



Zoning & Planning Committee **Report**

City of Newton **In City Council**

Monday, December 14, 2020

Present: Councilors Crossley (Chair), Danberg, Leary, Albright, Wright, Krintzman, Baker, and Ryan

Also Present: Councilors Bowman, Greenberg, Kalis, Kelley, Laredo, Lipof, Malakie, and Markiewicz. Planning Board Member Peter Doeringer

City Staff: Jonathan Yeo, Chief Operating Officer; John Lojek, Commissioner of Inspectional Services; Barney Heath, Director of Planning; Jennifer Caira, Deputy Director of Planning and Development; Cat Kemmett, Associate Planner; Nevena Pilipovic-Wengler, Community Engagement Planner; Andrew Lee, Assistant City Solicitor; David Olson, City Clerk

Referred to the Programs & Services, Zoning & Planning & Finance Committees

#487-20 Request to transfer Weights & Measures inspector position to ISD

HER HONOR THE MAYOR requesting to transfer the Weights & Measures inspector position from the Health and Human Services Department to the Inspectional Services Department to more accurately reflect the nature of the position, to add one temporary full-time employee (to be funded by existing ISD funds available due to vacancies). Additionally, requesting that City Ordinance Section 12-18(e), which details the position of Weights & Measures Inspector, be moved to Section 5-16 which covers ISD responsibilities. To fund the last half of FY20, this request includes a transfer of forty-three thousand five hundred dollars (\$43,500) from H&HS Weights & Measures Acct #0510110-511001 to Inspectional Services Full Time Salaries.

Programs & Services Approved 8-0 on 12/09/20

Action: Zoning & Planning Approved 7-0

The chair of the committee read the item into the record and requested a suspension of the rules to accept a letter from the Mayor's office in regards to this item that was provided earlier in the day. The suspension the rules was approved unanimously. The chair then introduced chief operating officer Jonathan Yeo to make a presentation. Mr. Yeo noted that after 20 years of service to the city of Newton, inspector of weights and measures, Mitch Baker, will be retiring. With Mr. Baker's retirement, it was felt that the position should be moved to the Inspectional Services department. Mr. Yeo stated that he would like the department of health and human services to focus on health. This position is more of a facility inspection position and both the commissioners of health and human services and Inspectional services felt that it

was better to be in ISD. We are asking to move the money over, and the ordinance section, over to ISD. The department hopes to hire a new person before Mitch Baker leaves so that he has some time to train the new person. This is a clean move of the position from one department to another.

Committee members felt this was an appropriate move. It was asked if the Inspectional Services department was fully staffed. Mr. Yeo responded that there were two open positions at this time and the department was trying to fill them. It was asked if the city was offering an appropriate salary. Mr. Yeo stated that the city had some flexibility in making sure the appropriate salary was offered.

#448-20 **Proposal to amend Newton Zoning Ordinances Chap. 30. Sec 3.4 Garages**
COUNCILOR CROSSLEY, on behalf of the Zoning & Planning Committee proposing to amend Chapter 30, City of Newton Zoning Ordinances, by repealing Ordinance No. A-78 and amending the regulation of garages in residential zoning districts as set forth in Chapter 30, Section 3.4. The objectives are to prevent garages from dominating the streetscape, improve safety along the public way for all modes of travel and achieve consistency with climate action goals.

Action: **Zoning & Planning Held 8-0 Public Hearing to be held January 25, 2021**

The chair of the committee stated that the focus of the discussion at tonight's meeting will be the changes that the committee had agreed to at the last meeting. It is hoped that the committee would be able to get through these changes tonight so that a public hearing date could be set. The intention is to hold the public hearing at the second meeting in January. The chair introduced Cat Kemmett from the planning department to make a presentation (attached). She noted that the presentation focused on text revisions that were recommended at the last zoning and planning committee meeting, as well as from building professionals, the inspectional services department, and the public.

Rear Facing Garages - Sec. 3.4.4.B.4

The planning department has added a place holder for inserting a definition to explicitly allow for rear-facing garages and to clarify the angles that would constitute a rear facing garage on a lot. Planning will work with the inspectional services department to make sure that the definition makes sense and will work with the consultants to develop illustrations.

Planning department's proposed text changes:

4. Rear Facing Garage. *(Definition still to be created.)*

The Zoning and Planning committee raised the following concerns:

- It was asked what was meant by a rear facing garage. Is this a garage that is at the rear of the building or does it faces the rear of the lot? The planning department stated that it is the garage that faces the rear of the lot. Currently the ordinance exempts detached garages that are set behind the property from the door width requirement. It was also

noted that there are rear-facing garages at the back of a property that are built into the basement. These are rare but we would still like to allow for them. Both attached and detached rear-facing garages would be exempt from the overall garage width, but the door dimensions, and the overall size would be in place.

- For rear-facing garages, we should be aware of what the garage is facing in terms of the neighbors. If it is facing a backyard, that may not be a problem, but if it is facing a rear-lot subdivision this may be a problem.

Door Jamb Measurement - Sec. 3.4.4.B.5

The planning department has changed the method of measurement of the door from the exterior face of the jam to the interior face of the jam. This change was made on the advice of the building professionals and the current planning staff. This change to the text is to make sure that only the doors are being measured. It will not include any decorative trim or any decorative elements that might be outside the door. The measurement should be the door itself not anything outside the door.

Planning department's proposed text changes:

45. Garage Door. *The door to a Garage that provides access for an automobile. Garage door ~~length~~width is measured ~~as the exposed dimension between the door jambs~~ from the ~~exterior~~inside face of the ~~jamb~~door jambs.*

a. Single Garage Doors are Garage Doors used for a single automobile to access a Garage. A single garage door may be up to 9 feet wide.

b. Double Garage doors are Garage Doors used for two ~~or more~~ automobiles to access a Garage side by side. A Double Garage Door may be up to 16 feet wide.

