



Newton Zoning 1st Draft Overview

City Council – Committee
of the Whole
12.06.18

Agenda

Objective

Background

Guide to Reading the 1st Draft

Draft Map & Districts

Key Features & Case Studies





Objective

Objective

Tonight we will:

- Provide an overview and orientation to the 1st Draft Zoning Ordinance.
- Start a discussion we anticipate stretching over many months of detailed review with the City Council and with the Public.



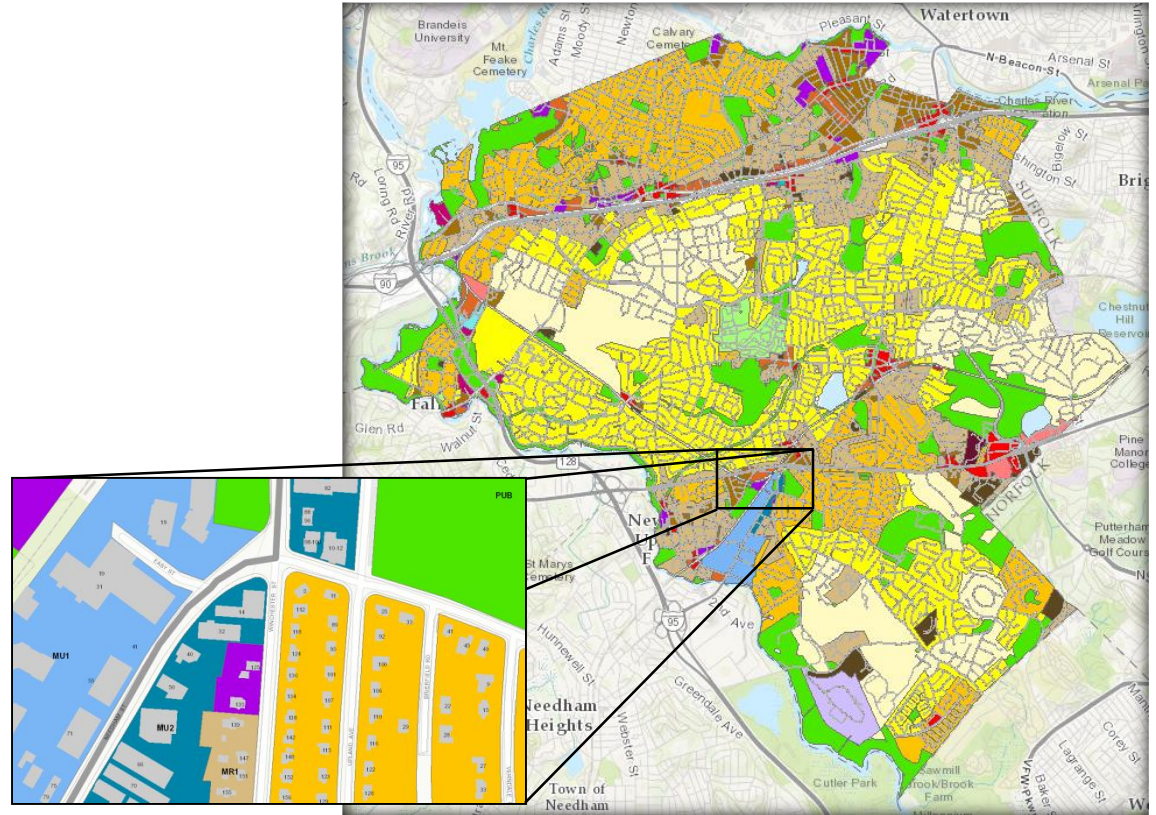
Background

What is Zoning?

Zoning is the regulation of our built environment: types of buildings, their locations, and their uses.

Central Elements of Zoning

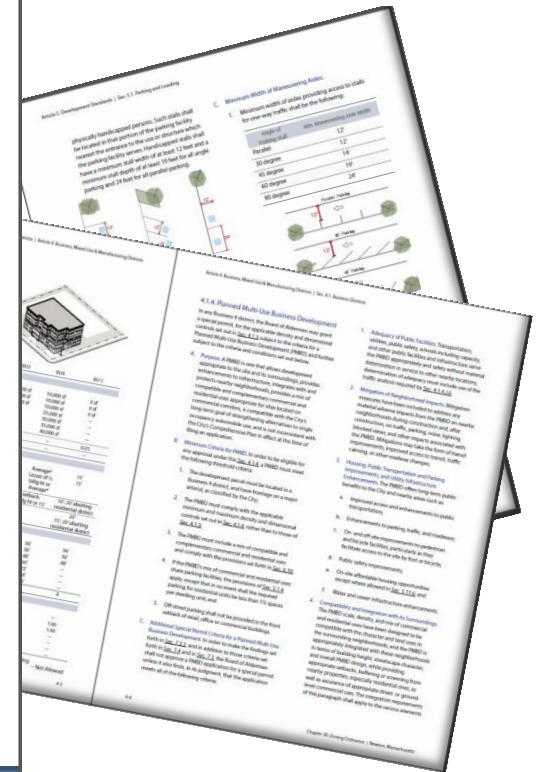
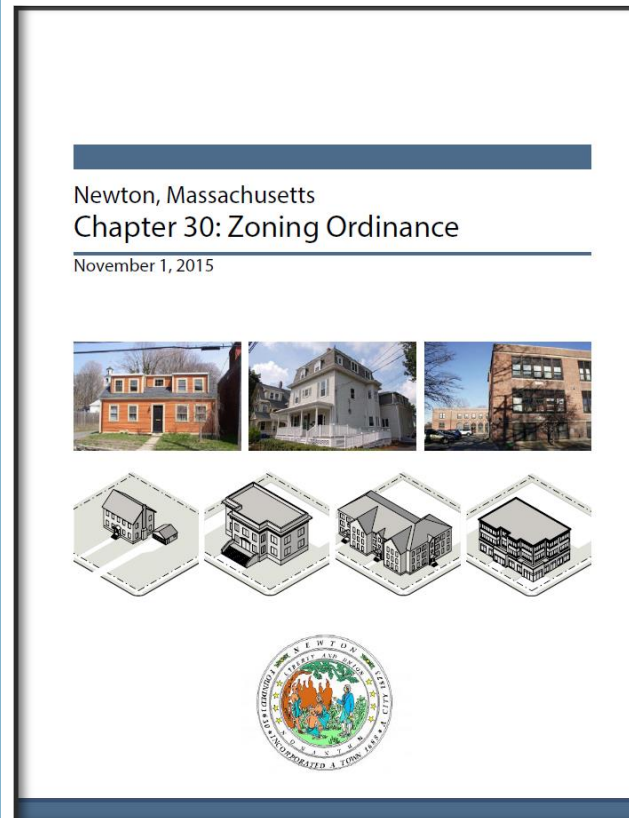
- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
- Development and Use Standards
- Decision Making Processes



The Zoning Map divides the city into districts, each of which represents a different set of land uses and scales of building types.

Central Elements of Zoning

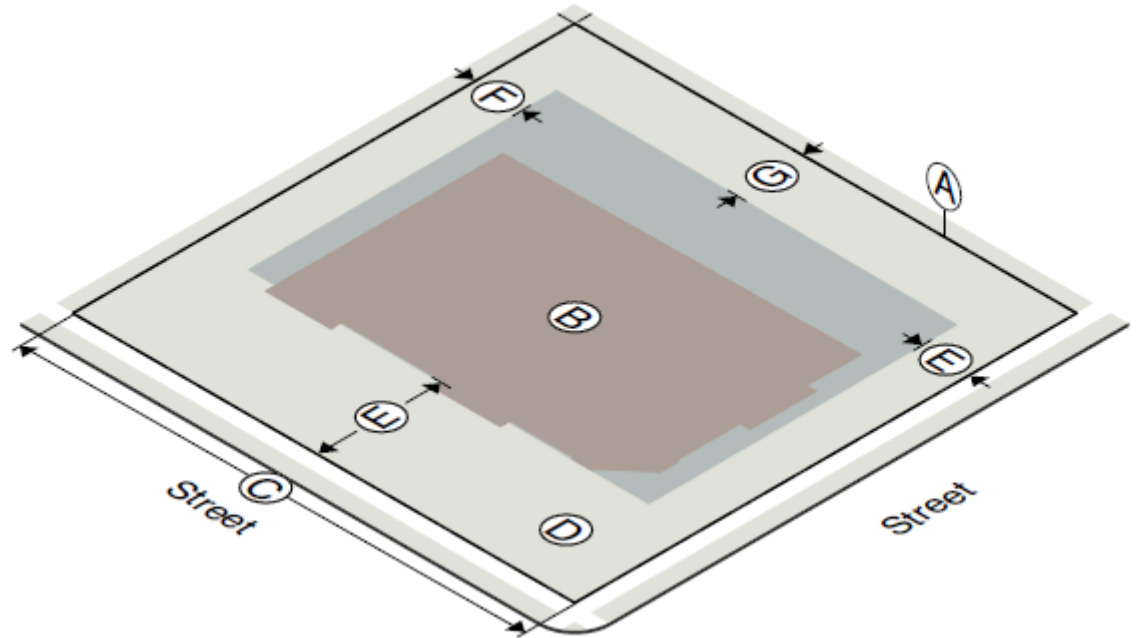
- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
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- Decision Making Processes



The Zoning Ordinance is the book of rules and regulations for how private property lots are divided, how buildings are constructed on those lots, and how those buildings are used.

