

Zoning Redesign: Purposes and Village Districts

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Newton Highlands Neighborhood Area Council and Waban Area Council

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History of Newton Zoning

- Newton adopts first zoning ordinance in 1922
- Major overhauls have been conducted in 1940, 1953, and 1987
- In 1940 minimum lot area and frontage requirements are created
- In 1953 minimum lot sizes and setbacks are increased
- In 1987 minimum open space requirements
- Since 2007 Floor Area Ratio standards, accessory apartments, and inclusionary zoning, and grade change rules have been amended

Current Zoning Ordinance

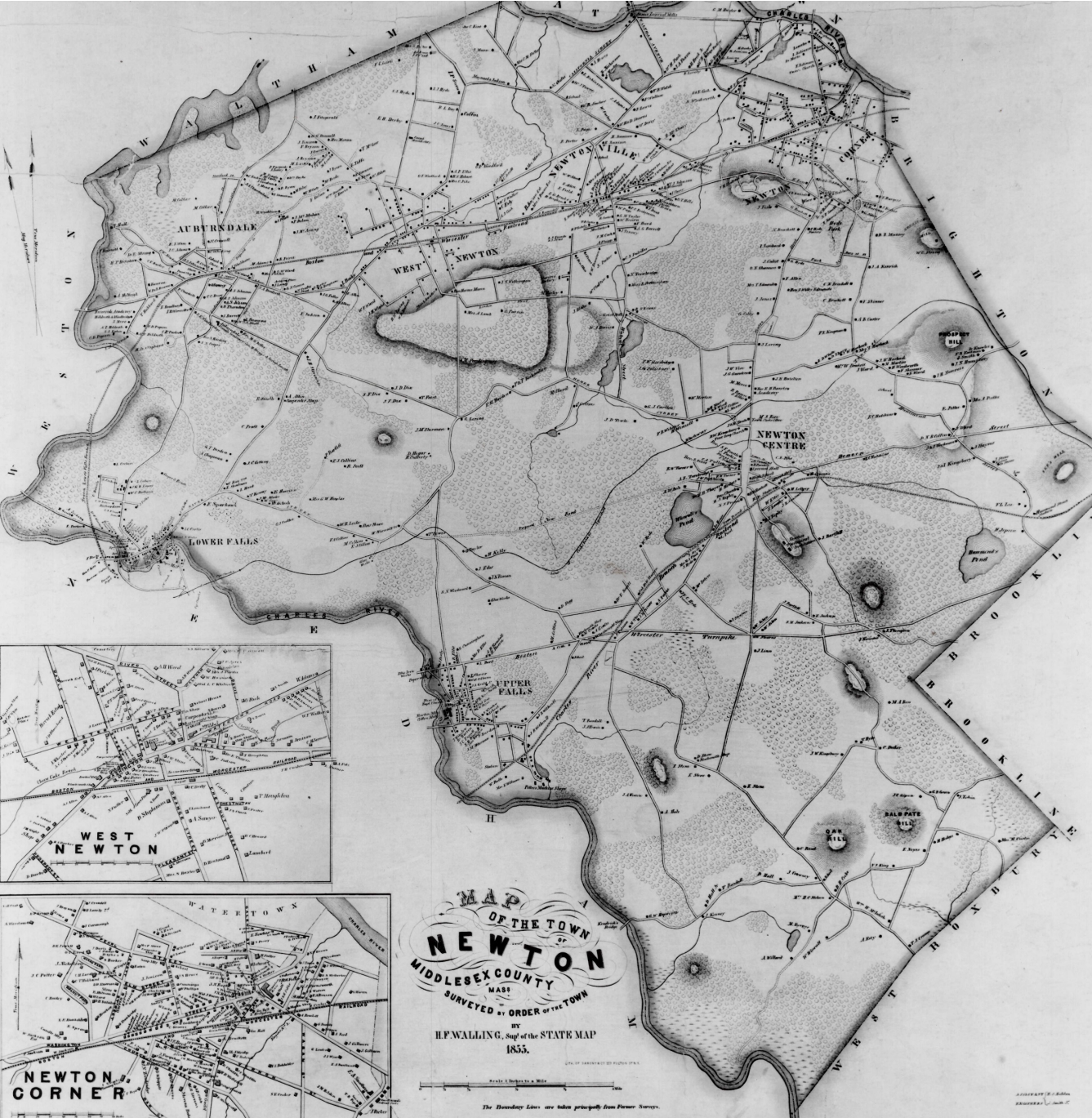
- The provisions of this Chapter are ordained by the City for the purpose of promoting the health, safety, convenience and welfare of its inhabitants by:
 - A. Encouraging the most appropriate use of land, including the consideration of the comprehensive plan adopted by the Planning Board and the City Council;
 - B. Preventing overcrowding of land and undue concentration of population;
 - C. Conserving the value of land and buildings, including the conserving of natural resources and the preventing of blight and pollution of the environment;
 - D. Efficiently using and conserving of natural resources and energy;
 - E. Lessening the congestion of traffic;
 - F. Assisting in the adequate provision of transportation, water, sewerage, schools, parks, open spaces and other public facilities;
 - G. Preserving and increasing the amenities and aesthetic qualities of the City;
 - H. Encouraging housing for persons of all income levels;
 - I. Reducing hazards from fire and other dangers; and
 - J. Providing for adequate light and air.