The Zoning and Planning committee raised the following concerns:

- It was asked if these door widths take into account accessibility. Would a handicapped accessible van be able to enter and unload someone in a wheelchair? Would we entertain a special permit to accommodate challenging topography issues and to allow for an increase in the width percentage in certain circumstances? The planning department stated that if there was a topography issue, then the homeowner could apply for a variance. In terms of accessibility, the 16 foot door is agreed to as a way to accommodate the need for a wider garage door. It was also asked if the area allowed within the garage is enough to accommodate the unloading of a passenger from a handicapped accessible vehicle. It was noted that architect Deb Pierce will be contacted to see if there needs to be any change for accessibility.
- It was asked that the ordinance eliminate the word automobile to get away from defining the use of the structure. The ordinance is about the size, shape, and look of these structures whether or not they are being used for automobiles. There are plenty of garages that are not used for automobiles.

Primary Front Lot Line - Sec. 3.4.4.B.8

In the previous draft of the ordinance homeowners were allowed to determine which was the primary front lot line if the house was on multiple streets or ways. The new draft defines the primary front lot line as the one to which the primary entrance faces. This change was made to better align with the language and procedures in the current zoning ordinance.

Planning department's proposed text changes:

~~7.8. Primary Front Lot Line. Any~~The lot line abutting a street or right of way ~~is a front lot line.~~
Where there are multiple ~~front~~ lot lines, ~~one is designated a~~ abutting a street or right of way, the Primary Front Lot Line.

~~At time of application for a building permit or other municipal approval for which the location of the Front Lot Line must~~ shall be established, ~~the one~~ the property owner of such a lot may designate a Primary Front Lot Line. main entrance faces.

The Zoning and Planning committee raised the following concerns:

- It was noted that many homes have their main entrance facing the side of the property and it was asked that the definition be looked at to address this type of situation.

Standards for Front Facing Garages - Sec. 3.4.4.C

In earlier drafts the planning department had recommended that Front-facing garages be set back from the front elevation of the home in order to reduce the prominence of the garage. The building professionals suggested that this be a limit needed as there are controls elsewhere in the ordinance that will limit the prominence of Front-facing garages without requiring a setback. At the last zoning and planning committee meeting there was a rough consensus that we should not regulate the placement of front facing garages. To reflect that sentiment we have taken that requirement out.

Planning department's proposed text changes:

C. Standards for Front Facing Garages

~~1. A Garage Wall of a Front Facing Garage may be no closer to the Primary Front Lot Line than 2 feet behind a minimum of 50% of the Front Elevation.~~

1. The sum of the ~~length~~width of all Garage doors on a Front Facing Garage may be up to the following:
 - a. A front facing garage that includes only Single Garage Doors maybe up to 45% of the total width of the Front Elevation.
 - b. A Front Facing Garage that includes a Double Garage Door alone, or both a Double Garage Door and a Single Garage Door, maybe up to 40% percent of the total width of the Front Elevation.

~~*a. A detached front facing garage that is set back more than 10 feet from the front most wall of the Front Elevation is exempt from this requirement.*~~

The Zoning and Planning committee raised the following concerns:

- It was asked if a bonus should be given to houses that are on small lots so that they can have a two-car garage. There is a project on a small lot on Eastside Parkway with garage doors that make up more than 50% of the front elevation, but there's no way to get a two car garage on this lot without doing so. The planning department responded that if they had been able to set the garage back from the front elevation by ten feet, they might be able to get a wider garage. The planning department was asked to look at this specific example. If homeowners were only allowed to do a single car garage because of the width of the small lots, where would they put their second car?
- Why are we giving a larger percentage to multiple single garage doors then to a single double garage door? The planning department responded that they did not want to disincentivize multiple single garage doors, because they may be wider in total but they are smaller scale and have less visual impact. The total building width comes out about the same if you have two 9 foot doors (18 feet of door) or one 16 foot door.

Standards for Residential Buildings with Two Units - Sec. 3.4.4.F

The planning department has established a maximum garage footprint of 500 square feet for each unit into two unit residential building. This is to ensure an appropriate size and scale for garages. The 500 square foot number was derived from the fact that the ordinances currently have a maximum of 700 square feet for a three-car garage.

Planning department's proposed text changes:

F. Additional Standards for residential buildings with two-units

1. *Parking spaces in Garages are counted toward the minimum number of accessory parking spaces required by Sec. 5.1.4. Garages may be attached or detached.*
 - a. *For each residential unit, there shall be no more than **500 square feet in total Garage area, no more than** one Garage and each Garage shall provide for no more than 2 automobiles.*

The Zoning and Planning committee raised the following concerns:

- It was asked if the measurement of 500 square feet was the appropriate measurement as we are concerned with the apparent width of the garage. Would it be better to limit the width of the garage, as opposed to the square footage. Some people may want to have their garage extend back to include a shop, so it might be deeper, but have an appropriate width. This would apply for an attached garage not for a detached garage.

- It was stated that many properties in Newton don't have garages, and the ordinance should not encourage them. We should make the ordinance work, but it's not a terrible thing if we don't have garages.
- In reference to using the term automobiles, it was suggested that the last clause of F.1.a. "shall provide for no more than two automobiles", be eliminated.

Exemptions - Sec. 3.4.4.G

An exemption was added for attached front-facing garages with a setback of more than 10 feet from the front elevation to be exempt from meeting the standards specific to front-facing garages. This was done so as to encourage attached front facing garages to be being built more than 10 feet back from the front elevation. When the planning department did it's data analysis it found that the definition of front elevation, which only includes the building width within the first 10 feet of the front most line of the house, might unintentionally prohibit garages that are set back more than 10 feet. The planning department wants to encourage garages that are set back more than 10 feet and therefore is adding the exemption.

A third exemption was added to create relief for garages on rear lots. Since these would only be minimally seen from the street and do not have a front lot line, they would be reviewed and approved as part of a special permit.