Central Elements of Zoning

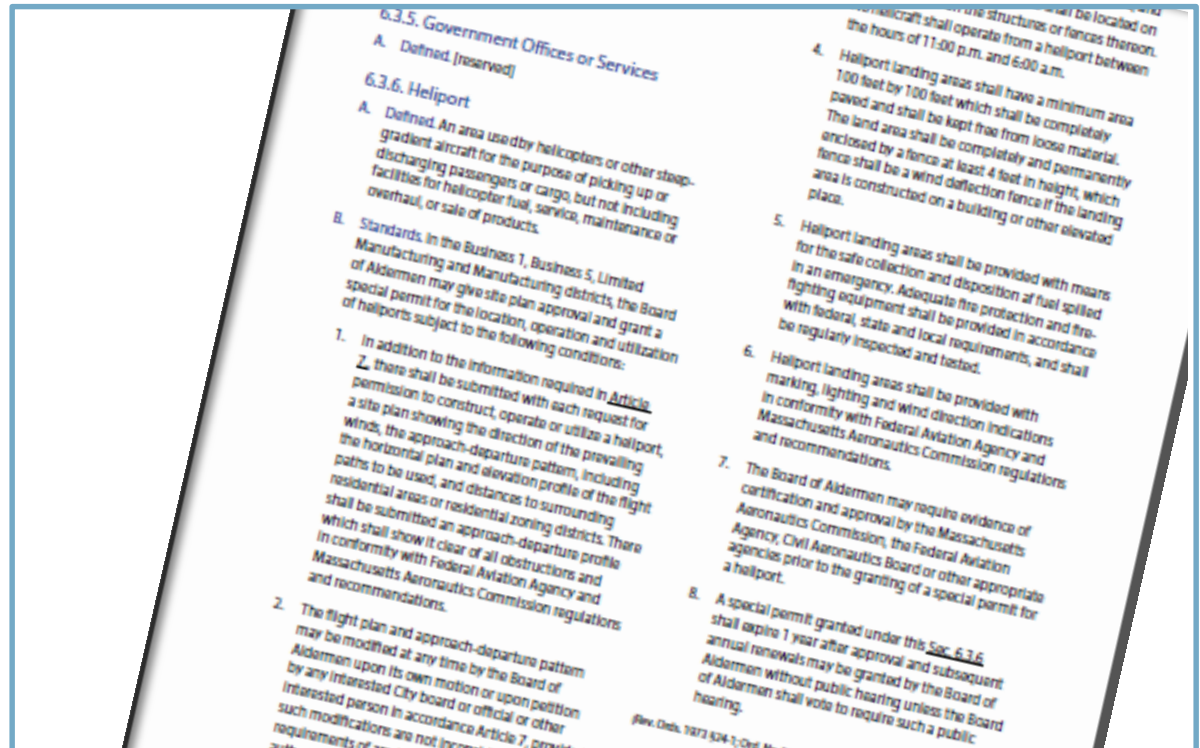
- The Zoning Map
- The Zoning Ordinance
- **Dimensional Requirements**
- Development and Use Standards
- Decision Making Processes



Dimensional Requirements control the dimensions of private property lots and the buildings constructed on them, including: width and depth of properties, height and overall scale or mass of buildings, as well as how far buildings are from the street and from neighboring property lines.

Central Elements of Zoning

- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
- Development and Use Standards
- Decision Making Processes



For each use

- Define it. State Intent.
- Set standards - Specific application materials, specific site layout standards, specific operations standards

Central Elements of Zoning

- The Zoning Map
- The Zoning Ordinance
- Dimensional Requirements
- Development and Use Standards
- **Decision Making Processes**

Who approves? What standards for approval are applied?

City Council

e.g. Special Permit

Zoning Amendments

Zoning Board of Appeals

e.g. Variance

Inspectional Services

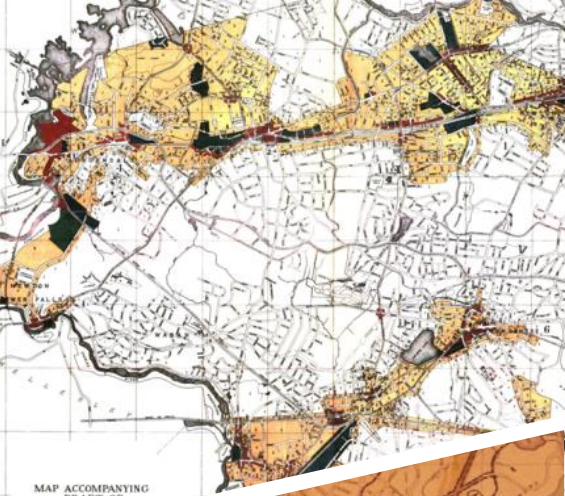
Department

e.g. Building Permit

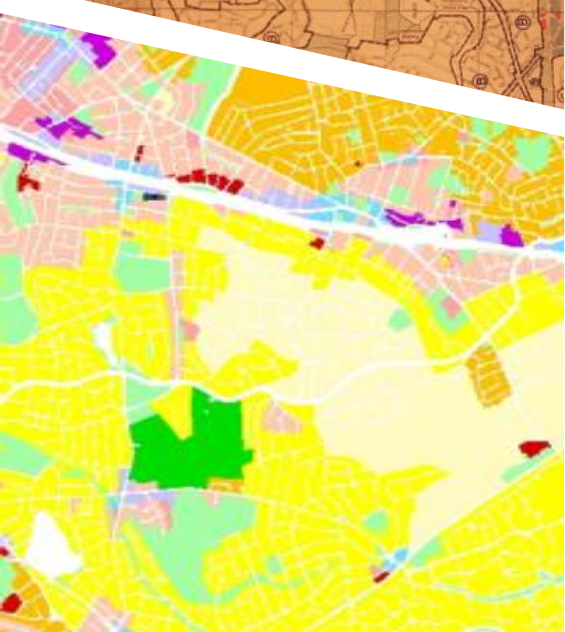


Created by Creative Stall
from Noun Project

Decision Making Processes for applying the zoning rules are outlined in the ordinance as well.



30-Second History of Zoning in Newton



- 1922 – First zoning code in Newton
- 1941 – Introduce lot sizes & setbacks
- 1953 – Increase required lot sizes
- 1987 – Major reorganization, and update to commercial zones
- 2011 – Zoning Reform Group
- 2015 – Phase One completed
- 2017 – Zoning Redesign Event Series
- 2018 – Draft #1

Current efforts

Themes from the 2011 Report

- Better **organize** the Ordinance for ease of use
- **Simplify and streamline** the permitting and review processes
- Recognize that each village center and commercial corridor is **unique**
- Encourage **mixed-use residential** redevelopment in village centers
- Create “**soft transitions**” between village centers and residential neighborhoods
- Allow **moderate, flexible growth** on commercial corridors
- **Rationalize** and **streamline** parking regulations
- Protect **neighborhood character** and **scale**
- Create more **diverse housing** opportunities
- Institute a **better process** for managing change of **religious** and **educational institutions**
- Improve **natural resource conservation** and **sustainability**

A Context-Based Ordinance...

Rules are derived from existing
or desired (where defined)
context.

Existing Quality of Place



Sustainability of the Form



Future Planning

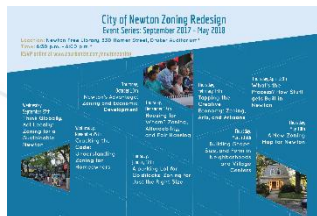
The Pattern Book

The Pattern Book represents a snapshot in time of Newton's development patterns in 2016-2017.

- Master database of the physical characteristics of Newton's neighborhoods (lot characteristics & building size)
- Book of analytic maps and tables

Event Series

- Sustainability
- Homeowners
- Economic Development
- Housing
- Transportation
- Arts
- Design
- Process
- Map



Setting Standards

- **Starting point was to develop a set of data driven standards – utilized pattern book**
 - **Continued refinement**
 - **Time for policy questions to be resolved**
- **Challenge of balancing competing interests**

Balance

- **Property rights**
 - **Reasonable expansion / tear-downs**
- **Property values & tax revenue**
- **Neighborhood character and natural evolution in response to changing social, economic, and environmental conditions**



Guide to Reading the Draft Ordinance

Things to Remember...

