Zoning & Planning Committee Report

City of Newton
In City Council

Monday, March 23, 2020

Present: Councilors Crossley (Chair), Danberg, Albright, Ryan, Krintzman, Leary, Wright, and Baker
Also Present: Councilors Bowman, Downs, Laredo, Kelley, Lipof, Gentile, Markiewicz, Auchincloss, and Greenberg

Planning Board: Peter Doeringer (Chair), Kevin McCormick, Chris Steele, Sonia Parisca, Jennifer Molinsky

City Staff: Jennifer Steel, Senior Environmental Planner; Zachery LeMel, Chief of Long-Range Planning; Gabriel Holbrow, Community Engagement Specialist; Jennifer Caira, Deputy Director of Planning; Barney Heath, Director of Planning; Nathan Giacalone, Committee Clerk

#178-20 **Adoption of the Open Space and Recreation Plan Update**
DIRECTOR OF PLANNING requesting discussion of the 2020-2027 Open Space and Recreation Plan, a letter stating that the Zoning and Planning Committee reviewed the Plan, and adoption of the plan as an amendment to the 2007 Comprehensive Plan.
Action: **Zoning and Planning Held 8-0**

Notes: Chair Crossley introduced the item, noting that the Open Space and Recreation Plan (OSRP) is put forward for adoption every seven years. It is intended that the adopted OSRP would update that element of the Comprehensive Plan. Jennifer Steel, Senior Environmental Planner, presented slides (attached) to explain the process and timeline for consideration and adoption of the revised OSRP, noting that the Conway School of Landscape Design graduate students were hired to assist in developing the Plan materials.

Ms. Steel said that a comprehensive community engagement strategy has included two community meetings, each hosting about 75 attendees. In addition, an online survey was fielded which returned responses from 1,360 residents. Residents were asked to cite problems and needs and rate the level of urgency. In order of priority, these included:

1. Athletic fields in disrepair
2. Insufficient trail maintenance
3. Invasive species

4. Inadequate accessibility.

The online public survey suggested the most urgent needs, including stronger legal protections for open spaces, improving play field conditions, adding shade trees and bike paths. Ms. Steel explained that the growing demand for open spaces will require innovative ways to better steward these places. There are three category goals addressed in the OSRP: stewardship, connectivity, and protection, with equity and access as overriding objectives to be met within all three areas,

Ms. Steel concluded her presentation with a timeline, showing that the next step is the department reviewing the first Conway School OSRP draft (received this day). The Conway team will work with staff to produce a refined second draft that will be distributed to the Council and public for review. The department requests the Zoning and Planning Committee assign a public hearing in early May. After additional public comment and staff input, a final draft will be presented to the Committee for a vote by June 8, 2020. If the Council votes to accept the Final Draft, it will be submitted to DCS-EOEEA for its final review and approval to make Newton grant-eligible.

Questions, answers, and comments from the Committee are as follows:

What additional protection is required for Newton's parkland?
Land preserved for recreational purposes already has significant protections. Any proposed changes must be approved on both the local and state level and an additional parcel of equal size must be set aside for protection. Conservation restriction is the most permanent restriction which can be given to any piece of land.

How does the equity goal get enough attention if it is not stated on its own?
This was done on purpose as it was believed that leaving it on its own would leave it too susceptible to be overlooked. Integrating it into the three goals was the best way to make sure that access and equity get the attention they deserve.

When would the Council and Committee receive a cleaned-up draft?
The intent is to provide a draft to the Committee on April 30, 2020. This leaves plenty of time to edit the draft before and after this date before running into any deadlines.

How scientific and representative was the survey?
While the survey was not a perfect cross-section of Newton, it solves other statistical challenges by collecting demographic information as well as a separate youth survey.

Concern was expressed that when news of an online survey gets out, groups can organize to deliver coordinated responses and skew the results.

Will the Plan have priority/action items or just goals?
Yes, the final Plan will have prioritized action items.

When will climate resilience be incorporated into the plan?
There is already some consideration of this in the Plan, and it will be integrated with both the Newton Climate Change Vulnerability Assessment and Action Plan and the Climate Action Plan, which were adopted last term as elements of the Comprehensive Plan.

Councilor Baker moved to set a public hearing on the Open Space and Recreation Plan draft on May 11, 2020. The Committee agreed.

NOTE: Since March 23, the Mayor has postponed the City's budget address to May 11. The Committee will set a new date for the public hearing once the new budget calendar is confirmed.

The item was held 8-0.

#88-20 **Discussion and review relative to the draft Zoning Ordinance**
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.
Action: **Zoning and Planning Held 8-0**

Notes: Director of Planning Barney Heath, Deputy Director of Planning Jennifer Caira, Chief of Long-Range Planning Zachery LeMel, and Community Engagement Specialist Gabriel Holbrow joined the committee.

Chair Crossley introduced the item and emphasized that the material being covered in Articles 3 and 2 is still in draft stages and is being considered in sections in order to achieve understanding of the implications of the proposed formulas in the residential districts, and whether the standards proposed achieve the objectives we seek, both in terms of discouraging out-of-context, overly large buildings resulting from tear downs in neighborhoods, while at the same time providing more diverse housing opportunity, especially near transit.

Mr. LeMel and Ms. Caira began the presentation, saying that it would focus on individual case studies to show examples of projects recently built resulting from speculative tear downs, and how the proposed ordinance would have resulted in a different, often smaller development on the same site. This presentation is attached to this report.

Staff framed the presentation on how building types proposed to be allowed in the residential districts will help Newton to meet its goals to decrease speculative tear downs, promote contextual development, and increase housing diversity.

Staff reviewed dimensional modifications proposed to the October 2018 draft ZO, including to building footprints, setbacks and lot coverage. These would slightly reduce the by-right build out potential throughout all proposed residential districts from October 2018, though still allow more options than the current ordinance. Each House Type has requirements for building width, depth,

footprint, number of stories, and story heights. House Types A, B, and C by-right building footprints were reduced. This reduction was also applied to 3-unit and 4-8 unit buildings. Two-unit, townhouse section, shop house, small multi-use, small shop, and civic buildings remain unchanged. The new ordinance intends to encourage smaller homes on smaller lots. Mr. LeMel and Ms. Caira also specified throughout the presentation that while the proposed ordinance would not stop speculative tear downs, it would both reduce the frequency of them and ensure that rebuilding respects neighborhood context.

Several case studies demonstrated how the proposed ordinance would work in practice. Each case study covers what existed prior to the approved construction, the as built plan under the current zoning, and a test fit of the maximum possible development under the proposed zoning.

Case 1. The property at 85 Fuller Terrace would be classified as a House Type B in an R2 District. Currently the property is situated in an SR3 district. The prior old house had been converted to a two-family. The approved project made substantial changes to the property while converting back to single-family. The rear setback was reduced from 30 feet to 17.2 feet and the footprint was increased from 1400 square feet to 2153 square feet. The proposed ordinance would not have allowed the scale of this project as it exceeds both the maximum building footprint and height. The proposed ordinance would have allowed modest expansion, only slightly larger than the original house, physically similar in scale to the rest of the houses in the neighborhood.

Case 2. The property at 878-880 Chestnut Street is currently in an MR3 district. Under the proposed ZO, there could be a two-unit residence in an R3 district. The prior building on the site was a single-family house which had been converted to a two-family residence. This case study focused on total lot coverage. The current ZO allows for 30% lot coverage in MR3 districts, but by definition, only includes the building footprint. The proposed ZO allows for 50% lot coverage in R3 districts, but by definition, includes all impervious area (footprint, driveway, porch, walkway, etc.). The approved project has a lot coverage of 56 percent. If it had been subject to the proposed ZO, a reduction in impervious surface, or lot coverage, would have had to be reduced to comply with the 50% limit.

The built-as-approved project nearly eliminates the front yard in favor of meeting the parking requirement in the front yard. Both side setbacks were also reduced from 10 feet to 9.35 feet. Under the proposed ordinance, the lot coverage would be maintained at 50 percent, though the building would still be able to have a maximum footprint of 2,000 square feet. It would also have to be 10 feet closer to the street in its front setback, in order tone consistent with the streetscape.

Case 3. The property at 36 Salisbury Street is currently in an MR1 district which under the proposed ordinance would become a House Type B in an R3 district. This case study focused on definitions of height, basements and numbers of stories. Prior to renovation the lot had a gradual slope upward from the street. In the approved project, the grade was raised and retained at the

property line in the front, but then significantly cut away for the drive leading to a basement level garage, revealing 3.5 stories at the front elevation. In the current ZO this type of configuration is allowed as it is considered a 2.5 story house. In the proposed ZO, this house would be defined as a 3.5 story house, thus not allowed. Under the proposed ordinance, a story is considered a story if more than 50 percent of the front is exposed, which in this case would have limited the height of the house by an entire floor. In addition, the footprint was increased by right from 1400 square feet to 2052 square feet, which would not be allowed in the proposed ZO.

Case 4. The property at 1081 Washington Street now has a commercial building in a BU2 zone. Under the proposed ordinance this would be an N district and allow a Shop House type. Prior to the current building there was a retail space in the front with additional residential space in the back. Now there is a single two-story commercial building, which was granted a special permit a few years ago. Under the proposed ordinance, this building would be required to have its second floor be residential as per the Shop House requirement in this zone.

Staff provided an outline of next steps for proceeding with this section. The plan at the next meeting is to focus on garage requirements, building components, and other accessory structures. The committee is asked to continue with the current readings and Planning staff memos will be provided a week in advance of the next meeting.

Questions, answers, and comments from the Committee are as follows:

When will a side-by-side comparison of the existing and proposed language be provided by the Planning Department?

Regarding the case study on Fuller Terrace, what happens to small houses on large lots which are seeing single-family attached? Cluster housing needs at least an acre sized lot, is there any sense on the lot sizes of where mega houses were put up that could have been cluster housing instead? The final ordinance will have diagrams in it to answer some of these questions. For now, the only documents available to be shared are redlined versions.

Do single-family houses larger than 4000 sf become nonconforming everywhere under the proposed ordinance?
It depends. The only single-family House Type that allows more than 4,000 sf by-right is House Type A**.** Some larger homes in Newton will become non-conforming, which could be because of footprint, stories, total square feet, etc. under the proposed ordinance. This is the tradeoff as overall conformity increases across Newton. The areas with these houses are not seeing as much change as those that will be made conforming, so the Planning Department believes that this will lead to an overall less hinderance to development than what exists under the current ordinance.

How will grade change be handled in the proposed ordinance?
There is no special permit for grade change as it is replaced with one for a retaining wall under the assumption that it is more important to focus on how height is measured since that ties into how grade is manipulated.

Will there be a focus group of real estate professionals and developers as Zoning Redesign will change property values?
Yes, there is already a focus group planned. Currently it is expected to consist of architects and builders, with plans to include developers. It can easily expand to include real estate professionals.

On 878-880 Chestnut Street, the developer bought a back lot as well. The paving was the biggest concern to the neighborhood. How does this impact nonconformities and housing opportunities in general?
Referring to the buildout analysis will be helpful as total nonconformities will be reduced, along with bringing in more opportunities for housing diversity.

General agreement that more professional input on the Zoning Redesign process is needed.

For the examples provided, would these teardowns have happened under the proposed ordinance?
The proposed ordinance would not have allowed these teardowns as they were presented. It would not necessarily have stopped them entirely and it cannot save all old homes in Newton. But it can make sure that whatever is built is contextual with the neighborhood.

There appears to be a lot of R1 and R2 districts near village centers and mass transit hubs, based on this is the proposed ordinance really doing the best it can to meet Newton's sustainability goals?
This is a good point to be brought up. The Planning Department will take another look at the draft lines and see if there is any way the districts can be redrawn at all to better meet sustainability goals.

There is concern about the loss of multi-family homes in certain districts, will there be a way to allow them in the proposed ordinance?
Existing two-family buildings would be nonconforming in these districts under the proposed ordinance, but they could still be extended. Most of the examples were built as House Type B and under the teardown thresholds. If one tears down a multifamily building, they will be able to build another multifamily structure on the same spot.

What is the best way to factor in the cost of tearing down a multifamily building to replace with a single-family one? Is there a way to get input from the building community on this?

Will the proposed ordinance discourage parking in the front setback?
Currently the proposed ordinance does not but it can be adapted to have stronger language on this.

Will a push to incentivize more multi-family builds near transit hubs unintentionally lead to increased teardowns of old homes to build these new buildings?
The intent is that multi-unit conversion of buildings will dissuade increased teardowns of them. The Planning Department is awaiting more professional input to better gauge the feasibility of this option.

If FAR is to be abandoned as a building measurement tool in favor of square footage-based standard, couldn't this change have simply been made within the framework of the current ordinance?

If building something new, does the setback need to line up exactly with the adjacent properties, especially when geography makes this difficult?
The Planning Department has been having this same internal debate and needs more feedback on the issue.

The proposed ordinance seems focused on stopping all teardowns, irrespective of whether a teardown is the right move or not since not all old homes have historic value. Does the proposed ordinance account for this? Should the Council even be involved in telling residents how big to build their houses?

How will the proposed ordinance stop over-large house construction as has taken place in Oak Hill park and other areas using building loopholes?
The proposed ordinance's use of total lot coverage as a standard and improvements in measuring building footprint and other building accessories should solve this.

Why is the two-family footprint larger than the three-family one?
The Planning Department has studied this and assumes that two-family builds are more likely to be built side-to-side while three-family builds are usually built stacked.

There was agreement amongst some councilors against limiting the size of a house no matter the lot size.

If the proposed ordinance is adopted, it will make many houses nonconforming, does the Planning Department have any figures on which and how many properties will be affected in this way?

Are all these House Types economically feasible? The Washington Street case study presented is next to the site of Ascend. What is the level of demand to live next to a marijuana dispensary?

Where did the goals of this proposed ordinance, such as the reduction of speculative teardowns, come from?
These goals have come from past Zoning & Planning meetings by combing the meeting reports to pull out what appeared to be the most logical goals. There is no single place where all of the goals came from. The Chair added that the bibliography of these reports was distributed in an earlier Planning Department memo.

What has been the experience of other communities that have already adopted similar measures to the proposed ordinance and what can be learned from them?
This is a great question and the Planning Department will look more into it.

The courtyard cluster is an intriguing idea, is it possible to get more information on their conditions and viability considering how expensive land is in Newton?
Cluster housing controls are listed under alternative building styles in Article 3 of the proposed ordinance and cluster housing has its own regulations.

What are the options for a small house on a large lot, but one too small to build cluster housing?
The Planning Department is currently working on answering this problem.

A map, even a draft map would be very helpful for the Committee to have at this stage of reviewing Zoning Redesign.

Increasing density increases the value of the land and can make teardowns more likely, leading to possible gentrification and other forms of upzoning. Limiting building size could help counter this, as well as tiny houses. Have these been considered? Have other communities considered them?
There is nothing in the current zoning ordinances barring nor incentivizing them.

Questions and comments submitted by Councilors Baker and Wright concerning Zoning Redesign are also attached to this report.

Councilor Albright moved to hold which carried 8-0.

#30-20 **Ordinance amendment to repeal Zoning Ordinance 3.4.4 Garages**
COUNCILOR ALBRIGHT requesting amendment to Chapter 30 of Newton's Zoning Ordinance, section 3.4.4 on garages (delayed implementation until July 1). This ordinance has been delayed five times.

Action: **Zoning and Planning Held 8-0**

Notes: Items #30-20, #38-20, and #148-20 were discussed and voted on simultaneously with #88-20.

#38-20 **Request for discussion relative to single-family attached dwellings**
COUNCILOR LAREDO requesting a review of the zoning requirements for single-family attached dwelling units.

Action: **Zoning and Planning Held 8-0**

Notes: Items #30-20, #38-20, and #148-20 were discussed and voted on simultaneously with #88-20.

#148-20 **Request to amend Chapter 30 to eliminate parking minimums**
COUNCILORS ALBRIGHT, AUCHINCLOSS, BOWMAN, CROSSLEY, DANBERG, DOWNS, GENTILE, GREENBERG, KALIS, KELLEY, LIPOF, MARKIEWICZ, NOEL, KRINTZMAN, AND RYAN seeking amendments to Chapter of the Revised City of Newton Ordinances to eliminate mandated parking minimums to improve vitality of local businesses, reduce the cost of housing, and support the climate action goals.

Action: **Zoning and Planning Held 8-0**

Notes: Items #30-20, #38-20, and #148-20 were discussed and voted on simultaneously with #88-20.

The Zoom chat log generated during the meeting is also attached to this report as backup.

The meeting adjourned at 9:58 pm.

Respectfully Submitted,

Deborah J. Crossley, Chair

Zoning and Planning Committee Meeting
March 23, 2020
Zoom Chat Log

19:21:36 From Sonia Parisca : Who are the participants of the surveys?
19:37:30 From clairerundelli : Hi Sonia, the survey was advertised to the entire City through e-newsletters, the Mayor's newsletter, an ad in the Newton Tab, and posted on the Conservation Commission and Planning Department web pages.
19:38:00 From clairerundelli : We had responses from all villages with the lowest participation from the Oak Hill, Oak Hill Park, and Thompsonville neighborhoods.
19:39:24 From Sonia Parisca : Thank you!
20:08:29 From Susan Albright : what is the lot size of that property on fuller?
20:09:36 From Jennifer Caira : about 10,000 sf
20:09:43 From Susan Albright : thanks
20:35:37 From Alicia Bowman : Susan - the apartment building at Lowell/Wash is in R3
20:36:40 From Alicia Bowman : Surrounded by R2
20:41:49 From Susan Albright : but we dpm
20:41:54 From Susan Albright : we dpm
20:42:16 From Susan Albright : sorry we don't have a building type for a 17 unit building - i don't think
20:42:25 From Sonia Parisca : Agree with susan Albright. I would like to see a mock market analysis comparing the sale price of 2 different lots
20:56:02 From Alicia Bowman : Don't we already have an ordinance against parking in the front set back?

20:56:18 From richardlipof : yes we do
21:02:01 From Jennifer Caira : you can have one parking space in the front setback now and more with special permit
21:04:23 From dcrossley : But we do not have an ordinance prohibiting someone from paving over their front yard.
21:05:17 From richardlipof : I was thinking about the paving
21:13:22 From Susan Albright : what was that address? you need 3/4 acre
21:14:03 From Susan Albright : most of the single family attached are in r1 and r2
21:14:42 From Kathy Pillsbury : 473 Waltham St.
21:15:01 From Susan Albright : thanks
21:58:01 From Alicia Bowman : Thank you!!