Proposed Purposes

- The provisions of this Chapter are ordained by the City for the purpose of promoting the health, safety, convenience, and welfare of its inhabitants by:
- A. Implementing the Comprehensive Plan of the City of Newton as well as other officially adopted plans and policies.
- B. Coordinating development and redevelopment according to neighborhood, village, and other area plans developed collaboratively with community members.
- C. Equitably balancing the interests of property owners with the interests of the community as a whole.
- D. Protecting and promoting the social, environmental, and economic benefits provided by a walkable development pattern.
- E. Preserving and enhancing the existing character of Newton's traditional walkable villages and neighborhoods, to continue to promote sense of community, respect the existing built form, and honor the historic development pattern inherent to the city.
- F. Permitting redevelopment and infill construction that contributes to and preserves the character of Newton.
- G. Guiding reinvestment in established neighborhoods that builds upon and reinforces their unique characteristics.
- H. Promoting the adaptation and preservation of existing buildings.
- I. Providing a range of housing types, unit sizes, and price points to accommodate the diverse household sizes and life stages of Newton residents at all income levels, paying particular attention to providing housing that is affordable to individuals and families with low and moderate incomes and housing that is accessible for those with disabilities.
- J. Promoting a welcoming community where people of diverse demographics, origins, and income levels will be able to find a home and opportunity for success.
- K. Addressing the public aspects of private development and how building form, placement, and uses contribute to the quality of the public realm.
- L. Promoting arts and culture for community and economic benefit including improving the public realm, enhancing community life, and growing a vibrant creative sector.
- M. Encouraging the use of public transportation, bicycling, and walking.
- N. Decreasing vehicular air and water pollutant emissions, conserving energy resources and reducing ambient noise levels by reducing vehicular trips, total vehicle miles traveled, and traffic congestion within the city.
- O. Reducing the demand for parking facilities and increasing the capacity and efficiency of existing transportation infrastructure.
- P. Assisting in the provision of transportation, water, sewage, schools, parks, open spaces and other public facilities and ensuring these are adequate to serve existing and proposed development.
- Q. Increasing the commercial tax base in support of the fiscal health of the City.
- R. Protecting and promoting a diverse mix of businesses and employment opportunities.
- S. Providing opportunities for businesses to remain in Newton as they develop and grow.
- T. Promoting environmentally sustainable building and site design practices.
- U. Providing clear and consistent procedures for appropriate and effective public involvement in land use and development decisions.
- V. Providing clear regulations and processes that result in predictable, efficient, and coordinated review processes.

