



# Zoning & Planning Committee Report

## City of Newton In City Council

**Wednesday, April 12, 2017**

Present: Councilors Hess-Mahan (Chair), Danberg (Vice Chair), Baker, Albright, Kalis, Sangiolo and Yates

Absent: Councilor Leary

Also Present: Councilor Crossley

City Staff Present: James Freas (Deputy Director, Planning Dept.), Nathan Robinson (Housing Planner), Shubee Sikka (Urban Designer), Marie Lawlor (Assistant City Solicitor), Jonah Temple, (Assistant City Solicitor), Karyn Dean (Committee Clerk)

**#66-17**      **Mayor's appointment of Martin Smargiassi to Auburndale Historic District Comm.**  
MARTIN SMARGIASSI, 20 Fern Street, Auburndale, appointed as a member of the AUBURNDALE HISTORIC DISTRICT COMMISSION for a term to expire May 31, 2020 (60 days 05/19/17) [03/13/17 @ 3:26PM]

**Action:**      **Zoning & Planning Approved 7-0**

**Note:** The Committee received Mr. Smargiassi's resume in advance of the meeting for review. He will be filling the architect position on the Commission. Mr. Smargiassi joined the Committee and explained that he is an architect and an Auburndale resident. He has worked on and collaborated with historic agencies on the local, state and federal level including the National Park Services and the Auburndale Historic Commission. He worked on a project that involved adaptive reuse of large mill buildings of 350 units which were turned into residences. A number of products he has designed have been certified by the National Park Service and the National Register of Historic Places. He has also worked on homes in the greater Boston area as an architect, builder and licensed construction supervisor.

Councilor Sangiolo said Mr. Smargiassi had work done on his own home within the historic district and was instrumental in advising another applicant on how to work with the commission and to reconsider suggested designs. Committee members were impressed with Mr. Smargiassi's experience and thanked him for his willingness to serve.

Councilor Sangiolo moved approval and the Committee voted in favor unanimously.

**#69-17**      **Mayor's appointment of Brett Catlin to Chestnut Hill Historic District Commission**  
BRETT CATLIN, 121 Suffolk Road, Chestnut Hill, appointed as a member of the CHESTNUT HILL HISTORIC DISTRICT COMMISSION for a term to expire May 31, 2020 (60 days 05/19/17) [03/13/17 @ 3:26PM]

**Action:**      **Zoning & Planning Approved 7-0**

**Note:** The Committee received Mr. Catlin's resume in advance of the meeting for review. He will be filling the resident position on the Commission. Mr. Catlin joined the Committee and explained that he is a resident of Chestnut Hill and interested in how the neighborhood will evolve over time. He did a substantial renovation on his house and a number of the suggestions the district commission made allowed the finished product to be much better than it would have been. Over the past 9 months he's been building a 200 unit apartment building in New Orleans on a difficult site. Learning the process and dealing with other historic districts and how massing and detailing can help the finished product fit into the neighbor has been valuable. In New Orleans, they were able to get full support of the neighborhood, architectural review board, the historic district and city council. He is not an architect or lawyer, but he hopes to bring judgment from the process he just experienced and a general interest in the neighborhood to the Commission.

Councilor Baker supported Mr. Catlin's appointment and said he knows him from the neighborhood. He moved approval and the Committee voted in favor unanimously with thanks.

**#360-16(2)**      **Zoning amendment to rezone 160 R Stanton Avenue**  
DIRECTOR OF PLANNING AND DEVELOPMENT requesting to rezone land known as Section 43, Block 45, Lot 33 located at 160 R Stanton Avenue from PUBLIC USE to MULTI RESIDENCE 3 in order to prepare the site for multi-family affordable housing development. [03/23/17 @ 11:44 AM]

**Action:**      **Zoning & Planning Held 7-0**

**Note:** James Freas, Deputy Director of Planning, explained that this is just an introduction to the item in advance of the May 8<sup>th</sup> public hearing on the rezoning of 160R Stanton Avenue. The proposal is to rezone the 16,900 square foot site on which the defunct water tank now stands from Public Use to Multi Residence 3 which would match the adjacent large parcel. Mr. Freas provided a PowerPoint presentation which is attached to this report.

There is an easement through land owned by Braeburn Country Club to access the water tower. The City only has access to that easement for the purposes of maintaining a water tower. Once the tower is taken down, the easement is no longer in force and once that is unavailable, the site is landlocked with no access other than through private property. The other parcel abutting the site is owned by the Golda Meir House.

The site was first identified as surplus by the City in 2012. A number of studies were done to be sure it was not necessary for water pressure purposes, primarily for fire –fighting and they showed the system was sufficient without the tower. The water tower is in disrepair and therefore it

makes sense to take it down. Water towers are designed to contain water, and when they do not, they are considered unstable.

The site was identified in the Mayor's Housing Strategy as a top priority site for a 100% affordable housing development. It is anticipated that it was largely serve seniors since it is adjacent to the Golda Meir House and is only accessible through their land. The other alternative is to develop this site as a 40B, but they would like to prepare the site for a development with a special permit. The zoning change is necessary to allow the site to be used for housing as Public Use does not allow it. The Council Order from the Reuse Committee specifies rezoning of the property before issuing a Request for Proposals.

#### Committee Comments/Questions

It was asked if there would be any disadvantage to leasing the property instead of selling it in terms of having the units count on the Subsidized Housing Inventory (SHI). Mr. Freas stated that units would be counted on the SHI and he did not believe it would make a difference, however, the Real Property Reuse Committee issued a Council Order for the sale of the property, which is the cleanest way to dispose of the property. A lease agreement might be in order if the City anticipated wanting the property back, but they did not see that as a viable option because of the nature of the site.

The parcel was previously owned by Braeburn Country Club and was taken by eminent domain when the water tower was built. Braeburn came and spoke to the Reuse Committee on this item. They were concerned that something might develop on that parcel that would give them no voice in the look and siting of any new structures. They wanted the Council to give them some authority and so the Reuse Committee included that in the Council Order.

It was asked if affordable units were developed would they increase the City's affordable housing count in terms of the 1.5% of developable land standard relative to 40B. Mr. Freas said it would add 16,900 square feet towards that total since 100% of the units would be affordable.

Councilor Sangiolo mentioned that Councilor Gentile is in favor of this item and voted for it in the Real Property Reuse Committee.

There will be a public hearing on this item on May 8<sup>th</sup>. The Committee voted to hold unanimously.

**#109-15**      **Zoning amendment for inclusionary housing provisions from 15% to 20%**  
HIS HONOR THE MAYOR requesting consideration of changes to the inclusionary housing provisions of the Zoning Ordinance to increase the required percentage of affordable units to 20% with the additional 5% set aside for middle income households. [04/24/15 @ 2:38 PM]

**Action:**      **Zoning & Planning Held 7-0**

**Note:** Councilor Hess-Mahan explained that he wanted to have a discussion of proposed changes to the inclusionary zoning ordinance before docketing a zoning amendment item. This is an opportunity to look at ways to strengthening the ordinance. Nathan Robinson, Housing Planner, addressed the Committee. He explained that he has been reviewing the inclusionary zoning ordinance, along with Jonah Temple in the Law Department, to better understand areas in which it could be improved and strengthened.

He noted that the Lincoln Institute of Land Policy, based in Cambridge, identified 500 municipalities that have some sort of inclusionary zoning ordinance. In reviewing the historical information that the Planning Department has, Newton's ordinance is seen as one of the first inclusionary zoning ordinances in Massachusetts, if not the country. It began as an informal policy in the 60s and 70s with affordable units being negotiated by Aldermen with developers. It then was codified in 1970 as the 10% Ordinance then amended to 15% in 2003. The 2003 amendments also included allowing fee-in-lieu-of payments and off-site units with certain restrictions. Mr. Robinson provided a PowerPoint presentation which is attached to this report. Please refer to it for details.

#### Committee Comments/Questions

**Is there a requirement that off-site units be developed only with a non-profit partner? As long as units are developed, it would seem inconsequential.**

Mr. Robinson said that is an area to review and is an area of consideration.

**Are the fee-in-lieu-of payments and the off-site units are tracked?**

Mr. Robinson stated that the Planning Dept. has a list of all units placed in service since the 1960s, however, they don't have the data broken down in terms of fee-in-lieu payments and off-site units for this presentation. They do have the off-site units cross-referenced by project so they could get that information. Many of the units are owned by the Newton Housing Authority (NHA). There is some money in the fee-in-lieu-of account which is split between the Planning Department and the NHA. When the NHA wants to use their inclusionary zoning money they have to request it from the City.

The Crescent Street project went to the CPA for money. It was asked if they could have used some of the money in the account. Mr. Robinson was asked to look into that.

**Have any studies have been conducted to determine the positive or negative effects of having off-site units?**

Mr. Robinson said none have been done and he isn't sure there have been any off-site units since 2003. The City Council has some oversight of the process. If off-site units are going to be provided, the plan has to be submitted to the Planning Dept. and then the City Council for approval.

A Councilor mentioned that a non-profit developer had told her that sometimes it is better to have units off-site and closer to public transportation and other amenities if the original site is more remote. Some of the mixed-use projects are closer to those amenities and provide their own and will be keeping units on-site. Mr. Robinson noted that there are some studies that have shown

that high quality neighborhoods can play a role in improving the life chances of individuals, especially children, when moving from an area of concentrated poverty to an area of good schools and so forth. It would be difficult to do a study because of the smaller number of IZ units but they could do a qualitative analysis perhaps.

It was noted that some research has been done on some of the 40B projects. Building affordable units smaller, for example, is not designed to make them unequal in any sense. It is because if the occupant does not have all the furniture, appliances etc. to fill the space of a market rate unit, it is not needed. There is also the financial component.

**Would new hotel rooms would be impacted by inclusionary zoning?**

Mr. Freas explained that hotels were taken out of the IZ ordinance in 2013 to provide incentive for the production of more hotel rooms.

**Is there a means test to determine eligibility for IZ units and who administers it?**

Mr. Robinson explained that IZ units are under the discretion of DHCD's local initiative program. There is a regulatory agreement for the operation of affordable units. Each year the tenants have to re-certify that they are eligible. If an existing tenant's income goes up, there is a buffer so that they do not automatically lose the unit; income is allowed to go up 140% of the applicable income limit. If it goes beyond that and depending on the regulatory agreement, the tenant could remain in the unit but pay market rate. When that unit becomes available again, it would revert to the affordable rate.

**What kind of data is kept on creating housing at various levels and how the creation of affordable housing could drive up other housing costs?**

Mr. Robinson said that DHCH has a threshold for 40B projects whereby a project could be deemed uneconomic if the conditions are extraneous. He believed it was an 8% return for rental projects and a 20% return for homeownership projects. Every developer comes into a project with different variables, so it is difficult to get one answer. This is something that they will be looking at, to try and find the right numbers. It was suggested that some case studies might be helpful.

Cambridge did an extremely intensive study of this nature which included various metrics. It would be helpful to have some guidance for developers because it is tricky finding the right balance. Cambridge and Somerville have recently gone to 20% IZ units. It was suggested that maybe the MIT Real Estate Institute could be helpful as well as MAPC and Northeastern. The subsidizing agencies have to certify the profit that 40B developers make and they have a lot of experience doing this and would be great sources of information. Cambridge also has other strict requirements related to the quality, durability, energy efficiency and LEED requirements which cost money and Newton is going in that direction as well. Sometimes the Councilors hear that the developers paid too much for the land so their profit margin in their problem, but it is really everyone's problem. Land costs are what someone will pay and Newton land is extremely expensive. There are many issues to consider.

### Next Steps

The Planning Department will do some research including speaking to developers and other stakeholders and consulting some of the resources mentioned above. Councilor Hess-Mahan said he would like staff to bring that information back to Committee for discussion to determine next steps. After that, the Committee can docket an appropriate item for amendments. The Law Department will provide a memo on the existing language and from their perspective, how it can be strengthened as well. Councilor Hess-Mahan noted that it is important to determine as a policy issue, if the IZ requirements should be tied to the number of units or to a special permit.

Councilor Danberg moved hold and the Committee voted in favor unanimously.

### **#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 7-0**

**Note:** Fred Merrill, Chris Freda and Ethan Ledge Sleeper from Sasaki Associates as well as Jay Wickersham and Ben Hart from Noble, Wickersham and Hart joined the Committee. Mr. Merrill explained that Sasaki Associates are the planners in the project and the lawyers are helping them turn planning into an ordinance. Mr. Wickersham's and Mr. Hart's goal will be the clarity of the language, translating the planning concepts into clear rules and also working with staff and the Committee on procedures.

Mr. Merrill explained that they are well into the process and it is exciting as urban planners to wrestle with the drafting of a new zoning ordinance. They are using the great work the City has already done, including the Comprehensive Plan, as a foundation, but that has to be turned into an actual ordinance. The process is both a science and an art. How does a dynamic City like Newton in a growing, dynamic region like Boston, think ahead and lead instead of follow because most zoning is reactive. This new ordinance should allow the City to implement the land use changes it would like to see and be ahead of the game for the future.

The Pattern Book is a very analytical and data driven document which, he believes, could win some national planning awards. It is rich in data and it has been a very collaborative effort with many people. The next stage is going to be translating the data in the Pattern Book into an ordinance.

