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Barney Heath
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MEMORANDUM

DATE: November 9, 2017

TO: Councilor Ted Hess-Mahan, Chairman
Members of the Zoning and Planning Committee

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

RE: Zoning Redesign – October Meeting Update

MEETING DATE: November 13, 2017

CC: City Council
Economic Development Commission
Planning and Development Board
Donnalyn Kahn, City Solicitor

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On October 19th the Planning Department hosted the second of a series of topic based Zoning Redesign events. This event was titled *Newton's Advantage: Zoning and Economic Development* and focused on economic development issues as they relate to zoning. For the upcoming Zoning and Planning Committee meeting staff will share the presentation from this event, review the comments and discussion from the public, and facilitate a discussion of the same topics with the Committee. Attached is an info sheet from the 19th, which describes the topics that were presented as well as a meeting summary describing the comments received.



Summary Report

Newton's Advantage: Zoning and Economic Development

The second event in the Zoning Redesign series on October 19, 2017 was attended by thirty people who engaged in discussion about the ways zoning can regulate and encourage economic development in Newton. The purpose of the event was to present preliminary proposals about this topic and to provide a forum for community discussion and feedback as the City looks to write a new zoning ordinance. The full presentation is available to the public via slides and a video recording posted online (www.courbanize.com/newtonzoning). An informational sheet was published ahead of the event is also available online and is appended to this report.

Four proposals for economic development and zoning

City staff first gave a presentation about "Zoning 101" in order to provide attendees a common understanding of zoning basics and terminology. Next, staff presented on four categories of zoning that influence economic development: 1) commercial uses, 2) manufacturing districts, 3) home businesses, and 4) signs. Following the presentation attendees were asked to join small table discussions led by a facilitator and react to the presentation, as well as share new ideas on zoning and economic development. At the end of the event each table reported on one novel idea or suggestion that was generated by their group discussion.

Community Feedback: Commercial Uses

Proposed Commercial Uses Policy

Goal: Support businesses to locate and thrive in Newton's commercial areas.

1. Combine & categorize uses to ease understanding & enforcement.
2. Introduce new uses like co-working space.
3. Remove or modify specific rules applying to some uses.
4. Reduce parking requirements.

Three photographs of commercial areas in Newton. The top photo shows a street corner with a building and a sign. The middle photo shows a row of houses with a tree in front. The bottom photo shows a building with blue lighting.

Modernizing the commercial uses allowed in zoning and encouraging new uses such as **co-working spaces** was largely favored by participants in the table discussions. Attendees pointed out how entrepreneurs who are starting businesses need more flexible commercial regulations and benefit from sharing resources, equipment, and space with other businesses. One group identified it would make sense to locate co-working spaces in village centers, which are generally more walkable and have more transit connectivity.

All groups discussed Newton's **village centers** as commercial hubs and many people identified them as locations for future commercial growth. Currently, village centers areas tend to be where most **mixed uses** (commercial and residential) and most connected to **transit and multi-modal transportation** options, and some discussion groups suggested looking at them for mixed use in the future as well as places to try out new transportation technologies for employees, shoppers, and residents.

For both commercial uses and manufacturing uses, attendees generally like the idea of **eliminating unnecessary rules and regulations** that discourage economic growth. Attendees supported the idea of combining and updating new commercial uses for that would reflect the times without making old uses obsolete.


People asked questions about Newton's tax classification and how it may discourage new businesses from coming in to Newton or push existing businesses out. One group pointed out the limitations of zoning in regulating all aspects of economic development. For example, while finding a good business mix in village centers is desirable zoning is limited in regulating this and **market forces** play a strong role in determining the demand and supply of business type.

Community Feedback: Manufacturing Districts

Proposed Manufacturing Districts Policy

Goal: Support economic development and a growing innovation economy in Newton.

1. Study potential future of different districts - Economic Development Strategy.
2. Transition some to other types of districts.
3. Identify some for redevelopment and growth.
4. Identify others for retention as lower-cost business start-up and fabrication space.



Attendees indicated support for reimagining Newton's manufacturing districts and making manufacturing uses more flexible to include more of contemporary activities. Table discussions focused on how zoning would need to indicate **clear guidelines** so that neighbors are not affected adversely by

nearby manufacturing uses. Groups asked that **potential adverse effects** like waste management, supply/demand/distribution/delivery, clean up and containment, and noise continue to be addressed by zoning. One table suggested different grades or scales of manufacturing uses could be determined depending on the degree of potential disturbance to abutting uses. People noted how most new manufacturing uses, typically **light industry**, have less negative impact on abutting uses than more traditional heavy industry.

Groups discussed how existing manufacturing zones, such as areas on California Street near Watertown Square, have potential for **mixed-use manufacturing** that incorporate industrial and residential options to help increase viability, decrease carbon consumption, and create more transportation options. Greentown Labs in Somerville was mentioned as an example. One table discussed how uses like shared-use kitchens and shared-use light manufacturing spaces are healthy for innovation districts and startup business environments.

People expressed the need for an **easier to use, streamlined ordinance**. One table asked that the new ordinance eliminate or fix old rules that don't work, instead of adding new rules or more categories. For manufacturing, there was significant support for **allowing retail and wholesale** of manufactured goods within the same property, for example a brewery or bakery use. When looking to manufacturing districts for redevelopment and growth, several attendees voiced support of the City's plan to conduct an **economic development study** and to develop citywide strategies.

