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**Barney Heath**  
Director

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**MEMORANDUM**

**DATE:** August 19, 2016

**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:** #80-13 – THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project.

**MEETING DATE:** August 22, 2016

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

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This past Spring the City contracted with Sasaki Associates for the Zoning Reform Phase 2 project. The team has worked over the summer to establish the framework for this 18 month project and we are preparing for the kick-off in September. Attached are memos describing the project goals and the Community Engagement Plan. Sasaki Associates will be at the meeting for introductions and questions.

Efforts to reform Newton's Zoning Ordinance began in response to "broad sentiment that Newton's Zoning Ordinance is difficult to understand and administer and sometimes does not result in the best outcomes for the community" as stated in the executive summary of the 2011 Zoning Reform Group report. The Zoning Reform Group identified a two-phase process, with the first phase focused on enhancing the usability of the existing ordinance through reorganization, clarification, illustration, and the use of tables. The Phase 1 Zoning Ordinance was adopted in November 2015. The second phase is designed to address the more substantive issues that will ultimately address the outcomes of Newton's Zoning Ordinance for the community. The Zoning and Planning Committee approved the RFP for Phase 2 last fall.

Zoning Reform Phase 2 has been described as a context-based zoning approach incorporating two major ideas, one being the idea of "building types" as a part of the new ordinance and the other being the use of a "pattern book" as a means of understanding the current context of the City as a new ordinance is developed. This idea was described in an April 10, 2015 memo to the Committee, excerpted below.

### **What is context based zoning?**

Context-based zoning places greater emphasis on the design elements of zoning compared to more traditional zoning ordinances such as Newton's. This type of ordinance is more specific about issues of building scale, setback, and height – rather than simply setting dimensional minimums or maximums, in many cases precise ranges for buildings or lots are identified. Generally, context based ordinances do not regulate architectural style, addressing only the aspects of building design relating to scale, mass, and placement relative to the street. Land uses are still regulated in these codes similar to traditional zoning ordinances.

### **What are building types and how are they used as a tool for regulation in a Zoning Ordinance?**

One of the principle tools of a context-based zoning ordinance is the use of “building types.” The basic idea behind the use of building types to regulate development is the recognition that a given use, such as a bookstore, can be developed as a small storefront in a village-like setting or as a big box store surrounded by parking. While a traditional zoning ordinance would essentially treat these two examples as essentially the same and allow them in the same places, a context-based zoning ordinance recognizes that they are very different and belong in different places. Building types are used to indicate, for example, that a ‘small retail building type’ belongs in the area zoned as a village center and the ‘big box retail building type’ belongs out by the highway.

### **What is a pattern book?**

A “pattern book” is a common term for a document that provides an analysis of a community's built form. Beginning at a citywide level, the document would describe the development patterns of the City such as the way different neighborhoods or villages vary in their lot sizes, densities, and building scale. This analysis forms the basis for understanding neighborhood context and therefore becomes the means of defining zoning district boundaries that correspond to Newton's built environment.

From the City-wide level, a pattern book then drills down to individual buildings, describing each of the basic building types that make up the City's neighborhoods and commercial areas. Lot size, height, building mass, and setbacks are all explored. With this information, a palette of building types is created that can then be codified into the Zoning Ordinance. Beyond being the raw material from which a context-based zoning ordinance can be created, a Pattern Book can also be used as the basis for forming conservation districts or other policies or regulations that might spring from a clearer understanding of Newton's existing buildings and neighborhoods.

### **Resources**

One of the better examples of a context-based zoning ordinance is the new Denver Zoning Ordinance. Their website has a short video on the concept and a number of resources explaining their code.

<https://www.denvergov.org/cpd/CommunityPlanningandDevelopment/Zoning/DenverZoningCode/tabid/432507/Default.aspx>

The City of Norfolk, VA has used patterns books to guide infill development and shape the redevelopment of strategically important areas of the City. While the example pattern books on their website are tailored to their needs, and are therefore different than what is proposed for Newton, they provide examples of the concept and how this tool can be used.

<http://www.norfolk.gov/index.aspx?NID=1086>

The Hampton, VA Buckroe Pattern Book was used as the basis for a new zoning district.