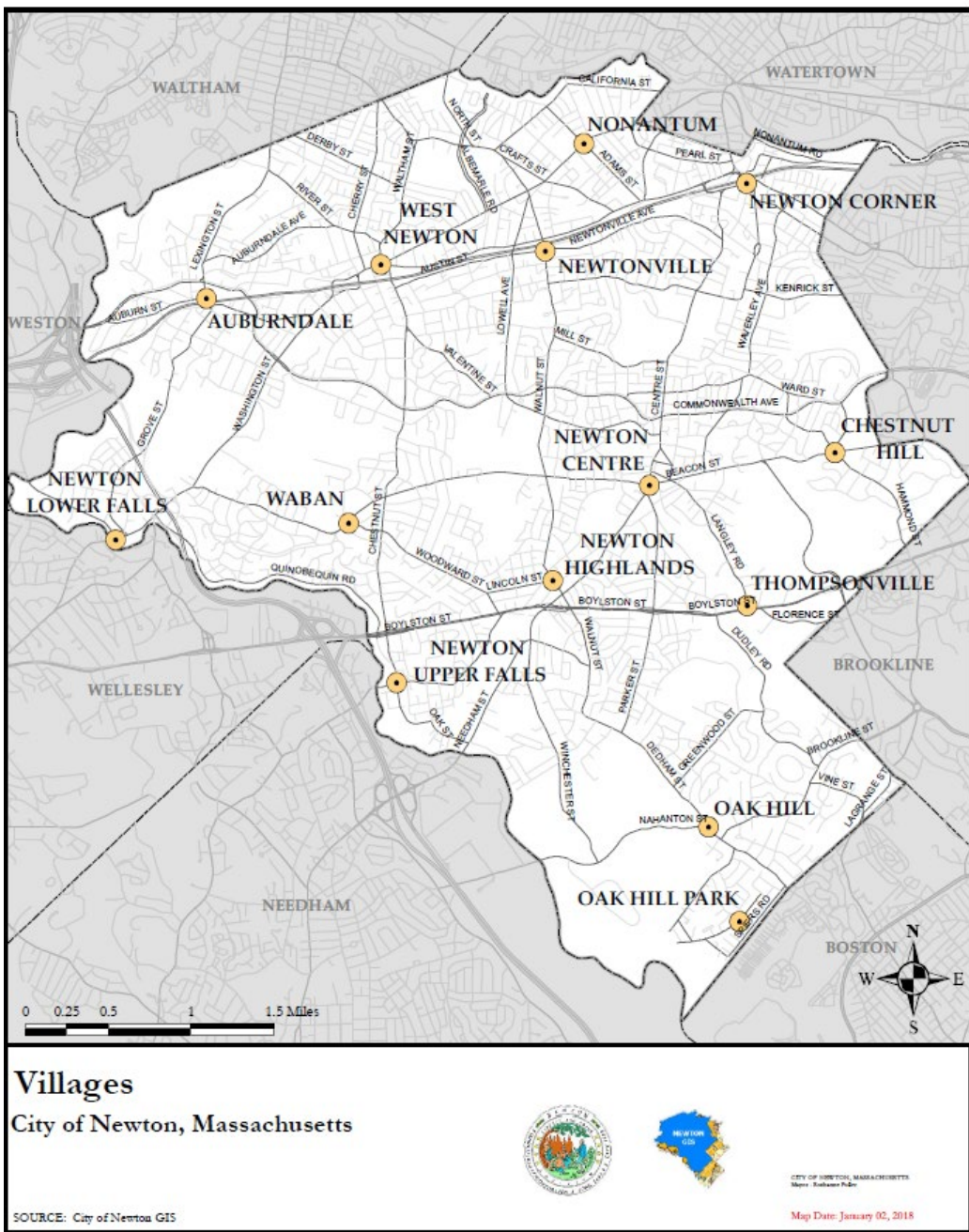
History of Newton Villages

Map from 1855



History of Newton Villages

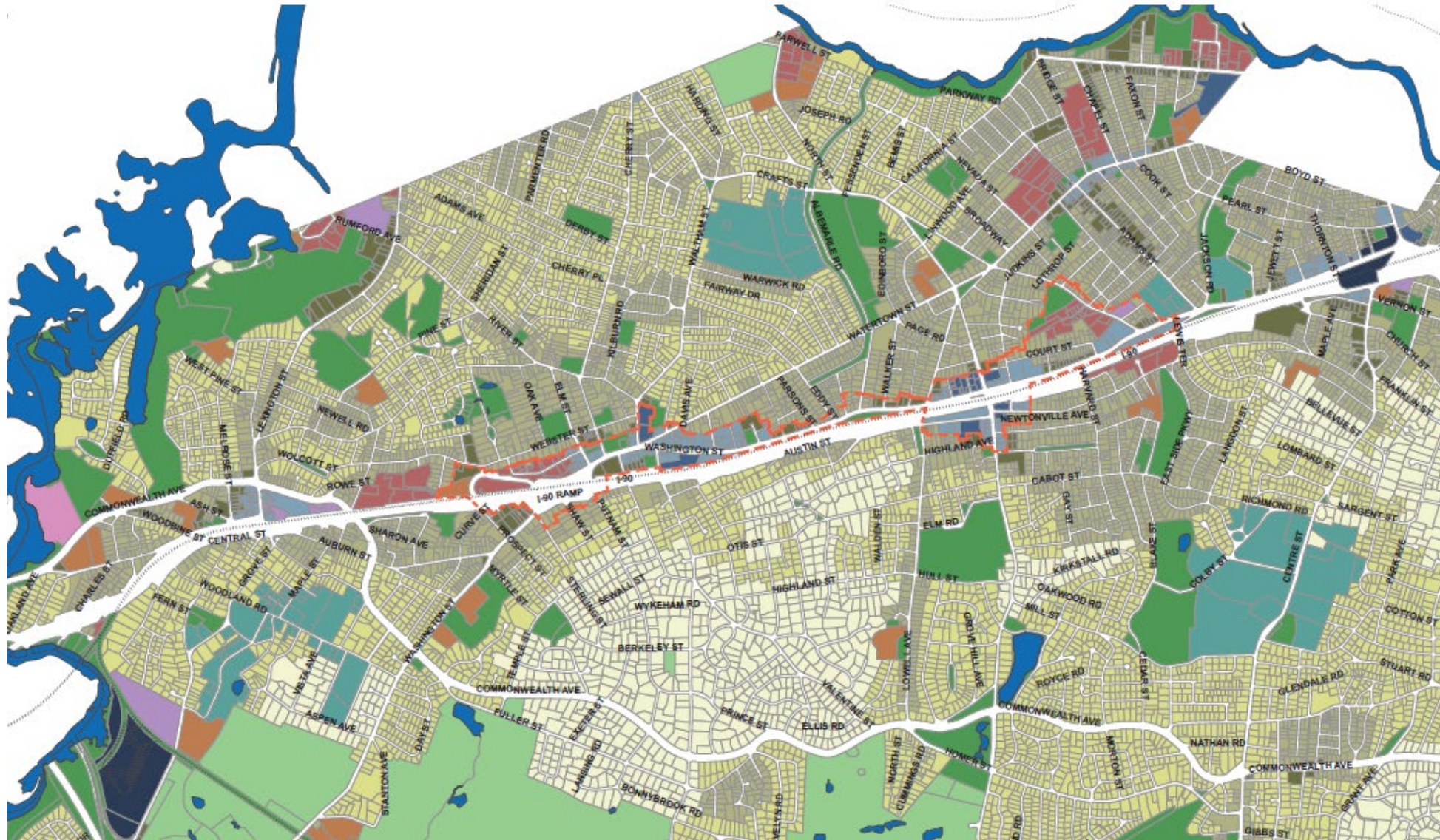
Current Village Centers



Location of Proposed Village Districts

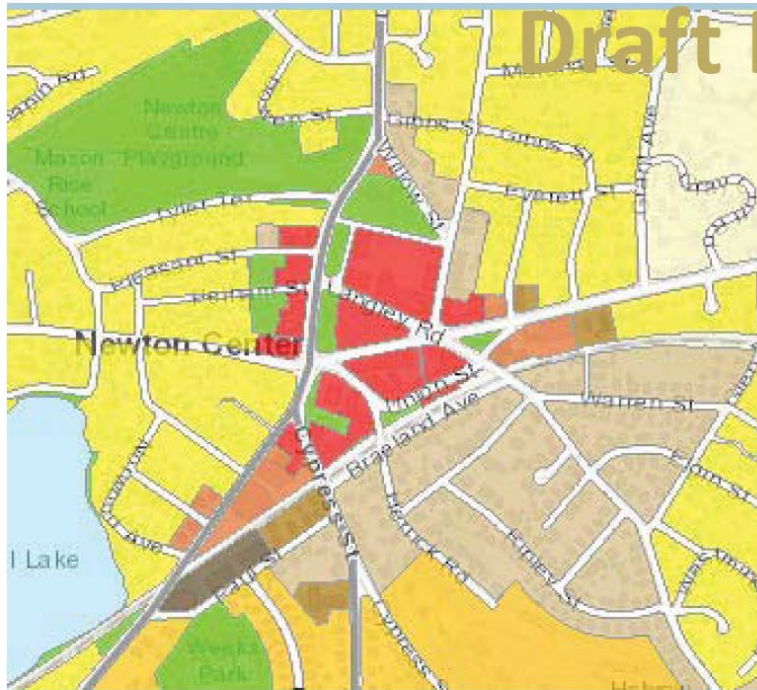


Location of Proposed Village Districts



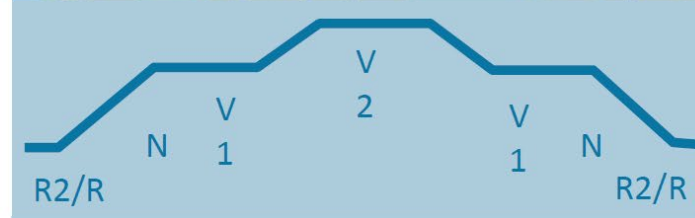
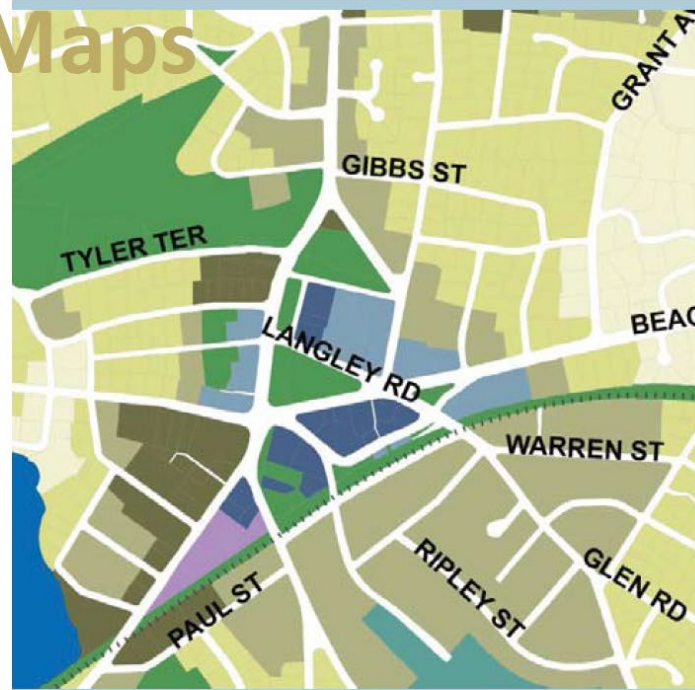
Comparison between the Old and the New

Draft Maps



Current Ordinance

- Primarily BU1
- Some BU2 at edges
- MR1, MR2, MR3, SR2, & SR3 in neighborhoods



First Draft Ordinance

- Mix of Village 2 and Village 1
- Neighborhood General at transition
- R3 and R2 in surrounding neighborhoods

Zoning

- Single Residence 1
- Single Residence 2
- Single Residence 3
- Multi Residence 1
- Multi Residence 2
- Multi Residence 3
- Multi Residence 4
- Business 1
- Business 2
- Business 4
- Business 5
- Limited Manufacturing
- Manufacturing
- Mixed Use 1
- Mixed Use 2
- Mixed Use 3
- Mixed Use 4
- Open Space/Recreation
- Public Use

Residence Districts

- R1 Residence 1
- R2 Residence 2
- R3 Residence 3
- N Neighborhood General

Village Districts

- V1 Village 1
- V2 Village 2
- V3 Village 3

Single Purpose Districts

- Public Use
- Recreation
- Office
- Fabrication
- Non-Contextual Multi-Unit Residence
- Regional Retail
- Campus / Institutional

Village 1 District

Description

The Village 1 District consists of the smallest village centers, exemplified by such places as Waban and Newton Highlands. The Village 1 District also encompasses the outer portions of larger villages and mixed-use districts that abut residential neighborhoods, where the Village 1 District functions as a transition from the more intense village center districts. This district generally has buildings no taller than three stories that front directly on sidewalks with active storefronts and small commercial spaces that accommodate local businesses.