Planning department's proposed text changes:

G. Exemptions

1. Garages ~~that are~~ located ~~more than~~ 70 feet or more from the Primary Front Lot Line are exempt from the standards ~~of this section.~~ for Front Facing Garages (Sec. 3.4.4.C) and standards for Side Facing Garages (Sec. 3.4.4.D).
 - a. Where there are multiple lot lines abutting a street or right of way, garages must be located 70 feet or more from all such a lot lines to be exempt.
2. A detached or attached Front Facing Garage that is set back more than 10 feet from the Front Elevation is exempt from the standards for Front Facing Garages (Sec. 3.4.4.C).
3. Garages located on Rear Lots are exempt from the standards for Front Facing Garages (Sec. 3.4.4.C) and standards for Side Facing Garages (Sec. 3.4.4.D).

The Zoning and Planning committee raised the following concerns:

- Concern was raised about the exemptions for garages set back 70 feet or more, for a doorway that is not facing the front, and for a corner lot where you could have a visual impact that is quite substantial on the side street. We should not create a situation where garages, and front doors, are being turned so as to capture the exemption. With the 70 foot exemption, could "snout" houses be created that are 70 feet back. We could see the

loss of some smaller houses that have been part of the neighborhood, because they can be torn down and a home with the garage being the dominant feature put up in its place.

- Councilor Wright shared a presentation (attached). She shared images of narrow lots where she felt a "snout" house could be created as long as it was 70 feet back. She noted that there are a lot of these types of lots in the City. For example, if 56 Derby Street was torn down and a new house built 70 feet back, would that allow the garage to be in front so that only the garage would be facing the street. It was noted that the proposed ordinance language says that front-facing garages 10 feet or more in front of the house would be counted as the front elevation and therefore could not be built because the garage doors would be more than 40% of the garage as the front elevation.



Still to be Completed

Work with the Inspectional Services department to make sure that section 3.4.3.A.2, which requires accessory buildings to be set 6 feet away from principle structures, is not too restrictive.

Planning department's proposed text changes:

3.4.3 Accessory Buildings

- Except as provided in Sec. 6.9, accessory buildings shall conform to the following requirements:*
 - An accessory building shall be no nearer to any side or rear lot line than 5 feet, and no nearer to any front lot line than the distance prescribed for the principal building.*
 - No portion of any accessory building shall be less than six6 feet from any point on any ~~other accessory building or~~ principal building on the subject lot.*
 - An accessory building with a sloping roof shall have a maximum height of 22 feet. An accessory building with a flat roof shall have a maximum height of 18 feet. An accessory building shall have no more than 1½ stories.*
 - The ground floor area of an accessory building shall not exceed 700 square feet.*

The Zoning and Planning committee raised the following concerns:

- It was stated that the 6-foot distance between the principle and accessory building made sense. We currently do it for accessory apartment structures and should to it for garages as well.
- It was stated that the reasoning for a 6-foot distance made a lot of sense so that people could not get a lesser setback by placing a detached garage only inches from the main house. However, is 6 feet the right distance? Wouldn't it be easier to measure wall to

wall and to allow a space that someone could walk through? Overhanging eaves may also be a good design element, and should be allowed. Commissioner Lojek responded that he was looking for an absolute distance and that the point is to look at mass and density. If you allow a 2 foot overhang from the house, and a 4 foot overhang from the garage, they might as well be attached. This needs to be kept simple. The committee was reminded that the system was being gamed because if you have a detached garage you can use the smaller 5-foot setback, but if you have an attached garage you have to use the normal setback. Garages are being placed within inches of the house to take advantage of the smaller setback which put the structure closer to their neighbors.

Cat Kemmet also presented several draft illustrations created by the consultant to go along with the definitions to illustrate Front Elevation, Side Facing Garage Door Location, Front Facing Garage with single door/s, and Front Facing garage with a double door (see attached).

Data Analysis

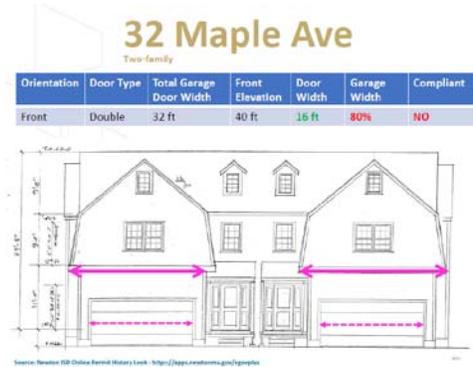
The planning department reviewed building permits for single- and two-family homes for 2019 and 2020. In that timeframe ISD issued 203 new building permits. The planning department organized the permits by zoning districts and three types of lot frontages: narrow, average, and wide. They excluded the outlier lots and about 10 projects that did not include garages ending up with 128 permits in the data set. The planning department looked at the architectural plans for these projects on the ISD website and determined if the garage was side facing, front facing, or rear facing; and whether the garage had single or double garage doors. They then looked at the door widths in relation to the front elevation to see if they aligned with what the department was proposing. The data is attached to this report.

What the a planning department found was that 70% of the homes would comply with the proposal as it is now drafted. Of the 93-single family homes surveyed, 23 would not comply with the draft proposal. Of the 25 two-family homes, 13 would not comply with the draft proposal. They also found that with minor design adjustments, most of the noncompliant projects could comply. Ms. Kemmett presented several illustrations of recently built homes that did, and did not, comply with the ordinance as drafted (The full presentation is attached). Below are two examples of recently built two family homes - one complies with ordinance as drafted and the other does not.



The Zoning and Planning committee raised the following concerns:

- It was asked how many of the houses in the data set had garages in front of the house. The planning department responded that they did not focus on placement, because the committee had already agreed not to regulate placement. The accuracy of that statement was questioned, as it was not remembered that way. A councilor felt strongly that the garage should be behind the front elevation, and should be by special permit if it is in front, however, they also noted that the presentation tonight showed that if the garage was more than 10 feet in front of the front elevation, it pretty much would not be allowed, as the front elevation would be all garage, and not meet the 40% or 45% requirement. The illustration of 32 Maple Avenue made this point. The chair of the zoning and planning committee noted that at the last meeting the count of opinion of committee members was five in favor of not regulating placement and three opposed.
- The planning department was asked why the data did not include those homes that did not have garages. It would be important to know why they did not include a garage.
- Why does the data not include renovated properties? The planning department responded that they had limited time to get this data together, and needed to focus on a manageable set of data. By focusing on new construction it was highly likely that a garage was going to be included. The sheer number of renovations, which usually don't include a garage, would have taken a lot more time to sort through them.
- It was asked that the drafting of the public hearing notice be done in a way that will allow for a change to garage placement if the committee changes its mind based on public comment at the public hearing.
- It was stated that having this data was excellent and we should have more of this as we move forward to help back up our changes.