Chris Freda said the Pattern Book is an 85% draft at 300 pages, but they expect to be adding more. There are placeholders in the current document. The reason it is so dense is so the ordinance will not have to be. He provided a Pattern Book for the Committee to look through. The group is preparing to start the writing of the ordinance as they finish the Pattern Book. Mr. Freda provided a PowerPoint presentation which is attached to this report. Please refer to it for details of the Pattern Book materials, Pattern Book Highlights and the next phases of drafting the new Zoning

Ordinance and public engagement. Citywide maps, character patterns and context based areas are the three layers of information and analysis they have used to organize the book.

He noted that Pattern Book is a retrospective effort to take a look at the City as it exists today and how it has existed in the past, and catalogue it. The ordinance itself is a more forward looking document. One is meant to inform the other. They are looking at the ways in which the Pattern Book will inform a context based zoning ordinance. At the end of the project, a draft zoning ordinance will be handed off the City Council and they realize it will be a work in progress from that point on as well.

#### Committee Questions/Comments

Several Committee members commented on how much they liked the Pattern Book. The organization, the depth of material and data was impressive.

#### **What is included in a Commercial Cluster?**

Commercial Cluster is a category which catches areas which are less of a mixed-use nature. They are predominantly an industrial commercial cluster, an employment commercial cluster and retail clusters such as the Chestnut Hill shopping areas.

#### **What are the sources of the dimensional information being used in the Pattern Book?**

A number of databases from the City have been accessed as well as Massachusetts GIS. All the data sources will be catalogued in the Pattern Book.

#### **What will be the process once the draft ordinance is delivered? Will the expertise leave with the consultants?**

Mr. Freas said that the consultants are part of the team of the Planning Department and vice versa. The Planners are well-versed and involved in the body of the work so the expertise stays with the City even though the consultants' contract ends. The consultants have been comprehensive in documenting the data and processes so that City staff knows it in detail and it has been an ongoing collaborative effort.

#### **When will the rest of the City Council become involved in the process because this is a complex issue?**

Mr. Freas noted that the complete draft will be distributed to the entire Council, but there will be some explanation to go along with that such as a Committee of the Whole with a presentation. He and the Chair have been discussing the best way to disseminate the information to the City Council.

#### **Where and how will the aspirations of the City be expressed in these documents?**

Mr. Frida noted that the vision of zoning reform was decided upon before they were brought on board. The first phase was completed which organized the ordinance for clarity and simplicity of use. The Zoning Reform Group issued a report with 11 different themes of where zoning should go, what improvements can be made and how to better secure for Newton the future that it wants

through zoning. Those themes have been guiding the process, but they also have their own themes related to that which are constantly being referred to.

A Committee member noted that not everyone on the City Councilor agrees with the Zoning Reform Group recommendations. That means the consultants are working from a blueprint that not everyone subscribes to. The ultimate question will be if you have a used based classification with dimensional overlays, what is going to change in that context with the new ordinance. It is a matter of figuring out the impact on the future of the City. People will ask what happens to my house, the house next to me and the building down the street. If those are not seen as positive changes then that will be the challenge.

Mr. Frida replied that the Zoning Reform Group report is not their only source. They were tasked through the beginning of the project to use it as a guiding document, but there is also collaboration with Planning, with the Zoning & Planning Committee and City Council and the public to be sure the various perspectives that are in the City are being reflected in the process

It was also noted that the Comprehensive Plan, while a great document, is ten years old and the Zoning Reform Group report is 6 years old. Mr. Frida said the Comprehensive Plan is referenced in the work and its larger principles are still applicable. They coincide quite a bit with the goals that were put in place for zoning during the first phase of the project. Councilor Crossley, who was on the Zoning Reform Group, noted that their work was a very public process and was carefully based on the Comprehensive Plan. The point was to take a step toward modifying the zoning ordinance to facilitate the goals and objectives in the Comprehensive Plan.

A Committee member said she does not feel there has been much opportunity for input from the Zoning & Planning Committee thus far. Mr. Frida said the Pattern Book exercise and the draft ordinance are two different documents. The Pattern Book is largely a data and analysis project so they have been working on it and it did not require robust input from the Committee or Council. The next stage will involve a great deal of consultation with City staff, Committee and City Council.

**Were the Local Historic District drafts reports read for the newly proposed areas?**

Mr. Frida said the reports were consulted.

**Will the Principles of Historic Preservation, referenced in the Comprehensive Plan, be referenced in the Pattern Book?**

Mr. Frida said the historic considerations do not play a huge role in the Pattern Book because they are analyzing what exists on the ground already. The historic districts are a regulatory layer which certainly played a big role in development in the City, but do not play a role in analyzing what exists.

**Are comments still being taken through the sign campaign?**

Mr. Frida explained that 12-15 signs are distributed throughout the City asking a question about zoning in that area with a number to text responses which populates the CoUrbanize map. They



are still taking responses. Councilor Yates was concerned that there are people who do not text or email and who do not have a smartphone or computer. Mr. Frida said there are other ways to be engaged including hosted meetings or writing or calling the Planning Department.

**How many walk-alongs were conducted?**

Mr. Frida said five separate City tours have been conducted and one of them was offered as a public walk-along, which Councilor Yates attended.

**How will the zoning ordinance work relative to historic districts?**

Councilor Hess-Mahan said that a local historic district reviews designs for changes and that is how it accomplishes historic preservation. The zoning ordinance uses different tools for maintaining the character of the City and will not supplant historic districts.

**Will the raw data that is being used for the Pattern Book be made available?**

Peter Doeringer of the Planning Board was very interested in looking at the data. Mr. Frida said they will hand it over to the City along with explanations of the procedures they used for getting to their conclusions. Mr. Doeringer would also like the Planning Board to be on the list for updates on the project.

Wickersham & Hart Comments

Mr. Wickersham explained that their team has been working on many of the development standards. They work very closely with the Planning staff on policy issues that are independent of the Pattern Book. One of the first things they worked on was the accessory apartment language. They are also looking at the sign ordinance, parking standards and inclusionary zoning pieces. They have been coming to understand the range of procedures of the City Council, ZBA, the Dover Act etc. All this will tie back to all the review processes that are necessary. Their team is delving into the language so that when policy decisions are made, the right thresholds can be discussed and what those reviews might be.

A Committee member suggested that examples should be provided so the Committee and Council can see how the new regulations apply and what the impact will be. Mr. Merrill commented that they do have to balance changes and show what they are. Councilor Hess-Mahan agreed that there needed to be some way to compare the old to the new through tables or whatever methods the consultants would feel appropriate. Otherwise, the process will be much longer and more confusing. The Planning process behind any changes needs to be explained as well. A Committee member suggested having the consultants come back with a few changes to run through the Committee for a bit of a test drive instead of going too far then finding out it is not in line with what they are expecting. It was asked how they have handled this with other projects. Mr. Miller said this kind of comprehensive zoning reforms is very rare. Denver just finished one and Buffalo, NY, so this is no way a cookie-cutter document. It is extremely customized and unique and he shares the concern that the complexity of something like this can be difficult to explain.

### Scheduling

Councilor Hess-Mahan explained that he would like the City Council to see the draft of the Pattern Book when it is available and he will work with President Lennon on scheduling a Committee of the Whole. For Ward meetings, they are open to a traveling road show ward by ward in the fall for community engagement.

There was some concern about scheduling any meetings in June or July as was indicated on the presentation. The key dimension of the Pattern book which is retrospective and the ordinance which is prospective should not be presented in that time frame. This is also an election year and a Charter revision so the fall will be quite busy. Mr. Frida said they will work to find times that work for as many as possible. They do have to work within the calendar that they have for the project. Mr. Frida noted that they are working in a multi-pronged model so there are many opportunities to be involved if one or another particular date does not work for someone.

The Committee voted to hold the item unanimously and thanked the consultant team for their presentation and the work they have done.

### **Referred to Zoning & Planning, Land Use and Finance Committees**

#### **Qualification of affordable units on Comm Ave, Pearl and Eddy Streets**

**#104-15** ALD. JOHNSON, LAREDO, AND GENTILE requesting a report from the Planning Department with the following information: How many of the affordable units developed at Commonwealth Avenue, Pearl Street, and Eddy Street qualify to be included on the State's Subsidized Housing Inventory List. If a property is not currently on the list, what can be done to make it eligible. [04/09/15 @ 12:00 PM]

**Action:** **Zoning & Planning voted No Action Necessary 7-0**

**Note:** The Department of Housing and Community Development indicated to the Planning Department that the affordable housing units that were created on Commonwealth Ave., Pearl Street and Eddy Street were not currently eligible to be placed on the SHI because they had already been leased. They are not allowed to be placed on the list retroactively. The units also did not have an affirmative marketing plan when they were leased.

The Committee voted No Action Necessary on this item.

Meeting adjourned.

**Respectfully Submitted,**

**Ted Hess-Mahan, Chair**

# Zoning and Planning Committee



## **STANTON AVE WATER TOWER SITE REZONING**



**Public Use District To Multi-Residence 3 District**





# Zoning and Planning Committee

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## **SECTION 5.11 INCLUSIONARY ZONING**

# Outline

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- Overview and history of inclusionary zoning in Newton
- Basics of the Ordinance (Section 5.11)
- Opportunities for strengthening existing Ordinance
- Questions and discussion
- Next steps



# Overview and History

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## **Inclusionary Zoning**

- Leverages private development to create affordable housing
  - On-Site Units
  - Off-Site Units
  - Fee-in-Lieu Payments
- Increasingly popular across the United States
  - More than 500+ municipalities have adopted some type of ordinance
  - Ordinances/policies vary widely by municipality

# Overview and History

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## **Inclusionary Zoning in Newton**

- City has a leadership history both nationally and across the State
  - Informal policy in 1960s & 1970s negotiated by Alderman
  - Codified in 1970 as “10% Ordinance”
  - Targets low- and moderate income households; current ordinance is consistent with State regulations defining affordability
- Current ordinance was Adopted in 2003 when Sec. 30-24(f) was amended
  - Increased percentage of inclusionary units from 10% to 15%
  - Allowed fee-in-lieu payments on projects with 6 units or less
  - Off-site units allowed when developer partners with a nonprofit

# Overview and History

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## Inclusionary Zoning Production Accomplishments

<b>Total Units Created and/or Permitted</b>	<b>~330</b>
Total Units in Service	156
Total Units with Affordability Period Expired	82
Under Construction	13
Permitted, Not Built	82

# Basics of the Ordinance

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## **Section 5.11.3 Scope**

1. Residential development requiring a special permit;
2. Business or mixed-use development requiring a special permit that includes residential development beyond that allowable as of right;
3. Development requiring a special permit where the development is proposed to include or may include new or additional dwelling units totaling more than two households whether by new construction, rehabilitation, conversion of a building or structure;
4. Open space preservation development requiring a special permit;

# Basics of the Ordinance

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## Section 5.11.4(A) Inclusionary Zoning Unit Calculation

# of Units in Development	Inclusionary Zoning Requirement	Inclusionary Unit Calculation	# of Inclusionary Units Required
5	15%	0.75	1
6	15%	0.9	1
7	15%	1.05	1
8	15%	1.2	1
9	15%	1.35	1
10	15%	1.5	2

*“For the purposes of calculating the number of inclusionary units required in a proposed development, any fractional unit  $\frac{1}{2}$  or greater shall be deemed to constitute a whole unit.”*

# Basics of the Ordinance

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## Section 5.11.5(B) Fee-In-Lieu Payment

- Allowed in projects with no more than 6 units; City Council approval required if more than 6 units and “unusual net benefit to achieving City’s housing objectives” is achieved;
  - 12% of sale proceeds from the sale of market rate units, exclusive of the first two units in the development issued a CO
  - 12% of the assessed value of rental units in project, exclusive of the first two units in the development issued a CO

# of Units in Development	Sale Price of Market Rate Unit	# of Units Subject to Fee-in-Lieu Calculation	Fee-In-Lieu Payment
5	\$900,000	3	\$324,000
6	\$900,000	4	\$432,000

# Basics of the Ordinance

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## **Section 5.11.6(B) Off-Site Development**

- Allowed only if partnering with a nonprofit development partner
- Development plan submitted to Department of Planning and Development prior to submission to the City Council for review and approval
- Off-site inclusionary units shall be completed no later than the market rate units;

# Opportunities for Strengthening Ordinance

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## **Opportunities for Strengthening Ordinance**

1. Clarify sections of the ordinance to ease interpretation and implementation
2. Improve inclusionary zoning as a tool for creating affordable housing
3. Consider expanding the definition of affordability and percentage of inclusionary units
  - Docket Item #109-15



# Opportunities for Strengthening Ordinance

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## **Section 5.11.2 Definitions**

- Household Income Limit
- Inclusionary Units
- Area Median Income

### ***Potential Areas for Consideration***

City staff believes that is section of the ordinance could be strengthened by explicitly defining the maximum income limit for inclusionary units.

# Opportunities for Strengthening Ordinance

## **Section 5.11.3 Scope**

1. Residential development requiring a special permit;
2. Business or mixed-use development requiring a special permit that includes residential development beyond that allowable as of right;
3. Development requiring a special permit where the development is proposed to include or may include new or additional dwelling units totaling more than two households whether by new construction, rehabilitation, conversion of a building or structure; and
4. Open space preservation development requiring a special permit

### ***Potential Areas for Consideration***

City staff believes that consideration should be given to creating a threshold by which as of right residential development in business and mixed-use zoning districts would be subject to the provisions of the ordinance; the Scope could be further clarified by applying a uniform threshold for projects based on the number of residential units in a project.