Purposes

1. Preserve the scale of these areas throughout the City
2. To permit the development of commercial spaces oriented mostly toward the local community
3. To permit development of mixed-use buildings with upper stories that contain residential or office uses
4. To permit contextual modifications of existing buildings

Village 2 District

Description

The Village 2 District consists of the centers of the middle-sized villages in Newton, exemplified by the central parts of Newton Center and West Newton. This district generally has buildings ranging from 2 to 4 stories that front directly on the sidewalk with active storefronts. The Village 2 District contains a mixture of small and medium sized commercial spaces to accommodate mostly local businesses along with some regional or national companies. The intent of this district is to maintain a vibrant mixed-use village atmosphere with a significant residential population and primarily local serving office space. The Village 2 District also serves as a shopping destination for residents of Newton and neighboring municipalities.

Purposes

1. Preserve the scale of these areas throughout the City
2. To permit the development of commercial spaces oriented mostly toward the local community
3. To permit development of mixed-use buildings with upper stories that contain residential or office uses
4. To permit contextual modifications of existing buildings

Village District 3

Description

The Village 3 District consists of the core of larger villages such as Newton Corner. Buildings range in height from three to ten stories and front directly on the sidewalk with active storefronts. The Village 3 District contains a mixture of small and medium sized commercial spaces to accommodate mostly local businesses along with some regional or national companies. The intent of this district is to maintain a vibrant mixed-use village atmosphere with a significant residential population and office space targeted towards regional or national companies. The Village 3 District also serves as a shopping destination for residents of Newton and neighboring municipalities.

Purposes

1. To allow for increases in the scale of these areas throughout the City
2. To permit the development of commercial spaces suitable for corporate headquarters or major offices for regional and national companies
3. To permit development of mixed use buildings with upper stories that contain residential or office uses
4. To permit contextual modifications of existing buildings

Lot Standards

V1 Village 1

Lot Standards (Sec. 4.1.2)	Min Frontage	Max Frontage	Min Primary Front Setback	Max Primary Front Setback	Frontage Buildout	Min Side Setback	Min Rear Setback	Lot Coverage
	30 ft	200 ft	0 ft	15 ft	60%, except min driveway	5 ft	15 ft	80% SP: 90%

V2 Village 2

Lot Standards (Sec. 4.1.3)	Min Frontage	Max Frontage	Min Primary Front Setback	Max Primary Front Setback	Frontage Buildout	Min Side Setback	Min Rear Setback	Lot Coverage
	30	200	0	15	75%, except min driveway	5	15	85% SP: 95%

V3 Village 3

Lot Standards (Sec 4.1.4)	Min Frontage	Max Frontage	Min Primary Front Setback	Max Primary Front Setback	Frontage Buildout	Min Side Setback	Min Rear Setback	Lot Coverage
	30	200	0	15	75%, except min driveway	5	15	85% SP: 95%

Building Standards-Village District 1

V1 Village 1								
Lot Standards (Sec. 4.1.2)	Min Frontage	Max Frontage	Min Primary Front Setback	Max Primary Front Setback	Frontage Buildout	Min Side Setback	Min Rear Setback	Lot Coverage
	30 ft	200 ft	0 ft	15 ft	60%, except min driveway	5 ft	15 ft	80% SP: 90%
Building Types	Min Building Width	Max Building Width	Max Building Depth	Max Building Footprint	Max Stories	Ground Story Height (min-max)	Upper Story Height (min-max)	Units & Notes
Shop House	20 ft	40 ft	80 ft	2,000 sf SP: 2,500 sf	2.5	12 ft -24 ft	Max 12 ft SP: 14 ft	RU Factor: base=1000 incentive = 750
Small Shop	18 ft	100 ft	100 ft	7,000 sf	1.5	12 ft -24 ft	-	no residential
Shop	30 ft	150 ft	150 ft	15,000 sf	1.5	12 ft -24 ft	-	no residential
Small Multi-use building	40 ft	100 ft	150 ft	12,000 sf	3	14 ft - 24 ft	10 ft -14 ft SP: +/- 2 ft	RU Factor: base=1000 incentive = 750
Small Apartment Building*	20 ft	80 ft	80 ft	4,200 sf	3	Max: 12 ft SP: 14 ft	Max: 12 ft SP: 14 ft	RU Factor: base=1000 incentive= 750
Fabrication Building*	-	175 ft	200 ft	30,000 sf SP: 40,000 sf	3	16 ft - 24 ft	14 ft - 20 ft	no residential
Civic Building	14 ft	300 ft	200 ft	30,000 sf	4.5	12 ft - 18 ft	12 ft - 18 ft	