At the close of the discussion, the committee decided unanimously to hold the public hearing on the garage Ordinance on January 25, 2021. The committee then voted unanimously to hold the item.

#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 & Planning Held 8-0**

The chair of the zoning and planning committee introduced community engagement planner Nevena Pilipovic-Wengler to discuss the zoning community engagement events that were held on December 2nd and 3rd. She noted that there were more than 400 people in attendance on December 2 and about 135 people on December 3. In addition, on December 8 the planning department posted a survey on their webpage seeking additional questions and comments. There's a lot of fantastic material to comb through. We had more than 500 RSVPs for the event with more than half of them asking questions. We will be reviewing the breakout discussion recordings to pull out the questions that were passed, as well as the chat boxes which were used to ask questions and make comments. The planning department is currently working to post the audio from the breakout sessions on the planning department's web page.

Some of the overarching questions were about trying to better understand the zoning proposal and specifically what the changes would be. Questions included: Will the proposed changes result in six unit developments all over the city? How will the changes affect the suburban feel and density of Newton? How will the proposed changes address affordability and racial disparity, as well as how are we defining affordability? How will the zoning ordinance further the climate action plan? How will the ordinance protect tree canopy and green space?. Will zoning reform be set before the voters? How will increase density affect transportation and the MBTA? What are the implications for education?

What the planning department staff has learned from these events is that we need to create an FAQ document that addresses all the questions that we received. We also need to create more analysis around big ideas including: Where should two family buildings be allowed by-right? The conversion of larger homes into multiple units, and the economic implications of zoning redesign.

Ms. Pilipovic-Wengler asked for any feedback from the zoning and planning committee who were in attendance at the events, and what should be the platform for future engagements in 2021.

The Zoning and Planning committee provided the following feedback:

- Committee members were very pleased with the sessions, especially the facilitation of the breakout sessions. It was a great first job. There was a diversity of opinion; some people were in favor of zoning reform and others were opposed. The breakout rooms were fantastic as a great way to reach and involve the public. We definitely need to do more of these sessions and the Zoom format brought in many more people than would have been seen at an in-person meeting at City Hall, and with less advocacy speechmaking.
- It was felt that a conversation within the zoning and planning committee about whether zoning redesign makes sense is needed. There is concern about where we are going and why we are going there. It was asked if just modifying the current ordinance may fix some of the problems.

- Several councilors mentioned that the planning department must articulate its point of view and why the City should undertake zoning reform. We need to have a conversation not just about how to go about it, but whether we should do it. Specific topics in zoning need to be presented and include both the pros and cons so that the public, and the city council, understands the impact of choices to be made.
- Councilor Wright's presentation to the Newtonville Area Council about the basics of zoning reform was mentioned as a wonderful introduction to the zoning proposed for residential districts (draft article 3). Those in attendance were very appreciative of the presentation she gave. A presentation on what are the facts and what are we studying, would be very appreciated by the public.
- More clarity needs to be provided on sustainability and zoning reform. Targeted webinars where we bring in experts should be provided. The use of the breakout rooms will help to give the community a voice.
- It was felt that the planning department needs to take the time to analyze the comments and responses from the events, but some felt that a month to do that was too long a time after the events. Councilors were reminded that there are hours of audio and written questions to review, which will take time. It was asked that the audio of each of the breakout sessions be made available sooner than the analysis.
- A common question that was asked was how is changing zoning going to affect my property values and how will zoning effect density.
- Many participants wanted to know when the public would be able to vote on the zoning code, and that misconception needs to be addressed. It was noted that zoning changes require a public hearing and will need to be done before the council votes.
- Councilors have heard from many people that were not able to participate, that they would like to participate in the future.
- Many of the younger participants were grateful that the city is making inroads to make it easier for young people to live in the city.
- Participants found out about the sessions not only from the planning department's emails, but also from the city councilors' own newsletters. City councilors need to do more to get the word out for future events.
- The city has to counteract the misinformation that is out in the public. It is also important that when councilors speak about this topic that we let the public know that we as councilors may not all agree.
- Breakout sessions by village may be a good way to organize people and how new zoning may affect their particular neighborhood.
- We need to make sure that we include the disabled community in these conversations.

The chair of the zoning and planning committee then moved on to the schedule for the coming year. She noted that earlier this year the committee had decided to focus on the residential sections of the ordinance, and it turned out to be unrealistic to try and get through all that material within this calendar year. Council and staff changes earlier at the start of the new term necessitated much review, culminating in the unanimous vote to reassert three primary goals in April, but the Covid pandemic has taken a toll on staffing, the schedule and community engagement.

There is a lot of work and analysis that still needs to be done on the ideas that have been put on the table. There have been a lot of draft's that have been put before us, and confusion that has happened because of it. Due to the lack of staffing, our community engagement process has really just begun to roll out with the December event. Many community and stakeholder groups including building professional groups, the Newton Housing partnership, and others have been looking hard at what we are doing and it has been challenging.

We have a lot of work to do, and there does not seem to be a pathway through the amount of work that needs to be undertaken, and the amount of time the building professionals would like to have, to see the Council voting on a comprehensive zoning package in 2021. It will be very important that we engage the community, and that people have correct information. And that they feel that they can comment and weigh in on the process. Presentations like Councilor Wright's and Jay Walters need to be undertaken to provide a broader view to the public.