# Opportunities for Strengthening Ordinance

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## **Section 5.11.4(A) Inclusionary Units Number Required** **Cont.....**

- 15% minimum requirement for inclusionary units is applied uniformly, regardless of project size;

### ***Potential Areas for Consideration***

Applying the same inclusionary requirement to all projects, regardless of their size, may not be the most efficient means to support housing production. For example, applying a higher inclusionary requirement, beyond the existing 15%, to large development projects could support additional housing production without compromising the financial viability of the project.

# Opportunities for Strengthening Ordinance

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## **Section 5.11.4(A) Inclusionary Units Cont...**

- Fractional unit calculation

# of Units in Development	Inclusionary Zoning Requirement	Inclusionary Unit Calculation	# of Inclusionary Units Required
5	15%	0.75	1
6	15%	0.9	1
7	15%	1.05	1
8	15%	1.2	1
9	15%	1.35	1
10	15%	1.5	2

### ***Potential Areas for Consideration***

City staff believes this section of the ordinance should be evaluated to better understand how the fractional unit calculation impacts both market rate and affordable housing production.

# Opportunities for Strengthening Ordinance

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## **Section 5.11.6 Off-Site Development**

- Ordinance allows for off-site inclusionary units if developer partners with a nonprofit

### ***Potential Areas for Consideration***

Evaluate effectiveness of this provision to understand the degree to which it supports affordable housing production.

# Opportunities for Strengthening Ordinance

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## **Section 5.11.11 Elder Housing with Services**

- Establishes provisions for elder housing and supportive services
  - Residential care
  - Continuing care retirement communities
  - Assisted living
  - Independent living
  - Congregate care
- Fee-in-lieu payment or units/beds – Discretion of City Council

### ***Potential Areas for Consideration***

City staff believes Section 5.11.11 should be amended to provide clear guidance to developers and owners regarding the Maximum Contribution required of projects where a cash payment is made

# Opportunities for Strengthening Ordinance

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## **Section 5.11.15 Incentives**

- Density bonus of 1 unit for each additional inclusionary unit provided above the 15% requirement
- Expedited application and review procedures for projects with a minimum of 30% inclusionary units

### ***Potential Areas for Consideration***

Incentives should be evaluated to determine their utilization and effectiveness

# Questions and Discussion

18

## **Questions and Discussion**

- Perceived strengths of ordinance
- Perceived weaknesses of ordinance
- Highest and lowest priorities for amendments



# Next Steps

19

## **Next Steps**

- Feedback from the Committee
- Staff outreach to the development community, interest groups, and public
- Staff outreach to neighboring municipalities regarding recent experience
- Draft language prepared for second meeting in May



# Newton Zoning Redesign

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

12 APRIL 2017

# Newton's Overall Zoning Reform Process



## Zoning Redesign Process



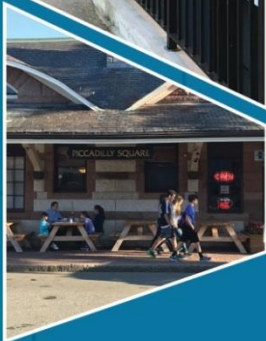
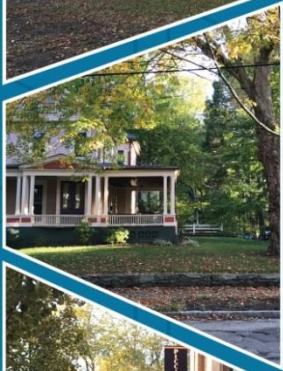
## Pattern Book Development





# 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

#80-13

## 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

#80-13

- 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

## 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 make up 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. Orotate 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 allam 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

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## WORK IN PROGRESS!



#### Historic Newton

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# 3. Newton's Patterns

- Pattern Book Organization
- Citywide Analysis
- Character Patterns
- Pattern Subsets
- Context-Based Areas
- Building Inventory

**Context-Based Areas**

## 2. West Newton Area

**Character Patterns & Pattern Subsets**

With close proximity to both Waltham and Watertown to the north, the West Newton set of neighborhoods and centers includes many of the categories of residential building type and five of the six character patterns 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 moderately sized 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.

**Commercial Cluster**  
West Newton is home to two regional employment centers (on either side of the West Newton village center) and two commercial centers to the north, abutting Waltham. The employment clusters 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 clusters in the north comprise offices, small manufacturers, storage facilities, a music studio, and small retail spaces.

**Campus**  
The West Newton Area contains one campus character pattern—the Fessenden School. This private 47-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 character patterns and the introduction of rail service to the area. The neighborhood patterns predominantly include traditional 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.



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# 4. The Pattern Book Process

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

**WORK IN PROGRESS!**

## The Pattern Book Process

### Newton's Questions

As part of the October 2016 Zoning Redesign kickoff open house, the planning team constructed a questions board to allow participants the chance to post questions about zoning and the Zoning Redesign process on sticky notes. The planning team read each question, consolidated overlapping concepts, and then drafted responses which were then posted to the project engagement website, coUrbanize. Those questions and answers have been republished here.

#### **What are the working assumptions for the zoning reform process?**

On October 5th, 2016 we kicked off Newton's Comprehensive Zoning Reform - Phase 2 initiative, or "Zoning Redesign". This is the second step in a long process designed to reform Newton's zoning ordinance to better respond to the city's existing built character and the goals identified in the 2007 comprehensive plan. Building on the work recently completed in Phase 1 of zoning reform, the Sasaki team and the City of Newton worked closely to draft a set of goals for the Phase 2 process. These goals (which can be found on the info tab on this site) are the foundation of the project and will steer production of the pattern book, the draft

zoning ordinance, and decision-making over the next 12 months. In addition to these goals, the planning team will be working closely with local stakeholders through a diverse and multi-phase community engagement campaign designed to offer many unique opportunities for residents and those who care deeply about the future of Newton to help inform this process. While the reformed zoning ordinance will replace the current ordinance, the process and products of this initiative are designed to reflect the best of Newton's existing development and to embody the goals the community has agreed upon for their future.



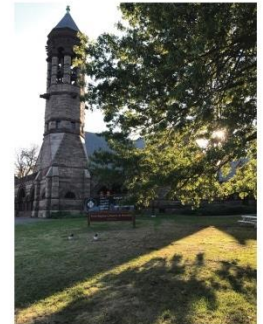
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#### **How will the reformed zoning ordinance be implemented? What will the review/permitting process look like for development, redevelopment, and enhancement of private property within Newton?**

Over the next 12 months, the planning team (the Sasaki team & the City of Newton) will work to assemble a pattern book and a complete draft of a reformed zoning ordinance. This process will include regular consultation with City leaders, community stakeholders, planning department staff, the City's legal team, elected officials, and others. The reformed ordinance will address scenarios allowing by-right and special permit development/redevelopment within each of the new zoning districts and will make recommendations for the review and approval of permit applications. Once a final draft of the reformed ordinance is delivered to the City, the City Council will commence a review and deliberate on final changes before approving the new ordinance. The City Council is the ultimate authority on the new ordinance's language and provisions and will set a timeline for approval and a date by which the new ordinance will take effect once approved. After the reformed ordinance has been adopted by the City, the approved procedural framework for reviewing and granting permits will take effect.

#### **How will feedback, comments, and questions from the community be incorporated into the products of the zoning reform process?**

The Zoning Redesign initiative is designed to involve the Newton community in every aspect of the reform recommendation process. This is accomplished with a robust community engagement strategy involving public presentations, workshops, and open houses, as well



as interactive online engagement opportunities through our coUrbanize platform. The planning team has designed these outreach strategies to allow community members to provide both general thoughts and comments to the process as well as specific ideas for targeted reforms. After each workshop/open house and throughout the online engagement campaigns, the planning team will work hard to review and synthesize all public feedback and incorporate the perspectives and opinions of all who engage in the process into both the pattern book and the reformed zoning ordinance. Ideas that represent the unique experience, priorities, preferences, and knowledge of Newton will be joined with best practices in planning, urban design, and zoning policy to ensure that the reformed ordinance is uniquely Newton's.

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# Pattern Book Highlights

### 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.

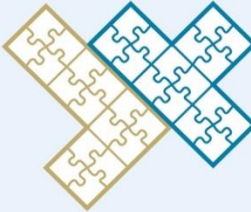
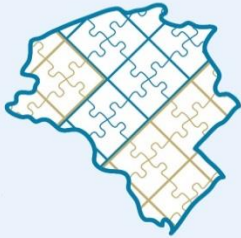


Seeing data sets on the citywide scale is useful for understanding the similarities and differences between Newton's various neighborhoods and centers. To understand these data on a more local scale, they have been broken down by CBA.

Data compiled in the citywide analysis informed the definitions of character patterns and pattern subsets.

### Character Patterns & 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 character patterns that describe the more detailed form, scale, and density of development within each character pattern.



#### Character Patterns

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 character patterns: neighborhood, village center, regional center, campus, recreation/public use, and conservation.

#### Pattern Subsets

Pattern subsets are the more specific and measured patterns comprising each character pattern. Each character pattern 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.

### Context-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 "context-based areas" (CBA). 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 CBA is described in terms of its boundaries and development composition.



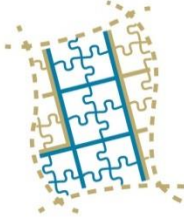
#### Land Use Analysis

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



#### Street Type Analysis

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



#### Character Patterns & Subsets

Each CBA is broken down and analyzed using the same character patterns 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



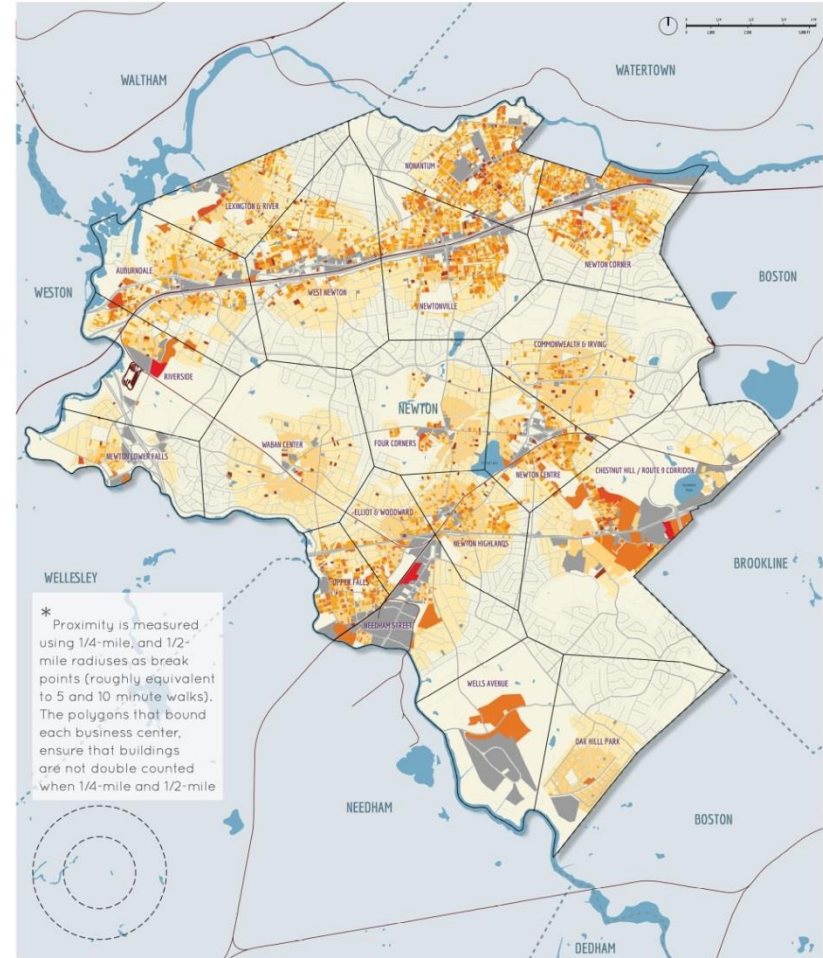
## Development Forms

### Business Centers

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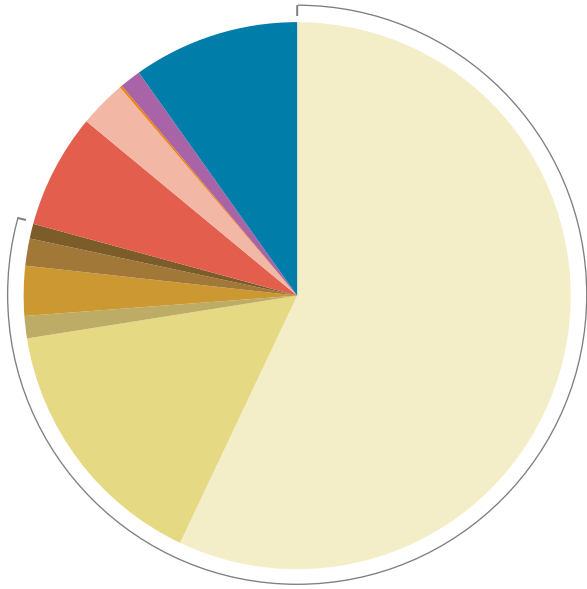
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Legend			
	Single Family (1/4M)		Apartment (100+)
	Single Family (1/2M)		Mixed Use
	Two Family		Apartment (10+)
	Multi Family (<10)		Commercial / Industrial

