

Mayor's Update

The City Council's Zoning and Planning Committee is working with Newton's Planning Department staff on a long standing assignment to update Newton's zoning code comprehensively. Not since 1953 has the City done a significant zoning update focused on Newton's residential neighborhoods.



We're hearing more and more about zoning from many people - questions, concerns and many points of view. I've received emails from many of you. I have been and will continue to listen carefully to residents, City Councilors and staff and watch intently as drafts of the zoning ordinance evolve. I know that Newton's strength derives from being a welcoming and inclusive community and so we must ensure our zoning reflects and promotes these values.

Newton's zoning ordinance establishes the land use development rules that determine what may be built on a property in Newton. While pretty arcane, these zoning rules directly influenced how Newton's built environment developed over the last century and, in turn, influenced greatly who can afford to live here today.

I applaud the City Council and, in particular, its Zoning and Planning Committee for consciously and conscientiously reconsidering our zoning so it meets current and future community needs. They want to retain what is best about Newton, allow Newton to evolve in ways that meet our community goals, and seek to make us a better city in a number of crucial ways.

Our Planning Department has delivered to the City Council's Zoning and Planning (ZAP) Committee a draft of an updated zoning ordinance for our residential districts. The ZAP Committee is reviewing it word for word and debating the best way to have our zoning achieve our community goals.

What is Zoning?

Zoning is the set of rules governing what may be built on a particular property. It specifies what may be built where in Newton, and what activities may happen within those buildings. A look at our zoning map shows Newton divided up into districts with different allowed *uses*. Our zoning governs not just *uses* but also what uses may be in the same place or building and what must be separated. (Residential, recreational and open space, commercial, and industrial/manufacturing are the main categories.) Our zoning also determines the *number of housing units* allowed inside a building, the *size and shape* of buildings allowed on a given lot (e.g., height, square footage), how buildings *relate to their surroundings* (e.g., the amount of space from a building to the front, side or back of the parcel), and the number of required *parking spaces*.

The zoning rules also determine whether a proposed building may be built "by right", meaning it complies with all of the zoning rules and requires only a building permit,

or if it is allowed only by “special permit,” which requires a public hearing before the City Council and their supermajority vote.

Our zoning ordinance gets very specific. It addresses exactly what type of buildings are allowed where (single family vs. two family vs. multifamily or a gas station vs. a convenience store vs. a marijuana store), exactly how large and tall a residential building might be (e.g., a smaller single family home vs. a larger single family vs. a low-rise apartment building vs. a high-rise apartment building), and where it is okay to mix uses within a building or in an area of the City (e.g., in a village center allowing a ground floor with a retailer or a restaurant, a second floor with office space and a third floor with housing or on a particular street a home next to a retail store).

What’s the History of Zoning in Newton?

Newton’s zoning— and thus the City itself— has evolved over time. Newton established zoning for the first time ninety-eight years ago in 1922. This early ordinance, like most ordinances of that day, was primarily designed to separate uses from one another. Newton’s Board of Aldermen wanted to separate manufacturing and industrial uses from residential areas. They also decided to reserve the majority of Newton’s vacant land for individual house lots, thus making Newton primarily a residential community. By 1940, Newton’s population had grown to nearly 70,000 and the Board of Aldermen adopted a new zoning ordinance that introduced more categories of zoning districts. The Aldermen specified areas of the City where only single-family homes could be built as well as minimum size requirements for lots in order to build a house. Thirteen years later, in 1953, the Board of Aldermen adopted another zoning ordinance that further increased the minimum lot size requirements to build a residence in Newton. Our current zoning ordinance, except for some updates in 1987 and a reorganization effort in 2015, largely draws its rules for what can be built and how many housing units are allowed in particular areas from that 1953 ordinance.

More recently, in 2010, the Board of Aldermen started a Zoning Reform effort. They initially focused on making the existing zoning ordinance easier to understand and to administer. Since then, the Zoning and Planning Committee has been working with Newton’s Planning Department to do a comprehensive update of the zoning ordinance so it is more aligned with our community’s goals.

Who Decides our Zoning?

Zoning in Massachusetts is a local decision and, in Newton, zoning is decided by our City Councilors.

Where Are We with Respect to the City Council’s Zoning and Planning Committee Review of a New Ordinance?