There also needs to be some things that we lay aside. We have spent an inordinate amount of time on residential districts and dimensional standards. We get hung up on what those residential standards mean when we talk about allowing two-family homes by right in all residential districts. There is a huge amount of analytics and market analysis that still needs to be done to understand under what conditions is this economically feasible, and the control necessary to control the outcome. We should take two family by-right across the city off the table. Also, allowing multiunit conversions up to six units everywhere has been grossly mischaracterized and misunderstood. This was never intended for new building or to be everywhere, it was conceived as a way to encourage rehabilitation of existing older buildings. If we're going to entertain it at all in this round, it should be in village centers. We don't know what we can do in all of our residential districts until we understand what we can do in our village centers, and the neighborhoods immediately adjacent.

The misinformation in the City has been rampant as we don't have one great source of news in the community, so it is very important to have these community engagement events. We will need to work more slowly as we move through this process to truly understand each of the proposals.

The goal is to prepare a future for our city that is wonderful, one that really gives people options for living here and becoming part of our community. The work is going to be tedious and complex, but hopefully we can work collaboratively, and more slowly, to bring this together and to truly understand each one of these proposals. In the end we may discard some of these proposals, as they may not be right for our community.

The Zoning and Planning committee provided the following feedback:

- It was felt that the work on the garage ordinance has been a productive exercise. The discussions on the garage ordinance have been much more detailed than the discussions about zoning. What worked with this particular topic was that the committee looked at real language, talked about real examples, looked at real designs, and listened very carefully to design professionals and the public. The committee then tried to come to a consensus. This is the process the committee should use for topics in the future.
- The committee needs to answer the question of whether it wants to go down the track of a form based code versus modifying our current code. What are the pros and cons of the issue.
- The committee should also look at the tear down issue independently, a wholesale change may not be wise policy.
- Clarification was requested on what the chair meant by village centers. Why not transit nodes as the place for higher density? The chair clarified that she did not mean to be so specific nor suggest that we should look for housing opportunity only in village centers but also transit nodes.
- The question of the "missing middle" in house size and density, versus price, was asked about and that hearing from experts on what this means, and how it can work, should be undertaken. It was noted that unit size does impact price.
- There was strong agreement that comprehensive zoning redesign will take longer than two years to complete and that it was good that the committee will not try to get it done by the end of this term. It was noted that could mean a lame duck Council would be voting on the zoning if we kept the current schedule. The committee is trying to do too many things at once.
- We need to bring in experts to educate the committee as well as the community. As a committee we need to discuss what we want to learn more about. We need the breathing room to do it right. There are too many big ideas in play, all of which will need time to assess. The process should be taken in smaller chunks. The committee needs to develop a plan and a timeline for topic discussion.
- A Councilor cautioned that we understand what the planning department had proposed in August, as this is what has led to much of the confusion by the public. Many of the ideas that are out in the public came from the planning department memo. The Council and the planning department did not do a good job of communicating that these were drafts and what the process for review would be. The Council needs to be very clear with the process as we move forward.
- There was agreement that there needs to be a plan to address the misinformation that is out in the public. One of the issues that has come up frequently is some residents' apparent belief that the Council has decided that it wants 6-unit conversions everywhere

in the city. This is not the case. We have to be careful about what we put out to the public to avoid confusion. If there is confusion amongst committee members, it should be brought to the committee to make sure that we're all on the same page. It is also critical to have the staff necessary to communicate the process, and where the Council is in the process, to the public.

- There was some confusion about the architects groups and that it looks like one of them did not have access to the planning department. It was clarified that one group has chosen not to meet with the planning department. It was noted that the planning department has reached out to both groups and is willing to speak with anyone.
- There was agreement that the issues of two-family by-right and 6-unit conversions by right for non-village center suburban districts should be laid on the table at this time. It will make everyone breathe a little easier.
- Several councilors felt that minimum lot size and dimensional standards are topics that should be further discussed.
- There needs to be a greater understanding of housing that is affordable, what we mean by this and where it financially works, and it needs to be discussed with and presented to the public.

#486-20 Reappointment of Robert E. Maloney to the Community Preservation Committee
HER HONOR THE MAYOR reappointing ROBERT E. MALONEY, 245 Otis Street, West, Newton, as a member of the COMMUNITY PRESERVATION COMMITTEE for a term to expire on January 1, 2024. (60 days: 02/05/21)

Action: Zoning & Planning Approved 8-0

The chair the zoning and planning committee read the docket item into the record. The motion was immediately made to approve the reappointment of Robert E. Maloney which was approved unanimously.

Respectfully Submitted,

Deborah J. Crossley, Chair



Garage Ordinance

12.14.20 – ZAP Committee

Agenda

- **Garage Ordinance text changes**
- **Data analysis**
- **Looking ahead**



Text Changes

Rear Facing Garages (Sec. 3.4.4.B.4)

- **Added placeholder for definition**
- **Necessary to explicitly allow for Rear Facing Garages, and to clarify the range of angles that would constitute a Rear Facing Garage on the lot**

Door jamb measurement (Sec. 3.4.4.B.5)

- **Changed method of measurement from exterior face of the jamb to interior face of the jamb**

Primary Front Lot Line (Sec. 3.4.4.B.8)

- **Primary Front Lot Line will be the one the main entrance faces**
- **Changed to better align with the language and procedures used in the current zoning ordinance**

Standards for Front Facing Garages (Sec. 3.4.4.C)

- **Setback requirement previously proposed in 3.4.4.C.1 was removed**
- **Controls established elsewhere in the ordinance will limit the prominence of Front Facing Garages**

Standards for Residential Buildings with two units (Sec. 3.4.4.F)

- **Established a maximum Garage footprint of 500 square feet for each unit in a two-unit residential building**

Exemptions (Sec. 3.4.4.G)

- **Added an exemption for attached Front Facing Garages set back more than 10 feet from the Front Elevation from the standards for Front Facing Garages**