- **Separate Mechanisms and Standards.**
- **Must apply all rules comprehensively to know what's possible.**
- **Simplicity –**
 - **No math more complicated than addition/subtraction.**
 - **Measure simply.**

Reading the Ordinance

General
Standards
Article 2

District
Standards
Article 3-7

Development
Standards
Article 8

Use Standards
Article 9

Nonconformity
Article 10

Administration
Article 11

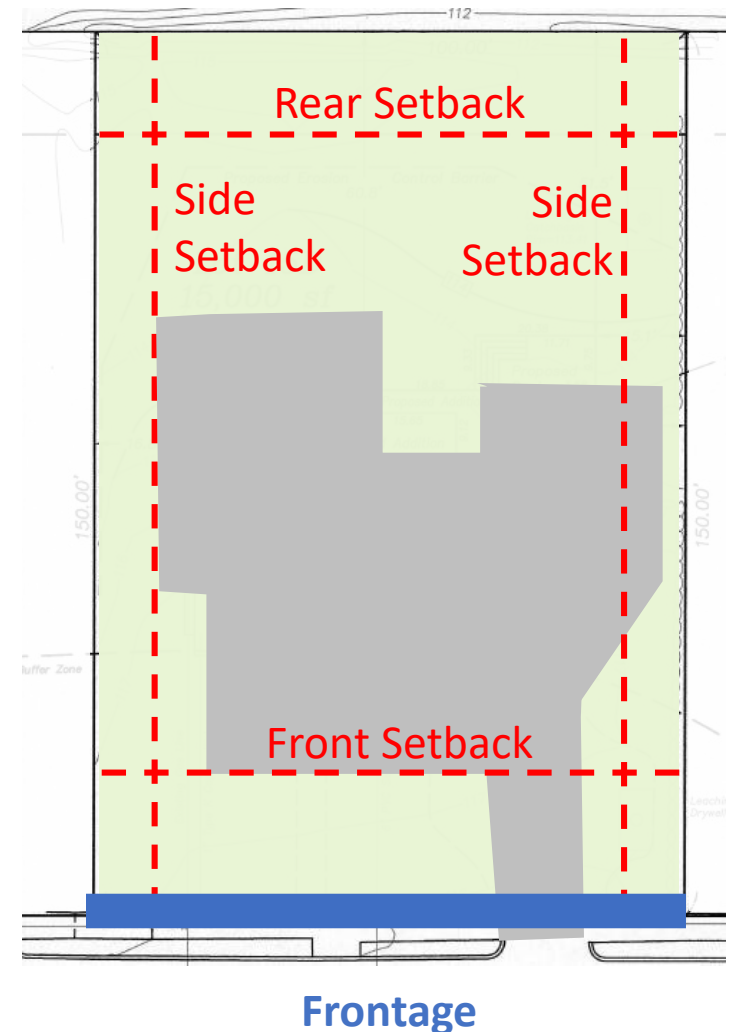
Definitions | Article 12

Reading the Ordinance

Districts

Lot and Setback Standards are set by the district:

- Frontage
- Setbacks
- Lot Coverage
- Allowed Building Types

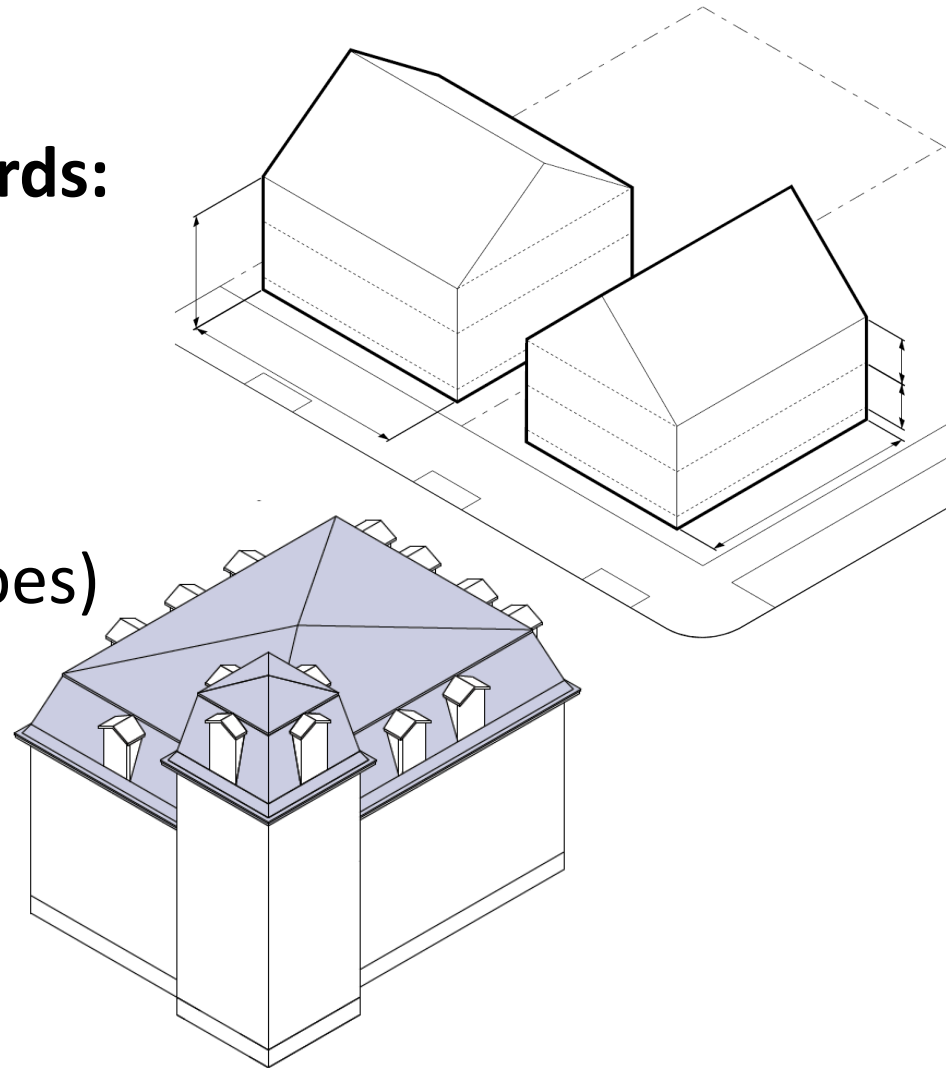


Reading the Ordinance

Building Types

Building Types include all building dimensional standards:

- Footprint
- Height (Stories)
- Specific Rules
(e.g. Fenestration, Roof Types)



Reading the Ordinance

Development Standards

Development Standards describe how to build key site features:

- Parking Area Design
- Stormwater
- Sustainable Building Design Incentives



Reading the Ordinance

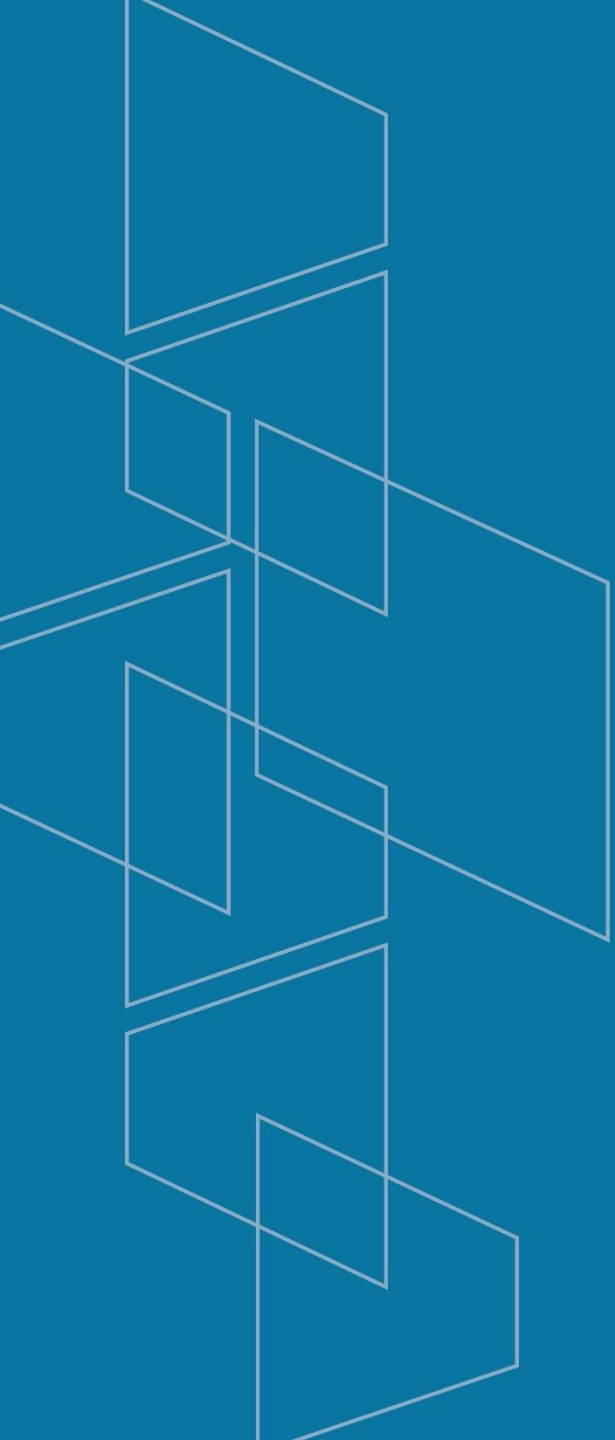
Use Standards

Use Standards include clearer definitions, requirements, and criteria that must be met to approve a new use.

Examples:

- Brewery: criteria includes compatibility with level of activity in the area
- Manufacturing: criteria for nuisance prevention (smell, noise, etc.)

