



Zoning & Planning Committee **Report**

City of Newton **In City Council**

Monday, February 22, 2021

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

Also Present: Councilors Markiewicz, Bowman, Kelley, Lipof, Laredo, Greenberg, Downs and Malakie

City Staff: Jonathan Yeo, Chief Operating Officer; Andrew Lee, Assistant City Solicitor; Jen Caira, Deputy Director, Katy Hax Holmes, Senior Planner, Barney Heath, Director and Zach LeMel, Chief of Long Range Planning, Planning & Development Department

Others Present: NewTV

Planning Board: Peter Doeringer (Chair), Kevin McCormick, Sonia Parisca and Barney Heath

Newton Historic Commission: Doug Cornelius (Chair), Amanda Park and Peter Dimond

#29-20 **Review and possible amendment of Demolition Delay and Landmark Ordinances**
COUNCILORS KELLEY, ALBRIGHT, AUCHINCLOSS, CROSSLEY, GREENBERG, KALIS,
KRINTZMAN, LEARY, LIPOF, MARKIEWICZ, BOWMAN, HUMPHREY, RYAN AND
NORTON requesting a review and, if appropriate, an update of Chapter 22, Sections 22-50 to 22-76 that relate to demolition delays, historic designation, and landmarking.

Zoning & Planning Approved as Amended 7-0-1 (Councilor Krintzman abstaining)
on 05/19/2020

- (1) Landmarking - Approved as Amended by Full Council on 06/22/2020**
- (2) Demolition Delay - Held in Committee on 06/22/2020 and 10/15/2020**

ACTION: **Zoning & Planning Held 8-0, Public Hearing scheduled**

NOTE: An amended report to reflect this discussion will be available on Wednesday, March 3, 2021.

Chair's note: *The Zoning & Planning Committee will continue its discussion with Planning Department staff on a strategy for proceeding with a Zoning Work Plan for 2021. Following this discussion, the committee will begin a review of the annotated Article 3. submitted in last week's Friday packet, for the purpose of setting down an accurate record of decisions made, questions remaining and analyses outstanding. It will be most helpful if committee members can be prepared to submit comments in writing (for clarity and recording accuracy) as well as offering them at the meeting. It is expected that this process may need to continue into the March 8 ZAP meeting.*

Note: Planning Board members joined the Committee for this discussion.

Chair Crossley stated that this conversation began last meeting, with the intent that Committee members provide Planning staff clear direction on how the Committee would like to proceed. For this discussion, Chair Crossley asked Committee members to review the 2012 Zoning Reform Group report and consider the 11 themes for zoning reforms described within that report, which were distilled from the adopted Comprehensive Plan.

Tonight's discussion will focus on which way the Committee would like to head and the zoning work plan for the year.

Chair Crossley asked, to meet the challenges expressed in our agreed upon goals, which of those themes or sections of the Zoning Ordinance could be taken up independently and which must be considered as a whole? She then asked a second question: should any zoning tools in the toolbox be eliminated, by revising or reforming the zoning code? Some Committee members have maintained that form-based tools will not work and may be intended to control design decisions. The Chair noted that last session the Committee unanimously adopted the garage ordinance, which entirely used form-based tools to control the massing and relative size of the garage.

Committee members questions, answers and comments:

C. It was stated that hundreds of residents participated in the zoning redesign process prior to the 2018 draft, including workshops on economic development, commercial development, housing including multi-family housing, creative arts, buildings, village centers, zoning maps and the process. To weave together all of this means a comprehensive approach is necessary.

C. I've read a lot of other community's zoning codes. Some communities use form-based codes, some do not. Some communities use form-based codes and FAR. The City needs to fully explore form-based codes and the possibility of combining form-based codes a with FAR and take a comprehensive approach.

C. It is important to discuss small tear downs which are being replaced with larger homes. I think this is an issue because of the adjustments in the FAR and setbacks.

C. (In addition to comprehensive reform) We can discuss discreet issues such as parking requirements, storm water ordinance, climate change, special permit criteria, etc.

C. Walkable and bicycle friendly neighborhoods are necessary.

C. The Committee should discuss parking and traffic issues independently.

C. The Committee should concentrate on villages, village centers and the Washington Street vision plan. (Proposed) Washington Street buildings are going beyond the height of the vision plan.

C. Newton is a desirable community, but there is need for improvement. A specific problem remains with zoning in village centers.

C. A Councilor asked to please consider discussing parking minimums and parking maximums as a separate item.

C. Can we invite experts in to discuss and compare form-based codes and FAR?

C. Affordable housing and multi-family homes are necessary.

Ms. Parisca, Planning Board member, stated that Newton needs a comprehensive approach to tackle housing, transportation and broader topics linked by geography. She then said that she thought two years ago, an agreement was made to pursue the form-based code. The current ordinance has 75 years of corrections. The Zoning Ordinance was created based on segregated uses, retail/ commercial versus residential. It is necessary to increase greenspace, plazas, sidewalks, etc. The form-based code should be considered.

Mr. McCormick, Planning Board member, stated that he supports a comprehensive approach.

In general, Committee members agreed that a comprehensive approach is necessary, and that we can simultaneously take up some items separately. They agreed to keeping, using and adding tools to the toolbox.

STRAW VOTES

Councilor Leary proposed the following straw votes:

1) Keep all tools in the toolbox so as to explore the best solution. Committee members agreed 8-0.

- 2) Approach solving larger problems with a comprehensive approach 5-2, Five in favor, (Councilors Albright, Krintzman, Crossley, Danberg and Ryan; Councilors Wright and Baker opposed, Councilor Leary not voting).**

Chair Crossley said due to the late hour, the Committee did not discuss annotated Article 3. Please submit questions and comments to Committee Clerk Delaney, which will be forwarded to staff to help prepare the discussion for our next meeting.

#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.

Zoning & Planning Held on 01/27/20, 02/10/2020, 02/24/2020, 03/09/2020, 03/23/2020, 04/13/2020, 04/27/2020, 05/19//2020, 06/01/2020, 06/15/2020, 06/29/2020, 07/09/2020, 07/16/2020, 08/13/2020, 09/14/2020, 10/01/2020, 10/15/2020, 11/05/2020, 11/09/2020, 12/14/20

ACTION: Zoning & Planning Held 7-0, Councilor Leary not voting

NOTE: This discussion is above in the Chair's note.

Councilor Danberg made the motion to hold this item. Committee members agreed 7-0, Councilor Leary not voting.

At approximately, 10:05 p.m., Councilor Danberg made the motion to adjourn. Committee members agreed 7-0, Councilor Leary not voting.

Respectfully Submitted,

Deborah J. Crossley, Chair