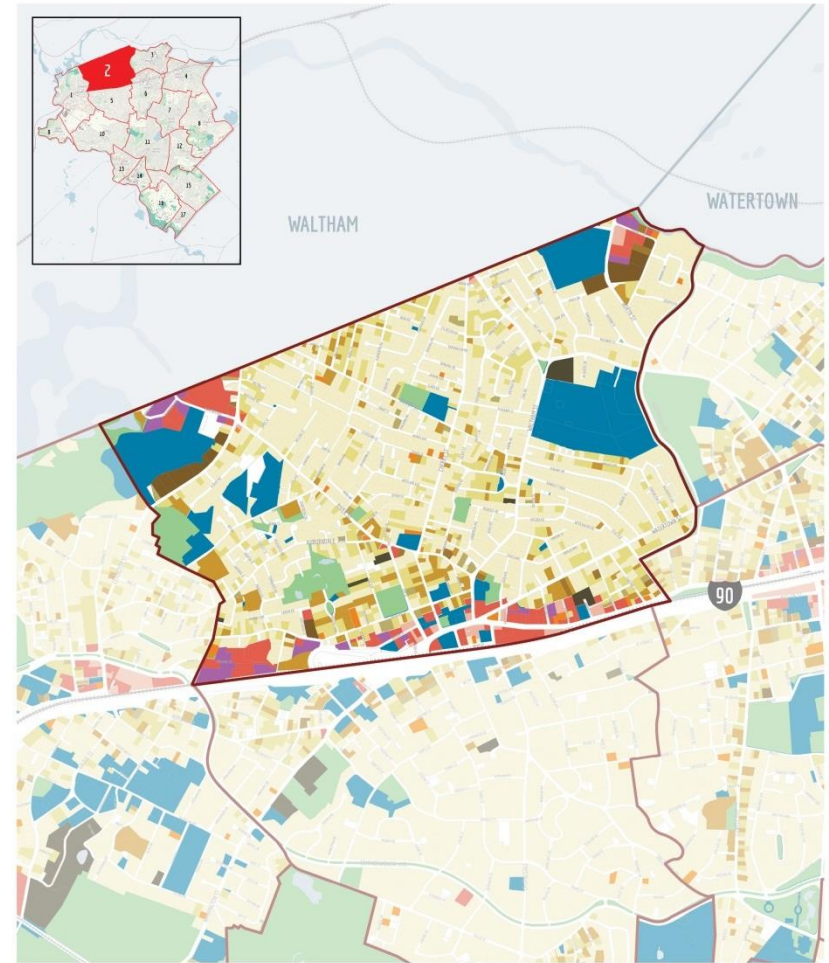
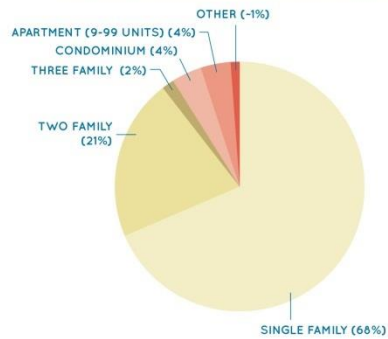
commercial, retail, industrial/manufacturing uses strung out along I-90. This is where the greatest concentration of multifamily residential products can be found in this area. As West Newton was one of the earlier areas of the city to develop, building and development lots tend to be smaller than those found in other parts of the city.

USE CATEGORY	PARCEL COUNT	BUILDING SQ. FOOTAGE (TOTAL)	PARCEL AREA (MEAN)	BUILDING SQ. FOOTAGE (MEAN)	SETBACK (MEAN)	STORIES (MODE)
RESIDENTIAL	2,682	9,676,471 SF	7,786 SF	3,335 SF	23'	2.0
SINGLE FAMILY	2,039	6,633,566 SF	7,691 SF	3,119 SF	24'	2.0
TWO FAMILY	460	2,024,801 SF	7,571 SF	4,321 SF	21'	2.0
THREE FAMILY	26	152,804 SF	10,969 SF	5,744 SF	25'	2.0
CONDOMINIUM	131	378,163 SF	9,479 SF	2,624 SF	24'	2.0
APARTMENT (4-8)	10	73,855 SF	13,544 SF	7,265 SF	16'	---
APARTMENT (9-99)	11	374,673 SF	49,707 SF	28,430 SF	27'	---
COMMERCIAL	81	828,983 SF	13,265 SF	5,806 SF	13'	---
RETAIL	21	231,415 SF	11,715 SF	9,564 SF	3.5'	---
MIXED USE	23	128,177 SF	9,502 SF	4,865 SF	20'	2.0
INDUST./MANUF.	34	358,098 SF	21,364 SF	8,465 SF	24'	---
CIVIC/INSTIT.	101	667,389 SF	8,891 SF	3,296 SF	20'	1.5