#178-20

Newton's Open Space and Recreation Plan 2020-2027

Community Engagement

#178-20

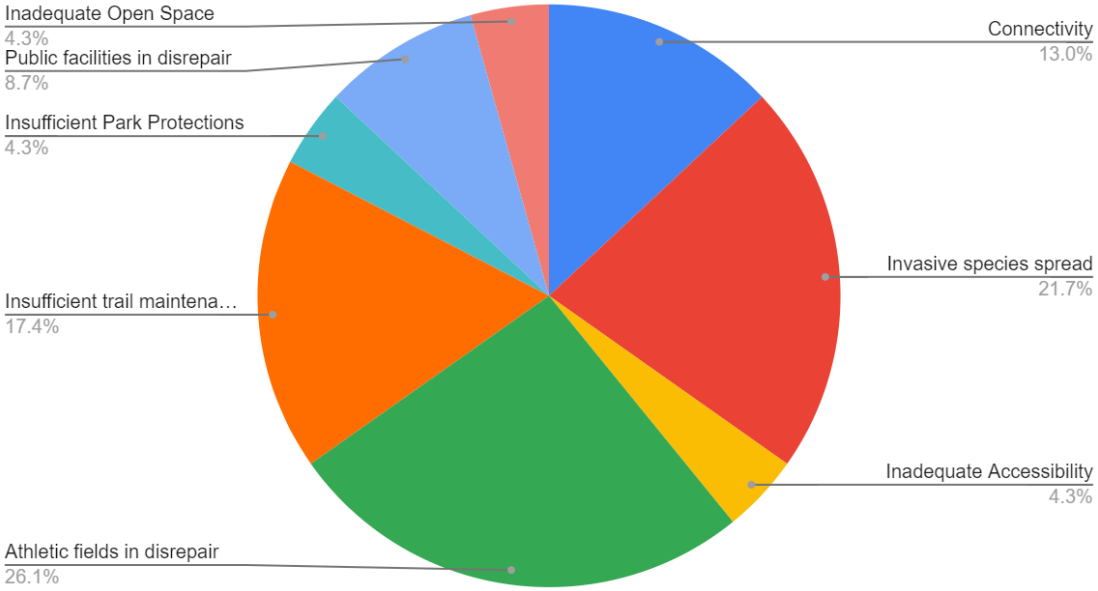
So far we have:

- Augmented the Plan to include issues of climate change, a trails database, and information on field use
- Worked closely with the City's OSRP Advisory Committee
- Worked closely with the Conway School of Landscape Design team
- Facilitated two community meetings, engaging roughly 75 attendees
- Engaged 1,360 residents through an online survey

#178-20

Community Meeting #1

Problems Identified by Residents



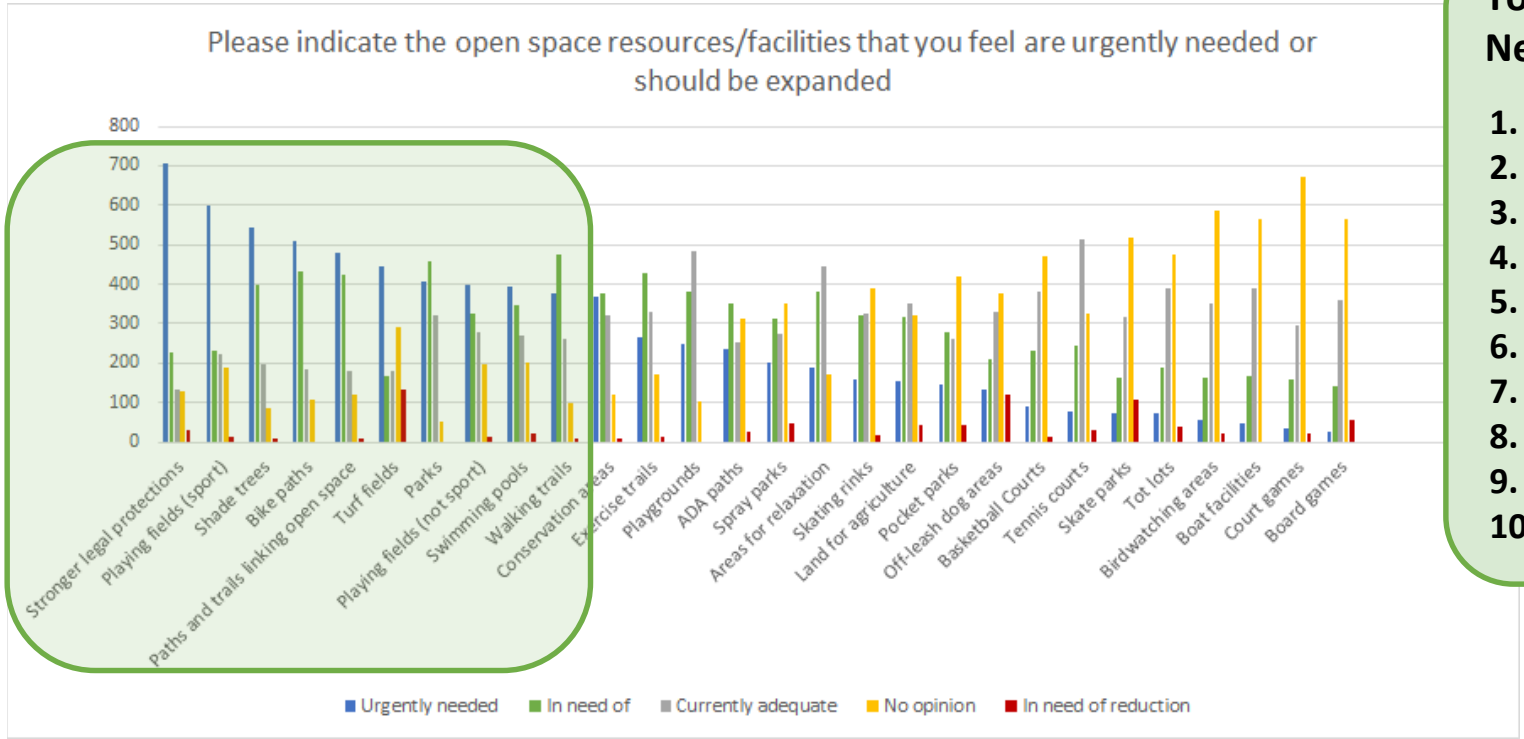
Problems & Examples Cited

- **Athletic Fields in Disrepair**
  - *Albemarle Field*
  - *Warren Fields*
- **Invasive Species**
  - *Cold Spring Park*
- **Insufficient Trail Maintenance**
  - *Cold Spring Park*
- **Connectivity**
- **Public Facilities in Disrepair**
- **Insufficient Park Protections**
  - *Albemarle Field*
- **Inadequate Accessibility**
- **Inadequate Open Space**

On-line Survey Results

#178-20

Newton's open spaces are **heavily used, isolated, and in limited supply**, which is why residents have indicated that specific open space resources are urgently needed more than others. Meeting the growing demand for open spaces resources will require innovative ways to **maintain** and **steward** these places.



Top 10 Urgent Needs

1. Legal protections
2. Playing fields
3. Shade trees
4. Bike paths
5. Linkages
6. Turf fields
7. Parks
8. Playing fields
9. Swimming pools
10. Walking trails

Proposed Goals

Stewardship

Goal: Maintain and enhance parks and natural areas while balancing cost effectiveness with high quality design and best management practices.

Connectivity

Goal: Link open spaces with accessible pedestrian trails and bike paths, while anticipating the needs of a growing and changing community.

Protection

Goal: Protect and expand Newton's Open Space in a way that balances ecological value, climate resilience, and the community's need for equitable distribution and access.

Equity and Access *(may be integrated into other goal sections)*

Goal: Equitable and universally designed access to quality green spaces and recreational facilities.

Process / Timeline

#178-20

- 3.23.20 Conway School provides draft 1
- 3.23.20 ZAP holds introductory discussion & sets public hearing date
- 3.24.20 OSRP Committee meets to review draft 1
- 3.26.20 Staff returns initial comments to Conway School
- 4.30.20 Conway team provides draft 2; draft 2 given to ZAP; public comment period begins
- 5.8.20 Staff completes ADA section and gives to ZAP in Friday Packet
- 5.11.20 Public hearing at ZAP meeting
- 5.14.20 End of public comment period
- 5.29.20 Staff completes Public Comment section and share Final Draft with ZAP
- 5.30.20 Staff sends Final Draft to DCS-EOEEA, Mayor, and other required reviewers
- 6.8.20 ZAP votes on the Final Draft
- 6.15.20 City Council votes on acceptance of the Final Draft
- 6.16.20 Staff submits the Final Draft with all necessary letters of support to DCS-EOEEA

Memorandum

To: Councilor Deborah Crossley, Chair, Zoning and Planning Committee
From: Councilor Lisle Baker
Subject: #88-20, #30-20, #38-20, and #148-20: Residential design in the proposed zoning ordinance; tear downs
Date: March 23, 2020
Cc: City Council, Planning Board, John Lojek, Alissa O. Giuliani, and Jonathan Yeo

I have read the March 20, 2020, Planning Department memorandum exploring how the proposed ordinance might address teardowns. As we are meeting remotely, I thought I should raise some questions in advance of the discussion to allow the Planning Department to respond, as well as to inform our colleagues in case they had similar concerns. I hope to elaborate on these in more detail when we convene, but they essentially involve asking for more clarity about what exists compared to what is proposed involving teardowns, and whether some adjustments to our current ordinance might help in the meantime. Let me explain.

As Newton has relative few undeveloped lots, our zoning largely involves redevelopment, either by restoration, expansion or demolition of existing structures. (A few homes may actually shrink in size but that is not my understanding of the recent pattern.) It is more the last case that concerns us tonight – teardowns. As I have mentioned before as a general matter, and specifically here, it is important to understand how the existing ordinance compares with the new one to fully understand the implications of the proposed changes to remedy this problem.

For example, what I understand is that the proposal essentially creates various house types or boxes of volume to replace Floor Areas Ratio and the distinction between old lots and new lots. My understanding is that being an "old lot" owner was an advantage as the property had smaller dimensional limitations than the a "new" lot (created after 1953). Putting two old lots together (after demolishing both structures) made the resulting lot a "new lot" and therefore not as desirable for development unless the owner was willing to absorb more restrictive dimensional controls to gain the larger house.

What would be helpful to know, however, is whether under the proposed ordinance that incentive is reversed, and tearing down two existing structures to gain a larger lot becomes more attractive in constructing other buildings, rather than less so, and if so, how, especially if those replacement structures can be built as of right under the new ordinance. If we are not careful, we can accelerate rather than retard the demolition of smaller, older homes which might otherwise be more affordable, relatively speaking. For instance, if two or more lots are combined after teardowns, can a Courtyard Cluster replace the older homes as of right under the proposed ordinance? Also, would eliminating parking minimums implicitly encourage larger structures as the space would now be available for construction?

Those issues aside, the proposed house size limits could be usefully clarified. For example, a house B and C could be built as narrow as 15 and 12 feet respectively, with maximum depths of 90 and 80 feet respectively. After a teardown, that could be a very narrow house, and a departure from the house designs typical of Newton, so it would be helpful to understand where those numbers come from and whether other limits might make more sense.

Also, in terms of interim remedies for teardowns, might limiting the size of a replacement structure through FAR or otherwise under the current ordinance be a speedier alternative to what is proposed in the new one? I would ask that we explore that as well, as the Department's research on what are the tipping points favoring house demolition under our current ordinance might be instructive.

In summary, it would therefore be helpful to me, and I anticipate others seeking to understand what is proposed and its implications, to have the side by side, before and after, clearly explained when we convene remotely night. (While a link back to prior work may be helpful, I expect many of us, including me, have been occupied by news and social distancing involved in responding to the virus, as well as its impacts on our other lives than as City Councilors.) In any event, my experience is that we need to see and compare existing to proposed in real time, with an opportunity for questions, which is what I understand you intend. Thank you.

Memorandum

To: Councilor Deborah Crossley, Chair, Zoning and Planning Committee
From: Councilor Pam Wright
Subject: Zoning Redesign ZAP meeting 3/23/20
Date: March 22, 2020
Cc: City Council, Barney Heath, Planning Director, Jennifer Caira, Planning Deputy Director, Zack LeMel

I have read the assigned documents for ZAP meeting 3/22/20 and have 11 comments/questions on the 3/14/20 memo and 21 comments/questions on the 2/22/19 build out memo. I also think we should be reviewing the 92 page Planning Dept presentation on build out analysis dated 2/28/19 here which includes much more information and the deep dive tables that support this here. Both materials were part of the original build out memo and make a more complete analysis.

But before we jump into all of this, I think we first need to address questions/comments and concerns from our previous ZAP meeting. I have 64 questions on the previous reading material that I have forwarded to you and the planning department. Jennifer Caira, Zack LeMel and I will discuss these items Thursday or Friday later this week. Most of the items can fall in the below 7 categories. I suggest that we discuss these categories this Monday before moving on to the build out analysis.

One, a table documenting the changes from our current zoning and proposed zoning. This would come from the planning department and has been requested many times from different councilors. I know it's comparing apples to oranges but comparisons can still be made. Also, would like to see examples using the proposed zoning versus current zoning dimensional standards including FAR. Having the information in one chart will be helpful for all to get their heads around the proposed changes. This table could be completed for all the districts from SR1 to BU5 to MU4 and everything in between. Showing what each district will be changing to will be helpful too. For example, SR1 to R1, SR2 and SR3 to R2 and so forth.

Two, more discussion on courtyard clusters. Courtyard clusters are allowed everywhere in the city. The density greatly increases. It appears that courtyard cluster will incentivize developers to combine lots, tear down multiple home and build many more dwelling units. This was never addressed in the build out analysis. I would like to see this done and analyze the data. Also, further discussions are needed on the subdivision of lots and the effect on the city.

Three, I still don't see in the documentation how this proposed context based zoning will save the cape neighborhoods. Councilor Ryan's 1100 sf cape could be replaced by a 3500 sf home "by right". When you add the finished basement the new home could be 4900 sf. I would like to understand what is preventing the teardowns of these homes.

Four, further discussion and the reasoning behind why 2 unit buildings are 50% larger than proposed 3 unit buildings. Many of the present 2 family homes in Newton were built between 1900-1930 and are typically 2200 to 3000 sf. Allowing 2 unit buildings to be 6000 sf by right seems very large.

Five, further discussion on removing parking requirements for all 1 and 2 unit buildings and allowing on-street parking counted towards the parking requirement. Does this eliminate the overnight winter parking ban?

Six, discussion going from approximately 132 zoning districts to 7. Newton is large with many different lot sizes. The present 7 zoning districts: SRs and MRs have a sliding FAR scale applied dependent on lot area so basically, we have132 zoning districts.

Seven, further discussion of an appointed body, the planning board, approving all special permits except for lots with greater than 20 units or 20,000 sf of floor space. Some work has been done of this already but we took a step back.

Thank you for the consideration.

#88-20

Workshop One - Building Types & Tear Downs

Article 3

03.23.20 - ZAP Committee

Presentation Tonight

- Why and how Building Types work for Newton
- Changes to the standards since Build Out Analysis
- Case studies

Agenda

- City Goals
- Changes from Build Out Analysis
- Case Studies
- Next Steps
- Questions & Ideas

City Goals

Decrease Teardowns

- Teardown assumptions
  - 3800 sf
  - Cost = $600/sf or less
  - Sell for 2.4-2.5x purchase

Decrease Teardowns

#88-20

Decrease Teardowns

#88-20

Contextual In-fill Development

Single Family

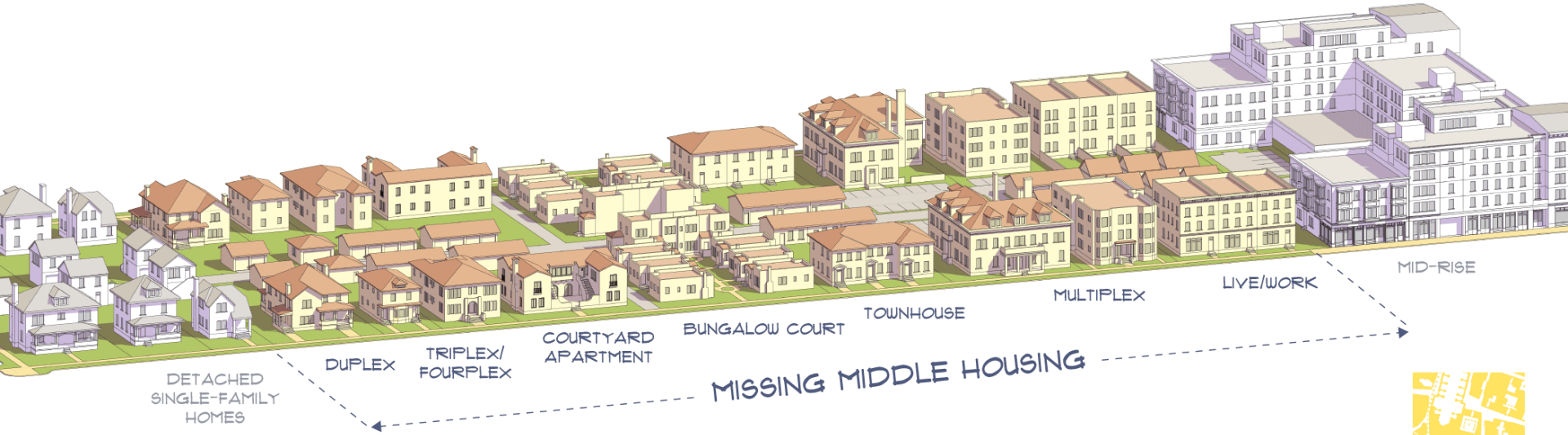
Medium Traditional - 2 level, regular

GSF: 1,500 - 2,500
Lot Size: 5,000 - 10,000
Front Setback: 15' - 35'
Lot Coverage: 10% - 30%
Common Features:

- driveway/accessory structure parking

- **Building Types match existing buildings**
  - **Pattern Book**
  - **Community feedback**

Increase Housing Diversity



OPTICOS

Changes from the Build Out Analysis

Summary of Changes

- **Reduction in allowable bulk (square footage) throughout all districts**
- **Reduces possible by-right units from October 2018, but still more than current Ordinance**

#88-20

House Type A

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
25 ft	100 ft	100 ft	**2,400 sf** ~~2,500 sf~~ SP: 3,000 sf	2.5 stories	Max 12 ft SP: 14 ft

- **Reduction in by-right building footprint**

House Type B

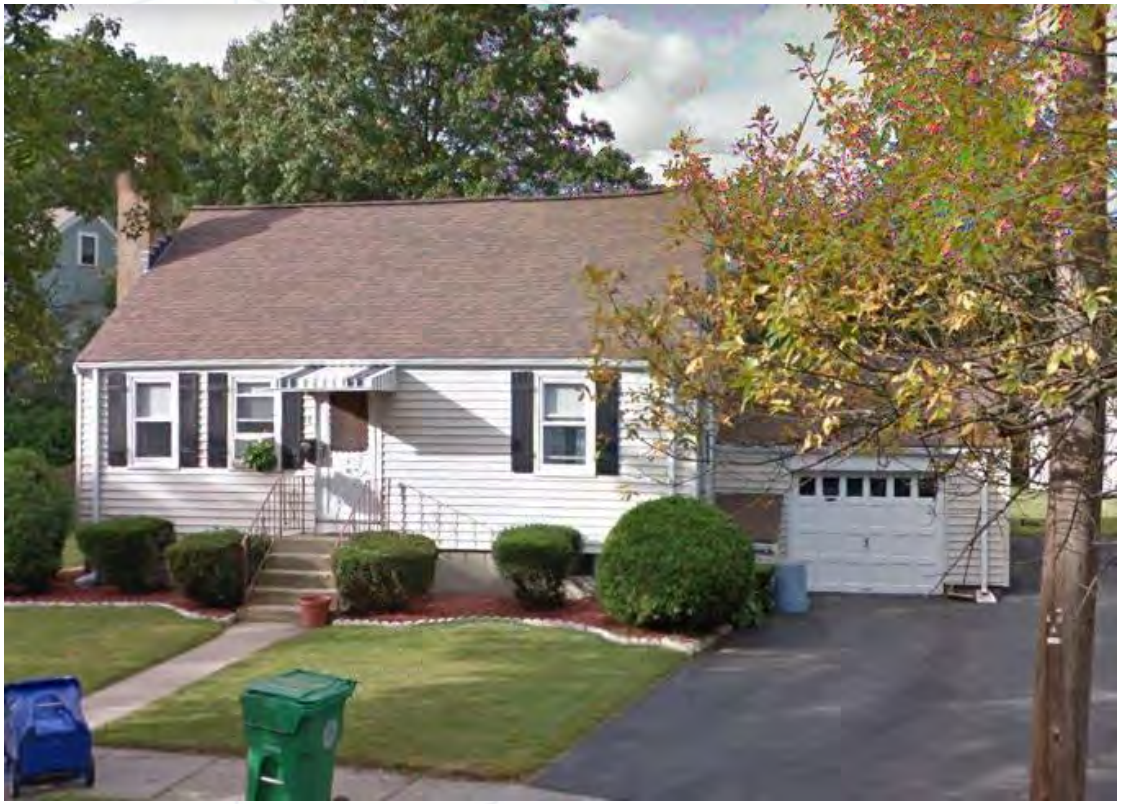
Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
15 ft	65 ft	90 ft	**1,400 sf** ~~1,600 sf~~ SP: **2,000 sf** ~~2,200 sf~~	2.5 stories **SP: 3 stories**	Max 12 ft SP: 14 ft