Community Feedback: Home Businesses

Proposed Home Business Policy

Goal: Support residents with a flexible home business policy to encourage economic development.

1. Allow more than one per dwelling unit.
2. Recognize the difference between businesses with onsite customers and not.
3. Relax regulations around type and number of employees, location and square footage of business.
4. Remove parking requirement.



Feedback was mixed on how zoning should regulate home businesses. Attendees generally thought a service business like consulting should be allowed by zoning because it is likely 'invisible' to neighbors. Some wanted **more clarification** on what the current rules are for home businesses and how Newton could reasonably regulate these businesses in the future without having a significant impact on the neighborhood. Other table discussions recognized how the current rules are outdated, for example, only allowing "one secretary" for some uses and only allowing one home business across the board.

More than one table suggested that zoning seek to regulate differently those home businesses which have customers come to the business, and those that are single person working mainly online.

People identified the need to regulate things like **deliveries, parking and employees** for home businesses and consider the scale of nuisance as a guide for zoning regulation. One table noted how the size of the delivery vehicle is important and needs to be considered in the context of increased online commerce, where many residents receive numerous packages for non-commercial uses from delivery trucks.

Community Feedback: Signs

Proposed Sign Policy

Goal: Make sign ordinance more business-friendly, easier to enforce, and encourage good design.

1. Clarify and illustrate sign rules. Create a sign design guide.
2. Expand Urban Design Commission to decide minor adjustments to sign rules.
3. Encourage comprehensive sign packages for multiple storefronts in the same building.
4. Create new rules for temporary signs and sandwich boards.



Attendees supported the **streamlining** sign regulations and permitting in order to make it possible to **expedite the approval** of some signs. The proposed comprehensive sign package idea for buildings was generally supported, while groups wanted to ensure higher degree of scrutiny for some signs like neon signs and signs that increase the visibility of corporate tenants. One table suggested that **context based sign districts** could be created within zoning for Newton's villages in order to ensure neighborhood conformity. Attendees discussed different ways to regulate temporary signs such as sandwich boards and electronic kiosks that could display information in higher pedestrian areas. A table discussed how businesses depend on temporary signs for advertisements, but they are challenging in terms of regulating public space on sidewalks.

Community Feedback: General

Parking stood out as the number one topic of discussion that attendees identified as significant for economic development. For example, **parking** was mentioned in discussions about co-working, village centers, and generally looking for ways to preserve historic walkable villages with economic development while looking ahead to a future with less car dependence. People pointed to high parking requirements in the current zoning as one of the greatest barriers for many types of commercial uses, especially in Newton's village centers, which were mainly built before parking requirements were

introduced. Several tables discussed the **burden placed on business owners** to find commercial spaces in Newton that meet the parking requirements in the current zoning, and the alternative pathway of seeking a special permit exemption, which can also be challenging and expensive for business owners. Attendees were interested in looking at zoning that encourages alternative modes of transportation, including bike parking, and having more detailed discussions about parking at the January 18, 2018 Zoning Redesign Event.

The next event is **November 29, 2017, Cracking the Code: Understanding Zoning for Homeowners** and topics will include lot types, dimensional requirements, massing, accessory structures, garages, fences, retaining walls, dormers, and additions.

Newton's Advantage: Zoning and Economic Development

October 19th, 2017 6:30 - 8:00 p.m.
Newton Free Library, 330 Homer Street



Zoning has a significant influence on the success of businesses in Newton.

Through Newton's Zoning, the City regulates what businesses are allowed where, regulates their size, and presents a range of regulations from parking requirements to sign rules that have ongoing effects on business operations and expenses. All of these issues will be addressed over the course of the Zoning Redesign event series. We will start this discussion focusing on four issues for the new zoning ordinance:

COMMERCIAL USES: A core aspect of zoning is the identification and regulation of uses, for example: banks, restaurants, offices, and retail stores. These uses are defined by zoning and are allowed or not in different areas of the City. The uses listed for Newton's commercial districts need to be **updated, simplified, and made more flexible**. We need to include new uses like **co-working spaces**, identify categories of similar uses to simplify application of the ordinance, and enable stores and businesses to respond to increasing pressure from online competition.

MANUFACTURING DISTRICT: Newton's Manufacturing Zoning District is an example of commercial uses that need to be updated. The district reflects a 1950s era of manufacturing

with rules governing big industry uses like boatbuilding, textiles, and medical equipment. The result is that manufacturing districts in many parts of Newton have become parking lots, storage facilities, or auto repair shops - these spaces are underutilized manufacturing potential. These districts need to be re-imagined for the current innovation economy, promoting small-scale **"makerspace"** for emerging tech companies and a flexible array of uses that will support these companies.

HOME BUSINESSES: Newton is home-base for an incredible amount of talent. For example, Newton residents produce patents at one of the highest rates in the country. This talent means there is a great potential for successful home-based businesses in a range of innovation industry fields. Currently, Newton's zoning can unreasonably limit the success of home-based businesses, hence Zoning needs to be updated to support the ability of Newton residents to easily start a business from home while still protecting the residential character of the City's neighborhoods.

SIGNS are an essential part of Newton's businesses yet Newton's rules can be confusing and hard to understand or enforce. New zoning rules should strike a balance between good signage and clutter.



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