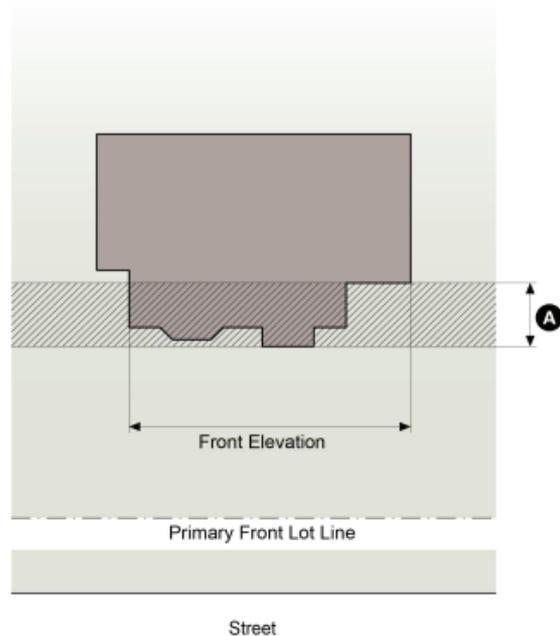
Exemptions (Sec. 3.4.4.G)

- **A third exemption was added to create relief for Garages on Rear Lots**

Ongoing Revision

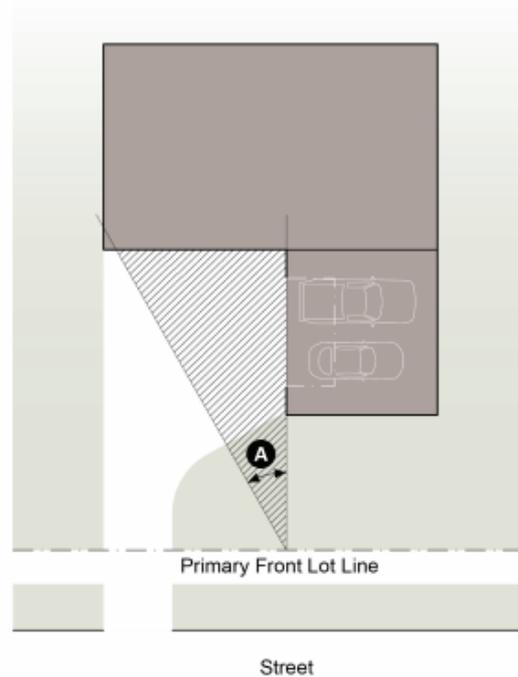
- **Finalize definition of Rear Facing Garage**
- **Work with Inspectional Services Department to make sure Sec. 3.4.3.2 is not too restrictive**
- **Edit language in several sections for clarity, including Sec. 3.4.4.B.2 and 3.4.4.B.3**

Front Elevation Diagram (Sec. 3.4.4.B.6)



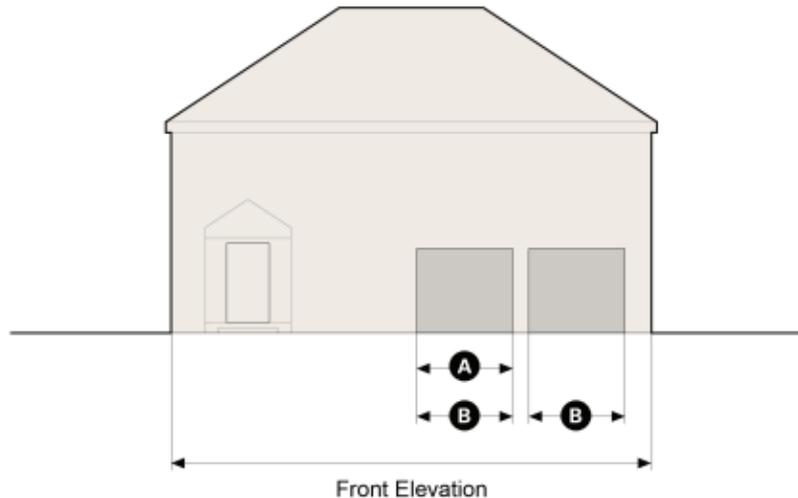
Front Elevation	min	max
A Depth from frontmost exterior wall		10 ft

Side Facing Garage Diagram (Sec. 3.4.4.B.3)



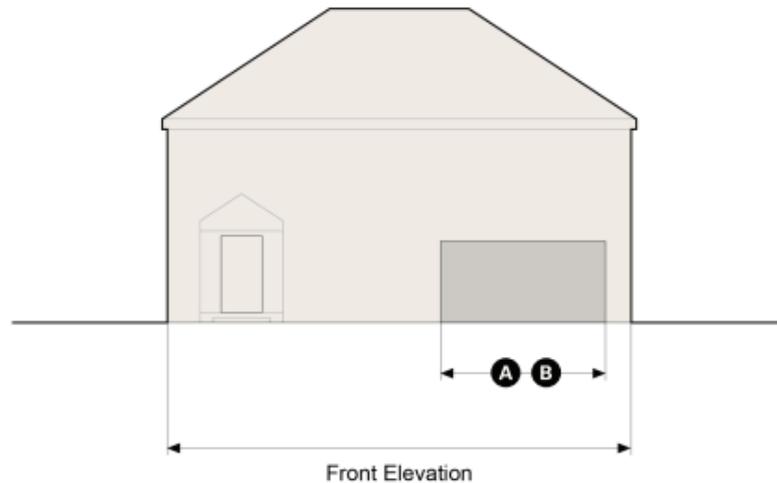
Side-Facing Garage Door Location	min	max
A Angle allowed within (angle from Primary Front Lot Line)	60 degrees	90 degrees

Front Facing Garage Diagram (Sec. 3.4.4.C.1.a)



Front-Facing Garage - Single Garage Doors	min	max
A Width of an Individual Single Garage Door		9 ft
B Sum of Width of Single Garage Door(s)		45% of Front Elevation

Front Facing Garage Diagram (Sec. 3.4.4.C.1.b)



Front-Facing Garage - Double Garage Door	min	max
A Width of an Individual Double Garage Door		16 ft
B Sum of Width of Double Garage Door		40% of Front Elevation



Data Analysis

Methodology

- **Reviewed new building permits from 2019-2020**
- **Organized the lot frontages into Narrow, Average, and Wide per zoning district**
- **Used architectural plans to calculate whether the projects had single or double garage doors, find the individual door widths, the total garage width, and Front Elevation width.**