Total Development Square Footage by Land Use



Total Residential Development Square Footage by Building Type





# 3. Village-based Areas

**WORK IN PROGRESS!**

## Village-Based Areas

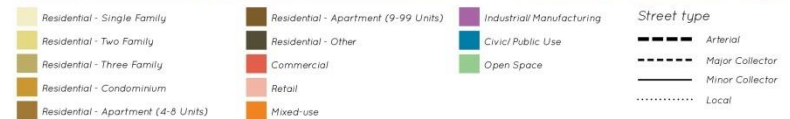
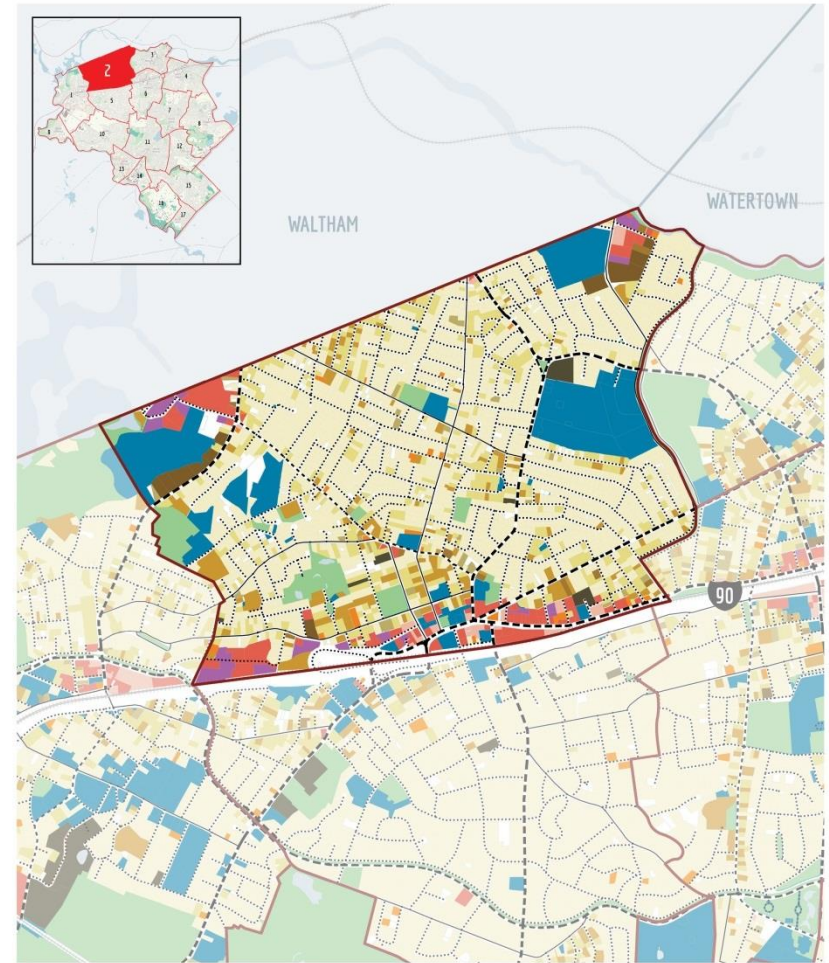
### 2. West Newton Area

#### Average Development Form Metrics by Street Type

The West Newton area includes at least one of each major street type—arterial, major collector, minor collector, and local. As is the case with many of Newton's village centers, the West Newton village center developed at the confluence of several major roadways, including Washington Street, Watertown Street, and Waltham Street. As is typical, the greatest development density is clustered within this village

center, with most of the lower density residential products distributed along minor collector and local streets to the north of the West Newton village center. As shown in the table below, dimensional patterns can be seen with respect to the various uses and building types that have built up along each street type within this area.