Shop House



Small Shop



Small Apartment Building

Building Standards-Village District 2

V2 Village 2								
Lot Standards (Sec. 4.1.3)	Min Frontage	Max Frontage	Min Primary Front Setback	Max Primary Front Setback	Frontage Buildout	Min Side Setback	Min Rear Setback	Lot Coverage
	30	200	0	15	75%, except min driveway	5	15	85% SP: 95%
Building Types	Min Facade Build Out	Max Facade Width	Max Building Depth	Max Building Footprint	Max Stories	Ground Story Height (min-max)	Upper Story Height (min-max)	Units & Notes
Shop House	20 ft	40 ft	80 ft	2,000 sf SP: 2,500 sf	2.5	12 ft -24 ft	Max 12 ft SP: 14 ft	RU Factor: base=1000 incentive = 750
Small Shop	18 ft	100 ft	100 ft	7,000 sf	1.5	12 ft -24 ft	-	no residential
Shop	30 ft	150 ft	150 ft	15,000 sf	1.5	12 ft -24 ft	-	no residential
Small Multi-use Building	40 ft	100 ft	150 ft	12,000 sf	3	14 ft - 24 ft	10 ft -14 ft SP: +/- 2 ft	RU Factor: base=1000 incentive = 750
Medium Multi-use Building	40 ft	200 ft	200 ft	20,000 sf	3 SP: 4	14 ft - 24 ft	10 ft -14 ft SP: +/- 2 ft	RU Factor: base=1000 incentive = 750
Lab Building	40 ft	200 ft	300 ft	40,000 sf	3 SP: 4	16 ft - 24 ft	12 - 20 ft	no residential
Small Apartment Building*	20 ft	80 ft	80 ft	4,200 sf	3	Max: 12 ft SP: 14 ft	Max: 12 ft SP: 14 ft	RU Factor: base=1000 incentive = 750
Lined Garage*	-	300 ft	300 ft	75,000 sf	3 SP: 5	16 ft - 24 ft	Max: 14 ft	RU Factor: base=1000 incentive = 750
Civic Building	14 ft	300 ft	200 ft	30,000 sf	4.5	12 ft - 18 ft	12 ft - 18 ft	

Building Standards-Village District 3

V3 Village 3								
Lot Standards (Sec 4.1.4)	Min Frontage	Max Frontage	Min Primary Front Setback	Max Primary Front Setback	Frontage Buildout	Min Side Setback	Min Rear Setback	Lot Coverage
	30	200	0	15	75%, except min driveway	5	15	85% SP: 95%
Building Types	Min Facade Build Out	Max Facade Width	Max Building Depth	Max Building Footprint	Max Stories	Ground Story Height (min-max)	Upper Story Height (min-max)	Units & Notes
Shop House	20 ft	40 ft	80 ft	2,000 sf SP: 2,500 sf	2.5	12 ft -24 ft	Max 12 ft SP: 14 ft	RU Factor: base=1000 incentive = 750
Small Shop	18 ft	100 ft	100 ft	7,000 sf	1.5	12 ft -24 ft	-	no residential
Shop	30 ft	150 ft	150 ft	15,000 sf	1.5	12 ft -24 ft	-	no residential
Small Multi-use Building	40 ft	100 ft	150 ft	12,000 sf	3	14 ft - 24 ft	10 ft -14 ft SP: +/- 2 ft	RU Factor: base=1000 incentive = 750
Medium Multi-use Building	40 ft	200 ft	200 ft	20,000 sf	5 SP: 6	14 ft - 24 ft	10 ft -14 ft SP: +/- 2 ft	RU Factor: base=1000 incentive = 750
Large Multi-use Building	60 ft	200 ft	250 ft	30,000 sf SP: 40,000 sf	5 SP: 7	16 ft - 24 ft	12 ft -16 ft	RU Factor: base=1000 incentive = 750
Lab Building	40 ft	200 ft	300 ft	40,000 sf	6 SP: 7	16 ft - 24 ft	12 - 20 ft	no residential
Tall Multi-use Building*	60 ft	200 ft	250 ft	30,000 sf SP: 40,000 sf	10	14 ft - 24 ft	10 ft -14 ft SP: +/- 2 ft	RU Factor: base=1000 incentive = 750
Lined Garage*	-	300 ft	300 ft	75,000 sf	6 SP: 8	16 ft - 24 ft	Max: 14 ft	RU Factor: base=1000 incentive = 750
Civic Building	14 ft	300 ft	200 ft	30,000 sf	4.5	12 ft - 18 ft	12 ft - 18 ft	

Story Heights

Reading the Building Types Height & Massing

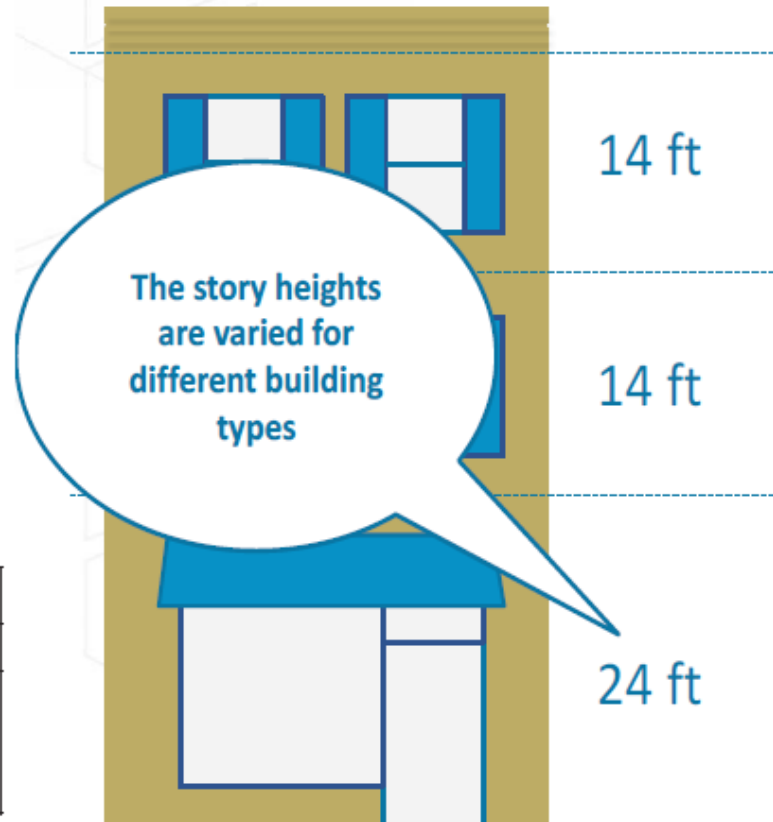
Small Multi-Use Building

The upper story height range is meant to encourage flexibility over time (residential or office uses)