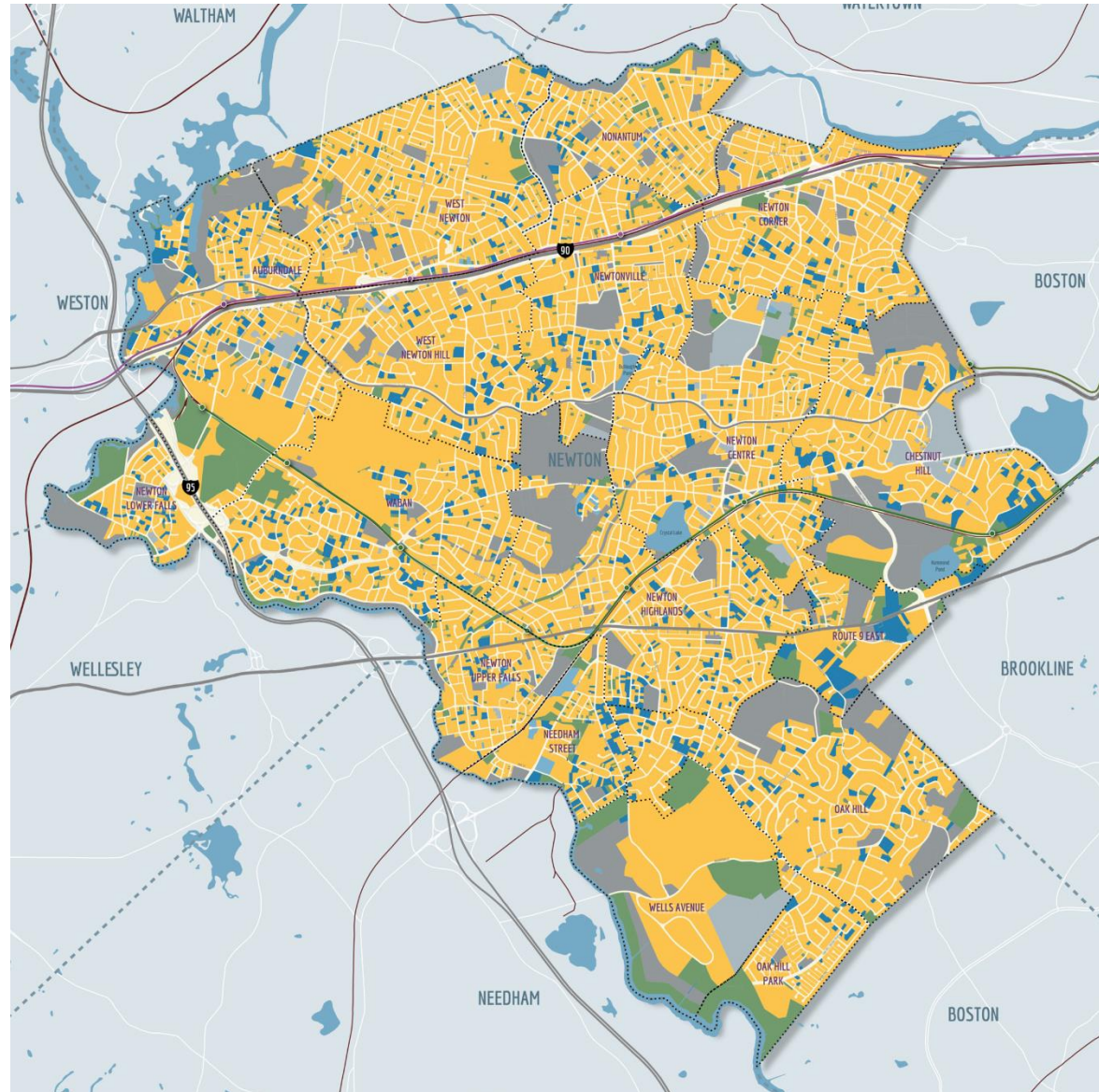




Draft Zoning Map & Districts

Non-Conforming Homes & Lots

87%
Non-Conforming



Map Making Principles

1) Balance of two goals:

- **Minimize non-conformity**
- **Maximize consistency with existing patterns of development**
 - **Map based in Pattern Book database findings (2017/2018)**
 - **Particular interest in conditions before-tear downs (before 2000)**

2) General Considerations:

- **District lines are at the back of the property**
- **As much as possible, both sides of the street should have the same zoning**
 - **Boundaries occur when the pattern shifts – change in lot width, scale of buildings (footprint and/or height), use or number of units**
- **The exception does not make the rule – 100% conformity is not possible**

Residence Districts

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

Village Districts

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

Single Purpose Districts

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

Washington Street Vision Plan
(area under study for master plan zoning)



Reading the Ordinance Map

Residence
Districts
Article 3

Village
Districts
Article 4

Public Use &
Recreation
Districts
Article 5

Single
Purpose
Districts
Article 6

Contextual

Non-Contextual

Draft Zoning Map

Newton Corner

Residence Districts

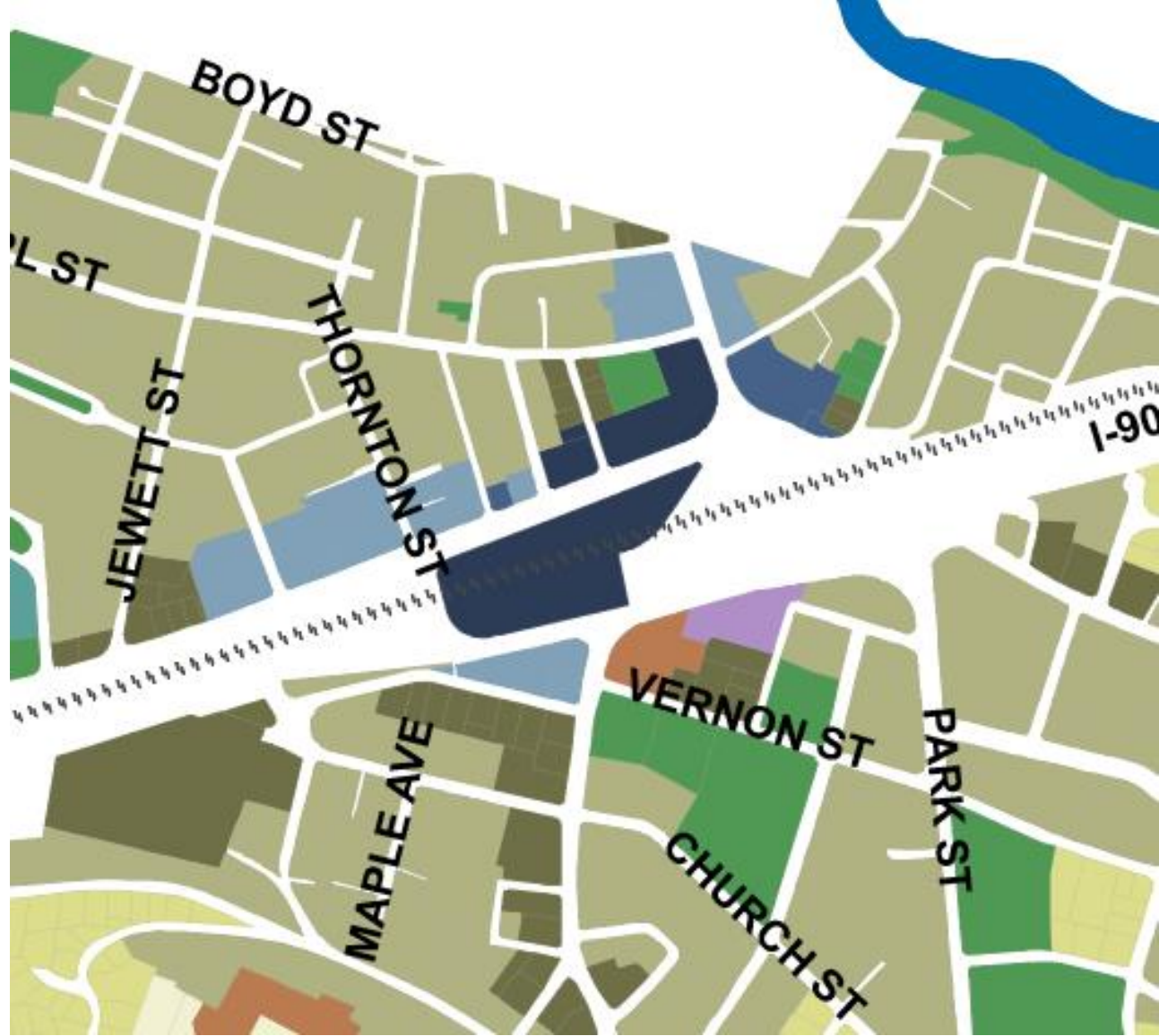
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Newton's village centers typically follow a concentric circle model (more intense activity at the center, stepping down to surrounding neighborhoods)