<http://www.hampton.gov/DocumentCenter/View/88>

## **Appendixes**

- Appendix A DRAFT CZR-2 Goals Statement
- Appendix B Phase 2: Public Engagement Plan
- Appendix C Project Calendar

date 18 August 2016

to Barney Heath, Director of Planning and Development, City of Newton

from Chris Freda

project name Comprehensive Zoning Reform - Phase 2

project # 56355.00

subject DRAFT CZR-2 Goals Statement

The City of Newton is embarking on an ambitious and forward-looking zoning reform program to enhance the city's high quality of life. Through comprehensive zoning reform, coupled with related strategies around housing and transportation, the city is making a concerted effort to improve the experience of those who live, work, learn, play, and create in Newton. A successful zoning reform process will yield a context-based zoning ordinance that provides guidance and rules for the development and redevelopment of Newton's neighborhoods and village centers in keeping with the city's existing development forms. By focusing this reform process around detailed analysis, accessibility and transparency, careful listening, and robust community engagement, city officials and community members can come together to engage in thoughtful dialogue about the city's future. The statements below outline the foundational goals of this effort and will serve as the guiding principles by which the process and products of the Comprehensive Zoning Reform, Phase 2 initiative are delivered.

- Facilitate a diverse, accessible, and transparent public engagement process to educate, understand, and learn from the Newton community.
- Identify existing challenges and barriers to responsible and contextual development within Newton and develop recommendations to address them.
- Develop an understanding of the variety of Newton's existing development patterns, as they have evolved over time.
- Preserve the unique character of Newton's neighborhoods and village centers while accommodating growth and redevelopment necessary to the city's continued diversity and economic well-being.

- Identify aspirational development forms and patterns to serve as models for development/redevelopment within Newton's neighborhoods and village centers and which will positively contribute to the continued evolution of the city.
- Identify key locations for residential, commercial, and institutional growth and core areas for neighborhood preservation.
- Develop a zoning code that:
  - is consistent with the city's stated objectives and policies as identified in the Comprehensive Plan.
  - reflects Newton's existing and aspirational development patterns while allowing for soft transitions between village centers and residential neighborhoods.
  - is flexible, simple, and built on best practices in planning and urban design, including smart growth and sustainability.
  - includes guidelines and processes to ensure development/redevelopment that is respectful of existing context.
  - is comprehensible and will allow for a more streamlined and predictable development/redevelopment approvals process with clear allowances and guidelines.
  - accommodates adapting commercial/retail needs and focuses on the vitality of Newton's village centers.
  - encourages growth and development that accommodates a diverse and evolving range of residents and businesses, and fosters greater entrepreneurialism and innovation.
  - leverages multiple modes of transportation and addresses 21<sup>st</sup> century traffic issues and parking needs.

Barney Heath  
Director, Department of Planning and Development  
City of Newton  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459

19 August 2016

re: Comprehensive Zoning Reform – Phase 2: Public Engagement Plan

Dear Barney:

The Comprehensive Zoning Reform – Phase 2 project (“CZR-2” or “the project”) is an exciting opportunity for the City of Newton to continue its ongoing dialogue with constituents, employees, and visitors around the city’s future. Over the course of the 18-month planning process, the planning team (Sasaki Associates, and the City’s Department of Planning and Development) will work to understand the existing condition of Newton’s neighborhoods and village centers while identifying any challenges presented by the existing zoning code and exploring opportunities to reform the code to better reflect the community’s goals and aspirations.

This Public Engagement Plan, in concert with the Project Management Plan, will serve as the guiding document for public engagement throughout the Comprehensive Zoning Reform – Phase 2 process. The public engagement component of this process will serve two primary functions: first, to educate the public about the zoning reform initiative and expose opportunities for meaningful engagement throughout the process; and second, to elicit, collect, and incorporate the diverse perspectives and aspirations of those who live, work, play, learn, and create in Newton into the revised zoning ordinance. In order to best accomplish these goals, the engagement strategy will exist in parallel to the project management and phasing of the zoning reform process, with regular opportunities for the community to contribute ideas and ask questions. A successful engagement process will instill a sense of ownership over the process and products of the CZR-2 project, thereby creating a sense of community ownership over the revised zoning ordinance.