USE CATEGORY	ARTERIAL ROAD				MAJOR COLLECTOR STREET				MINOR COLLECTOR STREET				LOCAL STREET			
	GSF MEAN	PARCEL AREA MEAN	STORIES MODE	SETBACK MEAN	GSF MEAN	PARCEL AREA MEAN	STORIES MODE	SETBACK MEAN	GSF MEAN	PARCEL AREA MEAN	STORIES MODE	SETBACK MEAN	GSF MEAN	PARCEL AREA MEAN	STORIES MODE	SETBACK MEAN
RESIDENTIAL	3,832	9,083	2.0	25'	3,081	7,985	2.0	21'	3,444	8,436	2.0	22'	3,264	7,535	2.0	23'
SINGLE FAMILY	3,515	---	2.0	25'	2,774	8,681	2.0	23'	3,058	8,756	2.0	22'	3,310	8,025	2.0	24'
TWO FAMILY	4,586	8,481	2.0	23'	4,109	9,185	2.0	17'	4,394	9,236	2.0	20'	4,278	7,744	2.0	21'
THREE FAMILY	6,573	15,306	2.5	33'	5,279	14,402	2.5	39'	6,268	12,301	2.0	27'	4,951	8,337	2.5	18'
CONDOMINIUM	2,828	12,940	2.5	26'	2,142	9,127	2.0	17'	3,091	10,748	2.5	24'	2,385	14,521	2.0	25'
APARTMENT (4-8)	7,447	14,091	---	34'	10,412	13,444	1.5	8'	3,643	8,542	2.0	2.5'	6,762	16,690	---	14'
APARTMENT (9-99)	23,329	44,752	---	24'	---	---	---	---	63,064	87,743	---	25'	22,755	37,752	2.0	59'
COMMERCIAL	6,008	11,489	---	13'	3,092	11,701	---	10'	9,122	16,486	---	32'	5,873	18,249	---	11'
RETAIL	780	9,547	---	1.5'	---	---	---	---	780	18,225	---	9'	780	14,288	---	13'
MIXED USE	6,900	9,846	1.0	15'	5,691	6,921	---	6'	5,958	11,919	1.5	29'	4,093	11,165	2.0	26'
INDUST./MANUF.	4,450	25,608	---	47'	---	---	---	---	9,360	51,060	---	41'	13,122	26,335	---	17'
CIVIC/INSTIT.	10,003	56,084	---	24'	---	---	---	---	8,700	140,087	---	43'	425	13,552	---	3.5'



Washington Street in West Newton (2016)



Washington Street in West Newton (1920's)

# 3. Village-based Areas + Development Types & Pattern Subsets

**WORK IN PROGRESS!**

PATTERN SUBSETS ARE EXAMPLE ONLY AND NOT YET ACCURATE.

## Village-Based Areas

### 2. West Newton Area

#### Development Types & Pattern Subsets

With close proximity to both Waltham and Watertown to the north, the West Newton set of neighborhoods and centers includes all seven categories of residential building type and five of the six development types cataloged in this pattern book. The area includes a pedestrian-scale street network with consistent, walkable sidewalks and a mix of

small and large development blocks. Residential properties are tightly packed within this area's neighborhoods, with average side setbacks as small as ten feet in several places. The main commercial area is the linear West Newton village center situated along I-90.

#### Village Center

The West Newton Area's only village center is the West Newton village center, located in the south, along I-90. This center is medium in size, relative to Newton's several village centers, with a substantial mix of 19th and 20th century buildings and styles and a dense, highly-walkable urban form.



#### Regional Center

West Newton is home to two regional employment centers (on either side of the West Newton village center) and two regional legacy industrial centers to the north, abutting Waltham. The employment centers are strung along Washington Street and primarily house uses such as offices, a grocery store, automotive service shops, and other larger-scale commercial/retail operations. The legacy industrial centers in the north comprise offices, small manufacturers, storage facilities, a music studio, and small retail spaces.