- **Reduction in by-right and SP building footprint**
- **Simplified by-right and SP permit stories in all districts**

#88-20

House Type C

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
12 ft	65 ft	80 ft	**1,200 sf** ~~1,500 sf~~ SP: 1,800 sf	1.5 stories	Max 12 ft SP: 14 ft



- **Reduction in by-right building footprint**

House Type D

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
30 ft	120 ft	100 ft	3,500 sf SP: 4,00 sf	1 story	Max 12 ft SP: 14 ft

- **No dimensional changes**
- **Only allowed by-right in R1 and by SP in R2**

#88-20

Two-Unit Residence

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
20 ft	65 ft	80 ft	2,000 sf SP: 2,200 sf	3 stories	Max 12 ft SP: 14 ft

#88-20

3-Unit Building

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
20 ft	65 ft	80 ft	**1,600 sf** ~~2,500 sf~~ **SP: 1,800**	**2.5** ~~3~~ stories **SP: 3 stories**	Max 12 ft SP: 14 ft

- **Formerly Apartment House**
- **Limits overall units and size**

Townhouse Section

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
14 ft	28 ft	- ft	1,500 sf SP: 1,800	3 stories	Max 12 ft SP: 14 ft

#88-20

4-8 Unit Building

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
20 ft	**75 ft** ~~80 ft~~	**90 ft** ~~80 ft~~	**2,500 sf** ~~4,200 sf~~	3 stories	Max 12 ft SP: 14 ft

- **Formerly Small Apartment Building**
- **Limits overall units and size**

Shop House

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights	
Min	Max	Max	Max	Max	Ground Story	Upper Stories
20 ft	40 ft	80 ft	2,000 sf SP: 2,500 sf	3 stories	Max 20 ft	Max 12 ft SP: 14 ft

#88-20

Small Multi-Use Building

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights	
Min	Max	Max	Max	Max	Ground Story	Upper Stories
40 ft	100 ft	150 ft	12,000 sf	3 stories	Max 12 ft SP: 14 ft	Min 10 ft Max 14 ft SP: +/- 2 ft

Small Shop

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	Ground Story
18 ft	100 ft	100 ft	7,000 sf	1.5 stories	Max 12 ft SP: 14 ft

Civic Building

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
14 ft	300 ft	200 ft	30,000 sf	4.5 stories	Max 14 ft

Comparison to Existing Ordinance

Existing Ordinance – Building Types

1.5.1. Building Types

A. Single-Family, Detached. A building or structure that contains only one dwelling unit.

B. Two-Family, Detached. A building that contains 2 dwelling units and is either divided vertically so that the dwelling units are side by side but separated by a shared wall extending the entire maximum height of one or both units, and/or is divided horizontally so that one dwelling unit is above another.

C. Single-Family, Attached. A building or structure that either:

1. Contains 3 or more dwelling units, attached to one another at the ground level and each having a separate primary and secondary access at ground level; or

2. Contains 2 dwelling units and is not a two-family detached dwelling.

D. Multi-Family. A building or structure containing 3 or more dwelling units.

E. Dwelling Unit. One or more rooms forming a habitable unit for 1 family, with facilities used or intended to be used, in whole or in part, for living, sleeping, cooking, eating and sanitation.

Defined by Use

Proposed Ordinance – Building Types

3.2.3. House A

A. Description.

A one-unit house with a large footprint and up to 2.5 stories. House A buildin common in several Newton neighborhoods like Chestnut Hill, Waban, and W House A types may have been built in several eras of Newton's developmen the era when Newton was a destination for country estates to the modern de period of the 1980s to the present.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories
Min	Max	Max	Max	Max
25 ft	100 ft	100 ft	~~2,400~~2,500 sf SP: 3,000 sf	2.5 stories

SP = Special Permit with mandatory design review (See Sec. 3.2.2)

C. Fenestration on the Front Elevation.

~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~

~~2. Upper Story Fenestration: 10% Minimum, 70% Maximum~~

D. Roof Types.

All Roof Types are permitted.

E. Additional Standards.

1. Only residential use categories are permitted; option for use conve existing building according to Sec. 3.6.1.B.
2. Maximum of 1 Residential Unit; option for Multi-unit conversion ac Sec. 3.56.2.)
3. Outdoor Amenity Space: 1/dwelling unit

3.2.4. House B

A. Description.

A one-unit house with a medium footprint and up to 2.5 stories by-right. House B building types can be found throughout Newton. The House B type includes typical midscale Victorian homes close to village centers, and midscale Colonial homes frequently built in the era of suburban infill between Newton's historic village centers.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
15 ft	65 ft	90 ft	1,400~~1,600~~ sf SP: 2,000~~2,200~~ sf	~~R1, R2:~~ 2.5 stories ~~SPR3, N:~~ 3 stories	Max 12 ft SP: 14 ft

SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)

~~C. Fenestration on the Front Elevation.~~

~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~

~~2. Upper Story Fenestration: 10% Minimum, 70% Maximum~~

~~D~~ C. Roof Types.

All Roof Types are permitted.

~~E~~ D. Additional Standards.

1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.
2. Maximum of 1 Residential Unit
3. Outdoor Amenity Space: 1/dwelling unit

Defined by Form

Existing Ordinance – Floor Area

#88-20

B. Floor Area, Gross.

1. Residential Districts. The sum of the floor area of all principal and accesory buildings whether or not habitable shall be taken from the exterior face of the exterior walls of each building without deduction for garage space, hallways, stairs, closets, thickness of walls, columns, atria, open wells and other vertical open spaces, or other features as defined in this Sec. 1.5.5, as defined below:

   a. Gross floor area shall include:

      i. First and second stories;

      ii. Any floor area above the second story, whether finished or unfinished, that meets all of the following criteria:

         a. It lies below the area of a horizontal plane that is 5 feet above it and which touches the side walls and/or the underside of the roof rafters;

         b. Is at least 7 feet in any horizontal dimension, as measured within the area having a wall height of 5 feet or more;

         c. Has a minimum ceiling height of 7 feet on at least 50 percent of its required floor area; and

         d. Has a floor area of not less than 70 square feet as measured within the area having a wall height of 5 feet or more;

      iii. Atria, open wells, and other vertical open spaces, where floor area shall be calculated by multiplying the floor level area of such space by a factor equal to the average height in feet divided by 10;

      iv. Enclosed porches;

      v. Attached garages;

      vi. Detached garages and any space above the first story of a detached garage that has a ceiling height of 7 feet or greater;

      vii. Other detached accessory buildings, such as sheds or cabanas, except as exempted in paragraph b. below;

      viii. A portion of mass below the first story, to be calculated using the formula in paragraph D. below; and

   b. Gross floor area shall not include:

      i. Unenclosed porches;

      ii. Doorway vestibules up to a maximum floor area of 24 square feet;

      iii. Exterior insulation added to a building, in which case gross floor area shall be taken from the exterior face of the structural wall;

      iv. Carports; and

      v. 1 detached accessory building equal to or less than 120 square feet in size.

D. Mass Below First Story. For the purposes of calculating gross floor area, any cellar, crawl space, basement, or other enclosed area lying directly below a first story in a residential structure.

1. Standards. The lesser of 50 percent of the floor area of mass below first story OR:

   ((X/Y) floor area of mass below first story)

   Where:

   - X = Sum of the width of those sections of exposed walls below the first story having an exterior height ≥ 4 feet as measured from existing or proposed grade, whichever is lower, to the top of the subfloor of the first story.
   - Y = Perimeter of exterior walls below first story.

Proposed Ordinance – Building Types + District Standards

#88-20

3.2.4. House B

A. Description.

A one-unit house with a medium footprint and up to 2.5 stories by-right. House B building types can be found throughout Newton. The House B type includes typical midscale Victorian homes close to village centers, and midscale Colonial homes frequently built in the era of suburban infill between Newton's historic village centers.

B. Building Dimensional Standards.

Building Width		Building Depth	Building Footprint	Number of Stories	Story Heights
Min	Max	Max	Max	Max	All Stories
15 ft	65 ft	90 ft	1,400~~1,600~~ sf SP: 2,000~~2,200~~ sf	~~R1, R2:~~ 2.5 stories SP~~R3, N~~: 3 stories	Max 12 ft SP: 14 ft
SP = Special Permit with mandatory Design Review (See Sec. 3.2.2)					

~~C. Fenestration on the Front Elevation.~~

~~1. Ground Story Fenestration: 20% Minimum, 70% Maximum~~

~~2. Upper Story Fenestration: 10% Minimum, 70% Maximum~~

~~D~~ C. Roof Types.

All Roof Types are permitted.

~~E~~ D. Additional Standards.

1. Only residential use categories are permitted; option for use conversion of an existing building according to Sec. 3.6.1.B.
2. Maximum of 1 Residential Unit
3. Outdoor Amenity Space: 1/dwelling unit

3.1.3. Residence 2 District (R2)

A. Context Description.

The Residence 2 District contains quintessentially suburban neighborhoods with ample lawns and single-unit homes, developed primarily in the 20th Century in the spaces between Newton's villages. The intent of this district is to preserve neighborhood character and to create predictability for homeowners in what they may do with their homes. Many of these neighborhoods are remote from the walkable village centers of the City and therefore do not have nearby gathering places, shops, or services.

B. Purpose.

1. To preserve the scale of these neighborhoods throughout the city.
2. To permit the development of single unit detached residential buildings on individual lots.
3. To permit contextual modifications of existing single unit detached residential buildings.
4. In limited circumstances, to retain or allow neighborhood serving commercial uses in order to enhance walkability and sustainability.
5. ~~4.~~ To promote, through building and lot design, community connections.

C. Lot Standards.

The following table contains lot standards for the Residence 2 District:

Lot Characteristics	
Frontage:	80 ft Min, 110 ft Max
Lot Depth:	-
Lot Coverage:	3025% Max; +10% by SP (See Sec. 3.3.2)

D. Setback Standards.

The following table contains setback standards for the Residence 2 District:

Setbacks	Min	Max
Front:	Contextual Front Setback (See 3.~~4~~5.1A) Absolute Min: 20~~10~~ ft	40 ft
Side:	12.5~~10~~ ft	-
Rear:	30~~20~~ ft	-
Frontage Buildout	greater of 12 ft or 25% of the frontage; non-conforming lots exceeding the max. frontage have a min. of 27.5 ft	-

E. Building Types

Case Studies

Case Studies

- **Previous: What existed on the site previously**
  - The axonometric diagram shows the current site condition as well as constraints under the zoning envelope.
- **Approved Plan: What was approved under current zoning**
  - Based on the dimensions provided about the approved project, this diagram shows what that approval looks like in terms of massing.
  - It also shows where the approved plan does not conform with the new zoning.
- **Test Fit: What could happen under the new zoning ordinance**
  - Based on the new zoning, what could be built that is fully conforming?

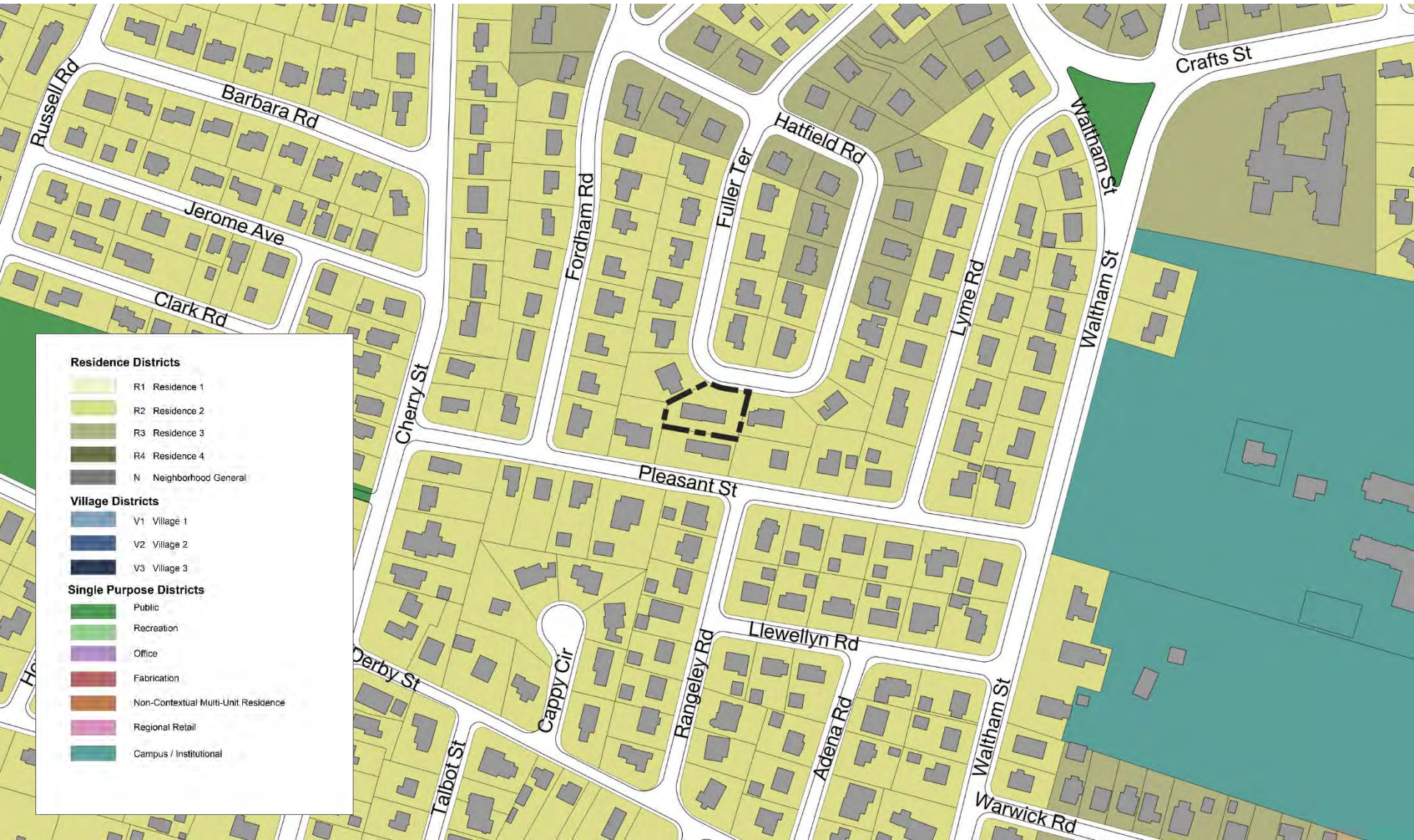
85 Fuller Terrace

House Type B

An R2 District Example

#88-20

85 Fuller Terrace Zoning



#88-20

85 Fuller Terrace

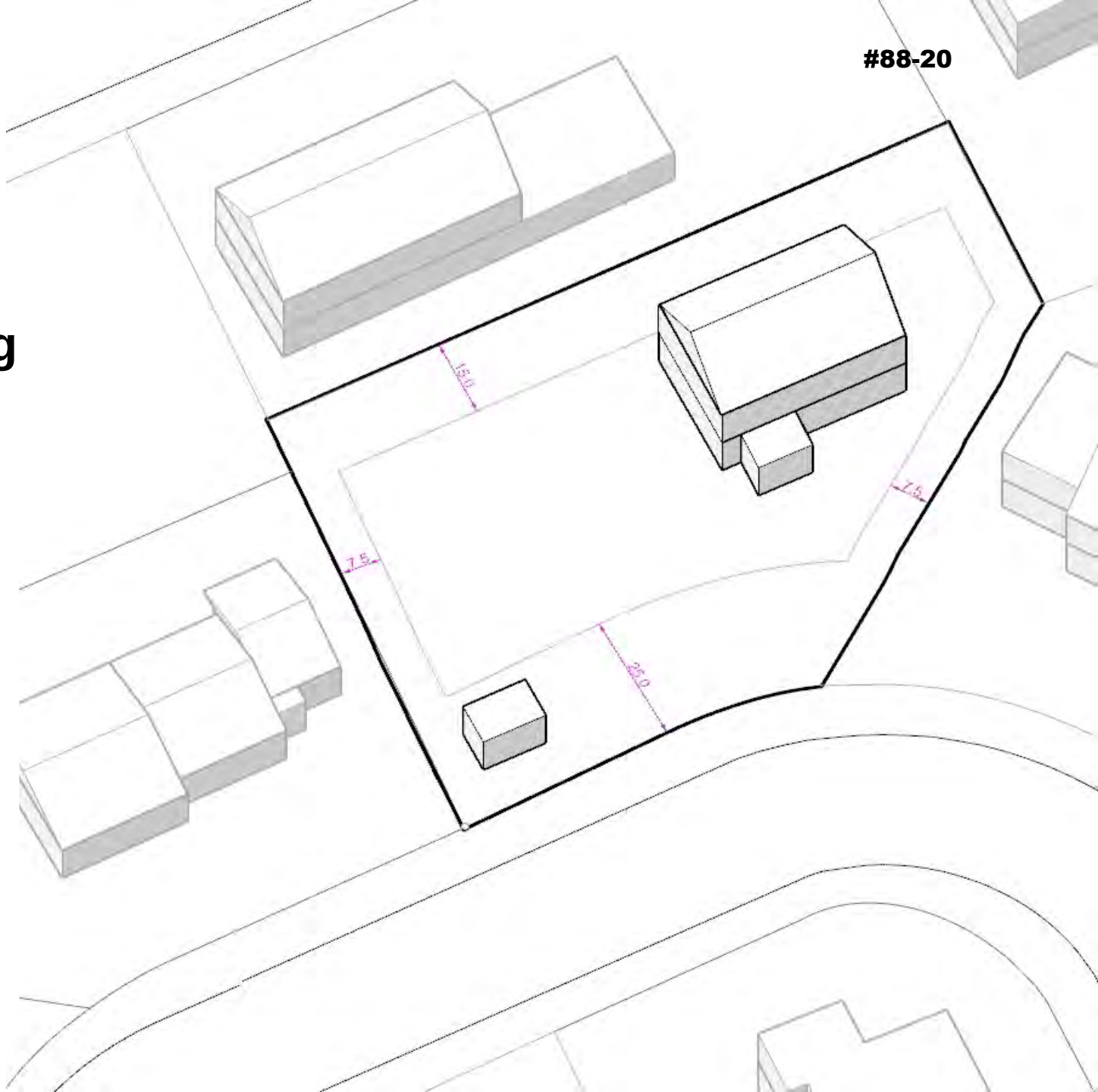
District:

- current **SR3**
- 1st draft **R2**

Approved major addition, single-family

Prior Building

	Current Requirement
Frontage	Min. 70 ft
Lot Coverage	Max 30%
Setbacks	(min)
Front (Fuller Terrace)	25 ft
Side (east)	7.5 ft
Side (west)	7.5 ft
Rear	15 ft
Lot Size	Min 10,000 sf
Min. Open Space	Max 50%
Frontage Buildout	-
Footprint	-
Min. Building Width	-
Max. Building Width	-
Max Building Depth	-
Height (Max Stories)	Max 2.5
FAR	Max 0.41



85 Fuller Terrace

District:

- current **SR3**
- 1st draft **R2**

Approved major addition, single-family

Prior Building

#88-20

85 Fuller Terrace

District:

- current **SR3**
- 1st draft **R2**

Approved major addition, single-family

Approved Project

#88-20

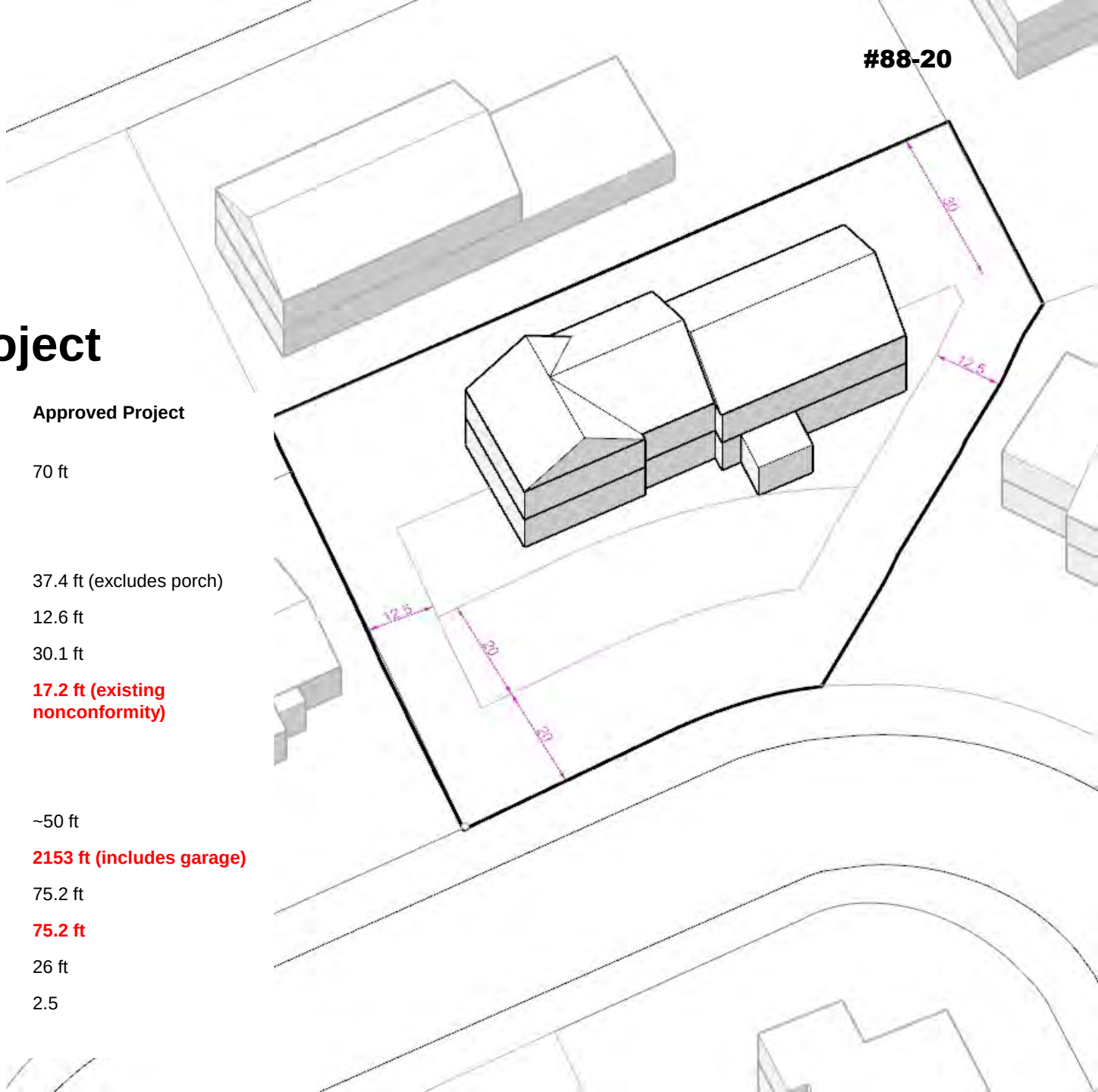
85 Fuller Terrace

District:
- current **SR3**
- 1st draft **R2**

Approved major addition, single-family

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	60-110 ft	70 ft
Lot Coverage	Max 30%	
Setbacks	(min or range)	
Front (Fuller Terrace)	20-40 ft	37.4 ft (excludes porch)
Side (east)	12.5 ft	12.6 ft
Side (west)	12.5 ft	30.1 ft
Rear	30 ft	**17.2 ft (existing nonconformity)**
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	~50 ft
Footprint	Max 1400 sf	**2153 ft (includes garage)**
Min. Building Width	15 ft	75.2 ft
Max. Building Width	65 ft	**75.2 ft**
Max Building Depth	90 ft	26 ft
Height (Max Stories)	Max 2.5	2.5
FAR		



#88-20

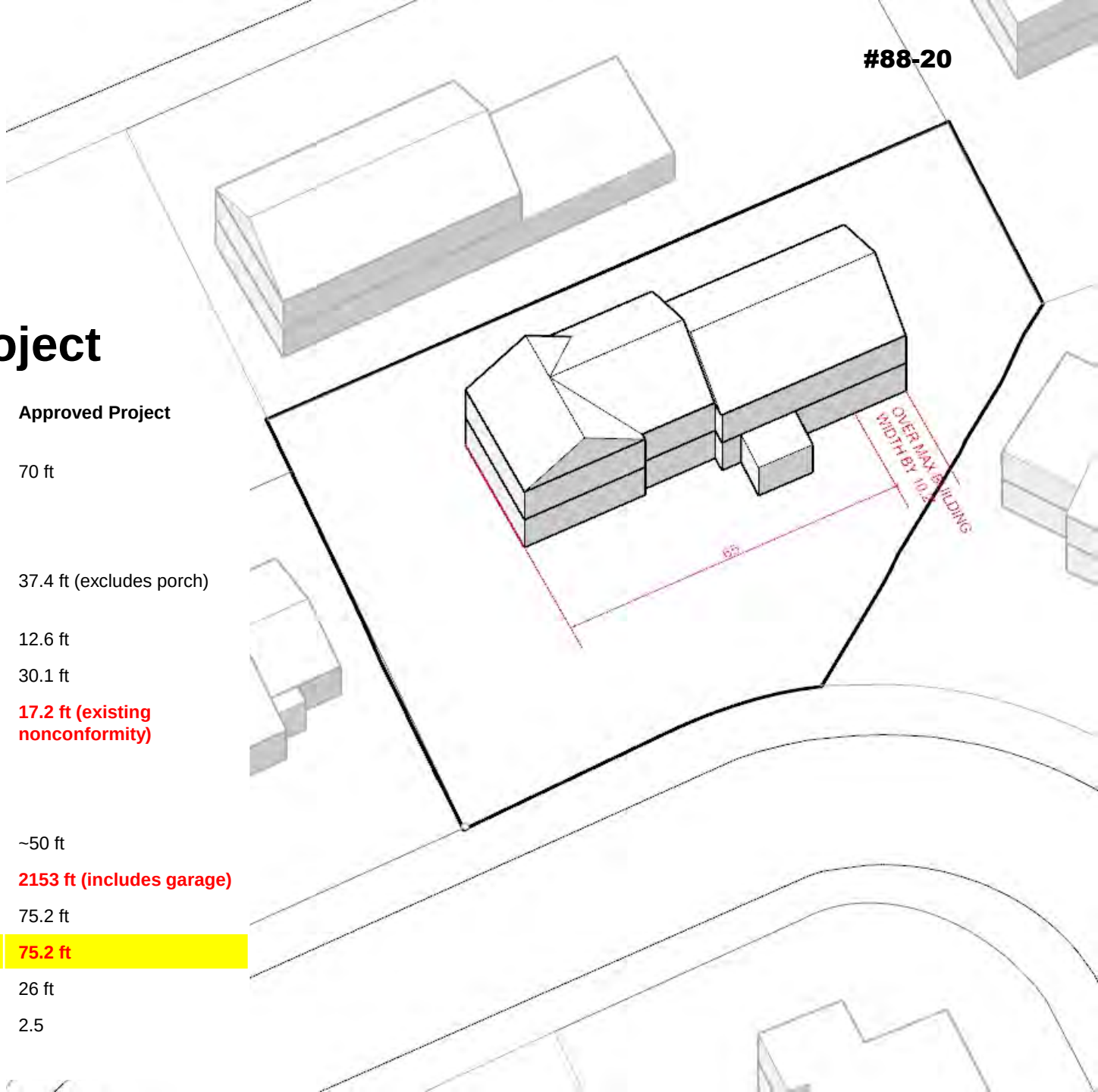
85 Fuller Terrace

District:
- current **SR3**
- 1st draft **R2**

Approved major addition, single-family

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	60-110 ft	70 ft
Lot Coverage	Max 30%	
Setbacks	(min or range)	
Front (Fuller Terrace)	20-40 ft	37.4 ft (excludes porch)
Side (east)	12.5 ft	12.6 ft
Side (west)	12.5 ft	30.1 ft
Rear	30 ft	**17.2 ft (existing nonconformity)**
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	~50 ft
Footprint	Max 1400 sf	**2153 ft (includes garage)**
Min. Building Width	15 ft	75.2 ft
Max. Building Width	65 ft	**75.2 ft**
Max Building Depth	90 ft	26 ft
Height (Max Stories)	Max 2.5	2.5
FAR		



#88-20

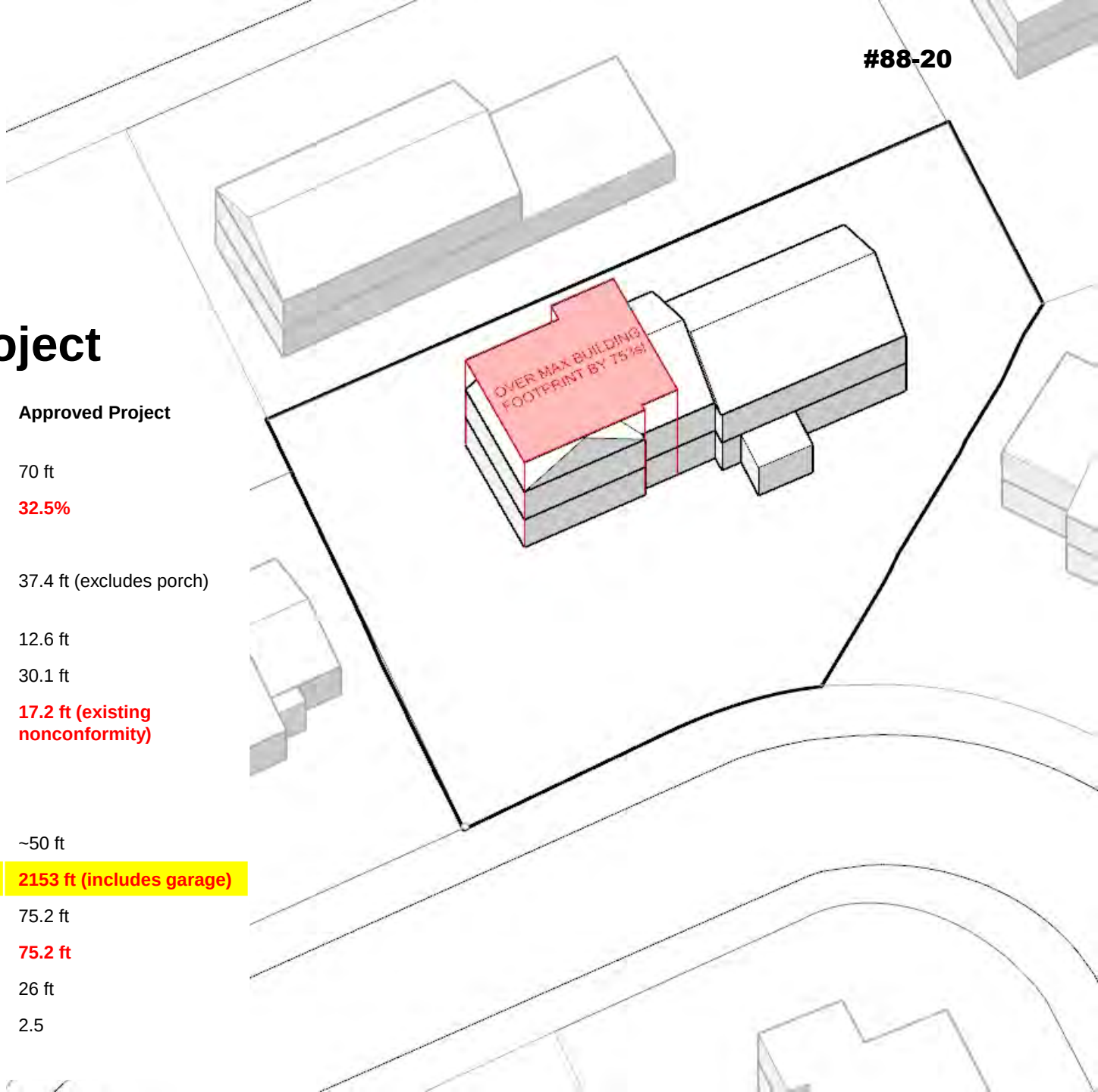
85 Fuller Terrace

District:
- current **SR3**
- 1st draft **R2**

Approved major addition, single-family

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	60-110 ft	70 ft
Lot Coverage	Max 30%	**32.5%**
Setbacks	(min or range)	
Front (Fuller Terrace)	20-40 ft	37.4 ft (excludes porch)
Side (east)	12.5 ft	12.6 ft
Side (west)	12.5 ft	30.1 ft
Rear	30 ft	**17.2 ft (existing nonconformity)**
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	~50 ft
Footprint	Max 1400 sf	**2153 ft (includes garage)**
Min. Building Width	15 ft	75.2 ft
Max. Building Width	65 ft	**75.2 ft**
Max Building Depth	90 ft	26 ft
Height (Max Stories)	Max 2.5	2.5
FAR		



#88-20

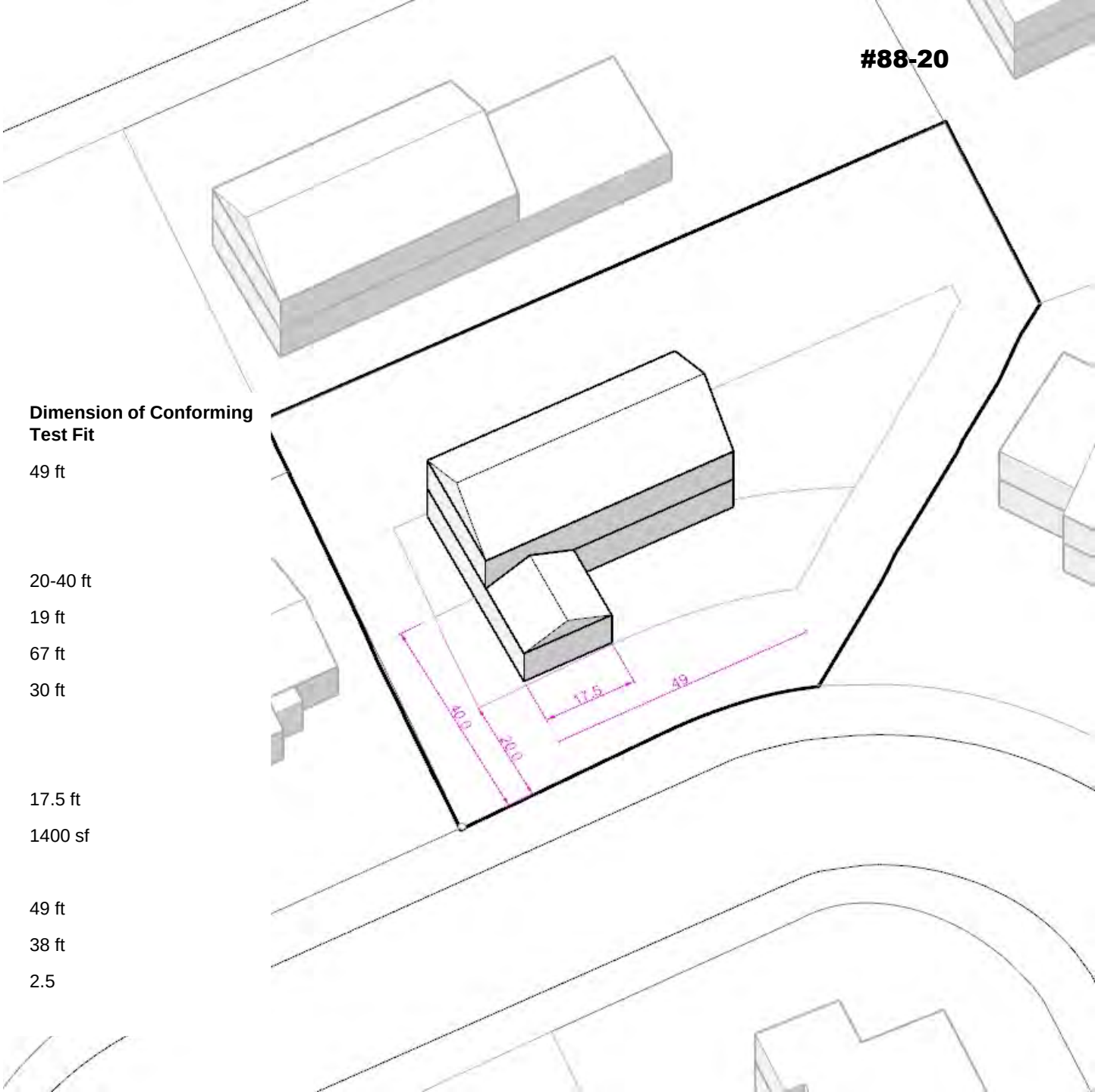
85 Fuller Terrace

District:
- current **SR3**
- 1st draft **R2**

Approved major addition, single-family

Test Fit

	Draft Zoning Requirement	Dimension of Conforming Test Fit
Frontage	60-110 ft	49 ft
Lot Coverage	Max 30%	
Setbacks	(min or range)	
Front (Fuller Terrace)	20-40 ft	20-40 ft
Side (east)	12.5 ft	19 ft
Side (west)	12.5 ft	67 ft
Rear	30 ft	30 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	17.5 ft
Footprint	Max 1400 sf	1400 sf
Min. Building Width	15 ft	
Max. Building Width	65 ft	49 ft
Max Building Depth	90 ft	38 ft
Height (Max Stories)	Max 2.5	2.5
FAR		