This document outlines the various strategies for engagement—broken down by project phase—that will be explored to ensure the CZR-2 process is inclusive of the various perspectives within Newton and reflective of the community’s celebrated diversity.

## **PUBLIC ENGAGEMENT APPROACH**

The City of Newton has recently initiated the implementation of a public engagement framework intended to coordinate the City’s efforts to involve the community in planning and design efforts. The framework consists of four broad stages of engagement—each designed to elicit community feedback and perspectives on a different component of the planning and design process. The

public engagement strategy for the CZR-2 process will include and expand upon each of these stages to ensure compliance with City goals for public outreach. The stages are listed and defined here:

**1. Information Gathering**

At the outset of any project, the planning team will reach out to community members to understand the conditions, opinions, and aspirations surrounding the topic at hand. This stage involves communicating to community participants the genesis of the project/initiative, disseminating information about the project constraints and realities, and sharing information collected during early research and outreach efforts.

**2. Review Options**

With the responses gathered from the community participants in the Information Gathering stage, the planning team will generate and present options for the consideration of community members and lead them through the opportunities and challenges of each. The community will evaluate the alternatives/options and communicate to the planning team the elements of each that best reflect their priorities and aspirations.

**3. Recommendations**

Incorporating public feedback, site/policy constraints, and an understanding of best practices, the planning team will make recommendations to the City and the community on the best approach to the project/issue at hand. This stage typically involves final rounds of refinement in consultation with community members.

**4. Implementation and Maintenance**

Once a direction is chosen in the Recommendations stage, the planning team will put forth a recommended strategy for the implementation of a proposed project/initiative. This stage will include opportunities for community members to offer feedback and guide the transition from planning to implementation.

A successful public engagement strategy will enlist a variety of tactics that can maximize accessibility to the process to ensure that participation is as broad and diverse as possible. The strategy employed will incorporate a combination of traditional engagement tactics such as workshops, public presentations, interviews, and surveys, as well as more innovative techniques such as an arts-based outreach program, online project portal enabling interaction and dialogue between participants, public experimentation/prototyping, crowd-sourcing tactics, and public events.

Outlined here is the proposed public participation strategy aligned with key phases and check-points throughout the approximately 18-month CZR-2 process. The plan is intended to serve as a flexible framework upon which tactics can be applied, shuffled, and further detailed as more specific needs are identified. This plan will be updated and revised as necessary to better reflect the needs and opportunities of the engagement strategy as the planning team moves forward.

**Phase 1: Goal Setting, Project Management Plan & Public Engagement Plan (June 2016 – August 2016)**

Phase 1 serves as a coordination and planning stage for the CZR-2 process and precedes the formal public engagement process and public project launch. Throughout this phase, this Public Engagement Plan will be drafted and finalized for use in guiding the next stages of engagement.

The City will conduct arts-based community engagement that asks Newton residents and community members to participate in envisioning the city's future. This campaign will be coordinated by the City.

**Phase 2: Project Branding & Web Presence (June 2016 – September 2016)*****Engagement Approach***

At the end of Phase 2, the planning team will launch the CZR-2 online engagement site, built and operated by coUrbanize. The site will introduce visitors to the CZR-2 project, serve as a landing page for project updates, facilitate dialogue between community members, and offer opportunities throughout the process to engage in a variety of ways.

Phase 2 also includes a formal public kick-off event for the CZR-2 process in September 2016. This event will serve primarily to introduce the community to the process and the planning team, outline the structure of the process, and to start the conversation about the city's future as it pertains to the zoning reform initiative.

***Events:***

- CZR-2 coUrbanize site launch
- Public CZR-2 Kick-off event (late September 2016)

**Phase 3: Document Review & Summary (July 2016 – September 2016)*****Engagement Approach***

Over the course of phase 3, the Sasaki team will review the existing zoning ordinance along with any existing documentation and data relevant to the CZR-2 project. In order to keep the public apprised of the project's progress and to educate participants on the need for zoning ordinance revisions, the planning team will disseminate and present a summary of the team's findings.