# Total Development

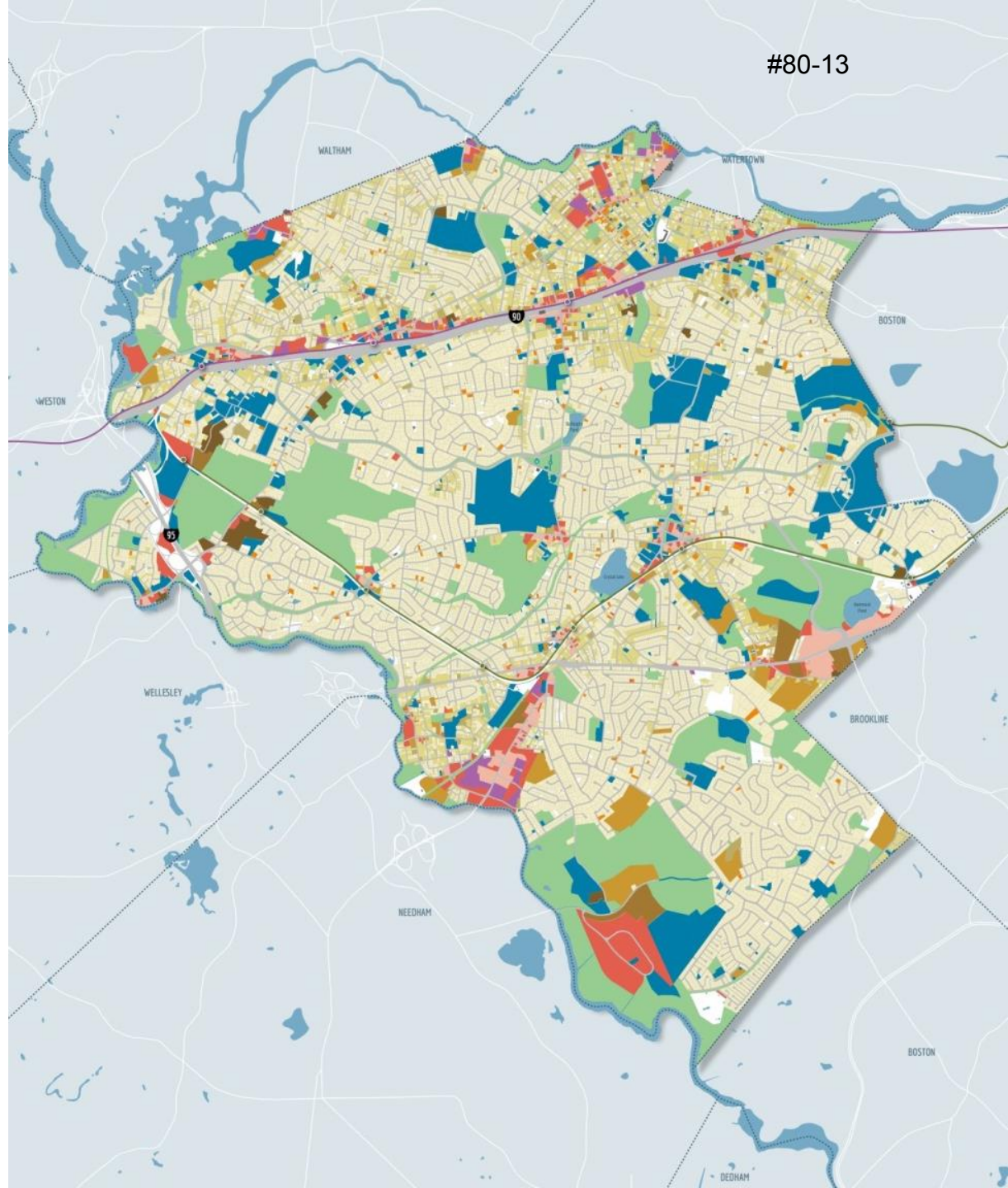
## Development Square Footage By Land Use



57%

Residential: SF	57%
Residential: 2/3 Units	15.5%
Residential: 4-8 Units	1.3%
Residential: 9-99 Units	2.9%
Residential: 100+ Units	1.6%
Residential: Other	0.9%
Commercial	6.8%
Retail	2.8%
Industrial/Manufacturing	1.3%
Civic/Institutional	9.8%

#80-13



# 2. Character Patterns

## Character Patterns & Pattern Subsets

### Character Patterns

After a comprehensive analysis of the many layers that together compose Newton's neighborhoods and village centers, the planning team assigned different character pattern designations to each area of the city. These character patterns are one of the two primary organizing features of the pattern book (the other being context-based areas), defining areas of the city by predominant use.

#### 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. 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.

#### Village Center

Newton is understood by locals as a city of villages. These villages follow a conventional arrangement when it comes to the organization of constituent parts, with a relatively dense commercial center serving as the hub of activity for each village and primarily residential, less dense, uses growing out from the center. Newton's village centers represent a great diversity of form, development era, density, intensity, and predominant use.

#### Commercial Cluster

Commercial clusters in Newton, while providing significant economic benefit and commercial/retail activity for the city, generally serve a larger, more regional constituency. These areas typically comprise large commercial zoned areas clustered along or in close adjacency to major regional thoroughfares. In Newton's case, the largest of these clusters are located at the edges of the city, serving local employees and shoppers and those from surrounding communities.

#### Campus

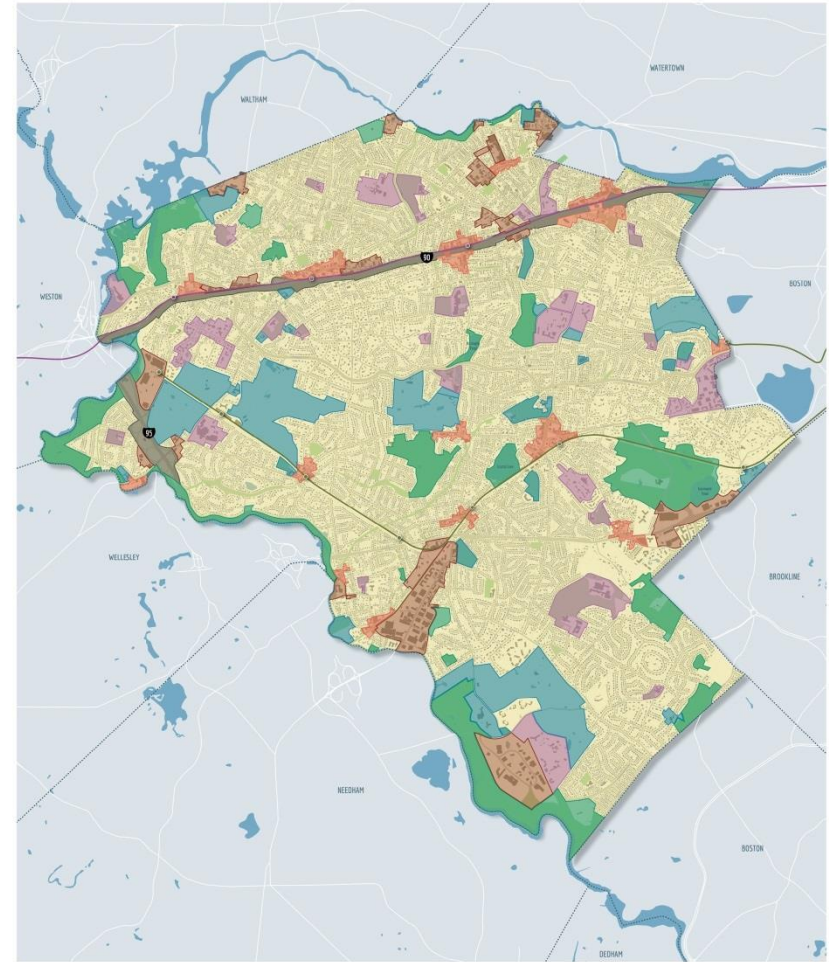
The campus classification refers to a civic, religious, institutional, and corporate uses with substantial assemblages of buildings and/or buildings accompanied by substantial landscaped grounds. In Newton, this classification often describes public school and higher education facilities, religious institutions including houses of worship and accompanying residential or educational facilities, and commercial/office parks.

#### Recreation & Public Use

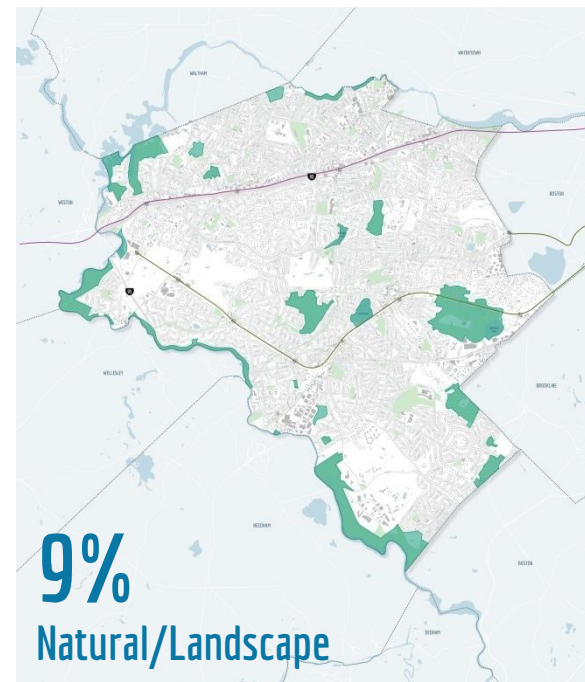
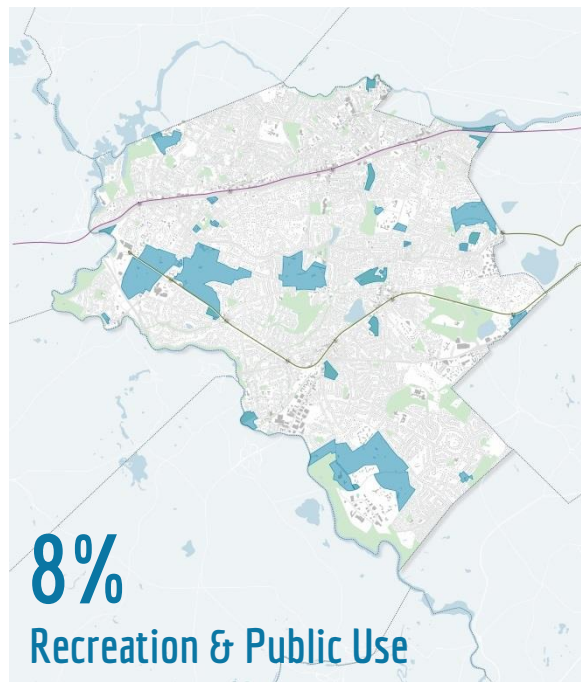
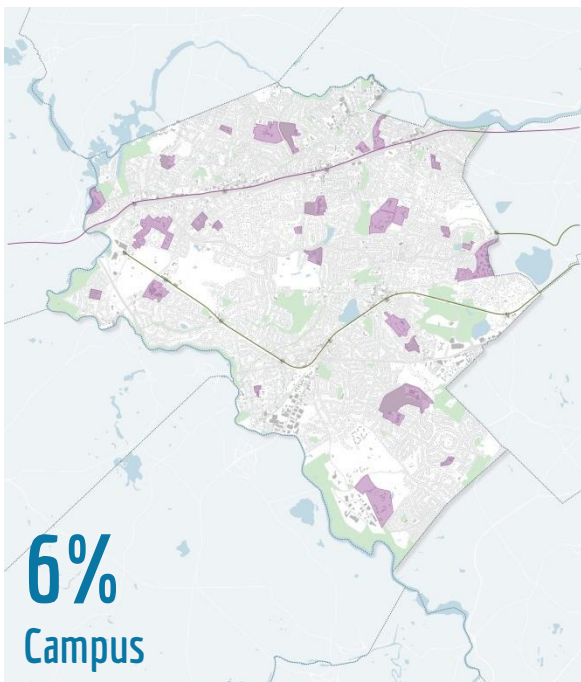
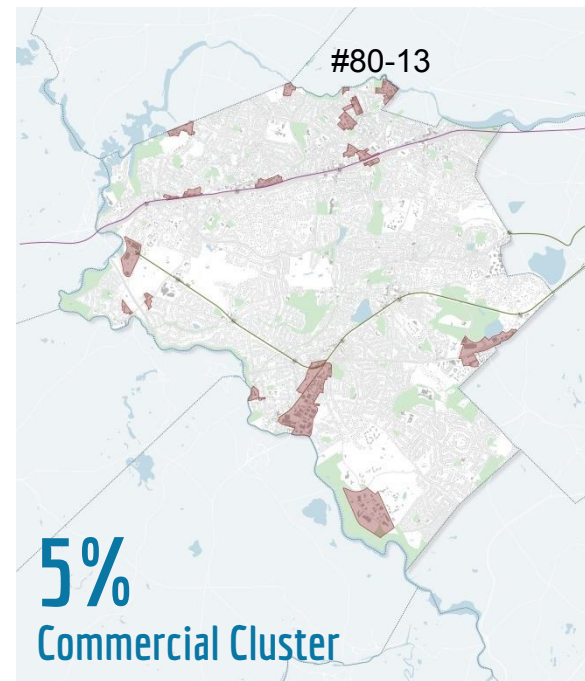
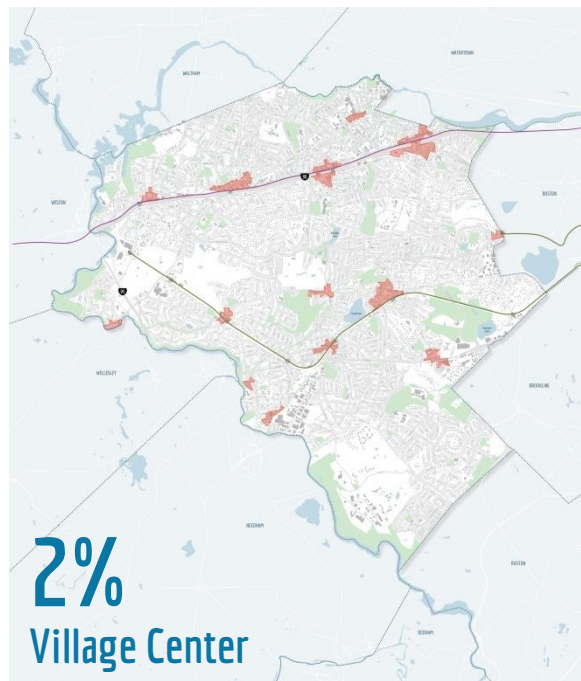
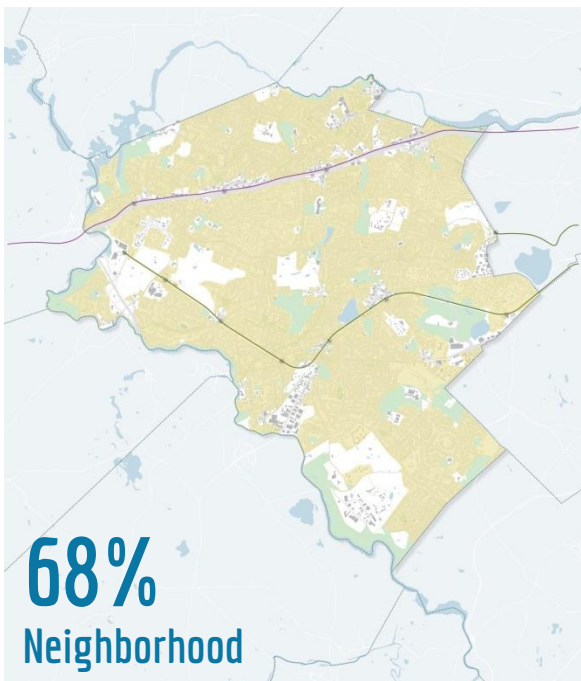
The recreation/public use classification includes both formal and informal public and private outdoor recreation fields, courts which are open to public use. This is primarily an open space classification, though ancillary/support structures are included.