Draft Zoning Map

Newton Centre

Residence Districts

- R1 Residence 1
- R2 Residence 2
- R3 Residence3
- N Neighborhood General

Village Districts

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

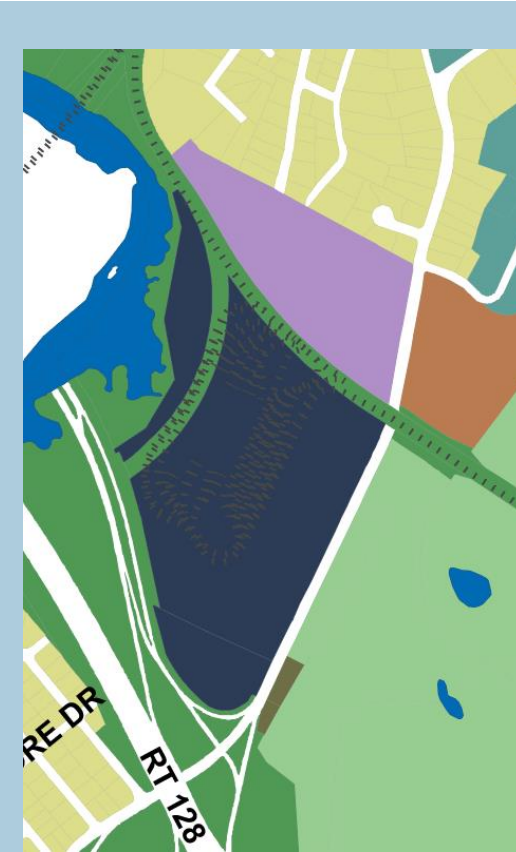
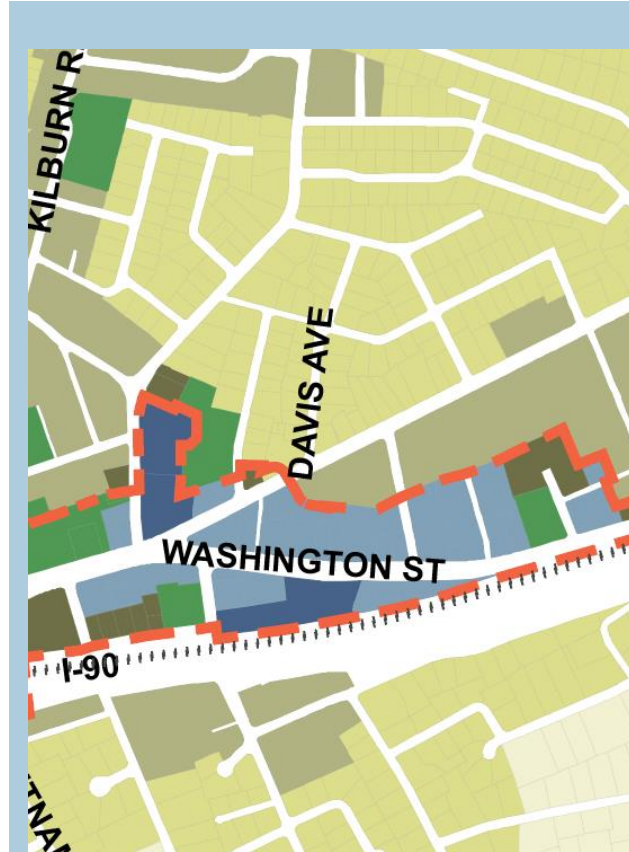
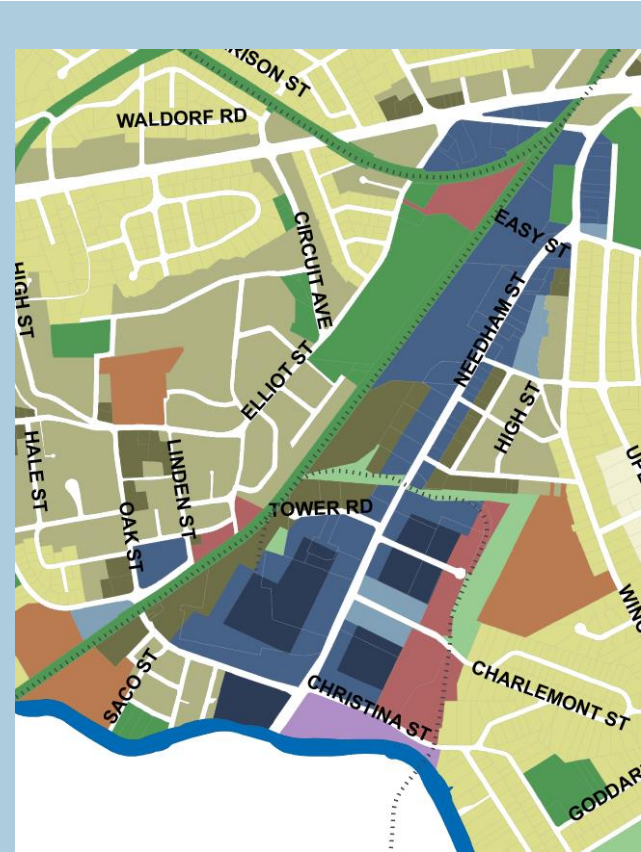
Single Purpose Districts

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Newton's village centers typically follow a concentric circle model (more intense activity at the center, stepping down to surrounding neighborhoods)

Areas of Further Study



Needham Street

- Proposed zoning is based on the adopted Vision Plan

Washington Street

- The Hello Washington Street zoning study area is outlined in a dashed orange line