Office typically needs slightly higher floor to floor heights

Restaurants & Retail Uses need a higher floor to floor height than Residential Uses

Story Heights	
Ground Story	Upper Stories
Min 14 ft Max 24 ft	Min 10 ft Max 14 ft SP: +/- 2 ft



Max. by right height for a Small Multi-Use Building is 52 ft

Story Heights	
Ground Story	Upper Stories
Min 14 ft Max 24 ft	Min 10 ft Max 14 ft SP: +/- 2 ft

Determination of Building Size & Number of Units within a building

Current Ordinance

- **Lot size determines building size** for single unit projects
- **Lot size determines number of units** in multi-unit and mixed-use projects

First Draft Ordinance

- **Building types determine building size** for single unit projects
- **Building size determines number of units** in multi-unit and mixed-use projects

Residential Unit Calculations

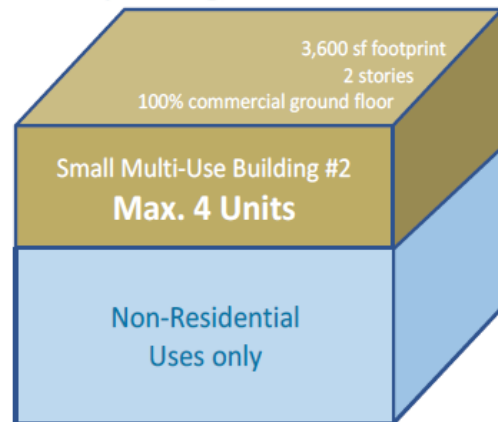
Reading the Building Types

Ground Story Non-Residential Use
Standards & Residential Units Factor

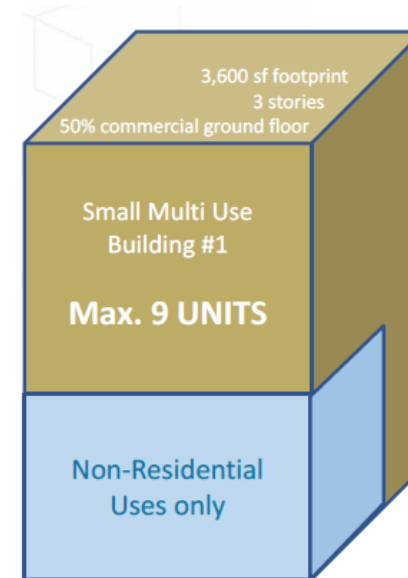
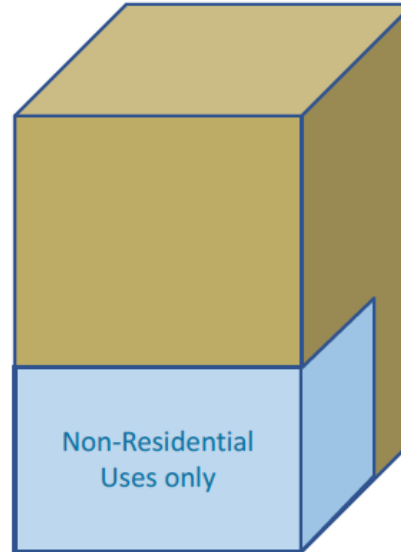
Residential Units Factor:

The maximum number of residential units is calculated from the proposed building volume dedicated to residential uses

$$\frac{\text{Total Sq. Ft. devoted to Residential Uses}}{\text{Residential Units Factor}} = \text{Max. number of Units}$$



Small Multi-Use Building



By Right Residential Units in Village Districts

Building Type	Footprint Stories * (has ground floor comm. requirement)	Base RU Factor	Max Units		Incentive RU Factor	Max Units	
Small Apartment Building	4,200 3 stories	1000	13		750	17	
Shop House	2,000 3 stories* (max. total res. space = 3,600)	1000	4		750	5	
Small Shop	-	-	-		-	-	
Shop	-	-	-		-	-	
Small Multi-Use Building	12,000 3 stories* (max. total res. space = 30,000)	1000	30		750	40	
Medium Multi-Use Bldg.	20,000 3/5 stories* (max. total res. space: V2 = 48,000, V3 = 88,000)	1000	48 (V2)	88 (V3)	750	64 (V2)	117 (V3)
Large Multi-Use Bldg.	30,000 5* (max. total res. space = 129,000)	1000	129		750	172	
Tall Multi-Use Bldg.	30,000 10* (max. total res. space = 279,000)	1000	279		750	372	
Lined Garage	75,000 3/6* (max. total res. space: V2= 86,480, V3= 199,280)	1000	86 (V2)	199 (V3)	750	115 (V2)	266 (V3)
Lab Building	-	-	-		-	-	
Fabrication Bldg.	-	-	-		-	-	
Civic Building Conversion	30,000 4.5	1000	135		750	180	