The City Council is now reviewing the zoning for our residential neighborhoods. The goals that the ZAP Committee wants the zoning of our residential neighborhoods to achieve are many:

- Diversify the types of housing available; better meet the varied needs of people who would like to stay in Newton or move here (e.g., have more smaller units, age friendly units, units in walking distance of village centers and/or public transit)

- Expand the amount of housing that is affordable to a wider range of household incomes; open Newton's doors wider to include our young adult children who want to move home, our employees who want to live near where they work, parents who want to educate their children here in Newton, and older Newtonians who want to downsize
- Encourage energy efficient construction
- Discourage building of overly large, out of scale new homes
- Allow and/or promote less use of automobiles and provide more support for our local businesses through more housing near village centers and transit
- Provide predictability and create clarity for property owners for what they – and their neighbors - can do with their property

Zoning plays a role in the development potential and profitability for an individual property owner and impacts the goals of individual buyers and sellers (who may be developers). Zoning impacts home values, the number of teardowns, and construction costs. In other words, the zoning ordinance directly impacts the type of housing that is likely to and/or can be made available and can impact the price point associated with that housing.

Zoning decisions have been inextricably linked to the level of income inequality and racial segregation we face in Newton and in Greater Boston. The City Council is rightly exploring a range of options for our updated zoning to remedy our “opportunity” gap. Newton’s median single-family home value is over \$1 million and a two-family is \$865,000. Average rents are \$2,800. Less than 6% of our housing stock is permanently deed restricted, “affordable,” for low and moderate income households.[1] Newton’s demographic is increasingly less economically diverse than it was, due to the cost of housing. In addition, Newton residents are only 4% African-American and 5% Hispanic/Latino (vs. 9% and 12% for Massachusetts respectively). Housing affordability and residential racial patterns are complicated and the link to zoning is complex. Given today’s hyper housing market prices, solutions require a certain amount of change to zoning ordinances if we want housing affordable to more people in our almost fully built out City.

Our updated zoning is also intended to address the demographic and economic forces and housing needs that are impacting so many of us. To quote a planning document I recently read, “As family formation is delayed, the average family size declines, the baby boomers age and retire, and the millennial population grows, housing options that address those trends and pressures are required.”[2] In Greater Boston, we are facing a housing shortage so home and rental prices are continuing to skyrocket in a desirable community like Newton, making it harder and harder for low and middle income people to live here. In Newton, our percentage of older residents continues to grow and these adults who may have retired and want to downsize and reduce their housing responsibilities and costs have few options here. Our young adult children, often burdened with student loan debt, can’t afford the down payment or monthly mortgage on the homes in their hometown. First-time homeowners, single-parents or City and NPS employees too often don’t even bother looking here given our prices.

What’s Happening Right Now?

Newton’s City Council, through its Zoning and Planning (ZAP) Committee, is

currently evaluating a revised draft of Article 3 – Residence Districts of the zoning ordinance. The Committee will turn next to the zoning for village centers, which also intersects with residential opportunities.

The Zoning and Planning Committee is focusing in particular on a few critical choices, including:

- Should two-family homes be allowed “by right” in more parts of Newton if the bulk and dimensions of the structures are required to be in scale with and sensitive to the context of the neighborhood? Should they be allowed only near public transit and/or village centers or everywhere?
- Should existing single family homes be allowed to be converted to two or more units by right within a certain size building? If yes, everywhere or only in some parts of Newton? If yes, how many units should be allowed? If yes, only for certain sizes of property?
- Where should three-unit buildings, small apartment buildings and larger apartment buildings be allowed by right? Keep them where they are allowed today and only by “special permit”? Only near public transit and/or village centers?
- Should minimum parking requirements be reduced and/or should maximum parking requirements be introduced?
- Will these changes help Newton with character-rich, economically dynamic, walkable, livable neighborhoods and support village centers that are accessible to a broader range of residents?
- What are the financial implications of the various changes being considered? What kind of change can be expected and in what length of time?

These are important decisions and require many conversations, a lot of input and much analysis.

When will the City Council Vote on the Updated Zoning?

The City Council would like to vote on an updated zoning ordinance a little more than a year from now in the fall or early winter of 2021 and is working its way through the sections carefully.

How can you be More Involved or Better Informed?