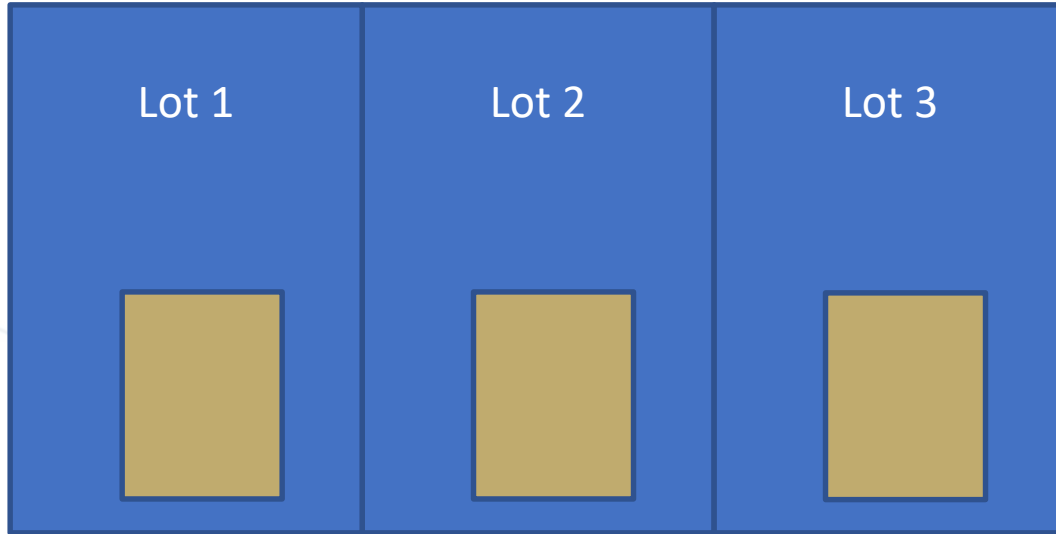
Riverside

- The proposed Village 3 is based on the previously approved Special Permit



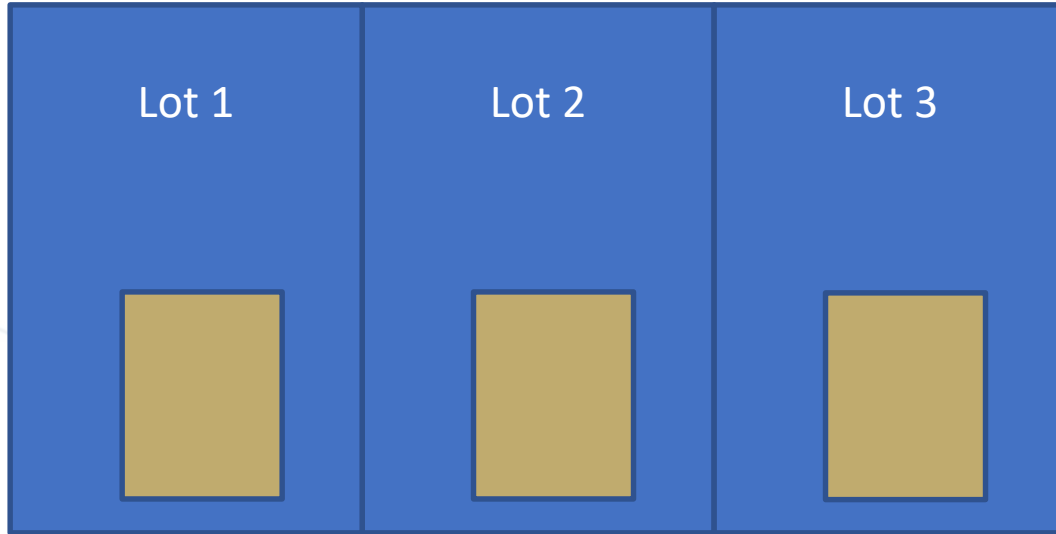
Key Features & Case Studies

Lot Size & Building Size

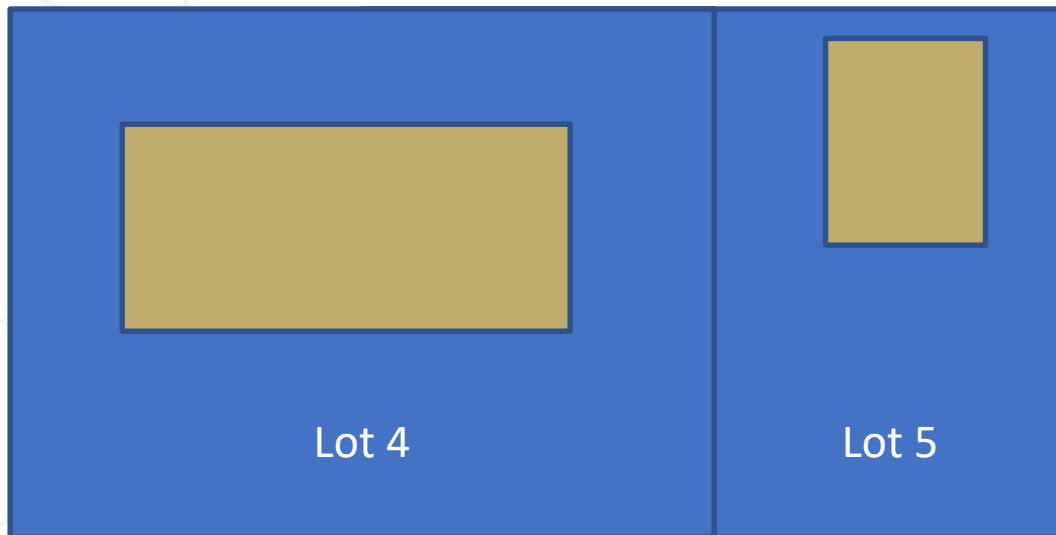


Street

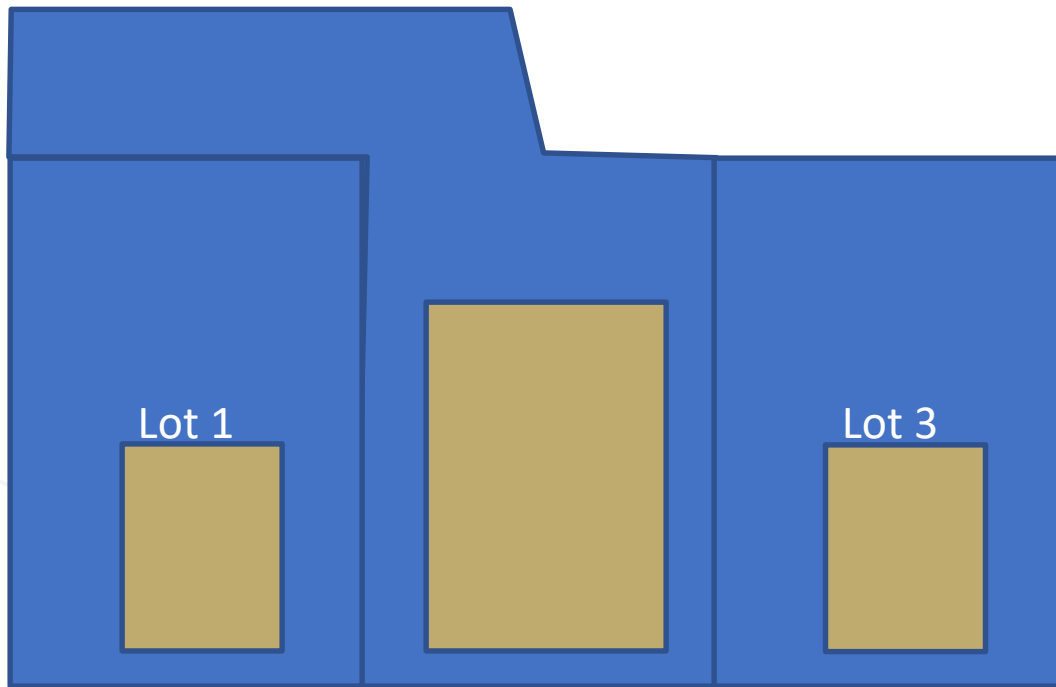
Lot Size & Building Size



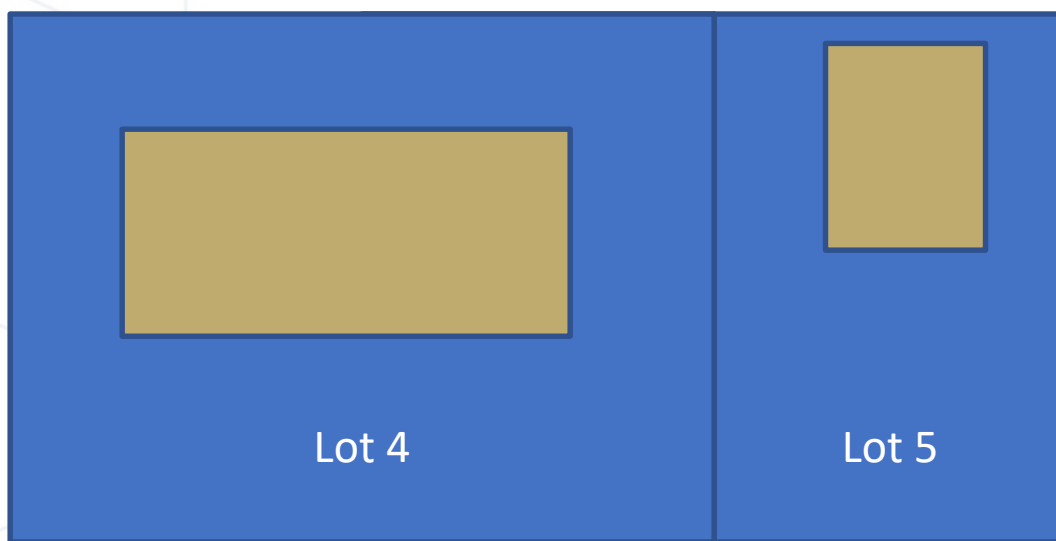
Street



Lot Size & Building Size



Street



Lot 4

Lot 5



45 Beethoven Ave

Tear Down Lot and Garage Placement
an R2 District Example

45 Beethoven Ave

District:

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

Constructed 2010

Approved addition in 2018



	Current Ordinance	
	Requirement	Approved Project
Frontage	80 ft	100 ft
Lot Coverage*	30%	19.6%
Setbacks	(min)	
Front	25 ft	35 ft
Side (north)	7.5 ft	15.1 ft
Side (south)	7.5 ft	16.8 ft
Rear	15 ft	51.5 ft
<i>Lot Size</i>	Min. 10,000 sf	15,000 sf
Min. Open Space*	50%	71.8%
Frontage Buildout	-	-
Footprint	-	-
Height (Max Stories)	Max. 2.5 stories	2.5 stories
<i>FAR</i>	0.35	0.43 – extended nonconforming

45 Beethoven Ave

District:

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

Constructed 2010

Approved addition in 2018



	Current Ordinance		1st Draft Ordinance	
	Requirement	Approved Project	Requirement	Approved Project
Frontage	80 ft	100 ft	60-110 ft	100 ft
Lot Coverage*	30%	19.6%	35%	30.8%
Setbacks	(min)		(min or range)	
Front	25 ft	35 ft	<u>25 ft</u> (contextual)	35 ft - beyond contextual max.
Side (north)	7.5 ft	15.1 ft	10 ft	15.1 ft
Side (south)	7.5 ft	16.8 ft	10 ft	16.8 ft
Rear	15 ft	51.5 ft	20 ft	51.5 ft
Lot Size	Min. 10,000 sf	15,000 sf	-	-
Min. Open Space*	50%	71.8%	-	-
Frontage Buildout	-	-	Min. 25 ft	0 ft
Footprint	-	-	Max. 1600 sf	2774 sf - more than S.P. House B
Height (Max Stories)	Max. 2.5 stories	2.5 stories	Max. 2.5 stories	2.5 stories
FAR	0.35	0.43 - extended nonconforming	-	-