***Events***

- Public presentation of existing zoning code analysis and challenges identified in executing/complying with the existing zoning ordinance (late September)

**Phase 4: Issues of Immediate Concern (September 2016 – November 2016)**

Phase 4 consists of a technical analysis of specific issues presented to the Sasaki team by the City for review and recommendations on an expedited timeline. These issues are largely technical in nature and will not require the careful consideration of community participants. All research and recommendations produced throughout this phase will be posted to the CZR-2 online engagement site as background information for interested community participants.

**Phase 5: Newton Pattern Book (September 2016 – April 2017)*****Engagement Approach***

The pattern book generated in phase 5 will serve both to educate the planning team and the public of the existing development patterns present in Newton as well as to inform the recommendations put forth in the draft revised zoning ordinance in phases 6 and 7. In addition to an extensive analysis of the built conditions throughout Newton by the planning team, the public will be invited early on in phase 5 to contribute their own examples of best practices from around their community. This effort will include a variety of strategies including a photo submission campaign, a digital mapping exercise, a visual preference survey, and a public open house. While these strategies will be designed for deployment online and through a workshop format, the planning team will explore opportunities to engage participants in physical space as well with public space interventions and pop-up installations.

- **Public Open House**

Early in phase 5, the Sasaki team and the City of Newton will lead a two-day public open house to seek public comment on preservation and growth areas and the preferred character (not architectural style) of new development over the next 25 years. The open house will be a forum for a significant idea exchange and is anticipated to feature a combination of workshops, meetings, presentations, and open studios where citizens, designers, and others will collaborate on a vision for development. The open house will use materials from Sasaki's analysis and the information gathering stage of this phase as a tool for creating a dialogue around development character, in effect having a community conversation about the placement of the different land uses and building types in the districts, villages, and neighborhoods of Newton.

- **“Pattern of Your Neighborhood” Photo Submission Campaign (online)**

In order to best understand the most desirable built conditions within the city, the public will be invited to submit photos of developments and spaces that exemplify their preferences for Newton and describe to the planning team conditions they hope to avoid. Options for how to facilitate this campaign will be explored, but the easiest and most accessible campaign will likely utilize existing digital infrastructure such as social media platforms (e.g. Facebook, Instagram, Twitter).

- **Digital Mapping Exercise (online)**

One of the objectives of phase 5 is the determination of zoning districts. Using digital mapping software, community participants will be invited to help inform the planning team of where they understand neighborhood/district boundaries to exist. Participants will be able to draw outlines around neighborhoods/districts and the planning team can compile the results to identify trends.

- **Visual Preference Survey (online)**

Utilizing the online engagement platform, community participants will be invited to review and evaluate urban design and development typologies. Participants will be asked to consider factors such as density, building height, building use, development typology, parking strategies, streetscapes, public realm, and others while specifically highlighting the most and least desirable aspects of each.

**Events**

- Public open house introducing pattern book exercise (November 2016)
- Public presentation summarizing pattern book draft (February 2017)

**Phase 6: Zoning Ordinance (January 2017 – May 2017)****Engagement Approach**

In phase 6 the planning team works to distill and codify the results of existing conditions analysis and pattern book into a draft context-based zoning ordinance. This stage includes long periods of intensive work among the planning team, framed by public engagement checkpoints at the beginning and end.

- **Community Visioning & Strategy**  
At the outset of this phase, the Sasaki team—in partnership with City staff—will engage the Newton community through a variety of techniques to help imagine a zoning code that is accommodating of their vision for the future of the city and to help determine how the city can best translate ideas into policy. This task will last approximately one month and will ask the community questions at both visionary and tactical levels. After this first month, an informal dialogue between community members will be facilitated through the online engagement platform to continue collecting ideas. The results of this campaign will be compiled, summarized, and reported back to the community, and will serve to inform the recommendations of the draft zoning ordinance.
- **Draft Zoning Ordinance Public Review**  
The Sasaki team and the City will host a public presentation to open the draft language up for comment. These efforts will be important, both to elicit improvements to what has been proposed and also to build support for the zoning reforms. For engagement sessions, the Sasaki team will develop materials that summarize and illuminate the proposed zoning changes.