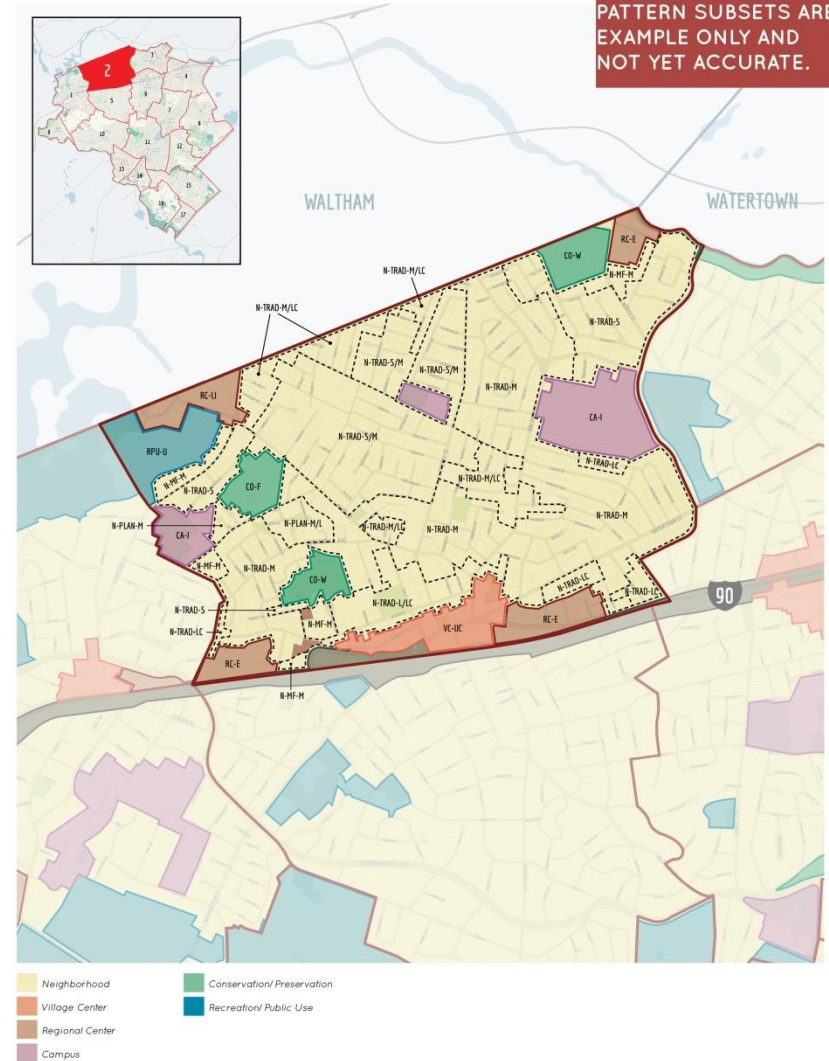
#### Campus

The West Newton Area contains one campus development type—the Fessenden School. This private 41-acre primary school comprises academic and recreation facilities as well as playgrounds, outdoor sports fields and courts, and large landscaped open space.



#### Neighborhood

The neighborhoods of West Newton developed in the city's early years in response to development types and the introduction of rail service to the area. The neighborhood patterns predominantly include traditional 1 and traditional 2 subsets, featuring mainly one-, two-, and three-family residential properties on small lots. Larger residential properties and denser building types are primarily clustered near the village and regional centers.





A blurred background image showing a wooden fence in the foreground, a green field, a house in the distance, and trees under a bright sky. The text "Next Steps" is overlaid in the bottom right corner.

Next Steps



# Newton Zoning Reform

## Next Steps in Public Engagement

### PHASE 5: Pattern Book

- Ongoing Online Engagement – coUrbanize + Sign Campaign
- Draft Pattern Book Review with ZAP (April)
- 2<sup>nd</sup> Pattern Book Open House (late April/early May)
- Revisit Focus Groups (May-June)
- Draft Pattern Book Review with City Council (May)

### PHASES 6 & 7: Draft Zoning Ordinance

- Public Presentation (June)
- Draft Ordinance Focus Groups (June-July)
- Draft Ordinance Review with ZAP & P&D (August/September)
- Ward Meetings & Subject Specific Meetings (early September)
- Draft Ordinance Presentation to City Council (early September)
- Public Presentation (October)