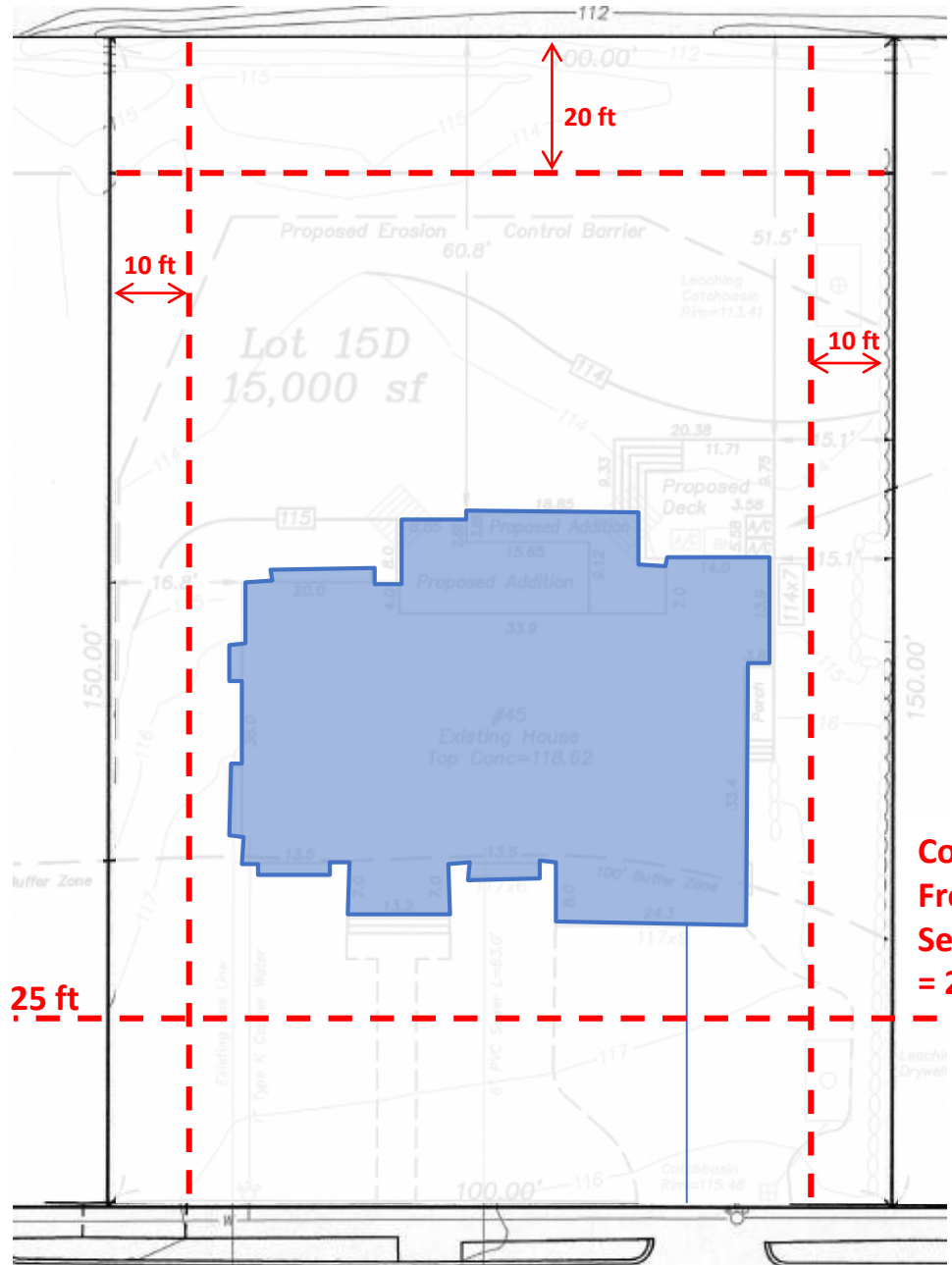
Proposal Requires Changes

45 Beethoven Ave

Demonstrated Features:

- Contextual front setback
- Footprint size
- Lot coverage elements
- Garage placement

Contextual Front Setback = 25 ft



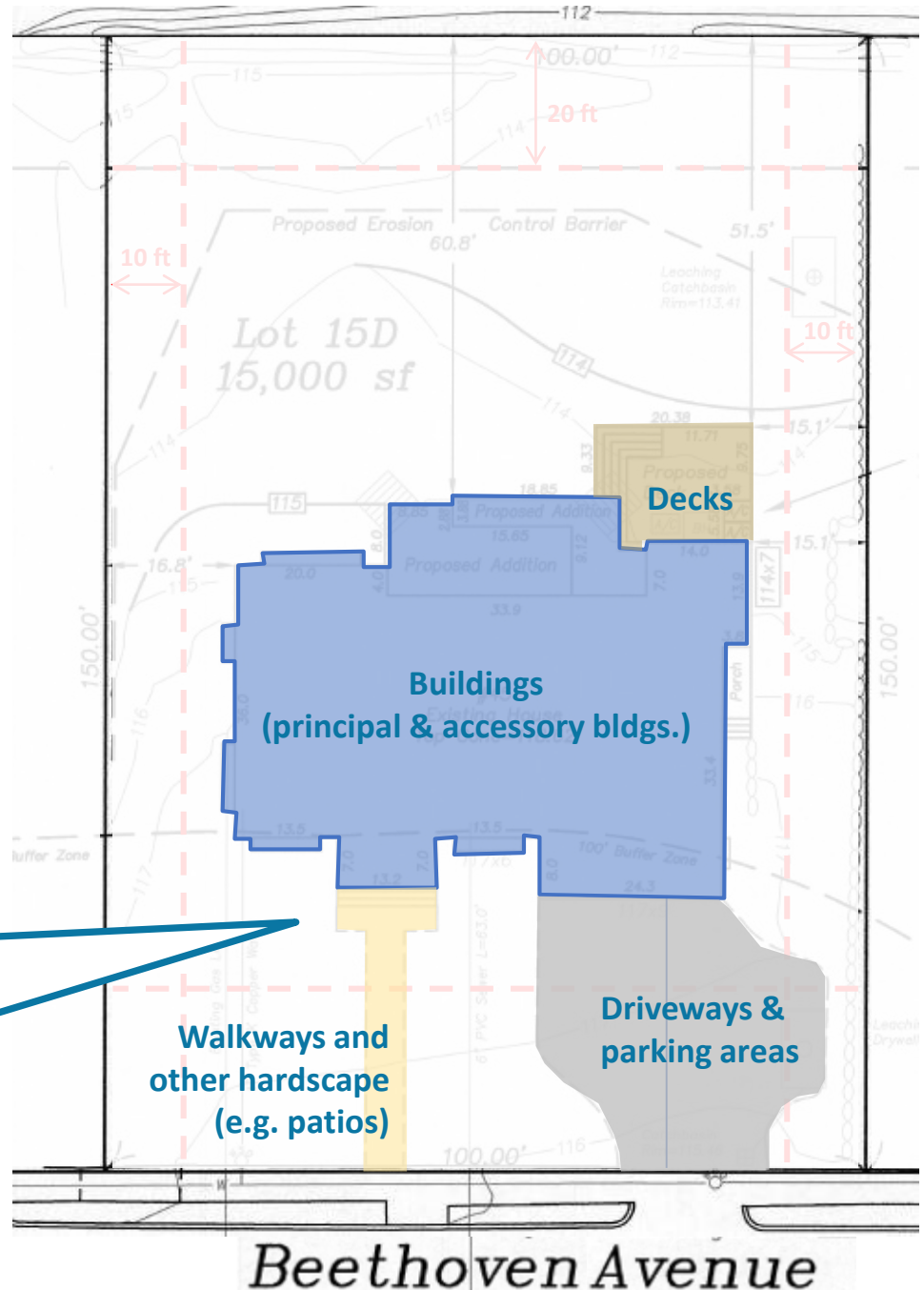
Contextual Front Setback = 25 ft

Beethoven Avenue

45 Beethoven Ave

Demonstrated Features:

- Contextual front setback
- Footprint size
- **Lot coverage elements**
- Garage placement



Lot Coverage includes all "built" features

Inverse is "unbuilt" landscaped areas

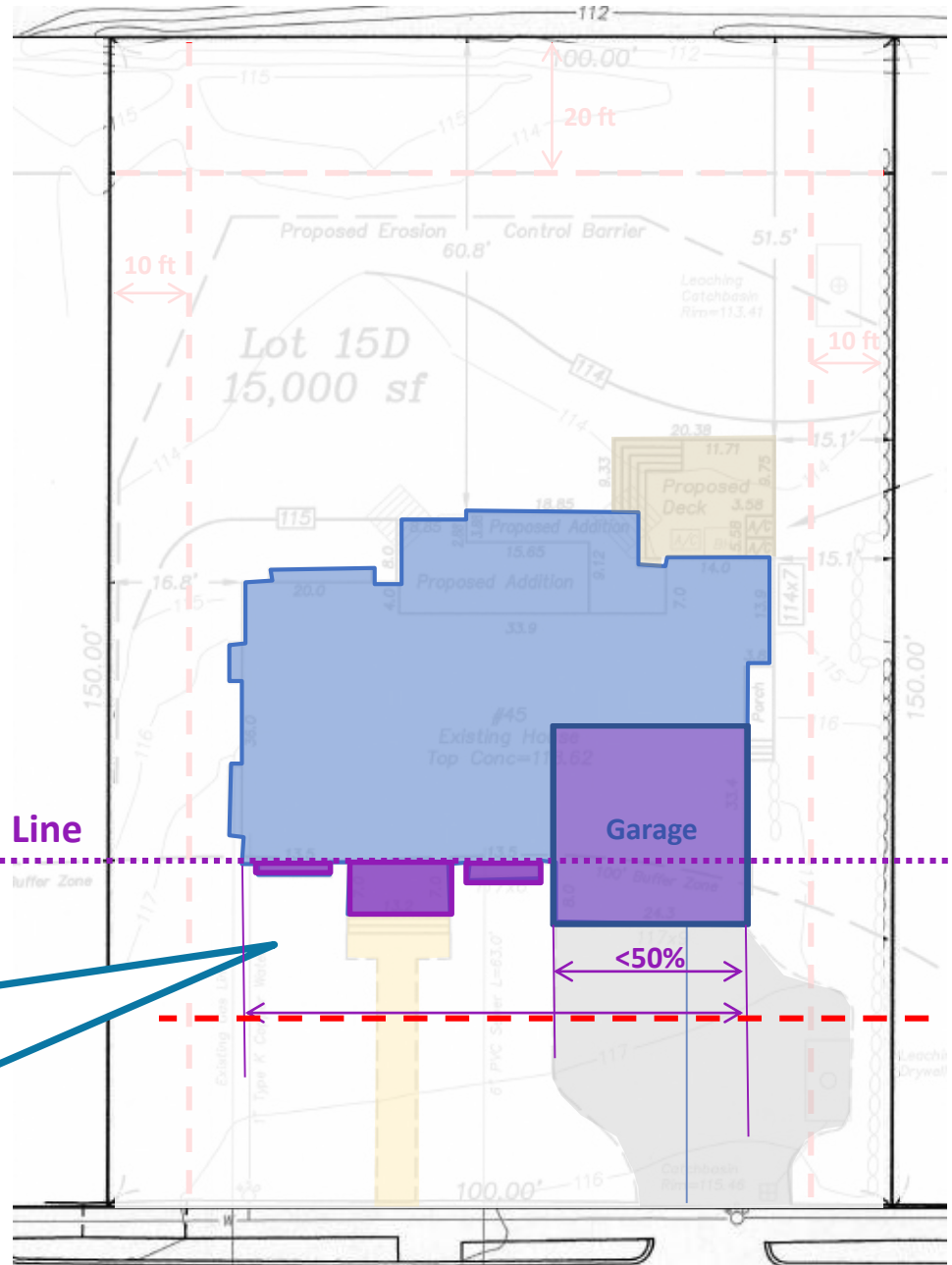
Should decks, patios, pools, and tennis courts be exempted from in lot coverage?