#### Natural/Landscape

The natural/landscape classification captures all natural and designated lands which are to remain free from development in perpetuity. This includes all lands with conservation easements, forests, cemeteries, waterways/water bodies, wetlands, and any other designated natural/constructed features deemed conserved/preserved by the city of Newton or other administrative entities.



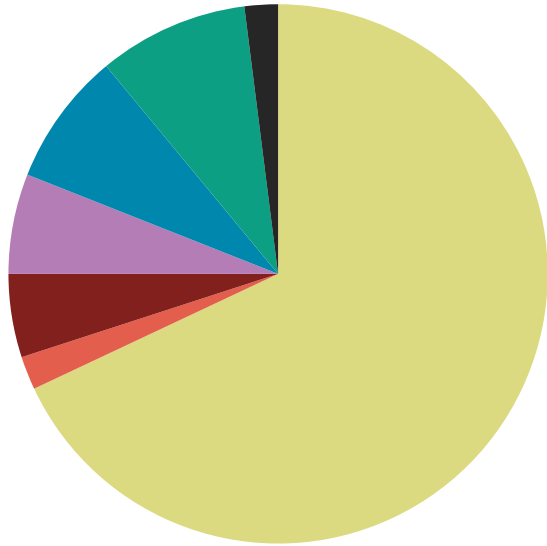
Character Patterns of Newton



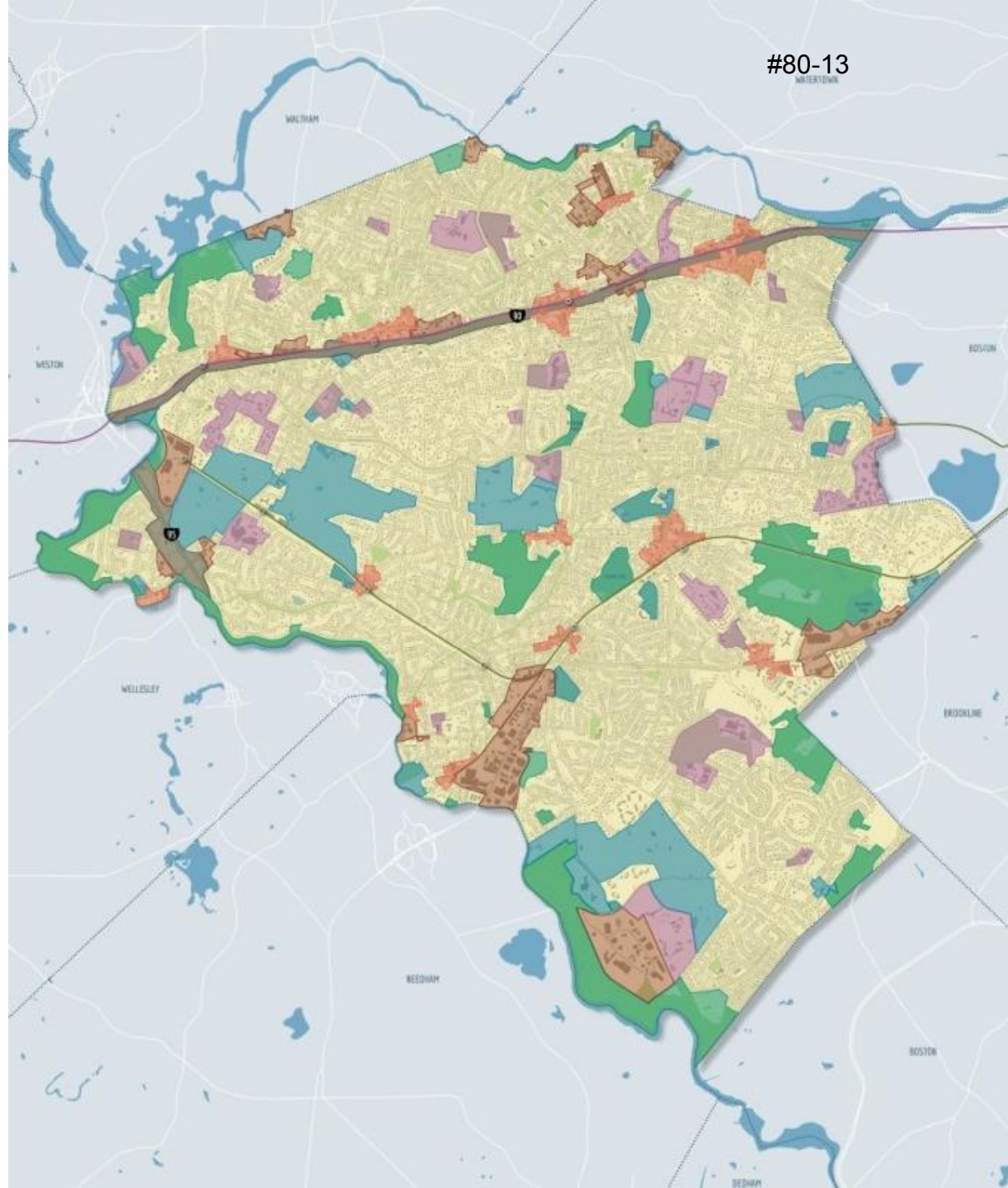


# Character Patterns

## Citywide Land Area Distribution



	Neighborhood	68%
	Village Center	2%
	Commercial Cluster	5%
	Campus	6%
	Recreation & Public Use	8%
	Natural/Landscape	9%
	Other	2%



## 2. Pattern Subsets

### Neighborhood

- Traditional - Small
- Traditional - Medium
- Traditional - Large Compact
- Traditional - Large
- Manor
- Community - Single Family
- Community - Attached
- Multifamily - Small
- Multifamily - Large

### Village Center

- Convenience Center
- Neighborhood Center
- Town Center
- Gateway Center

### Commercial Cluster

- Employment Cluster
- Retail Cluster
- Legacy Industrial Cluster

### Campus

- Civic/Public School
- Institutional
- Special Use

### Recreation/Public Use

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

### Natural/Landscape

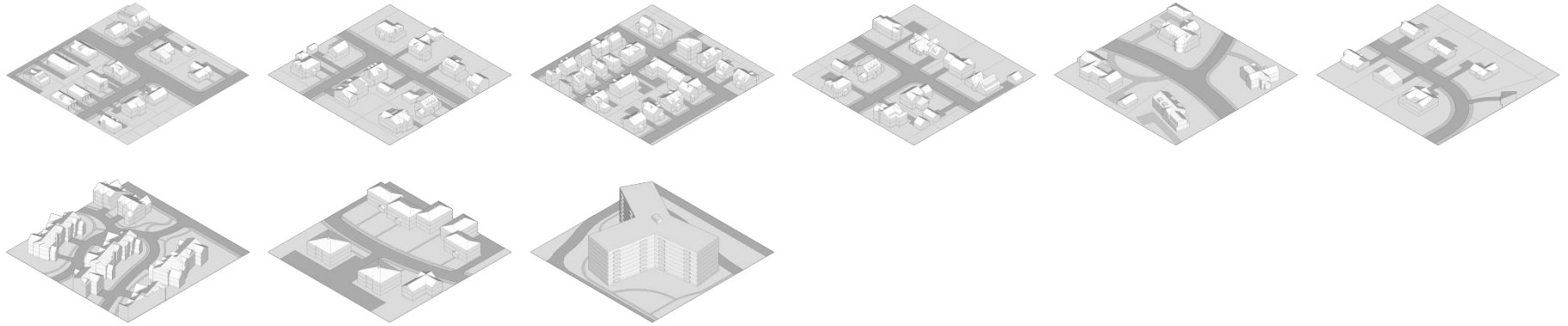
- Easement
- Natural Formation/Water
- Wetland/Ecological Resource

# Pattern Subsets

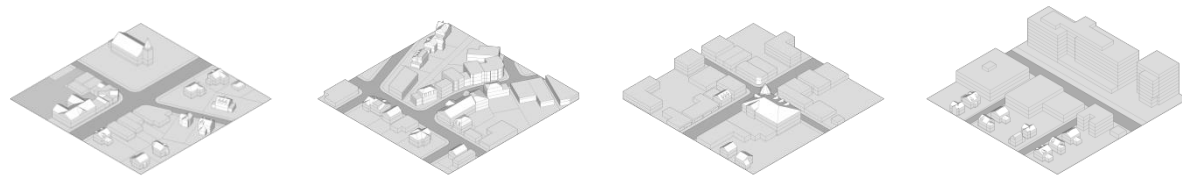
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## Development Features Cataloging

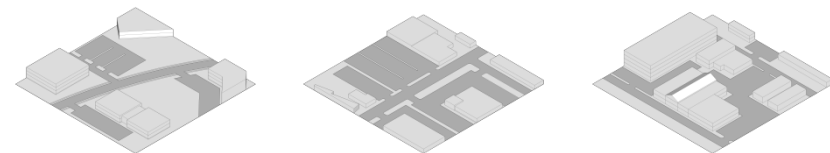
### Neighborhood Subsets



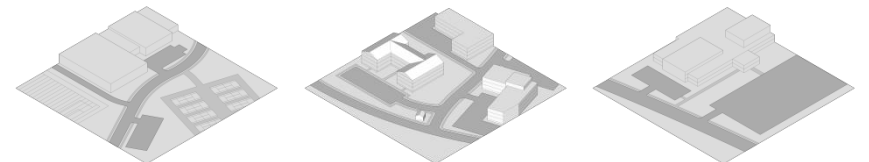
### Village Center Subsets



### Commercial Cluster Subsets



### Campus Subsets



# 2. Character Patterns + Pattern Subsets

## Character Patterns & Pattern Subsets

### Village Center

Village centers are Newton's primary mixed-use areas serving as the commercial and retail hearts of the city's neighborhoods. These centers often provide an identity for the neighborhoods that encompass them through placemaking and practical functions. Though storefronts range in size, they are all generally suited for smaller retail establishments owned by local and regional operators, as was the predominant retail model throughout the period of their development and growth. They are eminently walkable and pedestrian friendly, and serve as places for community members to gather, socialize, and shop and many are accessible by at least one form of public transit. The different character pattern subsets are largely categorized based on their scale and offerings, as the general architectural and urban design characteristics are similar throughout most of the village centers.

### Convenience Center

Convenience centers are the smallest of Newton's village centers both in terms of total land area and development square footage. These centers primarily serve a small, local population living in close proximity to the center, largely offering convenience goods and common services.

### Neighborhood Center

Neighborhood centers are traditional urban New England village centers serving a local population and generally comprise convenience goods, general and specialty services, coffee and dining options, and some small speciality and commodity retailers.

### Town Center

Town centers generally offer the most robust mix of uses, often introducing multifamily housing and institutional uses to an extensive mix of commercial and retail options. These centers serve a citywide, and sometimes regional population and focus on a greater density of patrons at any given time.

### Gateway Center

Gateway centers are typically located at the edges of the city, in close adjacency to the city's main transportation gateways. These centers usually support a large commercial footprint and associated retail and dining options.