878-880 Chestnut

Two Unit Residence

An R3 District Example

#88-20

878-880 Chestnut Zoning

870-880 Chestnut

#88-20

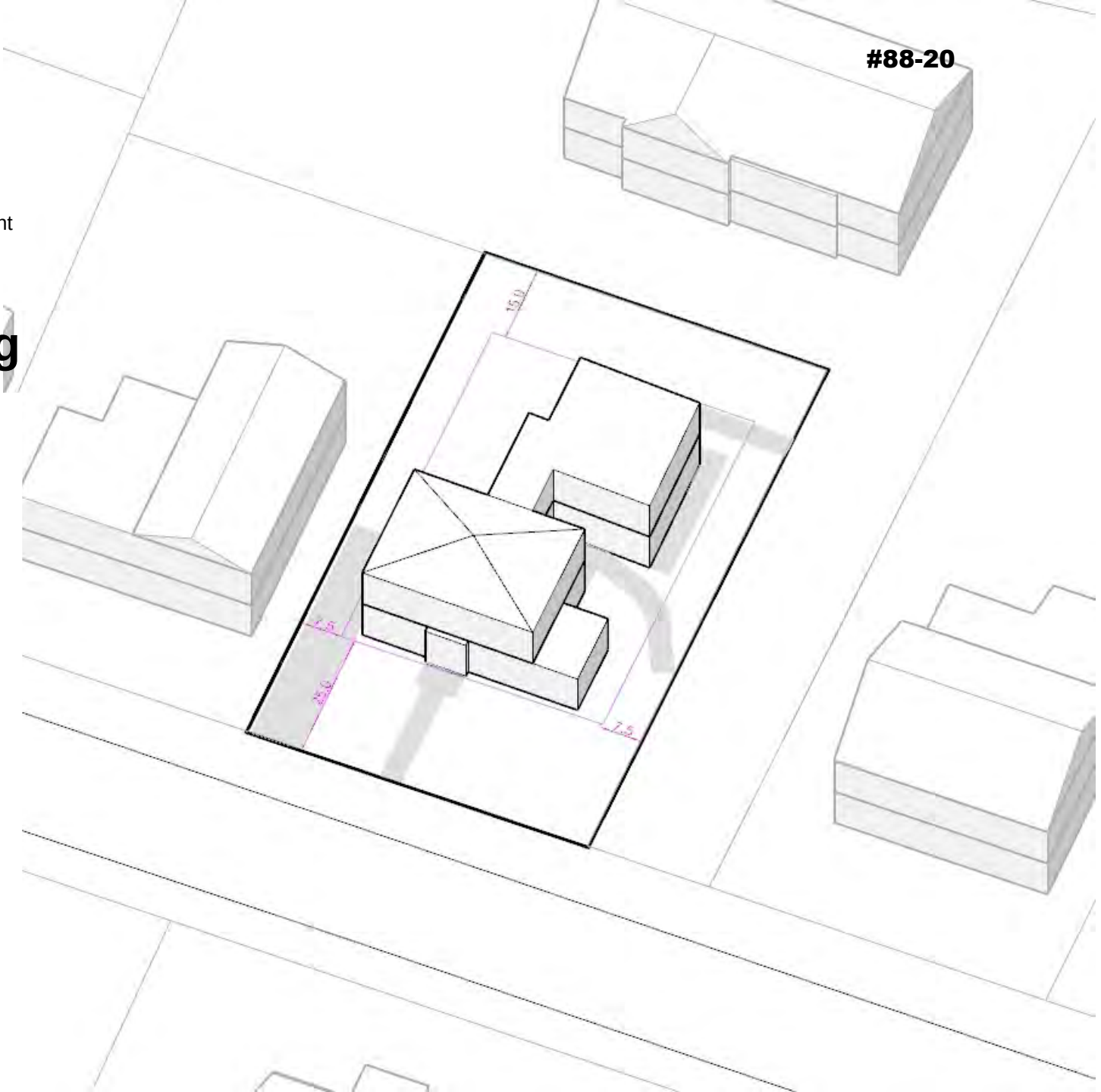
District:

- current **MR1**
- 1st draft **R3**

Approved two-family development

Prior Building

	Current Requirement
Frontage	Min. 70 ft
Lot Coverage	Max 30%
Setbacks	(min)
Front (Chestnut)	25 ft
Side (north)	7.5 ft
Side (south)	7.5 ft
Rear	15 ft
Lot Size	Min 7,000 sf
Min. Open Space	Max 50%
Frontage Buildout	-
Footprint	-
Min. Building Width	-
Max. Building Width	-
Max Building Depth	-
Height (Max Stories)	Max 2.5
FAR	Max 0.53



#88-20

870-880 Chestnut

District:

- current **MR1**
- 1st draft **R3**

Approved two-family development

Prior Building

#88-20

870-880 Chestnut

District:

- current **MR1**
- 1st draft **R3**

Approved two-family development

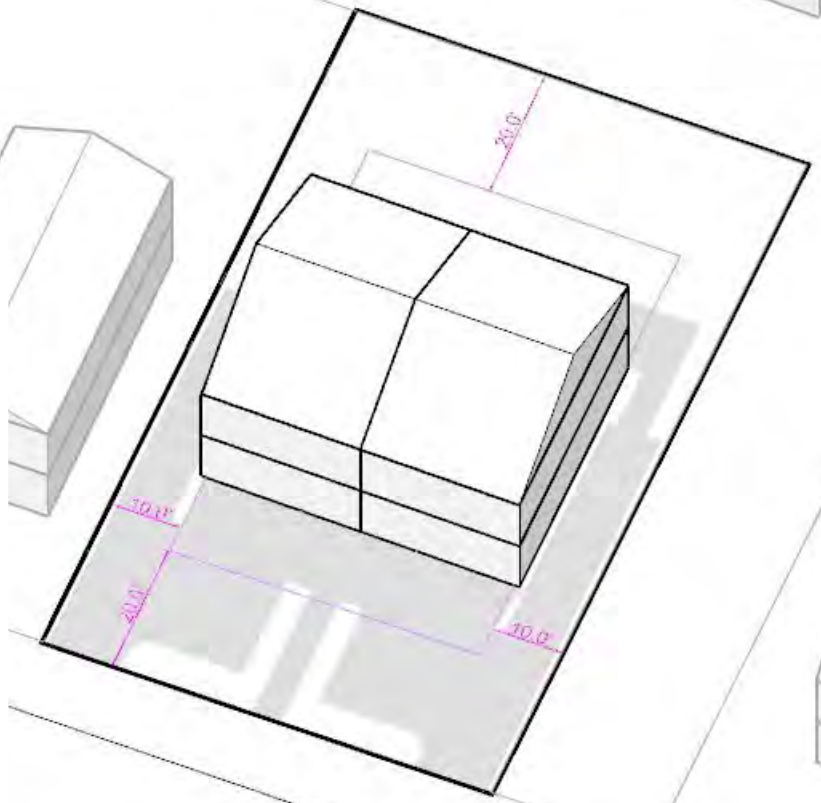
Approved Project

870-880 Chestnut

District:
- current **MR1**
- 1st draft **R3**

Approved two-family development

#88-20



Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	65 ft
Lot Coverage	Max 50%	**56%**
Setbacks	(range)	
Front (Chestnut)	20 min/max	**30 ft**
Side (north)	10 ft	**9.35 ft**
Side (south)	10 ft	**9.35 ft**
Rear	20 ft	29.55 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 16.25 ft	46 ft
Footprint	Max 2,000 sf	1858 sf
Min. Building Width	20 ft	46 ft
Max. Building Width	65 ft	46 ft
Max Building Depth	80 ft	38 ft
Height (Max Stories)	Max 2.5	2.5
FAR		

870-880 Chestnut

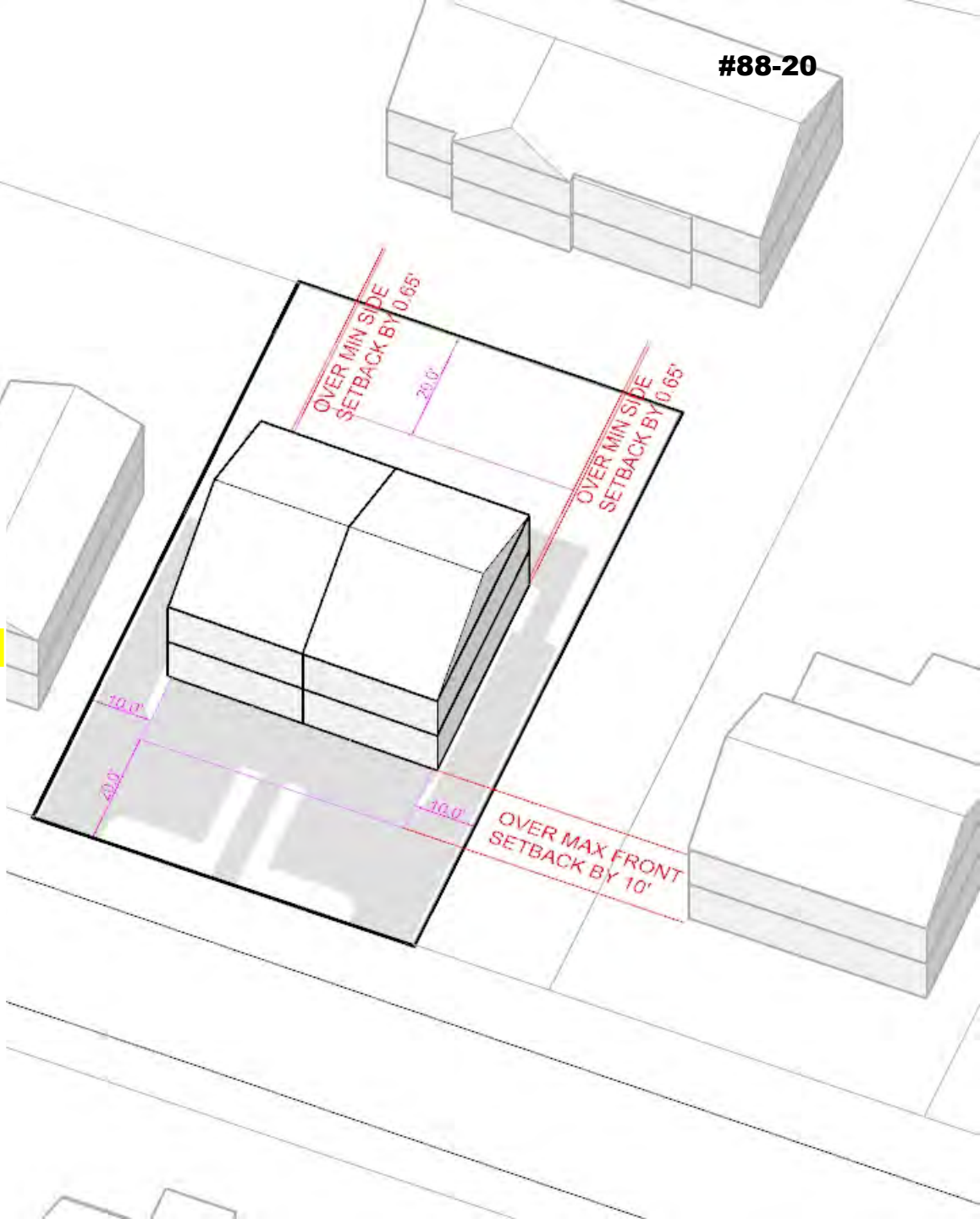
#88-20

District:
- current **MR1**
- 1st draft **R3**

Approved two-family development

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	65 ft
Lot Coverage	Max 50%	**56%**
Setbacks	(range)	
Front (Chestnut)	20 (contextual)	**30 ft**
Side (north)	10 ft	**9.35 ft**
Side (south)	10 ft	**9.35 ft**
Rear	20 ft	29.55 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 16.25 ft	46 ft
Footprint	Max 2,000 sf	1858 sf
Min. Building Width	20 ft	46 ft
Max. Building Width	65 ft	46 ft
Max Building Depth	80 ft	38 ft
Height (Max Stories)	Max 2.5	2.5
FAR		



#88-20

870-880 Chestnut

District:
- current **MR1**
- 1st draft **R3**

Approved two-family development

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	65 ft
Lot Coverage	Max 50%	**56%**
Setbacks	(range)	
Front (Chestnut)	20 min/max	**30 ft**
Side (north)	10 ft	**9.35 ft**
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Lot Size		
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Max Building Depth	80 ft	38 ft
Height (Max Stories)	Max 2.5	2.5
FAR		

#88-20

870-880 Chestnut

District:

- current **MR1**
- 1st draft **R3**

Approved two-family development

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	65 ft
Lot Coverage	Max 50%	**56%**
Setbacks	(range)	
Front (Chestnut)	20 min/max	**30 ft**
Side (north)	10 ft	**9.35 ft**
Side (south)	10 ft	**9.35 ft**
Rear	20 ft	29.55 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 16.25 ft	46 ft
Footprint	Max 2,000 sf	1858 sf
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Max Building Depth	80 ft	38 ft
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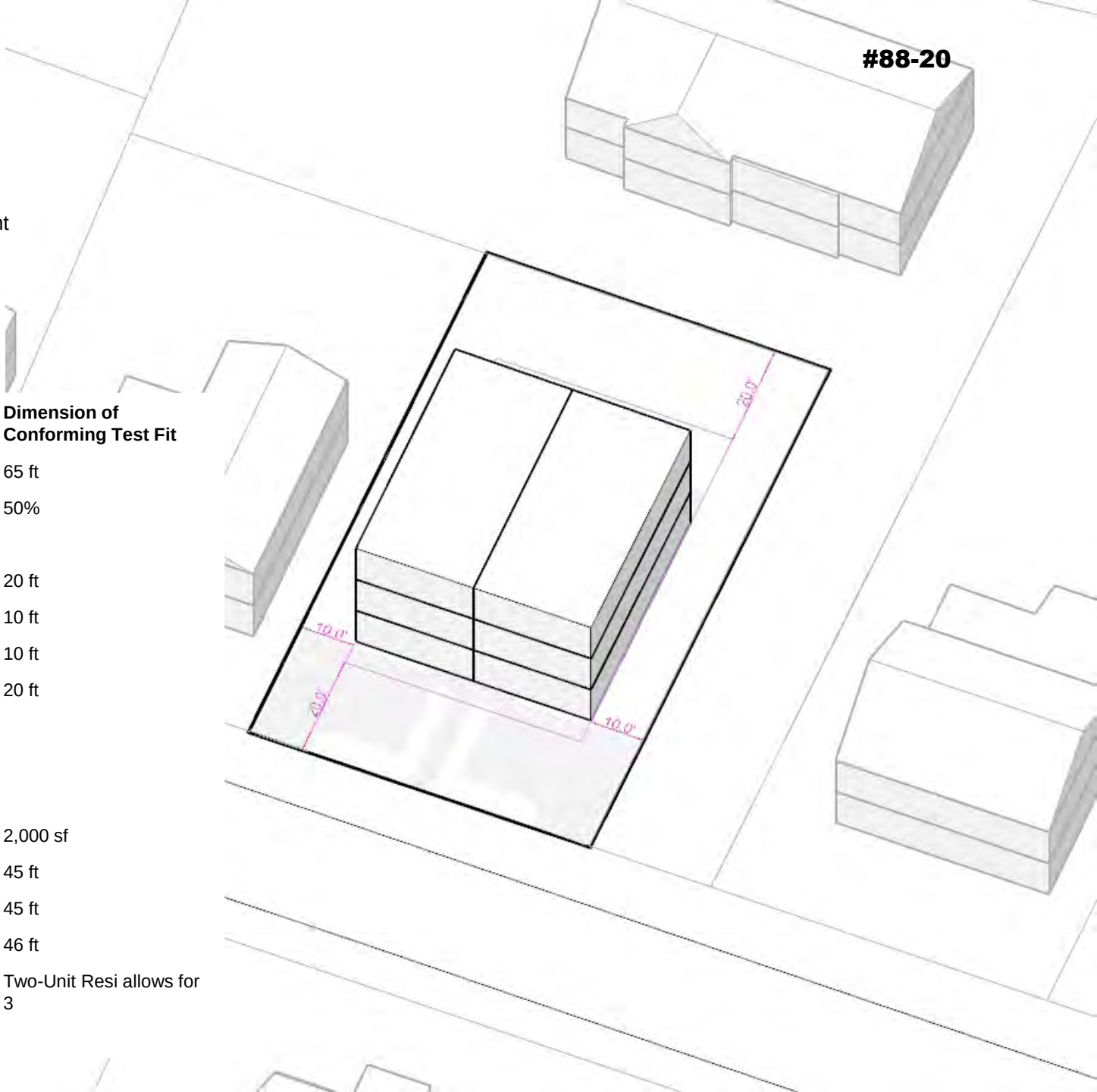
FAR		

#88-20

870-880 Chestnut

District:
- current **MR1**
- 1st draft **R3**

Approved two-family development



Test Fit

	Draft Zoning Requirement	Dimension of Conforming Test Fit
Frontage	50-100 ft	65 ft
Lot Coverage	Max 50%	50%
Setbacks	(range)	
Front (Chestnut)	20 min/max	20 ft
Side (north)	10 ft	10 ft
Side (south)	10 ft	10 ft
Rear	20 ft	20 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 16.25 ft	
Footprint	Max 2,000 sf	2,000 sf
Min. Building Width	20 ft	45 ft
Max. Building Width	65 ft	45 ft
Max Building Depth	80 ft	46 ft
Height (Max Stories)	Max 2.5	Two-Unit Resi allows for 3
FAR		

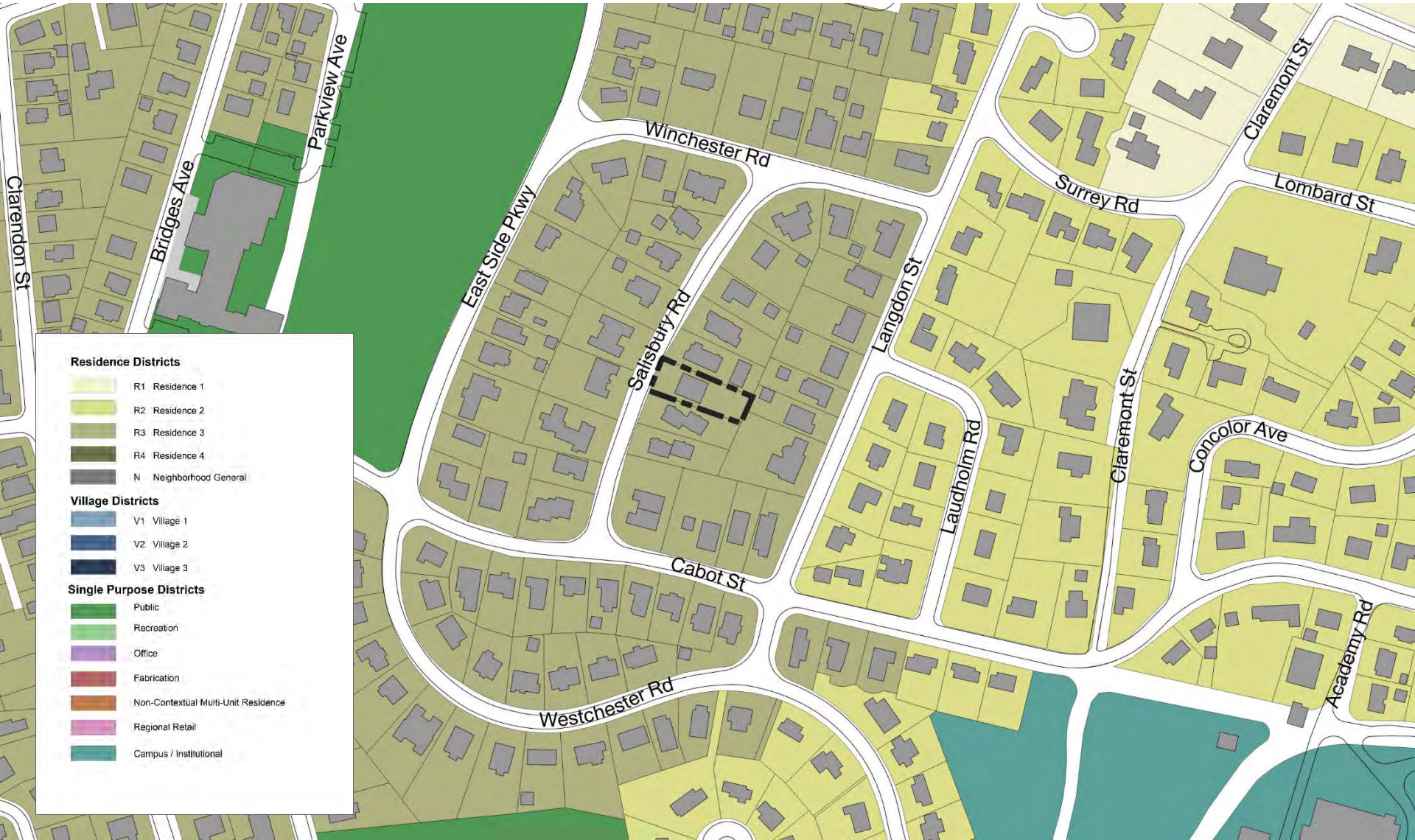
36 Salisbury St

House Type B

an R3 District Example

#88-20

36 Salisbury St Zoning



36 Salisbury

#88-20

District:

- current **MR1**
- 1st draft **R3**

Approved larger single family home

Prior Building

	Current Requirement
Frontage	Min. 70 ft
Lot Coverage	Max 30%
Setbacks	(min)
Front (Salisbury)	25 ft
Side (north)	7.5 ft
Side (south)	7.5 ft
Rear	15 ft
Lot Size	Min 7,000 sf
Min. Open Space	Min 50%
Frontage Buildout	-
Footprint	-
Min. Building Width	-
Max. Building Width	-
Max Building Depth	-
Height (Max Stories)	Max 2.5
FAR	Max 0.49

#88-20

36 Salisbury

District:

- current **MR1**
- 1st draft **R3**

Approved larger single family home

Prior Building

#88-20

36 Salisbury

District:

- current **MR1**
- 1st draft **R3**

Approved larger single family home

Approved Project

#88-20

36 Salisbury

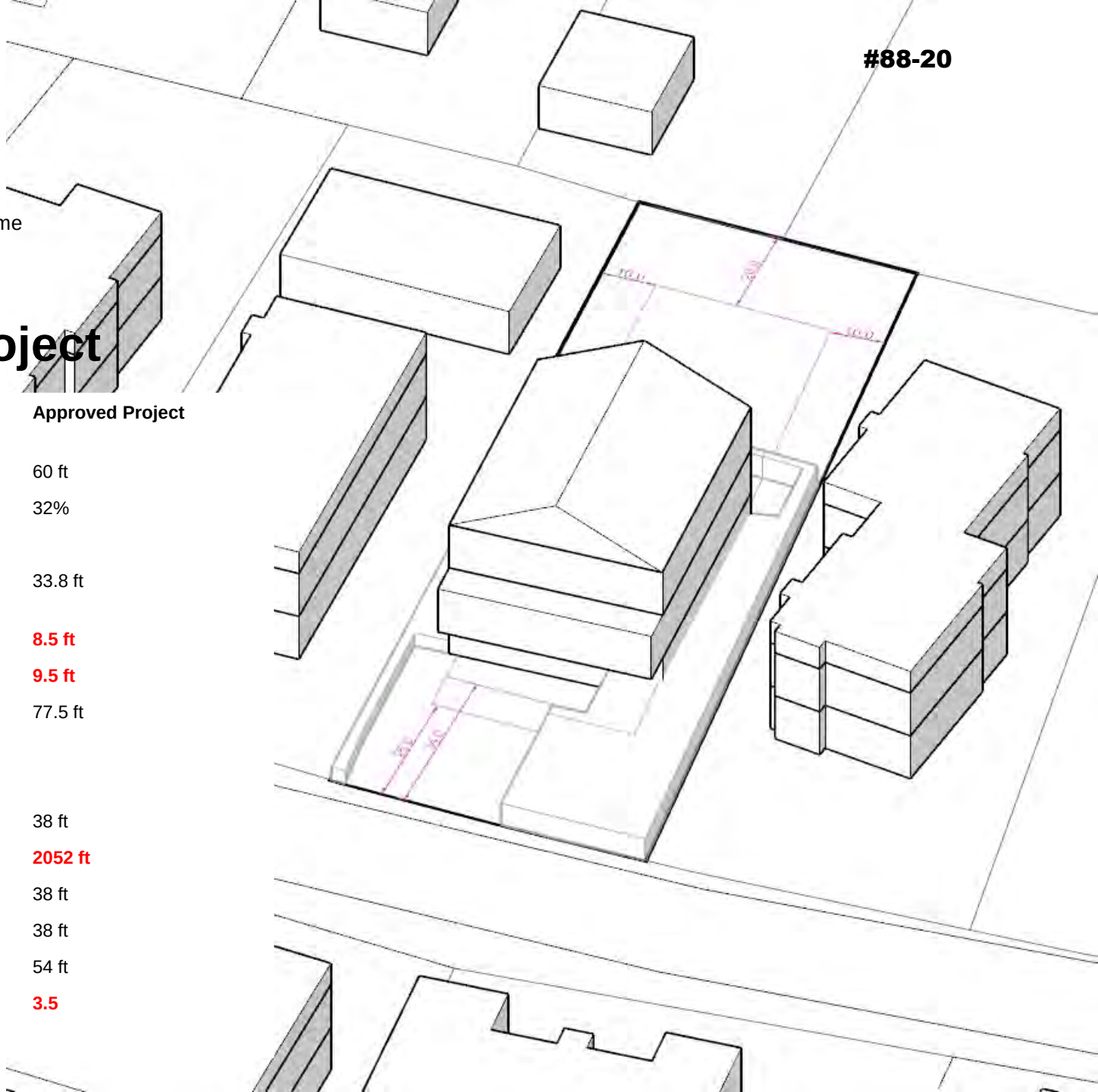
District:

- current **MR1**
- 1st draft **R3**

Approved larger single family home

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	60 ft
Lot Coverage	Max 50%	32%
Setbacks	(range)	
Front (Salisbury)	26-34 ft min/max	33.8 ft
Side (north)	10 ft	**8.5 ft**
Side (south)	10 ft	**9.5 ft**
Rear	20 ft	77.5 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 15 ft	38 ft
Footprint	Max 1400 sf	**2052 ft**
Min. Building Width	15 ft	38 ft
Max. Building Width	65 ft	38 ft
Max Building Depth	90 ft	54 ft
Height (Max Stories)	Max 2.5	**3.5**
FAR		



#88-20

36 Salisbury

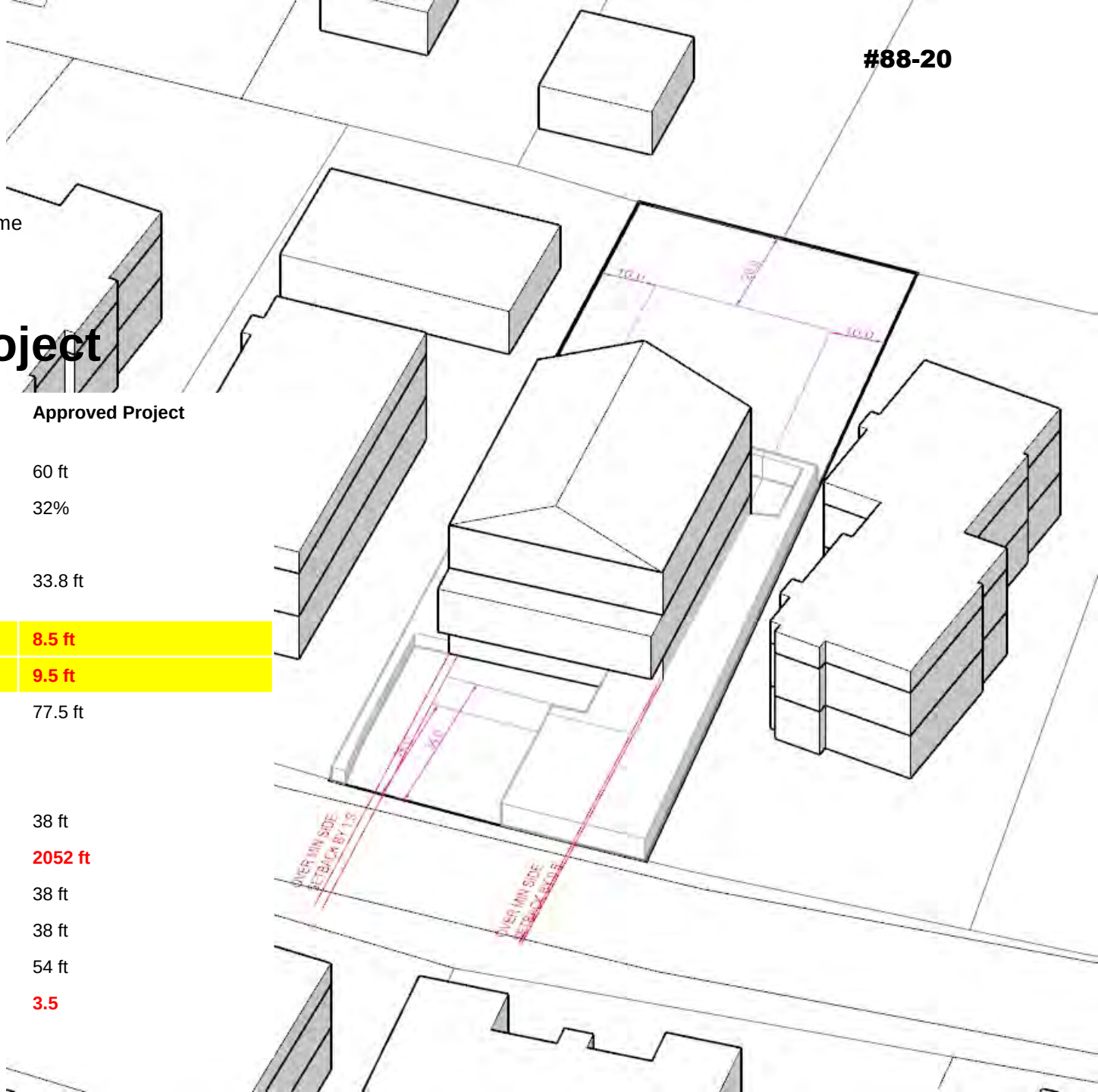
District:

- current **MR1**
- 1st draft **R3**

Approved larger single family home

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	60 ft
Lot Coverage	Max 50%	32%
Setbacks	(range)	
Front (Salisbury)	26-34 ft min/max	33.8 ft
Side (north)	10 ft	**8.5 ft**
Side (south)	10 ft	**9.5 ft**
Rear	20 ft	77.5 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 15 ft	38 ft
Footprint	Max 1400 sf	**2052 ft**
Min. Building Width	15 ft	38 ft
Max. Building Width	65 ft	38 ft
Max Building Depth	90 ft	54 ft
Height (Max Stories)	Max 2.5	**3.5**
FAR		



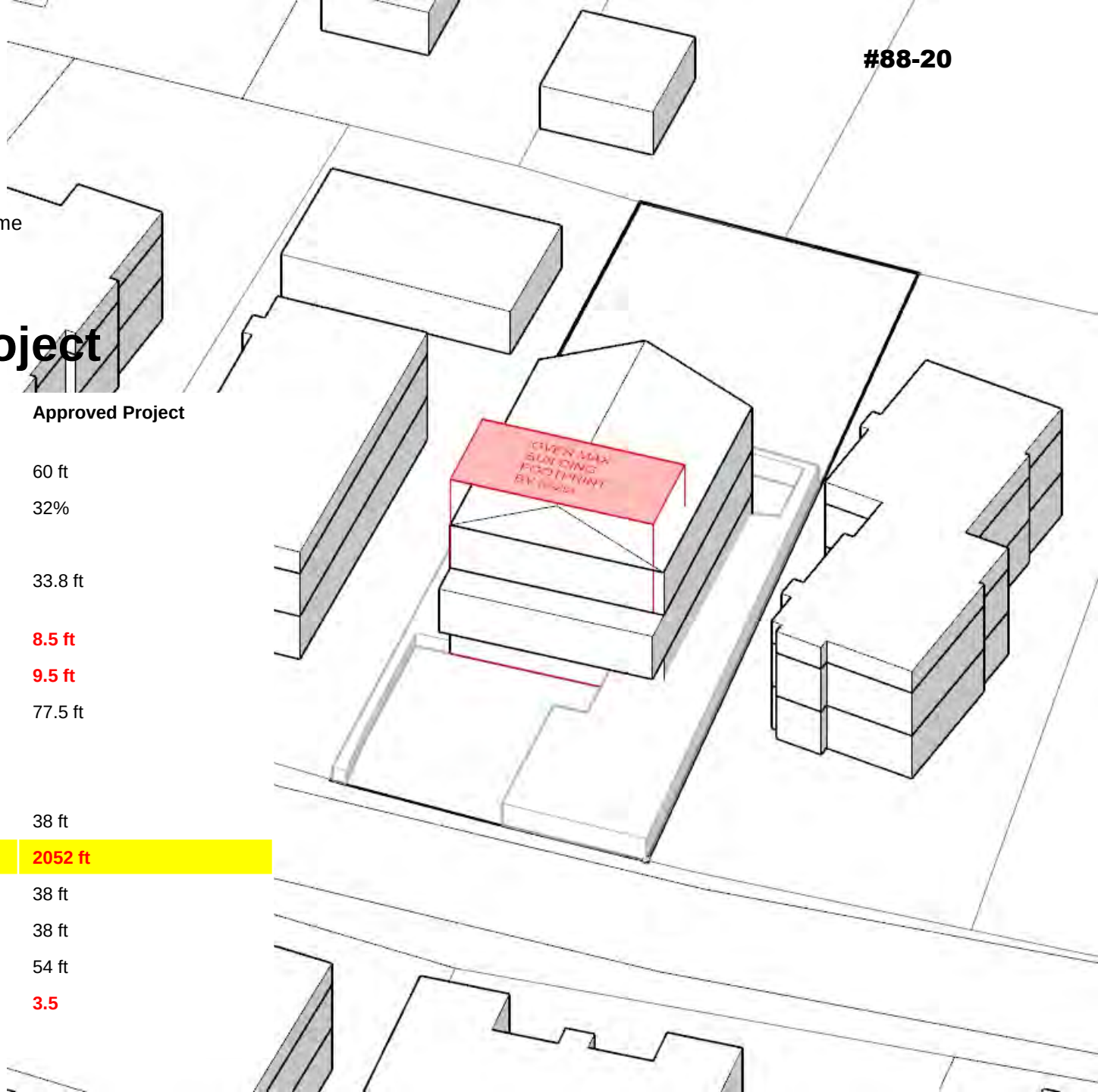
#88-20

36 Salisbury

District:

- current **MR1**
- 1st draft **R3**

Approved larger single family home



Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	60 ft
Lot Coverage	Max 50%	32%
Setbacks	(range)	
Front (Salisbury)	26-34 ft min/max	33.8 ft
Side (north)	10 ft	**8.5 ft**
Side (south)	10 ft	**9.5 ft**
Rear	20 ft	77.5 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 15 ft	38 ft
Footprint	Max 1400 sf	**2052 ft**
Min. Building Width	15 ft	38 ft
Max. Building Width	65 ft	38 ft
Max Building Depth	90 ft	54 ft
Height (Max Stories)	Max 2.5	**3.5**
FAR		

#88-20

36 Salisbury

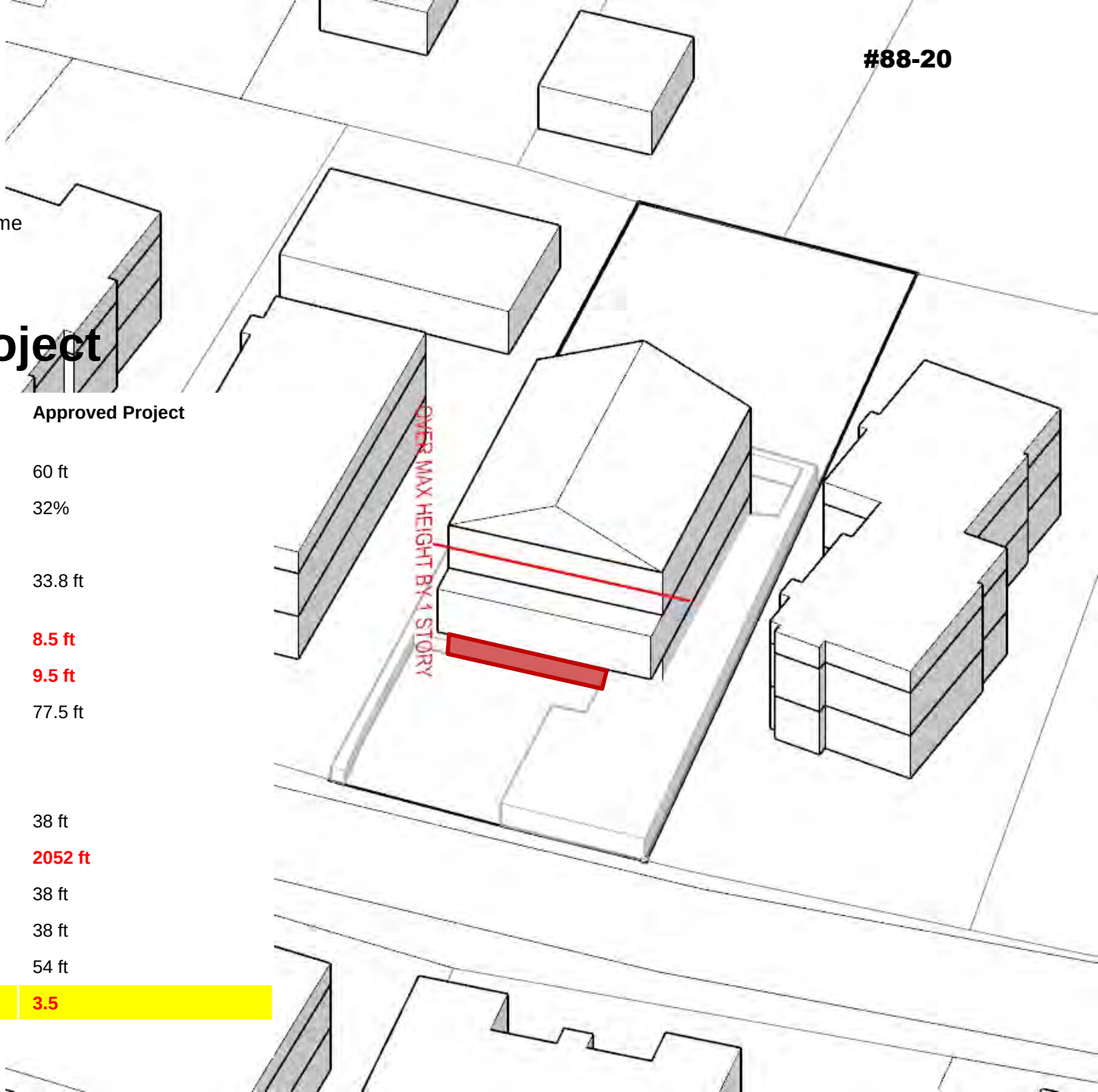
District:

- current **MR1**
- 1st draft **R3**

Approved larger single family home

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	60 ft
Lot Coverage	Max 50%	32%
Setbacks	(range)	
Front (Salisbury)	26-34 ft min/max	33.8 ft
Side (north)	10 ft	**8.5 ft**
Side (south)	10 ft	**9.5 ft**
Rear	20 ft	77.5 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 15 ft	38 ft
Footprint	Max 1400 sf	**2052 ft**
Min. Building Width	15 ft	38 ft
Max. Building Width	65 ft	38 ft
Max Building Depth	90 ft	54 ft
Height (Max Stories)	Max 2.5	**3.5**
FAR		



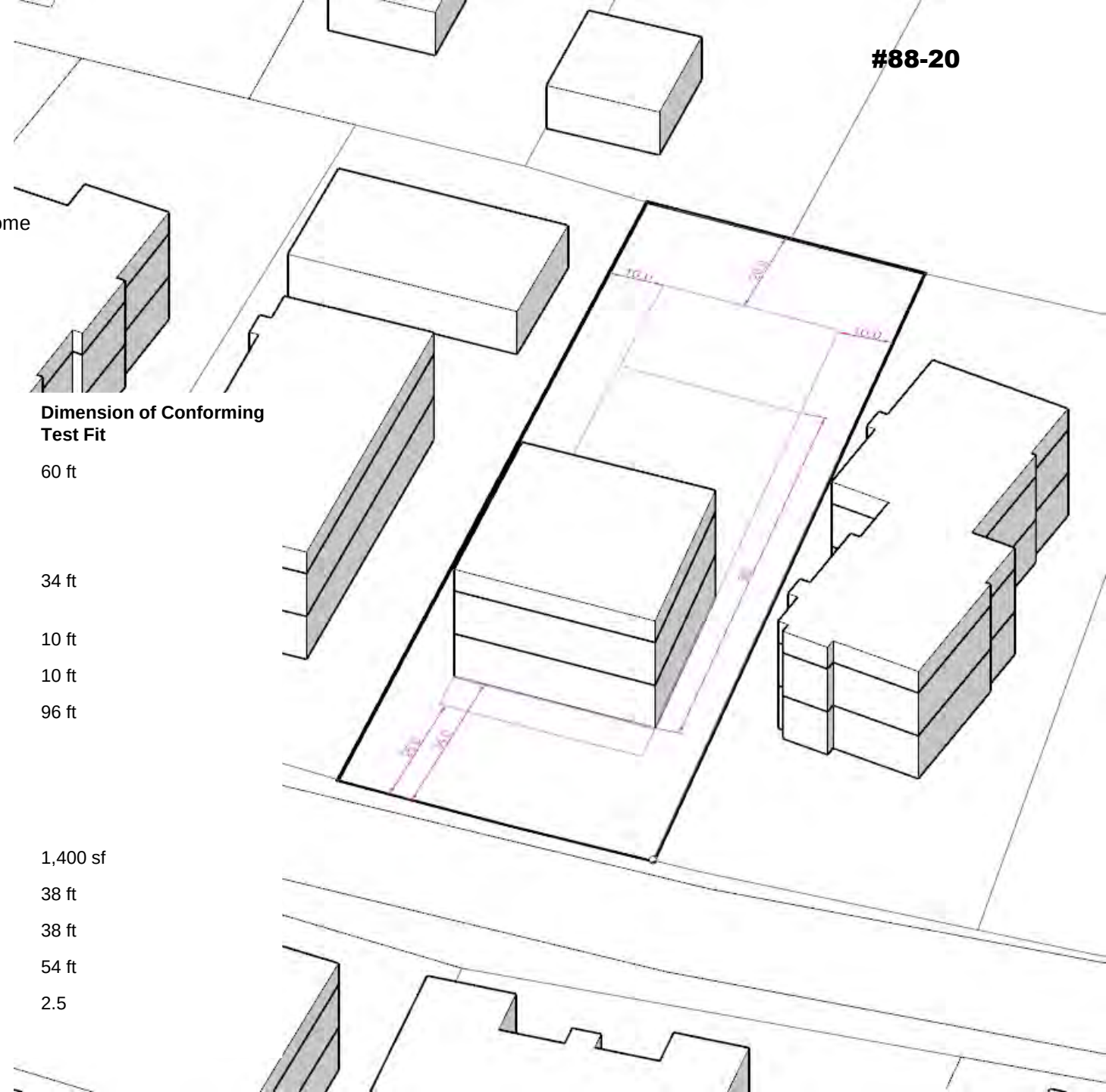
#88-20

36 Salisbury

District:

- current **MR1**
- 1st draft **R3**

Approved larger single family home



Test Fit

	Draft Zoning Requirement	Dimension of Conforming Test Fit
Frontage	50-100 ft	60 ft
Lot Coverage	Max 50%	
Setbacks	(range)	
Front (Salisbury)	26-34 ft min/max	34 ft
Side (north)	10 ft	10 ft
Side (south)	10 ft	10 ft
Rear	20 ft	96 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	
Footprint	Max 1400 sf	1,400 sf
Min. Building Width	15 ft	38 ft
Max. Building Width	65 ft	38 ft
Max Building Depth	90 ft	54 ft
Height (Max Stories)	Max 2.5	2.5
FAR		

1081 Washington St

Shop House (commercial ground floor, residential above)

An N District Example

#88-20

1081 Washington St Zoning

#88-20

1081 Washington

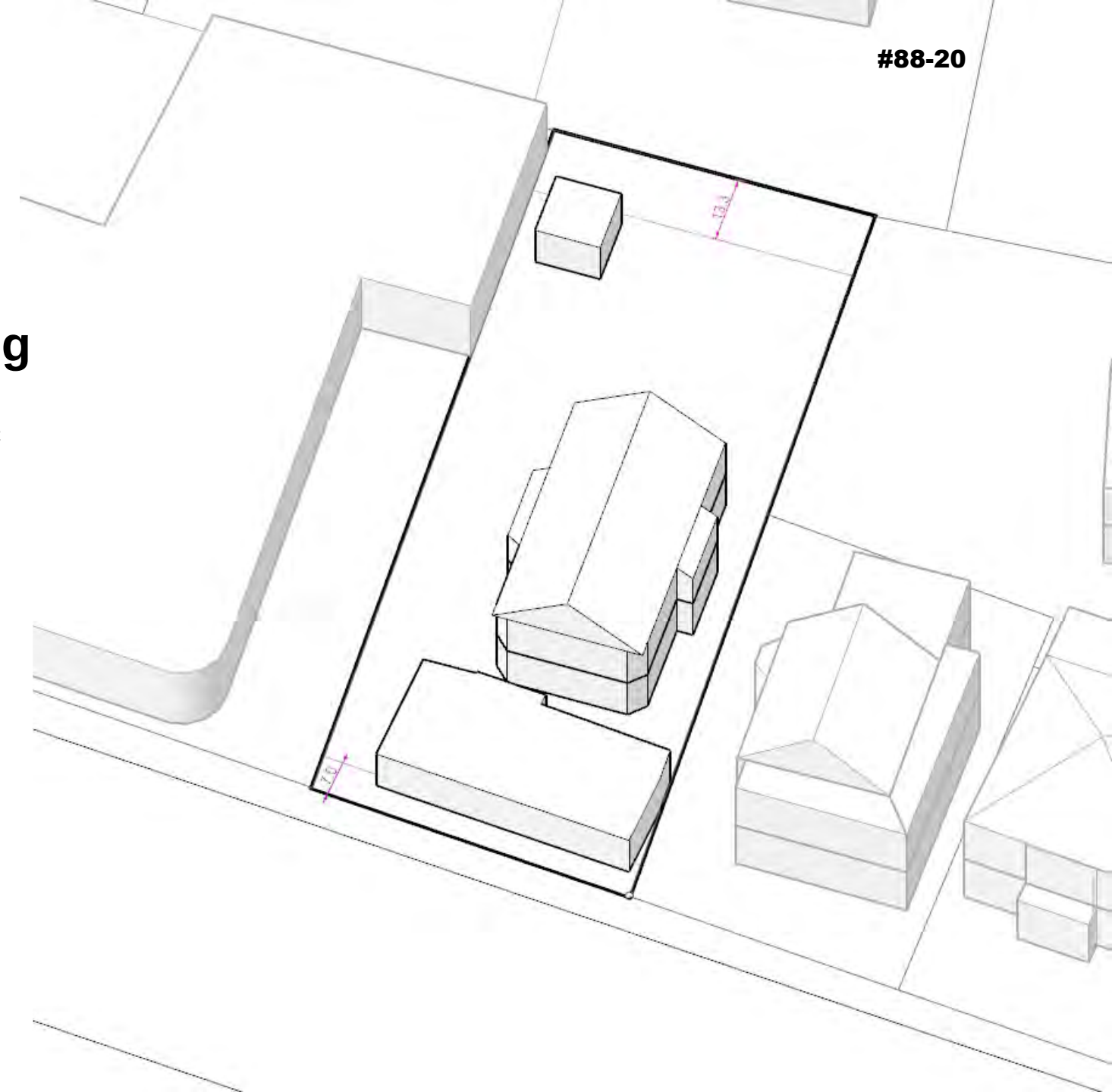
District:

- current **BU2**
- 1st draft **N**

Approved commercial building

Prior Building

	Current Requirement
Frontage	Min. 80 ft
Lot Coverage	Max 30%
Setbacks	(min)
Front (Washington)	7 ft
Side (west)	0 ft
Side (east)	0 ft
Rear	13.3 ft (1/2 height)
Lot Size	Min 10,000 sf
Min. Open Space	-
Frontage Buildout	-
Footprint	-
Min. Building Width	-
Max. Building Width	-
Max Building Depth	-
Height (Max Stories)	Max 2
FAR	Max 1.0



1081 Washington

District:
- current **BU2**
- 1st draft **N**

Approved commercial building

Prior Building

1081 Washington

District:
- current **BU2**
- 1st draft **N**

Approved commercial building

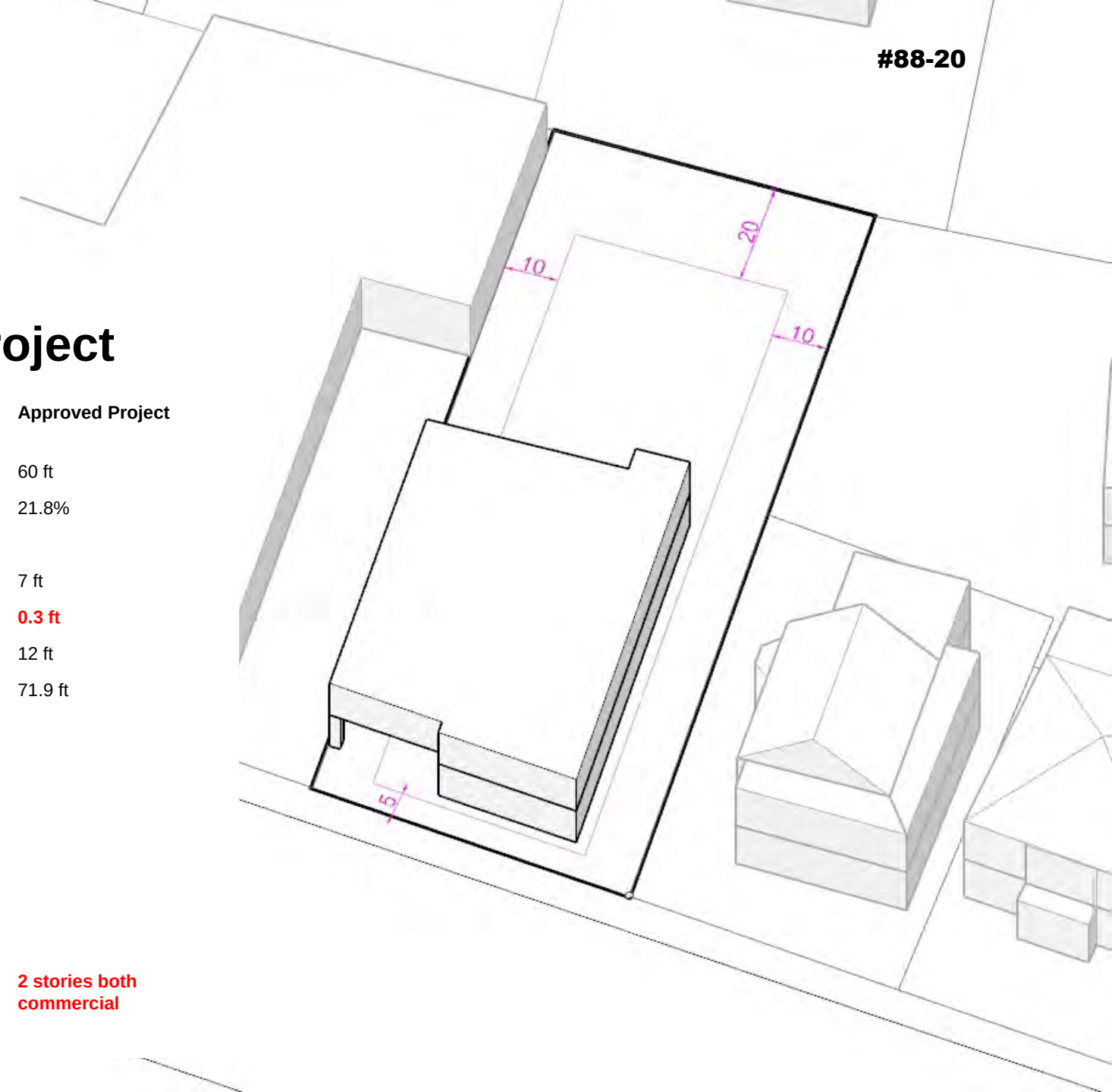
Approved Project

#88-20

1081 Washington

District:
- current **BU2**
- 1st draft **N**

Approved commercial building



Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	60 ft
Lot Coverage	Max 70%	21.8%
Setbacks	(range)	
Front (Washington)	5 ft min	7 ft
Side (west)	10 ft	**0.3 ft**
Side (east)	10 ft	12 ft
Rear	20 ft	71.9 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	
Footprint	Max 1400 sf	
Min. Building Width	15 ft	
Max. Building Width	65 ft	
Max Building Depth	90 ft	
Height (Max Stories)	Max 2.5	**2 stories both commercial**
FAR		

#88-20

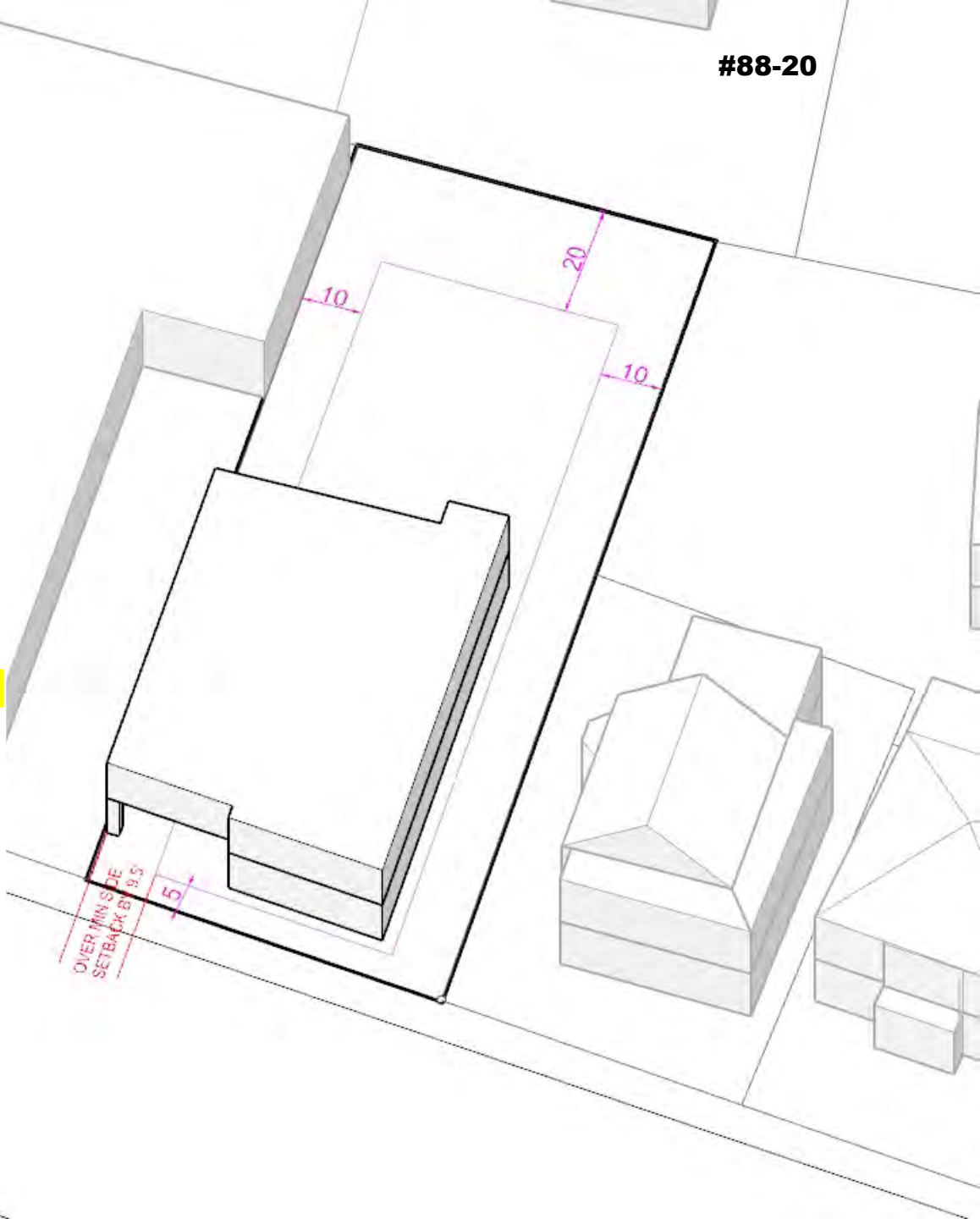
1081 Washington

District:
- current **BU2**
- 1st draft **N**

Approved commercial building

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	60 ft
Lot Coverage	Max 70%	21.8%
Setbacks	(range)	
Front (Washington)	5 ft min	7 ft
Side (west)	10 ft	**0.3 ft**
Side (east)	10 ft	12 ft
Rear	20 ft	71.9 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	
Footprint	Max 1400 sf	
Min. Building Width	15 ft	
Max. Building Width	65 ft	
Max Building Depth	90 ft	
Height (Max Stories)	Max 2.5	**2 stories both commercial**
FAR		