Data Analysis Takeaways

- **70% of homes surveyed would comply with the proposal**
- **23 of the 93 single-family homes surveyed would not comply**
- **13 of the 25 two-family homes reviewed would not comply with the proposal**
- **95 of the permits (81%) were for new homes with Front Facing Garages**
- **Most non-complaint buildings could still have comparable Garages with minor revisions**

117-119 Norwood Ave

Two-family

Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Front	Double	32 ft	61.4 ft	16 ft	52.1%	NO



32 Maple Ave

Two-family

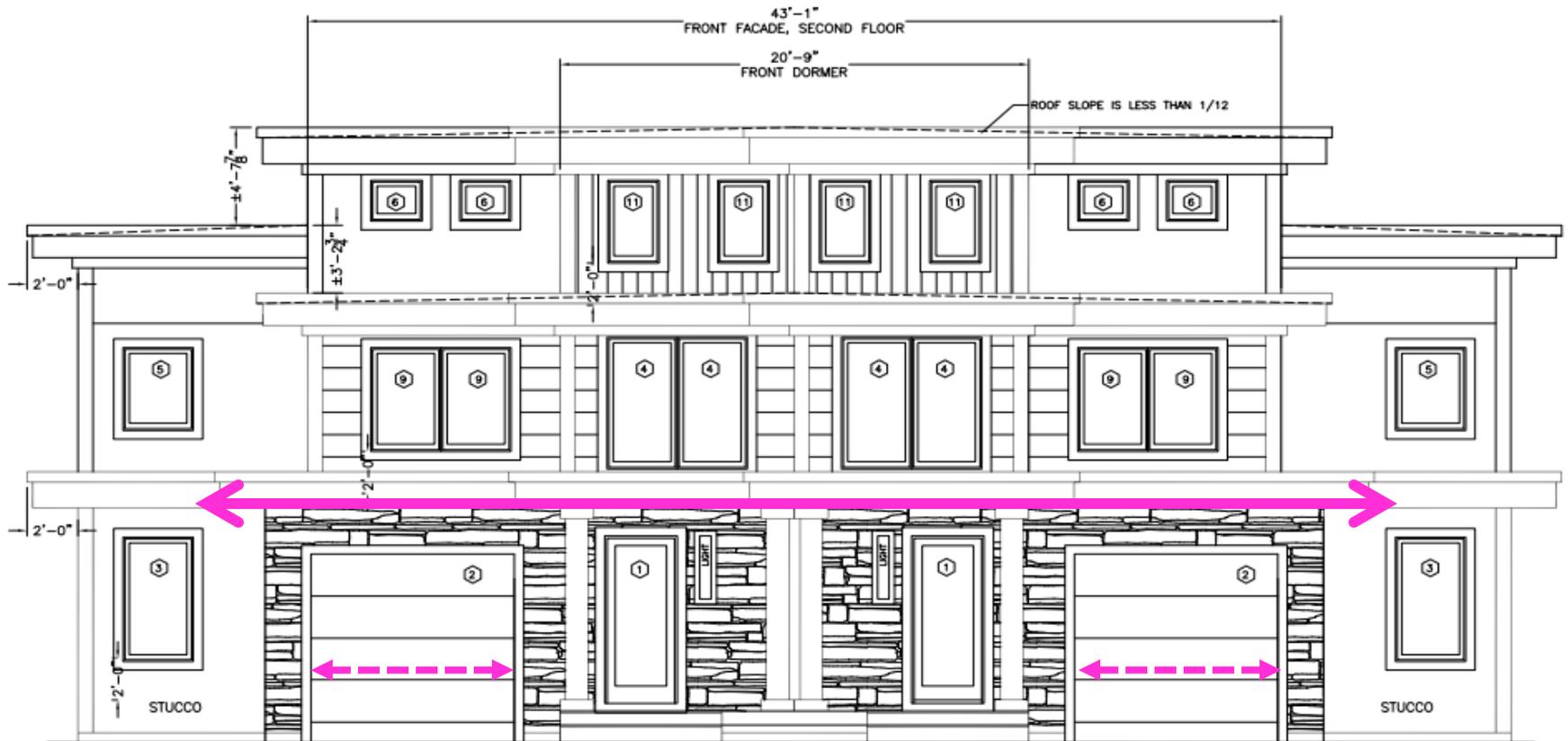
Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Front	Double	32 ft	40 ft	16 ft	80%	NO



16-18 Cragmore Road

Two-family

Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Front	Single	18 ft	46.83 ft	9 ft	38.43%	YES