2%

of Newton's total area is designated as Village Center.



### Newton's Village Centers

Newton's village centers can be found throughout the city, though most often situated alongside the city transportation infrastructure (namely rail lines). These centers developed over centuries as the primary retail and commercial destinations for the city's neighborhoods and today serve a local and regional population for employment, shopping, dining, entertainment, civic, religious, and a variety of other uses.

# 2. Character Patterns + Pattern Subsets

## Character Patterns & Pattern Subsets

### Pattern Subsets

Pattern Subsets describe the more granular patterns comprising a neighborhood or center, and describe the variations between neighborhoods and blocks. The factors that go into distinguishing one subset from another within a character pattern are those which contribute to the consistency of a streetscape. This is to say, the factors that can be evaluated from the street are determinant over those which only impact the private, off-street realms of a neighborhood or center.

#### Neighborhood

- N-TRAD-S: Traditional - Small
- N-TRAD-M: Traditional - Medium
- N-TRAD-L: Traditional - Large
- N-TRAD-LC: Traditional - Large Compact
- N-MAN: Manor
- N-COM-SF: Community - Single Family
- N-COM-A: Attached
- N-MF-S: Multifamily - Small
- N-MF-L: Multifamily - Large

#### Village Center

- VC-CC: Convenience Center
- VC-NC: Neighborhood Center
- VC-TC: Town Center
- VC-GC: Gateway Center

#### Commercial Cluster

- CC-EC: Employment Cluster
- CC-RC: Retail Cluster
- CC-LIC: Legacy Industrial Cluster

#### Campus

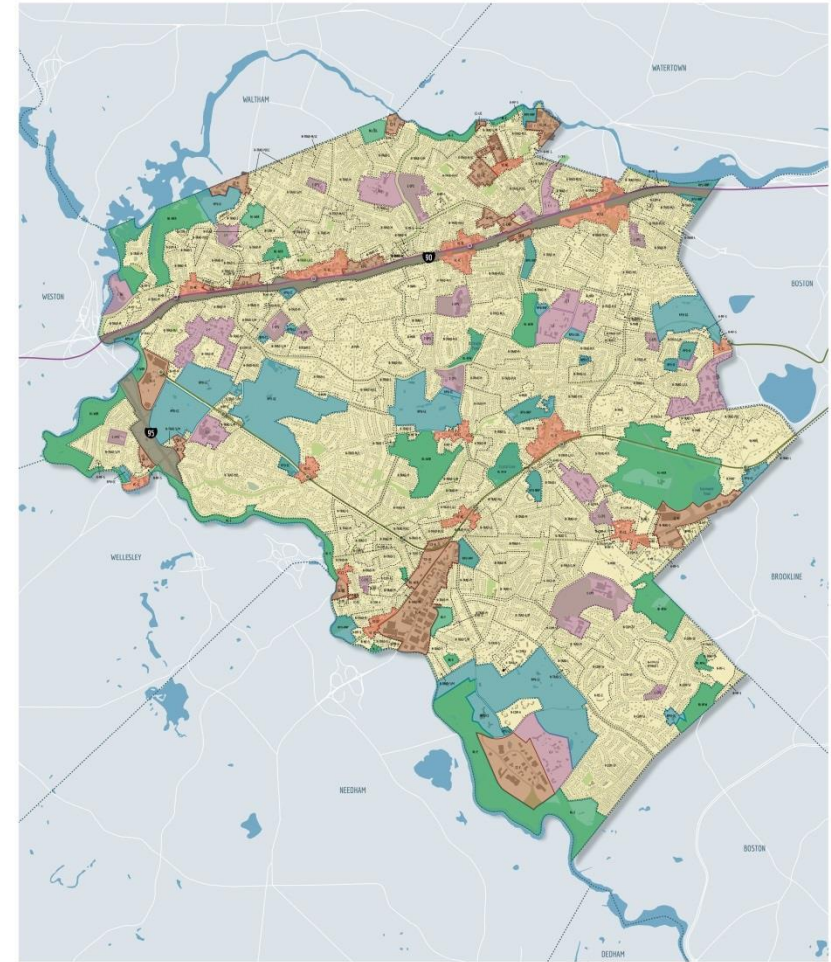
- C-CPS: Civic/Public School
- C-I: Institutional
- C-SU: Special Use

#### Recreation/ Public Use

- RPU-RNP: Regional/Neighborhood Park
- RPU-GC: Golf course
- RPU-U: Utility
- RPU-CC: Civic Center
- RPU-CBG: Cemetary/Burial Ground

#### Natural/ Landscape

- NL-E: Easement
- NL-NFW: Natural Formation/Water
- NL-WER: Wetland/Ecological Resource

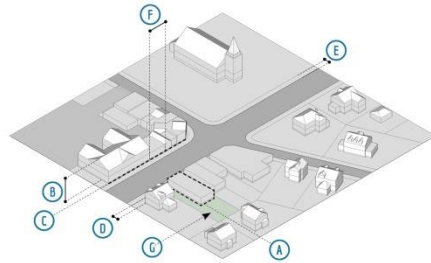


Character Patterns & Pattern Subsets of Newton

## Character Patterns & Pattern Subsets

### 1. Convenience Center

Convenience Centers are those where the total commercial and retail square footage does not exceed 200,000 square feet. They typically comprise five to 20 storefronts catering to retail establishments supporting daily errands, including one or two banks, a dry-cleaner, small goods, and cafes. Building heights range from one story to three stories. Development often presents a continuous streetwall. Uses are predominantly restricted to retail and commercial offices, though occasionally apartments are found on the second or third story. Sidewalks are approximately ten feet wide on average, suitable for the steady but light pedestrian traffic. Public parking is found on the street, or in rear communal lots.



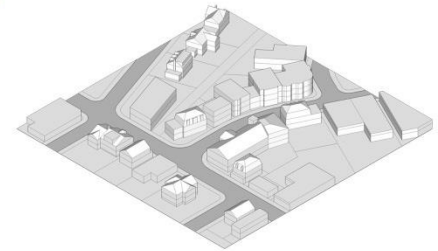
#### Typical Dimensions

A	RETAIL DEV. SIZE	750 - 1,800 SF
B	HEIGHT	1.0 - 3.0 stories
C	STREETWALL	Continuous
D	SETBACK	0 FT
E	SIDEWALK WIDTH	10 FT
	NUMBER OF STORES	5 - 20
F	STOREFRONT WIDTH	25 FT
G	PERMEABLE SURF.	0 - 75%
	PARKING LOCATION	Street, rear lots



### 2. Neighborhood Center

Neighborhood Centers generally comprise an average commercial and retail square footage range of 250,000-500,000 square feet, and 20 to 50 storefronts. The retail mix is often suited for convenience and light shopping, including a selection of banks, small goods, salons, boutiques, and restaurants. Building heights range from one story to three stories. Architecturally, these buildings face the street and are well-articulated, representing a diversity of building eras. There is often a continuous streetwall. Uses are predominantly restricted to retail and commercial offices, though apartments can be found on the second or third story. Sidewalks are suitable for the steady, moderate pedestrian traffic. Public parking is found on the street, or in communal lots behind buildings.



#### Typical Dimensions

A	RETAIL SIZE	1,000 - 5,000 SF
B	HEIGHT	1 - 3 stories
C	STREETWALL	Continuous
D	SETBACK	0 FT
E	SIDEWALK WIDTH	10 - 15 FT
	NUMBER OF STORES	20 - 50
F	STOREFRONT WIDTH	20 - 25 FT
G	PERMEABLE SURF.	0 - 50%
	PARKING LOCATION	Street, rear lots



## Village Center

# 3. Context-Based Areas

## Context-Based Areas

### What is a Context-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 context-based areas will serve as the basic unit of geographic analysis for the purposes of this pattern book.

### How were the Context-Based Areas generated?

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 as a whole, we can understand the differences between

areas and compare development dimensions between neighborhoods. Since these serve only as tools for understanding and comparison, context-based areas should be understood only as units of analysis in the pattern book. The following factors generally contributed to the location of the CBA area outlines.



#### Physical Barriers

Physical barriers include rivers, railways, large open spaces and natural features, and any other permanent features that inhibit movement and connectivity.



#### Nearest Center

In many of Newton's neighborhoods, one village center defines the area and give identity to the residential neighborhoods surrounding it.



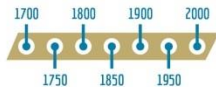
#### Built & Use Patterns

In some cases, it is easy to identify differences between neighborhoods based on the size, density, and type of development. In other cases, the predominant uses of areas create natural lines of division.



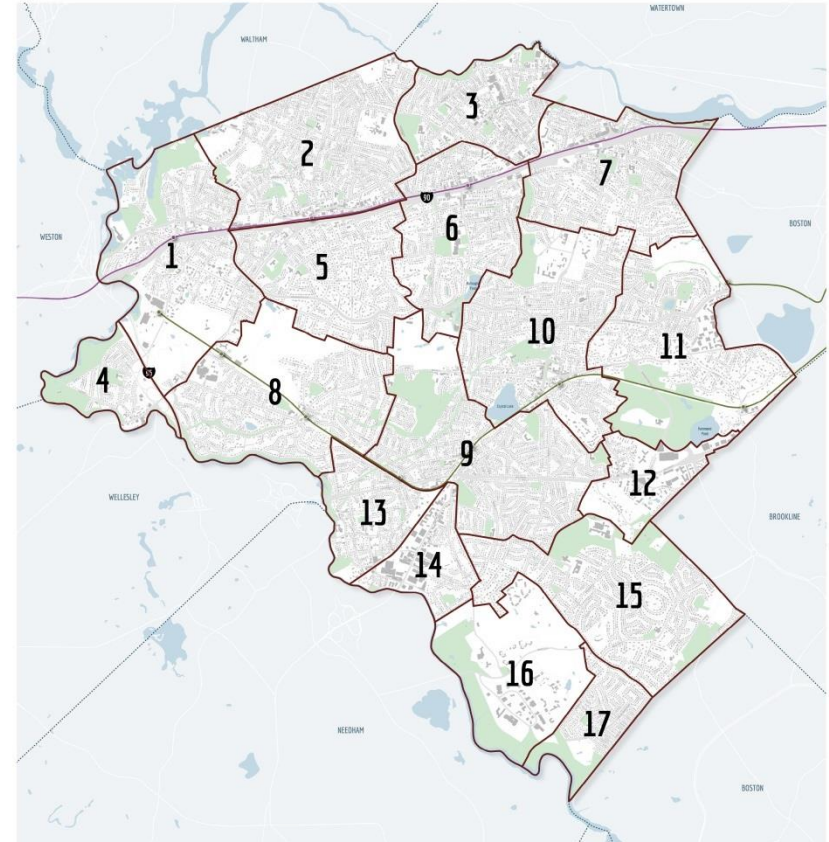
#### Local Wisdom

Many Newtonians can identify their own villages and neighborhoods. Through close consultation with city staff, residents, and workshop visitors, our analysis considers this local wisdom.



#### Historical Development

Newton's neighborhoods and villages developed over the course of multiple centuries. By tracking development patterns and key features of development eras, the historical patterns of Newton can serve as significant lines of demarcation between neighborhoods.



### Context-Based Areas

The map above shows the 17 context-based areas delineated for the analysis purposes of this pattern book. While, in some cases, these shapes bear a resemblance to the colloquial villages of Newton (as understood by the local population), that popular understanding was only one of the many factors that contributed to their creation. The box to the left explains how the lines fell where you see them here.

# 3. Context-Based Areas

## Context-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 character patterns.

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 112 per square mile, the area contains relatively little acreage of permeable surfaces comprising 56% of the area's 939 acres, counting it among the most urban areas of Newton as measured by this metric.

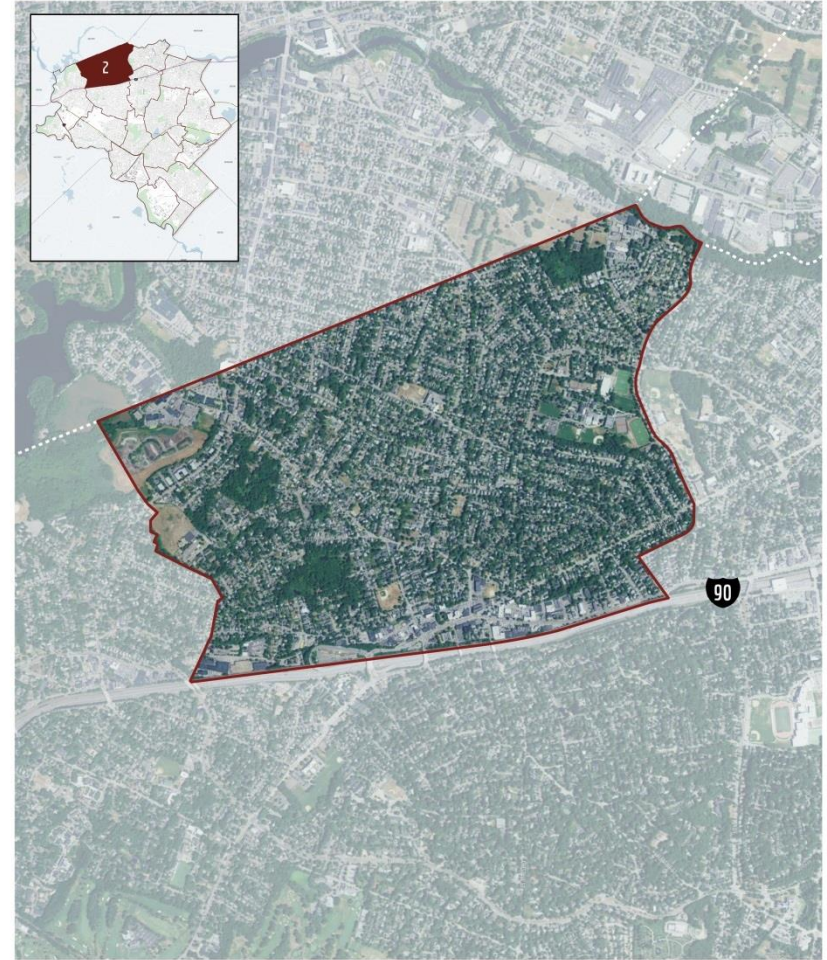


**939** total acres

**171** intersections per square mile

**56%** permeable surfaces

**\$37k** Average tax revenue per acre



Aerial photograph of the West Newton context-based area.