Uses of Space

Ground Story Non-Residential Use:

- a. A **minimum of 50%** of the ground story must be utilized for non-residential uses
- b. Non-residential use must be located along the **front elevation**
- c. Non-residential use must be at least **50 ft deep or 60% of the building depth**, whichever is less
- d. Non-residential use dimensional standards may be varied by Special Permit

Residential Unit Factor:

1. Base RU Factor = 1000
2. 100% Affordable/Sustainable Design Standard = 750

Outdoor Amenity Space

Required:

1/residential Unit (24 sq ft), maybe shared
(Spatial requirement of 2 chair placement)



The Residential Unit Factor does not dictate Unit size but the maximum number of Units
A building is still anticipated to have a mix of smaller and larger Units

Alternative Development Options

Multi-Building Assemblage

- Specific standards for allowing multiple buildings on a lot or for buildings to cross lot lines
- Intent is to maintain character of village centers with design diversity of adjacent buildings

Criteria for buildings relationships

- All Lot Standards must be met across the project site
- Buildings can be on public roads or private ways
- All building must be allowed building types in the district
- Building front setbacks must be varied
- Heights need to be varied as well
- There needs to be at least 1 public open space along a public road (must be at least 1000sf; must be open to the public)
- Underlying lot lines are unchanged in the process

Multi-Building Assemblage



Uses

Use Category • Specific Use	V1	V2	V3	Definitions & Use Specific Standards
Residential Use Categories				
Household Living Uses	P	P	P	
Group Living Uses (except as follows)	SP	SP	SP	
• Community / Group Residence	P	P	P	
• Dormitory, Student Residences	SP	SP	SP	
• Homeless Shelter	SP	SP	SP	
• Lodging House	SP	SP	SP	
• Nursing Home / Assisted Living Facility	SP	SP	SP	
Arts & Creative Enterprise Use Categories				
Artisan Production Uses	P	P	P	
Arts Exhibition Uses	P	P	P	
Arts, Sales & Service Uses	P	P	P	
Shared Workspaces & Arts Education Uses	P	P	P	
Work/Live Creative Studio Uses	P	P	P	upper stories only
Civic & Institutional Use Categories				
Community Center Uses	P	P	P	
Minor Utility Uses	SP	SP	SP	
Museum Uses	SP	SP	SP	
Private, Non-profit Club or Lodge Uses	SP	SP	SP	
Public Service Uses	P	P	P	
Religious & Educational Uses Protected by M.G.L. 40A. Sec. 3	L	L	L	
Commercial Service Use Categories				
Animal Service Uses	SP	SP	N	
• Pet Day Care & Training	SP	SP	N	
• Pet Grooming	P	P	P	
• Veterinarian	SP	SP	SP	
Assembly & Entertainment Uses	SP	SP	SP	
Banking & Financial Service Uses	L	L	L	
Broadcast/Recording Studio Uses	P	P	P	
Building & Home Repair Service Uses				
Business Support Service Uses	P	P	P	
Caterer/Wholesale Food Production Uses				

Day Care Service Uses (as noted below)	--	--	--	
• Adult Day Care Center	SP	SP	SP	
• Child Day Care Center	P	P	P	
Educational Institution Uses	SP	SP	SP	
Maintenance & Repair of Consumer Goods Uses	P	P	P	

Personal Service Uses	SP	SP	SP	
• Gym or Health Club	SP	SP	SP	
• Funeral Home	SP	N	N	
• Health Care Provider	SP	SP	SP	
Recreation Uses	SP	SP	SP	
Eating and Drinking Use Categories				
Restaurant/Café Uses	P	P	P	
• Formula Eating and/or Drinking Establishment	SP	SP	SP	
Brewery Uses	SP	SP	SP	
Lodging Use Categories				
Hotel Uses	N	SP	SP	
Motor Vehicle-Oriented Use Categories				
Gasoline Station Uses	SP	SP	SP	
Motor Vehicle Parking Uses (as noted below)	--	--	--	
• Off-Site Accessory Parking	SP	SP	SP	
• Public Parking	SP	SP	SP	
Personal Vehicle Repair & Maintenance Uses	SP	SP	SP	
Vehicle Sale Uses	N	SP	SP	
Office Use Categories				
Co-Working Uses	P	P	P	
General Office Uses	P	P	P	
Research & Development and/or Laboratory Uses	N	P	P	
Open Space Use Categories				
Farming Uses	P	P	P	
Retail Sales Use Categories				
Building/Home Supplies & Equipment Uses	SP	P	P	
Consumer Goods Uses (Except as Follows)	P	P	P	
• Formula Retail	SP	SP	SP	
• Fresh Food Market or Grocery Store	P	P	P	
• Farmer/Vendor Market	P	P	P	
Restricted Use Categories				
Gambling Uses	SP	SP	SP	
Marijuana Establishment Uses	TBD	TBD	TBD	

Accessory Uses	V1	V2	V3	
Uses typically found as accessory to permitted principal uses.	P	P	P	
Uses typically found as accessory to household living.	P	P	P	
A.T.M.	P	P	P	
Car Share & Bike Share	P	P	P	
Fueling Station	SP	SP	SP	
Commercial Vehicle Parking	P	P	P	
Home Business Uses	P	P	P	
• Day Care	L	L	L	
Short Term Rental	P	P	P	