439-441 Lowell Ave

Two-family

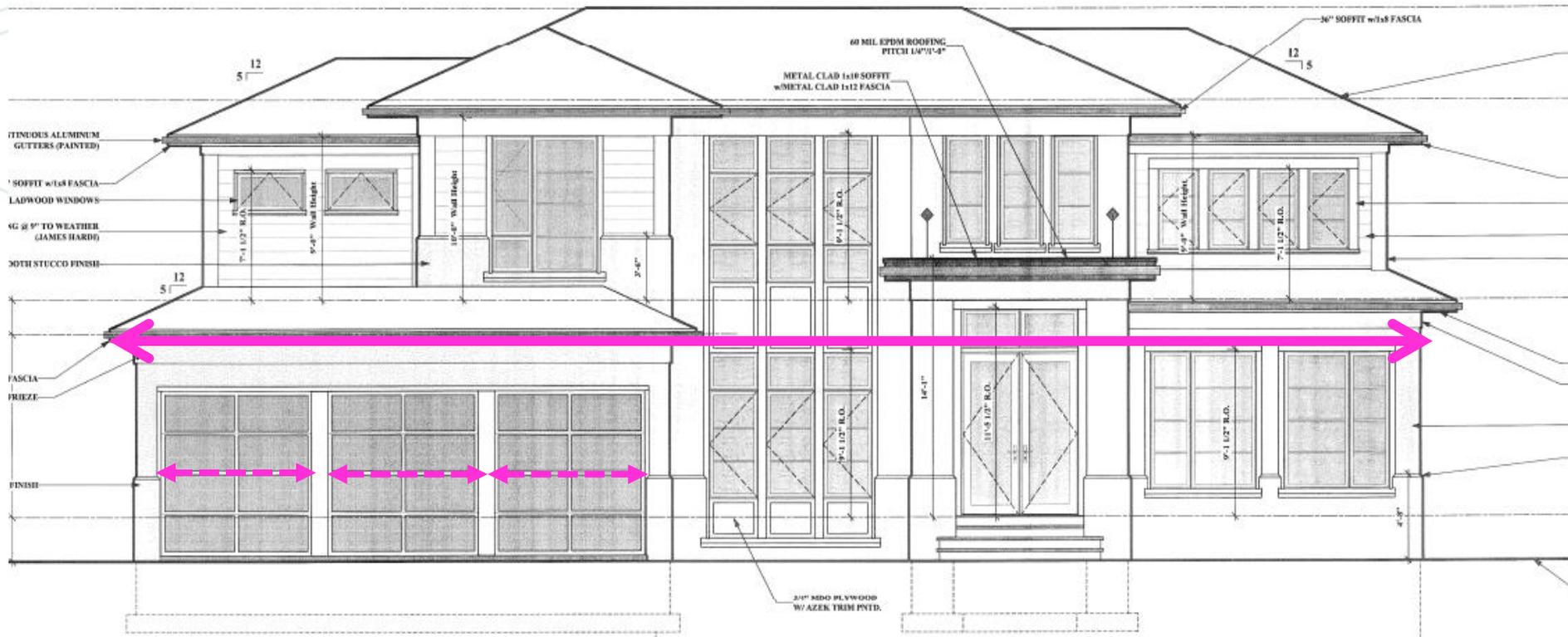
Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Front	Single	16 ft	54 ft	8 ft	29.63%	Yes



190 Baldpate Hill Road

One-family

Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Front	Single	27 ft	77 ft	9 ft	35.06%	Yes



45 Albert Road

One-family

Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Front	Double	18 ft	63.5	9 ft	n/a	YES



1 Malvern Terrace

One-family

Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Front	Double	18 ft	63.5	18 ft	28.35%	NO



46 Columbus Street

One-family

Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Side	Single	18 ft	77 ft	9 ft	n/a	Yes



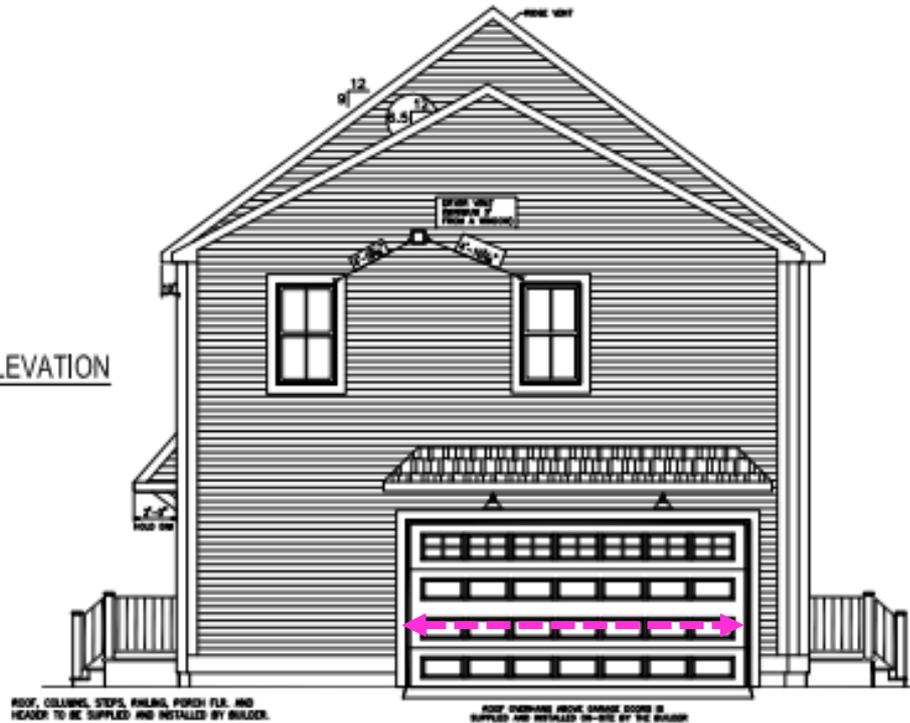
FRONT ELEVATION

134 Spiers Road

One-family

Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Side	Double	16.12 ft	n/a	16.12 ft	n/a	NO

RIGHT ELEVATION



BUILDER / OWNER SIGNATURES:

25 Larkin Road

One-family

Orientation	Door Type	Total Garage Door Width	Front Elevation	Door Width	Garage Width	Compliant
Side	Double	16 ft	20	16 ft	80%	NO





Looking Ahead

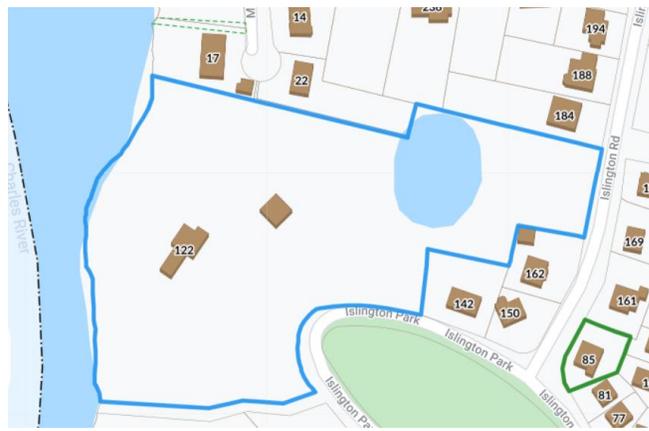
- **Staff will continue to revise draft**
- **Set public hearing date for early 2021**

Thank You!



Garage in front of house

OK in this example – on roughly 6 acres



No – typically 50' wide – just have snout house 70' back