# 3. Context-Based Areas

## Context-Based Areas

### 2. West Newton Area

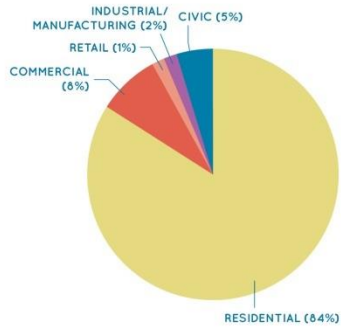
#### Land Use Analysis

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

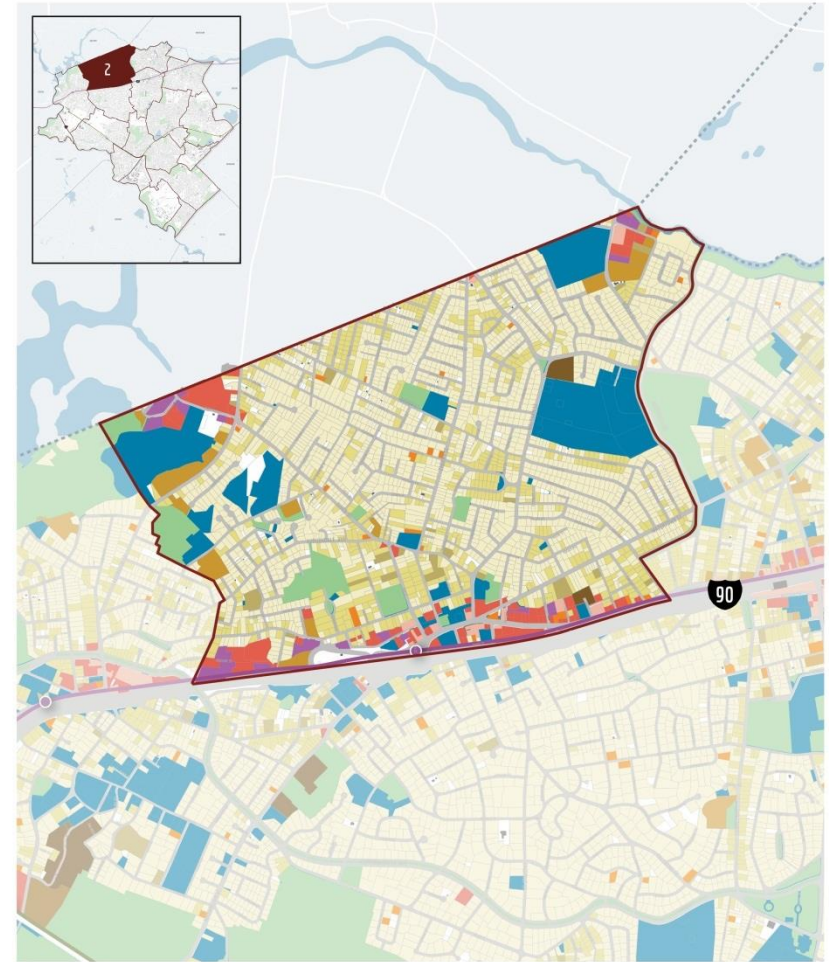
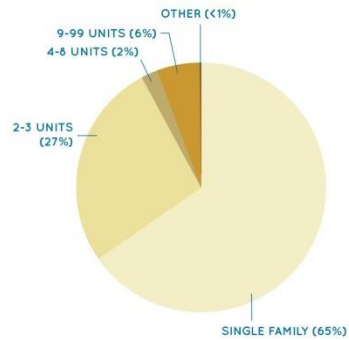
commercial, retail, industrial/manufacturing uses strung along I-90. This is where the greatest concentration of multifamily residential products can be found in this area. As West Newton was one of the earlier areas of the city to develop, building and development lots tend to be smaller than those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

USE CATEGORY	PARCEL COUNT	BUILDING SQ. FOOTAGE (TOTAL)	PARCEL AREA (MED.)	BUILDING SQ. FOOTAGE (MED.)	SETBACK (MED.)	STORIES (MED.)
RESIDENTIAL	2,824	10,282,170 SF	7,400 SF	3,200 SF	23.4'	2.0
SINGLE FAMILY	2,044	6,665,019 SF	7,500 SF	3,015 SF	24.3'	2.0
2-3 FAMILY	600	2,735,617 SF	7,274 SF	4,230 SF	20.4'	2.0
MULTIFAMILY (4-8)	21	218,146 SF	17,088 SF	9,081 SF	12.8'	---
MULTIFAMILY (9-99)	17	563,096 SF	45,725 SF	24,570 SF	26.7'	---
MULTIFAMILY (100-)	0	0	---	---	---	---
OTHER	1	20,174 SF	124,845 SF	20,174 SF	---	2.0
COMMERCIAL	96	976,440 SF	10,680 SF	5,396 SF	5.1'	---
RETAIL	21	198,172 SF	9,224 SF	7,750 SF	0'	---
MIXED USE	0	0	---	---	---	---
INDUST./MANUF.	13	206,822 SF	26,404 SF	13,976 SF	10.3'	---
CIVIC/INSTIT.	78	571,602 SF	11,511 SF	---	---	---

Total Development Square Footage by Land Use



Total Residential Development Square Footage by Building Type



# 3. Context-Based Areas

## Context-Based Areas

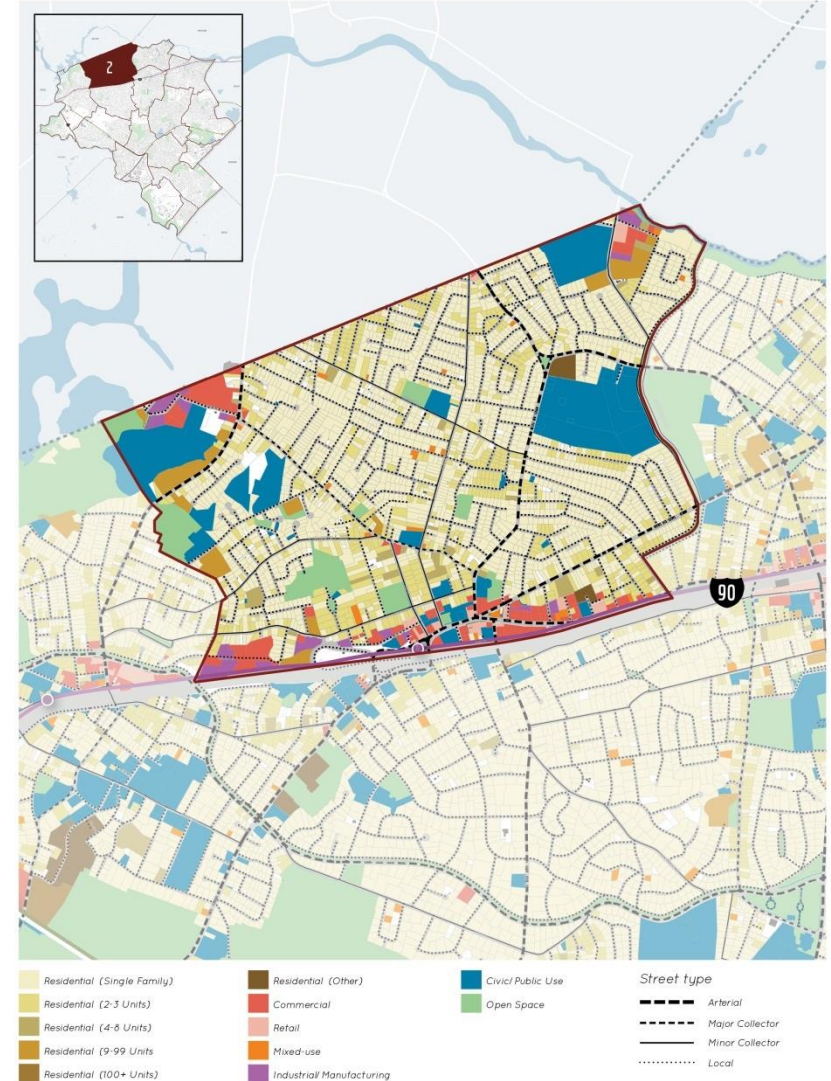
### 2. West Newton Area

#### 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 MED.	PARCEL AREA MED.	STORIES MED.	SETBACK MED.	GSF MED.	PARCEL AREA MED.	STORIES MED.	SETBACK MED.	GSF MED.	PARCEL AREA MED.	STORIES MED.	SETBACK MED.	GSF MED.	PARCEL AREA MED.	STORIES MED.	SETBACK MED.
<b>RESIDENTIAL</b>	3,800	8,437	2.0	24.6'	3,118	6,983	2.0	19.1'	3,324	7,929	2.0	21.3'	3,144	7,300	2.0	23.7'
<b>SINGLE FAMILY</b>	3,389	8,303	2.0	25.0'	2,685	6,200	2.0	21.5'	3,001	7,883	2.0	22.4'	2,994	7,437	2.0	24.4'
<b>2-3 UNITS</b>	4,611	8,835	2.0	24.0'	3,926	7,982	2.0	17.2'	4,243	8,518	2.0	20.1'	4,200	7,026	2.0	20.3'
<b>4-8 UNITS</b>	7,876	18,363	---	47.0'	12,092	17,088	---	11.1'	13,248	21,398	---	10.4'	7,056	13,290	---	21.7'
<b>9-99 UNITS</b>	21,120	42,377	---	22.4'	25,653	21,472	---	45.7'	43,092	77,478	---	25.9'	25,610	57,035	---	35.0'
<b>100+ UNITS</b>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
<b>OTHER</b>	20,174	124,845	2.0	0'	---	---	---	---	---	---	---	---	---	---	---	---
<b>COMMERCIAL</b>	---	---	---	---	5,327	7,176	---	2.8'	4,984	13,617	---	6.1'	5,786	14,289	---	4.8'
<b>RETAIL</b>	6,372	8,910	---	0'	---	---	---	---	6,578	21,140	---	6.9'	22,296	13,000	---	6.1'
<b>MIXED USE</b>	---	---	---	---	---	---	---	---	12,478	31,668	---	17.0'	19,131	26,327	---	13.0'
<b>INDUST./MANUF.</b>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
<b>CIVIC/INSTIT.</b>	3,480	21,154	---	22.1'	---	70,560	---	---	---	163,837	---	0'	---	9,040	---	---



Washington Street in West Newton (2016)



Washington Street in West Newton (1920's)

# 3. Context-Based Areas + Character Patterns & Pattern Subsets

## Context-Based Areas

### 2. West Newton Area

#### Character Patterns & Pattern Subsets

With close proximity to both Waltham and Watertown to the north, the West Newton set of neighborhoods and centers 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.

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 moderately sized, 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.



#### Commercial Cluster

West Newton is home to two regional employment centers (on either side of the West Newton village center) and two commercial centers to the north, abutting Waltham. The employment clusters 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 clusters in the north comprise offices, small manufacturers, storage facilities, a music studio, and small retail spaces.

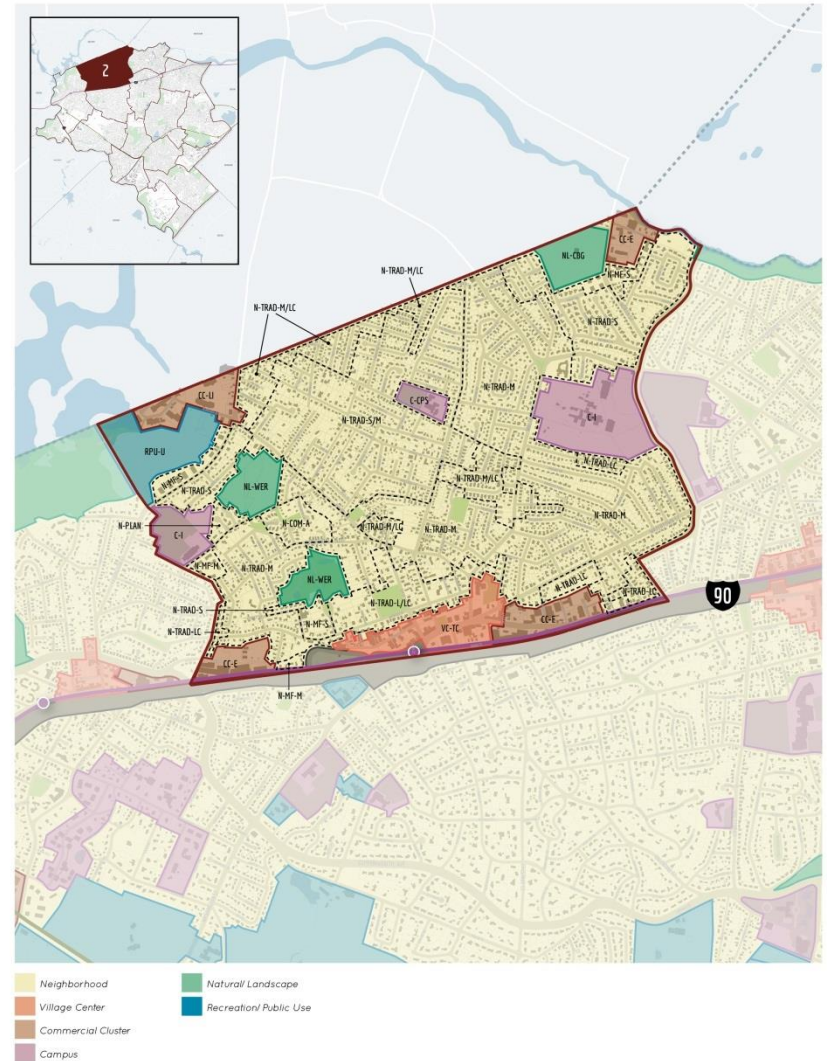
#### Campus

The West Newton Area contains one campus character pattern—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 character patterns and the introduction of rail service to the area. The neighborhood patterns predominantly include traditional 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.