**Events**

- Public presentation to summarize draft zoning ordinance, followed by public Q&A and comment

**Phase 7: Final Zoning Ordinance & CZR-2 Process Summary (June 2017 – October 2017)****Engagement Approach**

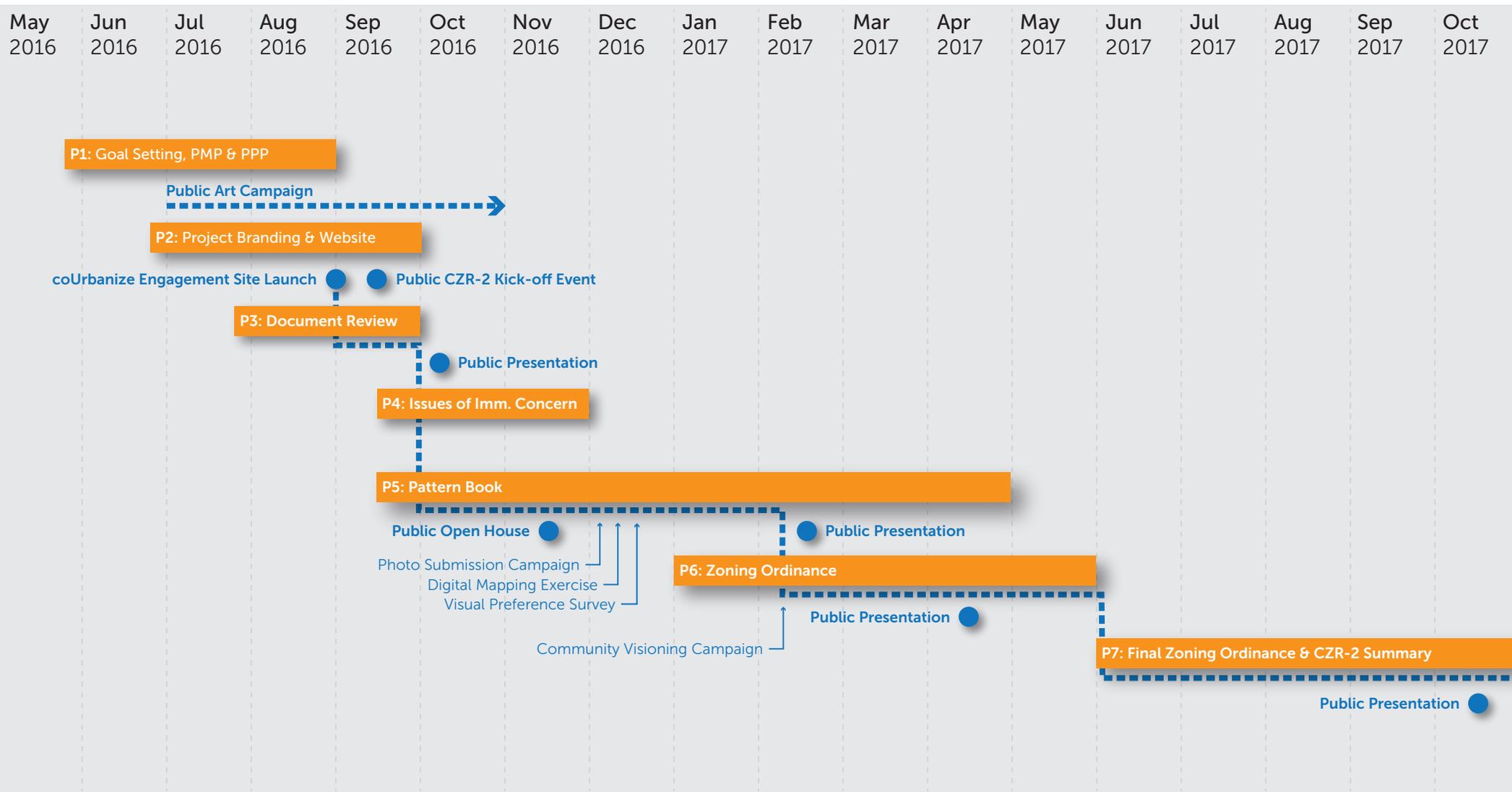
In phase 7 the Sasaki team will finalize the zoning ordinance drafted in phase 6 and work with the City to report the materials to City officials and the Newton Community.

**Events**

- Public presentation of final zoning ordinance

# Comprehensive Zoning Reform - Phase 2

## Project Calendar



- Project Phase (Project Management Plan)
- Public Engagement (Public Participation Plan)