Learn more about [Zoning Redesign](#) at the City website. You can sign up for email updates and learn of opportunities to learn more or give feedback by emailing zoningredesign@newtonma.gov. The City Council will continue to have many opportunities for folks to weigh in. The Planning Department is holding virtual office hours every two weeks for all of us. The next office hours are scheduled for Wednesday, September 30 at 12:30 p.m. You can sign up for office hours [here](#). Plans are in the works for a Zoom community engagement so stay tuned. Watch the Zoning and Planning Committee which meets the second and fourth Monday of the month at 7 p.m. Because of holidays, the October Zoning and Planning meetings are scheduled for October 1, October 15, and October 26. Their agenda can be found [here](#) in the so-called “Friday Packet”, posted at the end of the week prior to the ZAP meeting under the “New Agendas” header. The zoom link for the meeting is in the agenda. Please continue to email the City Council with your thoughts at

[1] Counting Newton's actual individual deed restricted affordable units (not including the market rate units allowed to be included for Newton's official Subsidized Housing Inventory), Newton has only just under 6% of our 32,000 housing units available to households at or below 80% the area median income.

[2] Montgomery County Planning Department, September 2018, "The Missing Middle Housing Study," p. 11.

Overdue: Confronting Race & Racism in Newton

In August, we launched the [Overdue: Confronting Race & Racism in Newton](#) series with nearly 3,000 of us registering for a virtual conversation with Professor Ibram X. Kendi, author of *How To Be An Antiracist* and Dr. Brandon T. Crowley, Pastor of Myrtle Baptist Church. The *Overdue* series aims to equip and empower our community with the understanding, knowledge, and skills to actively fight racism both in Newton and beyond.



Implicit Bias: A Workshop with Dr. Mahzarin R. Banaji

Please register at newtonma.gov/gov/mayor/initiatives/overdue

Tuesday, October 20, 2020, 5:00-7:00 pm

What is implicit bias? Join us for this important community discussion to learn more!

OVERDUE

Confronting Race and Racism in Newton

BLIND SPOT

HIDDEN BIASES OF GOOD PEOPLE

Join us for the next program to learn more about the science underlying hidden biases. The City of Newton Police Reform Task Force will host [Dr. Mahzarin R. Banaji](#), author of *Blindspot: Hidden Biases of Good People*. This will be a special open Task Force meeting in which Dr. Banaji will give a presentation on implicit bias and be accompanied by Task Force members Judge Sonja Spears and City of Cambridge Police Department Deputy Superintendent Robert Lowe. Register [here](#) for the program on Tuesday, October 20 from 5:00 – 7:00 p.m.



NEW KID

AUTHOR

JERRY CRAFT

OVERDUE

This program is part of Overdue: Confronting Race and Racism in Newton, a city-wide read and series of events and conversations on race and racism.

For families, put on your calendar two other virtual programs. The first is a panel on [Raising Anti-racist Kids](#) on Tuesday, October 27th at 7 pm . It features several Newton educators and will be moderated by Newton Public Schools Superintendent David Fleishman—register [here](#). Thanks go to the Newton Free Library, FORJ (Families Organizing for Racial Justice), Harmony Foundation and the Newton Human Rights Commission for cosponsoring.

In the second, Newbery Award and Coretta Scott King Award-winning author/illustrator Jerry Craft will take us behind the scenes of his bestselling graphic novel *New Kid* and the upcoming *Class Act* on Wednesday, October 28th at 7 pm. Join on Zoom as Jerry gives students generally in 5th to 8th grade and their families a look into his writing and drawing process, with the help of Morgan Harper, a Library Teacher at Peirce and Williams Elementary Schools, as moderator. Register [here](#).

Finally, tune in for a virtual author talk with Richard Rothstein, author of *The Color of Law, A Forgotten History of How Our Government Segregated America* on for Tuesday, November 17th at 6:30 pm. Richard Rothstein examines how segregation in America is the byproduct of explicit government policies at the local, state and federal levels. The talk will be followed by a panel discussion moderated by FORJ, the program cosponsor. This deeper understanding of the systemic issues that

contribute to housing inequities may be particularly timely as Newton engages in a comprehensive update of its zoning codes. Register [here](#).

Warmly,

Ruthanne