#88-20

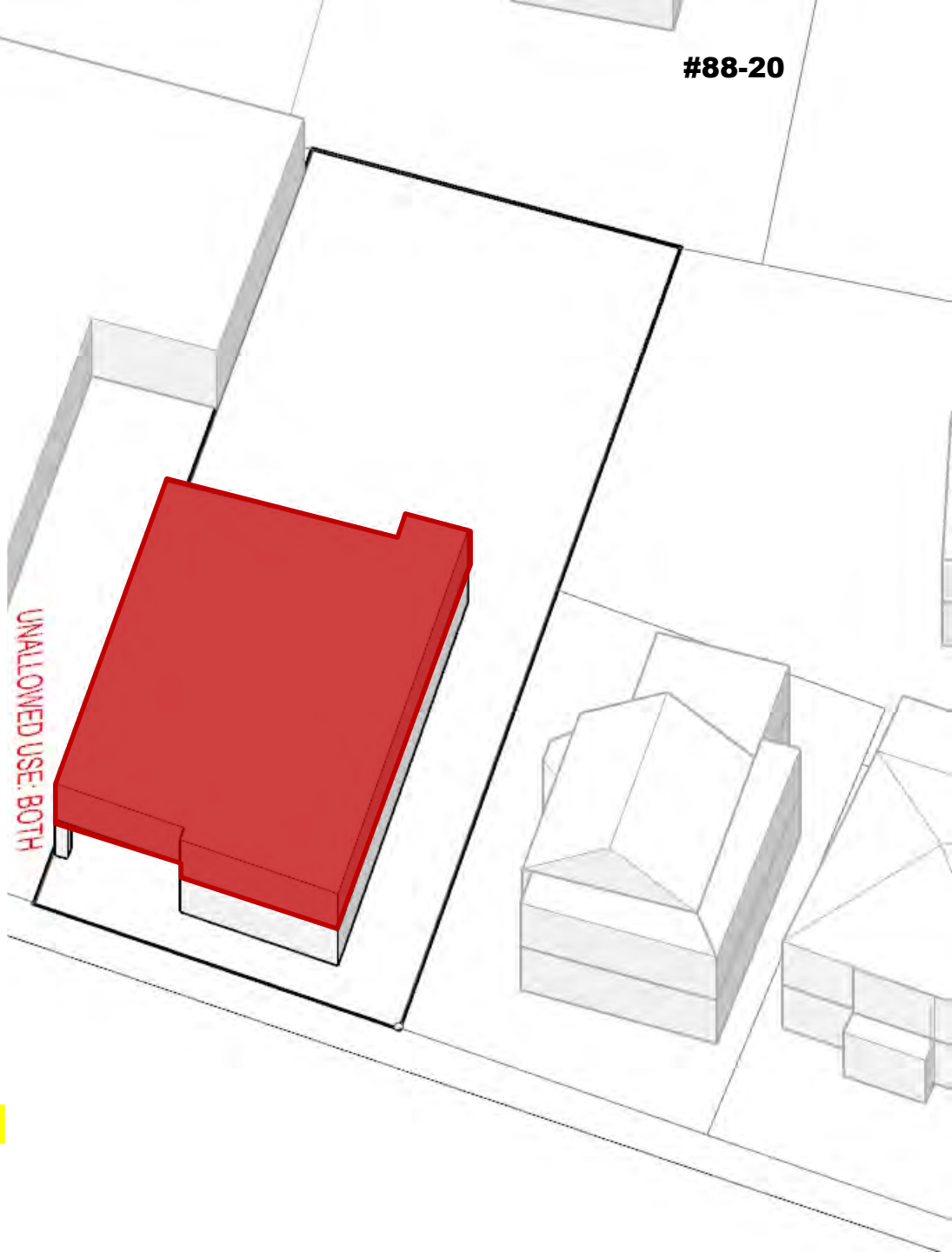
1081 Washington

District:
- current **BU2**
- 1st draft **N**

Approved commercial building

Approved Project

	Draft Zoning Requirement	Approved Project
Frontage	50-100 ft	60 ft
Lot Coverage	Max 70%	21.8%
Setbacks	(range)	
Front (Washington)	5 ft min	7 ft
Side (west)	10 ft	**0.3 ft**
Side (east)	10 ft	12 ft
Rear	20 ft	71.9 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	
Footprint	Max 1400 sf	
Min. Building Width	15 ft	
Max. Building Width	65 ft	
Max Building Depth	90 ft	
Height (Max Stories)	Max 2.5	**2 stories both commercial**
FAR		



#88-20

1081 Washington

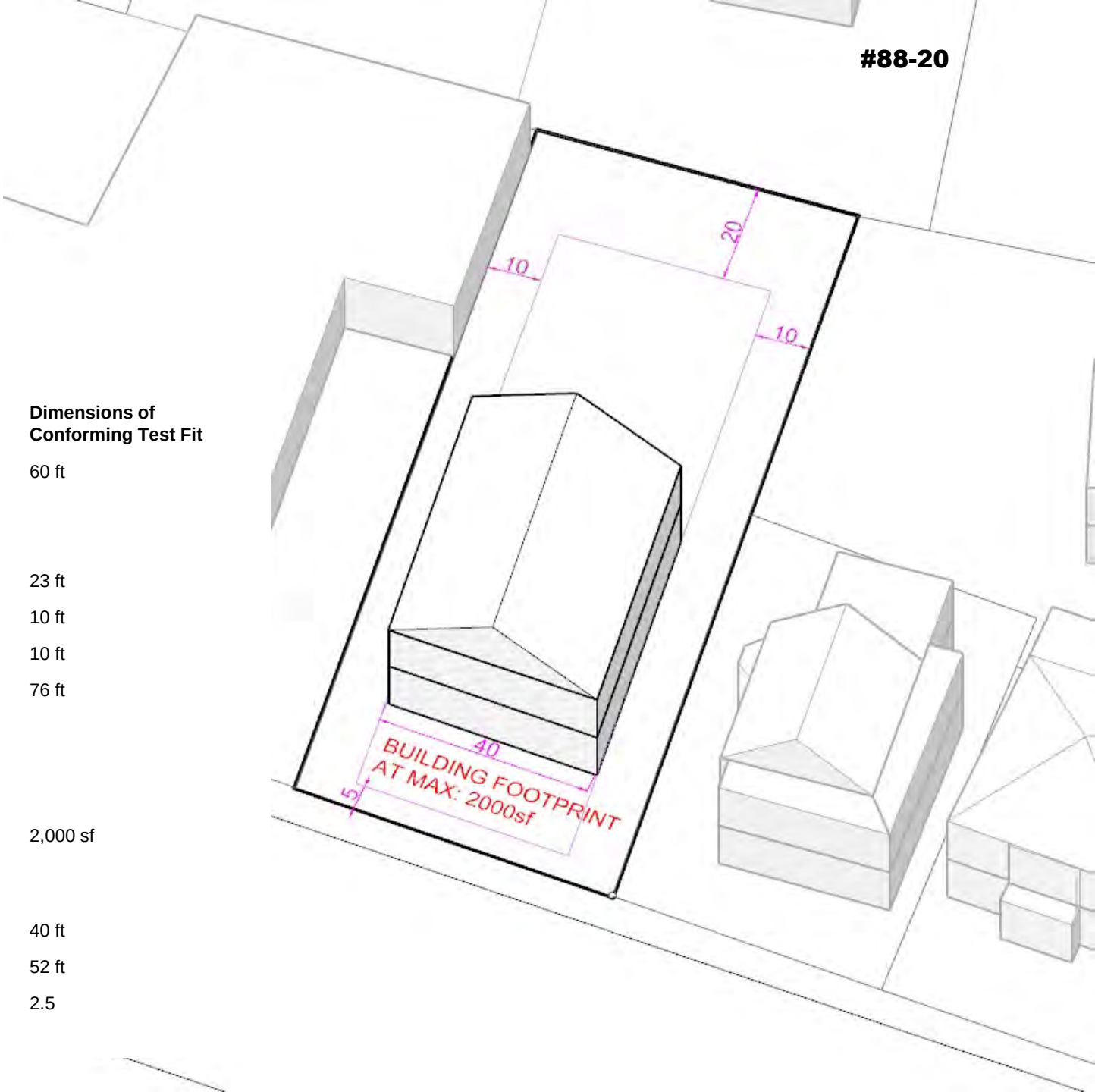
District:

- current **BU2**
- 1st draft **N**

Approved commercial building

Test Fit

	Draft Zoning Requirement	Dimensions of Conforming Test Fit
Frontage	50-100 ft	60 ft
Lot Coverage	Max 70%	
Setbacks	(range)	
Front (Washington)	5 ft min	23 ft
Side (west)	10 ft	10 ft
Side (east)	10 ft	10 ft
Rear	20 ft	76 ft
Lot Size		
Min. Open Space		
Frontage Buildout	Min 17.5 ft	
Footprint	2000 sf Shop House	2,000 sf
Min. Building Width	15 ft	
Max. Building Width	65 ft	40 ft
Max Building Depth	90 ft	52 ft
Height (Max Stories)	Max 2.5	2.5
FAR		



Recap

Recap

- Work in progress
- But what we have begins to achieve our goals
- We want to hear from you: zoningredesign@newtonma.gov

Next Steps & Schedule

Next Steps

Schedule has focus on garages, building components, and accessory structures.

May need to remain on building types with a focus on alternative lot configurations, particularly small lots, etc.

Homework

Memo to come for next ZAP meeting. Continue with current readings.

Questions & Ideas

Thank You!

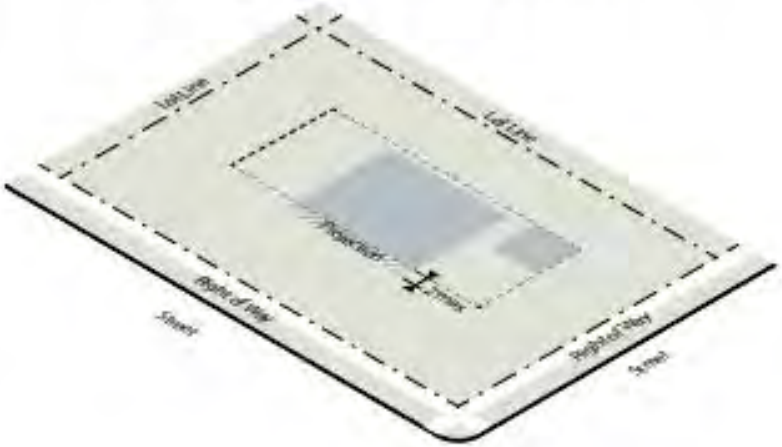
Appendix

Existing Ordinance - Lot Coverage

D. Lot Coverage. The percentage of the lot area which is covered by buildings, including accessory buildings, except in the following cases:

1. The area covered by roof overhangs of up to 2 feet shall not be included in the calculation of lot coverage; and

2. The lot coverage requirements contained in Sec. 3.1 shall not apply to the erection or construction of a private garage in connection with or accessory to a building which was in existence on December 27, 1922, and designed or used as a single- or two-family residence.



Proposed Ordinance - Lot Coverage

C. Lot Coverage. The percentage of lot area that is covered by structures, impermeable surfaces, paving, pavers, and decking. The lot coverage standard is intended to differentiate between the built and unbuilt aspects of a lot. Buildings are measured from the outer edge of the walls and include cantilevered portions of building, exclusive of the area under the eaves. Any area used for parking, no matter the surface material, is counted in the lot coverage.

Existing Ordinance - Height

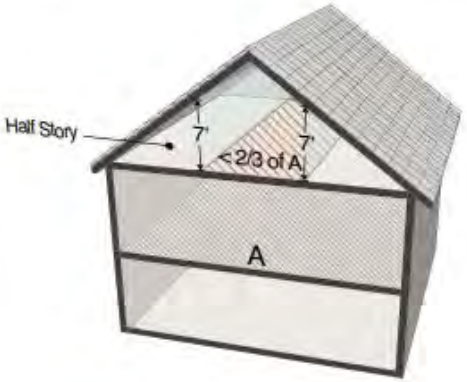
1.5.4. Height

A. Defined:

1. The vertical distance between the elevations of the average grade plane and the highest point of the roof. Not included in such measurements are:
   a. Cornices which do not extend more than 5 feet above the roof line;
   b. Chimneys, vents, ventilators and enclosures for machinery of elevators which do not exceed 15 feet in height above the roof line;
   c. Enclosures for tanks which do not exceed 20 feet in height above the roof line and do not exceed in aggregate area 10 percent of the area of the roof; and
   d. Solar panels which do not extend more than 1 foot above the ridgeline or in the case of a flat roof, no more than 4 feet above the parapet, unless greater extensions are allowed by special permit; and
   e. Towers, spires, domes and ornamental features.
2. No space above the maximum height shall be habitable.

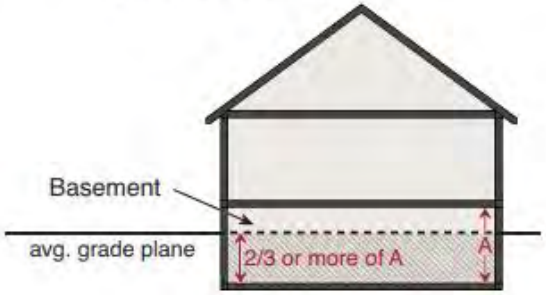
B. Story. That portion of a building, any part of which is above the ground elevation, excluding basements, contained between any floor and the floor or roof next above it.

C. Story, Half. A story directly under a sloping roof where the area with a ceiling height of 7 feet or greater is less than 2/3 of the area of the story next below.

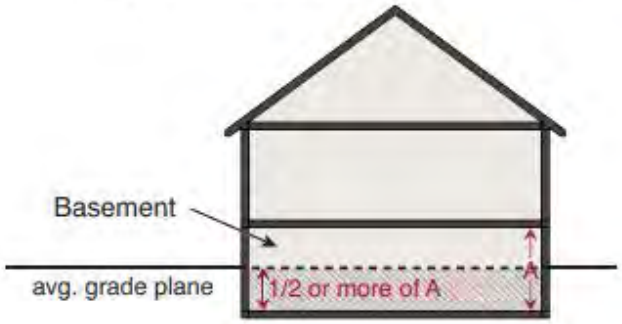


D. Basement.

1. Any story in a building in which 2/3 or more of the distance between the floor and the ceiling next above it is below the average grade plane adjacent to the building.



2. In the case of single- and two-family residential uses, any story in a building in which ½ or more of the distance between the floor and the ceiling next above it is below the average grade plane adjacent to the building.



E. Grade. In cases where the walls of the building are more than five (5) feet from the nearest street line, the grade shall mean the mean elevation of the ground adjoining said wall; and in all other cases, the mean elevation of the nearest sidewalk.

F. Grade Plane Average. A horizontal reference plane for a building as a whole representing the average of finished grade elevations around the perimeter of a building, as determined by the length-weighted mean formula below. All walls of length greater than 6 feet shall be included in segments of consistent grade or slope.

Proposed Ordinance - Height

2.6.3 Building Height Standards

A. The total number of stories of a building is calculated as follows:

1. The maximum number of stories is calculated along the front elevation.
2. Ground Story and Basement:
   a. A basement is counted as a story in the maximum number of stories when the finished floor of the ground story is 4 feet or more above the average ground level of the lot along the front elevation.
   b. An exposed basement story along the front elevation is considered the ground story if it exceeds 50% of the width of the front elevation. An exposed basement story along the front elevation not exceeding 50% of the front elevation width is not counted toward the maximum number of stories.
   c. A basement story exposed along a side or rear building wall, such as a walkout basement, is exempt from the maximum number of stories.
   d. For any lot with frontage on 2 or more streets, the number of stories is calculated along the front elevation facing the primary front lot line.
3. Upper Stories:
   a. Upper stories must comply with stated minimums and maximum story heights for the building type.
   b. A half-story is the space located directly under a roof and is less than a full story. The following standards apply to half-stories:
      i. The roof rafters must intersect the wall plate or top of wall frame of the exterior walls at a height no more than 2 feet above the finished floor of the half-story.
      ii. Ceiling height of a half story must not exceed 12 feet at any point
      iii. Attic space located under a 0 story equivalent roof is not counted as a half story (See Sec 2.6.3.E on Roof Types).
4. Interior spaces may be configured to include multiple stories within the same interior volume.

Proposed Ordinance - Height

5. Stories in Above Grade Structured Parking:
    a. Each story of above ground structured parking is counted as 1 story regardless of its relationship to habitable stories, except that up to 2 stories of above ground structured parking may be counted as 1 story when those stories are fully screened by a single ground story with active uses of an equal or greater story height (See Lined Garage Building Type).

B. Story Height
1. Story height is measured vertically from the surface of the finished floor to the surface of the finished floor above. When there is no floor above, story height is measured from the surface of the finished floor to the top of the structural beam or joists above or the top of the wall plate, whichever is higher.
2. Minimum story height is not measured for half-stories.

C. Ground Story Elevation

Ground story elevation is measured from the average ground level at the exterior walls. Subject to Site Plan Approval, a property owner may request that the grade be calculated from the grade of the sidewalk of the abutting street or from the crown of the roadway of the adjacent street when no sidewalk exists, to the top of the finished floor of the ground story of a building, where this provision will allow a more contextual building.

D. Roof Types and Roof Components
1. Defined primary roof types and roof components are permitted as indicated for each building type.
2. Primary Roof Types.
    a. General Standards.
        i. Each Roof Type has a "story equivalent" based on the amount of potential living area available under the roof. The story equivalent, depending upon the roof type, may limit the number of stories in a building. Building types that are permitted to have a 0.5 story may utilize a Roof Type equaling 0 or 1 story only if they do not build that 0.5 story.
        ii. Buildings may have more than one roof and roof type, provided that one roof type is used for at least 50% of the building footprint, the "primary roof type."
        iii. Any roof type may be used as a secondary roof type as long as the maximum stories is met.

Proposed Ordinance - Height

b. Gable Roof Type.
   i. Description. A pitched roof with two sides meeting at a single ridge-beam.
   ii. Story Equivalent. 0.5 story
   iii. Roof Pitch. - Min pitch = 6:12, Max pitch = 14:12

c. Low Gable Roof Type.
   i. Description. A pitched roof with two sides meeting at a single ridge-beam.
   ii. Story Equivalent. 0 story
   iii. Roof Pitch: Min pitch = 3:12, Max pitch = 6:12

d. Hipped Roof Type.
   i. Description. A roof that is pitched on all sides meeting in a single point or ridge-beam.
   ii. Story Equivalent. 0.5 story
   iii. Roof Pitch: Min pitch = 6:12, Max pitch = 12:12

e. Low Hipped Roof Type.
   i. Description. A roof that is pitched on all sides meeting in a single point or ridge-beam.
   ii. Story Equivalent. 0 story
   iii. Roof Pitch: Min pitch = 3:12, Max pitch = 6:12

Proposed Ordinance - Height

f. Two-Stage Roof Type.

i. Description. A complex pitched roof consisting of a shallow sloped upper portion and a steeply sloped lower portion, meeting either in a single ridge-beam (like a gambrel roof) or a single point (like a mansard roof).

ii. Story Equivalent. 1 story

iii. Roof Pitch: Upper slope: Min pitch = 1.5:12, Max pitch = 3:12, Lower slope: Min pitch = 9:12, Max pitch = 60:12

iv. The point at which slope changes must be at least 8 ft but no more than 12 ft higher than the building eaves.

g. Vault Roof Type.

i. Description. A roof formed by an arch, series of arches, or dome.

ii. Story Equivalent. 1 story

iii. The midpoint of the slope of the roof may be no more than 8 ft higher than the building eaves.

h. Flat Roof Type.

i. Description. A roof with almost no pitch and no central ridge.

ii. Story Equivalent. 0 story

iii. Roof Pitch: Min pitch = 1.5:12, Max pitch = 3:12

i. Shed Roof Type.

i. Description. A pitched roof sloping in one direction from a single high ridge beam to a single low ridge beam.

ii. Story Equivalent. 0.5 story

iii. The midpoint of the slope of the roof may be no more than 8 ft higher than the building eaves.

3. Rooftop Mechanicals.

The following rooftop mechanical systems are exempt up to a limit of 3 feet if unscreened or 8 feet if screened by parapet walls or similar opaque screening from view of the street.