# Context-Based Areas Analysis

#80-13

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
A	976	939	489	278	668	677	728	962	1053	986	990	299	350	284	956	688	274
B	8%	8%	4%	2%	6%	6%	6%	8%	9%	9%	9%	3%	3%	2%	8%	6%	2%
C	7%	9%	6%	1%	6%	8%	9%	7%	9%	10%	8%	4%	3%	3%	7%	2%	1%
D	67%	56%	47%	73%	56%	51%	59%	75%	66%	60%	75%	55%	64%	48%	71%	82%	74%
E	0.21	0.30	0.38	0.15	0.27	0.34	0.35	0.22	0.25	0.31	0.23	0.40	0.28	0.32	0.22	0.08	0.16

A - Total Acreage

B - Percent of Newton's Total Land Area

C - Percent of Newton's Total Development Area

D - Percent of Land Area that is Permeable

E - Gross FAR

# 4. Building Type Inventory

#80-13

## Building Type Inventory

### Residential Building Types

#### Single Family

Small Traditional - 1 level



**GSF:** 1,000 - 2,500  
**Lot Size:** 7,000 - 20,000  
**Front Setback:** 25' - 35'  
**Lot Coverage:** 15% - 35%  
**Common Features:**

- bar/L-shape
- low-slung hip/gable roof
- no garage/one-car integrated garage

#### Single Family

Small Traditional - 1.5 level



**GSF:** 1,500 - 2,500  
**Lot Size:** 5,000 - 10,000  
**Front Setback:** 25' - 35'  
**Lot Coverage:** 15% - 25%  
**Common Features:**

- driveway parking
- dormers

#### Single Family

Medium Traditional - 2 level, regular



**GSF:** 1,500 - 2,500  
**Lot Size:** 5,000 - 10,000  
**Front Setback:** 25' - 35'  
**Lot Coverage:** 10% - 30%  
**Common Features:**

- driveway/accessory structure parking

#### Duplex/Three-Family

Large Traditional - 2-3 level, long



**GSF:** 2,500 - 4,500  
**Lot Size:** 5,000 - 10,000  
**Front Setback:** 15' - 30'  
**Lot Coverage:** 20% - 50%  
**Common Features:**

- driveway/accessory structure parking

#### Single Family

Manor - Historic



**GSF:** 3,000 - 5,000  
**Lot Size:** 15,000 - 25,000  
**Front Setback:** 25' - 60'  
**Lot Coverage:** <15%  
**Common Features:**

- porte cochere/accessory structure parking

#### Single Family

Manor - Contemporary



**GSF:** 4,000 - 10,000  
**Lot Size:** 15,000 - 75,000  
**Front Setback:** varies widely  
**Lot Coverage:** <15%  
**Common Features:**

- integrated garage/accessory structure parking

#### Single Family

Medium Traditional - 2/2.5 level, long



**GSF:** 2,000 - 3,500  
**Lot Size:** 5,000 - 7,500  
**Front Setback:** 15' - 30'  
**Lot Coverage:** 25% - 50%  
**Common Features:**

- driveway/accessory structure parking

#### Single Family

Medium Traditional - 2/2.5 level, wide



**GSF:** 2,000 - 4,000  
**Lot Size:** 7,000 - 12,500  
**Front Setback:** 25' - 35'  
**Lot Coverage:** 10% - 25%  
**Common Features:**

- driveway/accessory structure parking

#### Duplex/Three-Family

Large Traditional - 2-3 level, wide



**GSF:** 3,000 - 6,000  
**Lot Size:** 5,000 - 12,500  
**Front Setback:** 25' - 35'  
**Lot Coverage:** 10% - 25%  
**Common Features:**

- driveway/accessory structure parking

#### Multifamily

Single Family Extended - 2-3 level



**GSF:** 5,000 - 15,000  
**Lot Size:** 7,500 - 15,000  
**Front Setback:** 15' - 30'  
**Lot Coverage:** 25% - 50%  
**Common Features:**

- additional units typically take the form of townhouses

#### Three Family

Triple Decker/Stacked- 3 level



**GSF:** 4,000 - 6,000  
**Lot Size:** 7,000 - 10,000  
**Front Setback:** 8' - 15'  
**Lot Coverage:** 20% - 50%  
**Common Features:**

- driveway parking alongside building
- front porches on each level

#### Multifamily

Townhouse/Attached- 2-3 level



**GSF:** 6,000 - 25,000  
**Lot Size:** varies  
**Front Setback:** 25' - 35'  
**Lot Coverage:** 5% - 20%  
**Common Features:**

- parking concentrated in on-site lots/integrated garages
- articulated aggregation

# Phases 6 & 7: Draft Zoning Ordinance

# Phase 6: Draft Zoning Ordinance

The purpose of this phase is to codify the results of the pattern book and planning work into a draft context-based zoning ordinance to be delivered to the Newton City Council for their consideration and deliberation.

This work will build on the goals and formatting established throughout phase one of the larger zoning reform effort.

# Phase 6: Draft Zoning Ordinance

The first tasks in our approach to zoning reform include:

## 1. Understand the zoning context

- Existing zoning ordinance
- Zoning Reform Group report
- Public input

## 2. Research precedents

- Recent local ordinances
- Form-based codes
- Hybrid strategies
- Performance zoning

## 3. Outline key considerations

- Separate into component tasks
- Identify areas for preservation, enhancement, and transformation
- Test various approaches



# Phase 6: Draft Zoning Ordinance

Noble, Wickersham & Heart / Sasaki  
 Newton Zoning Reform Group Issues 10-11-16

Theme	Recommendation	Zoning Code Section
<b>2. Simplify and streamline the permitting and review processes</b>	(1) Evaluate what land uses or building plans, currently allowed only by special permit, might be allowed by-right (requiring only a building permit).	See Sect. 3.4 for SP uses in MR districts; see Sect. 4.4 for SP uses in BU and MU districts.
	(2) Expand the use of <i>de minimus</i> rules for existing nonconformities to allow some changes to properties that do not conform with zoning regulations without the need for a special permit.	Sect. 7.8 (esp. 7.8.2.A and B)
	(3) The process for obtaining a special permit should be clarified and the criteria for granting a special permit expanded.	Sect. 7.3
	(4) Some minor special permits could be delegated to another group, such as the ZBA or the Planning and Development Board or to administrative review, while reserving major projects to the full Board of Aldermen.	Sect. 7.3 (see 7.5 for administrative site plan reviews)
<b>3. Recognize that each village center and commercial corridor is unique</b>	(1) Recognize that each village center and commercial corridor is a unique place and explore options for more focused and individualized zoning. Consider several methods for supporting this diversity, including: (a) creating new base zones, (b) village overlay zones, and/or (c) design guidelines.	See zoning map for district boundaries in village centers and commercial corridors; see Sect. 3 and Sect. 4 for dimensional and use restrictions in MR, BU, and MU districts.
<b>4. Encourage mixed-use residential redevelopment in village centers</b>	(1) Where appropriate, the Zoning Map and Ordinance should be revised to incorporate specific base zones or overlay zones.	See zoning map for district boundaries in village centers.
	(2) Revised sign standards and/or village-specific design guidelines can complement form-based standards (which focus on the building's shape, bulk, and design).	See Sect. 3.2 for dimensional standards in MR districts; see Sect. 4.1 and 4.2 for dimensional standards in BU and MU districts; see Sect. 5.2 for signage standards.

# Phase 6: Draft Zoning Ordinance

## Track 1:

### Zoning districts and dimensional standards

- Base and overlay zones informed by pattern book and neighborhood context
- By-right vs. special permit allowed uses and densities
- Urban design standards (shape, bulk, design, relationship to street)
- Areas for growth
- Transition zones

## Track 2:

### Development standards/policies

- Sign standards
- Parking regulations
- Inclusionary zoning
- Development incentives
- Public and open space requirements
- Natural resources
- Sustainability/Energy efficiency/retrofitting
- Stormwater management
- Lighting/Noise

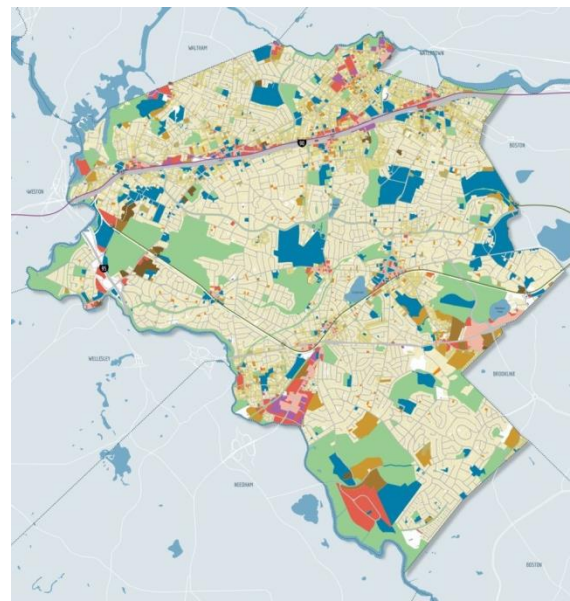
## Track 3:

### Administration and review procedures

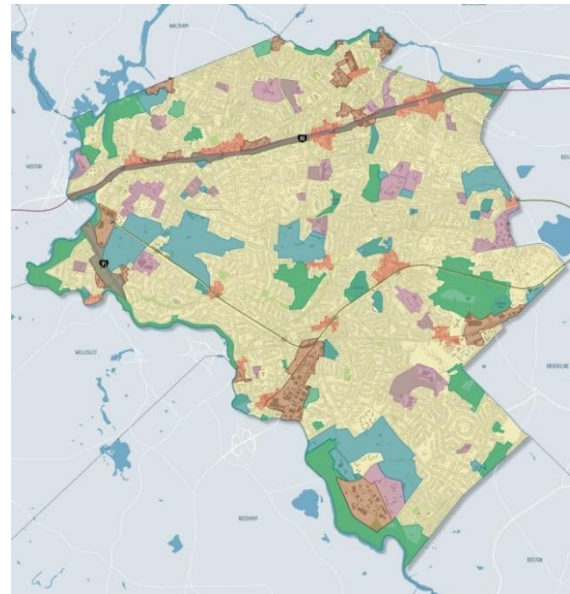
- Special permit approval process
- Site plan review
- Performance metric review
- Rules for existing nonconforming properties
- Institutional master plans

# Phase 6: Draft Zoning Ordinance

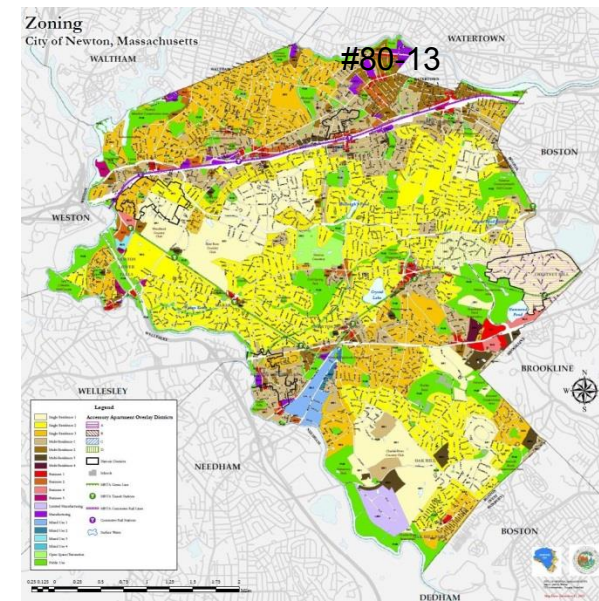
Later this month, the planning team will convene to begin the process of coupling Newton's goals for the city's future with our pattern book analysis to derive mapping and development policies for inclusion in a draft revised zoning ordinance.



Land Use Map



Character Area Map



Zoning Map



Preserve, Enhance, Transform

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 (early/mid-May)
- Targeted Engagement Strategies (May-June)
- Draft Pattern Book Review with City Council (May)

### PHASES 6 & 7: Draft Zoning Ordinance

- Public Presentation of Key Zoning Themes (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)