Beethoven Avenue

45 Beethoven Ave

Demonstrated Features:

- Contextual front setback
- Footprint size
- Lot coverage elements
- **Garage placement**



Front Elevation Line

Alternative approach:
Garages may be forward of the front elevation as far as any architectural components, but not forward of the setback line

Beethoven Avenue

307 Lexington St

One Lot or Two Lots
an R3 District Example

307 Lexington St

District:

- current **SR3**
- 1st draft **R3**

Constructed 1870

2017 - Approved combination of lots and expansion of non-conforming 2-unit bldg.



	Current Ordinance		First Draft Ordinance	
	Requirement	Approved Project	Requirement	Approved Project
Frontage	80 ft	113 ft	40-100 ft	113 ft - nonconforming
Lot Coverage*	30%	25.06%	60%	47%
Setbacks				
Front	25 ft	26.4 ft	25-28 ft	26.4 ft
Side (north)	7.5 ft	12.8 ft	7.5 ft	12.8 ft
Side (south)	7.5 ft	39 ft	7.5 ft	39 ft
Rear	15 ft	20.1 ft	15 ft	20.1 ft
Lot Size	10,000 sf	15,216 sf	-	-
Min. Open Space	50%	56.13%	-	-
Frontage Buildout	-	-	Min 25 ft	25 ft - nonconforming
Footprint	-	-	2,000 sf	2,925 sf – S.P. only up to 2200
Height (Max Stories)	2.5 stories	2.5 stories	2.5 stories	2.5 stories
FAR	0.38	0.36	-	-

Proposal Requires Changes

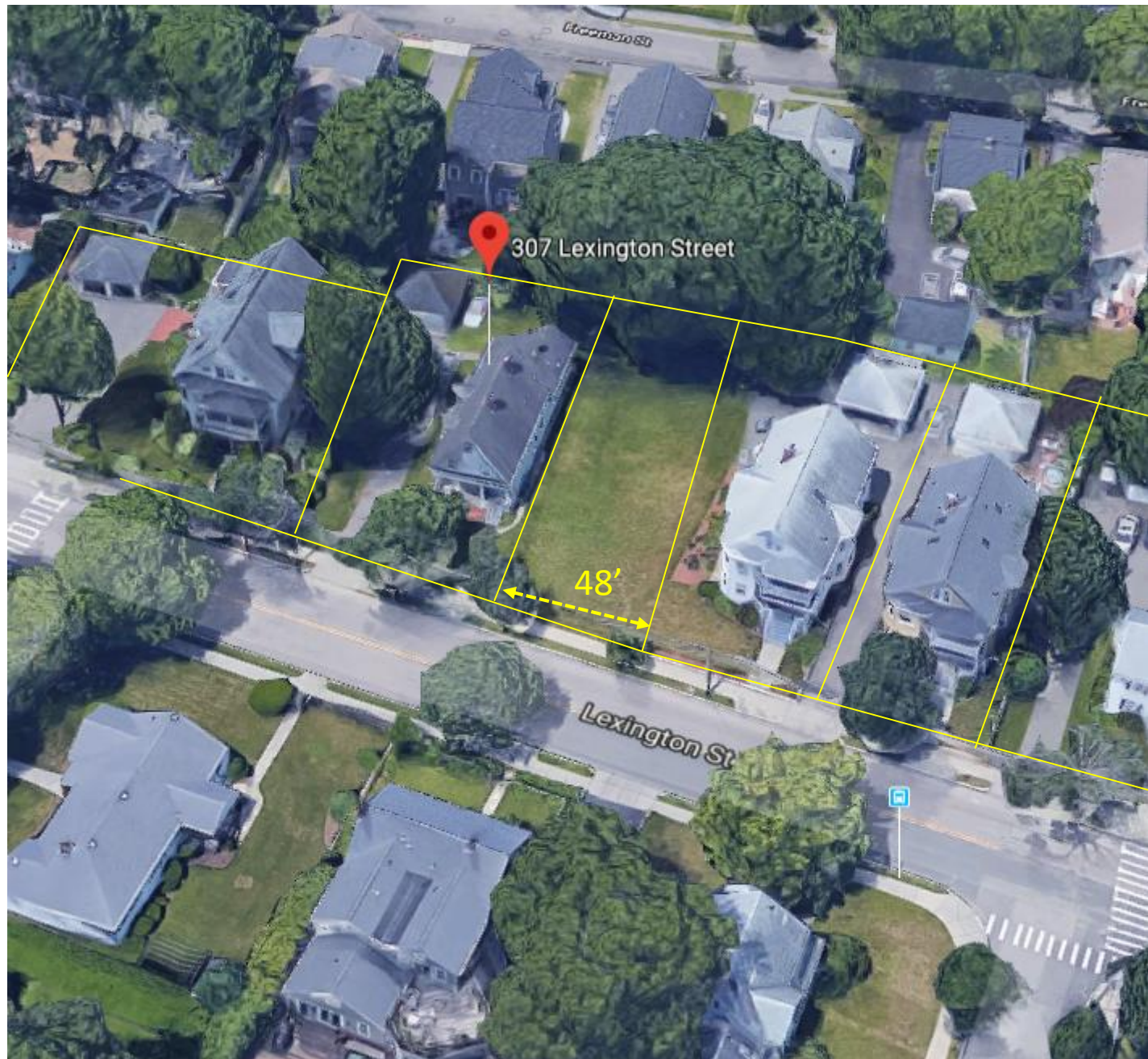
307 Lexington St



By Right under current ordinance, size of addition would be limited under 1st Draft

307 Lexington St

The parcel to the side of 307 Lexington began as a separate lot ... a **conforming lot** under the first draft ordinance



307 Lexington St

The parcel to the side of 307 Lexington began as a separate lot ... a **conforming lot** under the first draft ordinance



The proposal benefited from good contextual design

307 Lexington St

The parcel to the side of 307 Lexington began as a separate lot ... a **conforming lot under the first draft ordinance**

Allowed Building Types & Alternative Lot Configurations:

By Right Options

- House B or C
(1 unit household living)

- Two-Unit Residence

- Civic Building
(civic institution)

Special Permit Options

- Larger footprints w/in limits
- Apartment House
- Small Apartment Building



On combined lot:
Building footprint for a
2-Unit Res. is capped at
2200 sf

-
Proposed was 2925 sf

307 Lexington St

The parcel to the side of 307 Lexington began as a separate lot ... a **conforming lot under the first draft ordinance**

Allowed Building Types & Alternative Lot Configurations:

By Right Options

- House B or C
(1 unit household living)
- Two-Unit Residence
- Civic Building
(civic institution)

Special Permit Options

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- Apartment House
- Small Apartment Building



Courtyard Clusters



Courtyards Cluster allowed in all residence districts
Attached townhouses limited to the Neighborhood General district

1-19 Elm St

Townhouses vs. Courtyard Cluster
an R3 District Example

1-19 Elm St

District:

- current MR2, MR1
- 1st draft R3

2007, 2015– Approved townhouse development



	Current Ordinance		First Draft Ordinance	
	Required	Approved Project	Required	Approved Project
Frontage	80 ft	120 ft and 185 ft	40 - 100 ft	120 ft and 185 ft – nonconforming
Lot Coverage*	25%	22.3%	60%	48.5%
Setbacks				
Front (Elm St)	25 ft	26 ft	12-52 ft	26 ft
Side (north)	25 ft	25.5 ft	7.5 ft	25.5 ft
Side (south)	25 ft		7.5 ft	
Rear	25 ft	28.4 ft	15 ft	28.4 ft
Lot Size	10,000 sf	57,266 sf	Min 32,670 sf for courtyard closer	57,266 sf
Min. Open Space*	50%	86.1%	-	-
Frontage Buildout	-	-	-	-
Footprint	-	-	Townhouses not allowed in R3	
Height (Max Stories)	2.5 stories	2.5 stories	Townhouses not allowed in R3	
FAR	FAR doesn't apply		-	-

Proposal Requires Changes

1-19 Elm St

Allowed Building Types & Alternative Lot Configurations:

By Right Options

- House B or House C
(1 unit household living)
- Two-Unit Residence
- Civic Building
(civic institution)

Special Permit Options

- Larger footprints
- Apartment House
- Small Apartment Building
- Courtyard Cluster
- Rear Lot



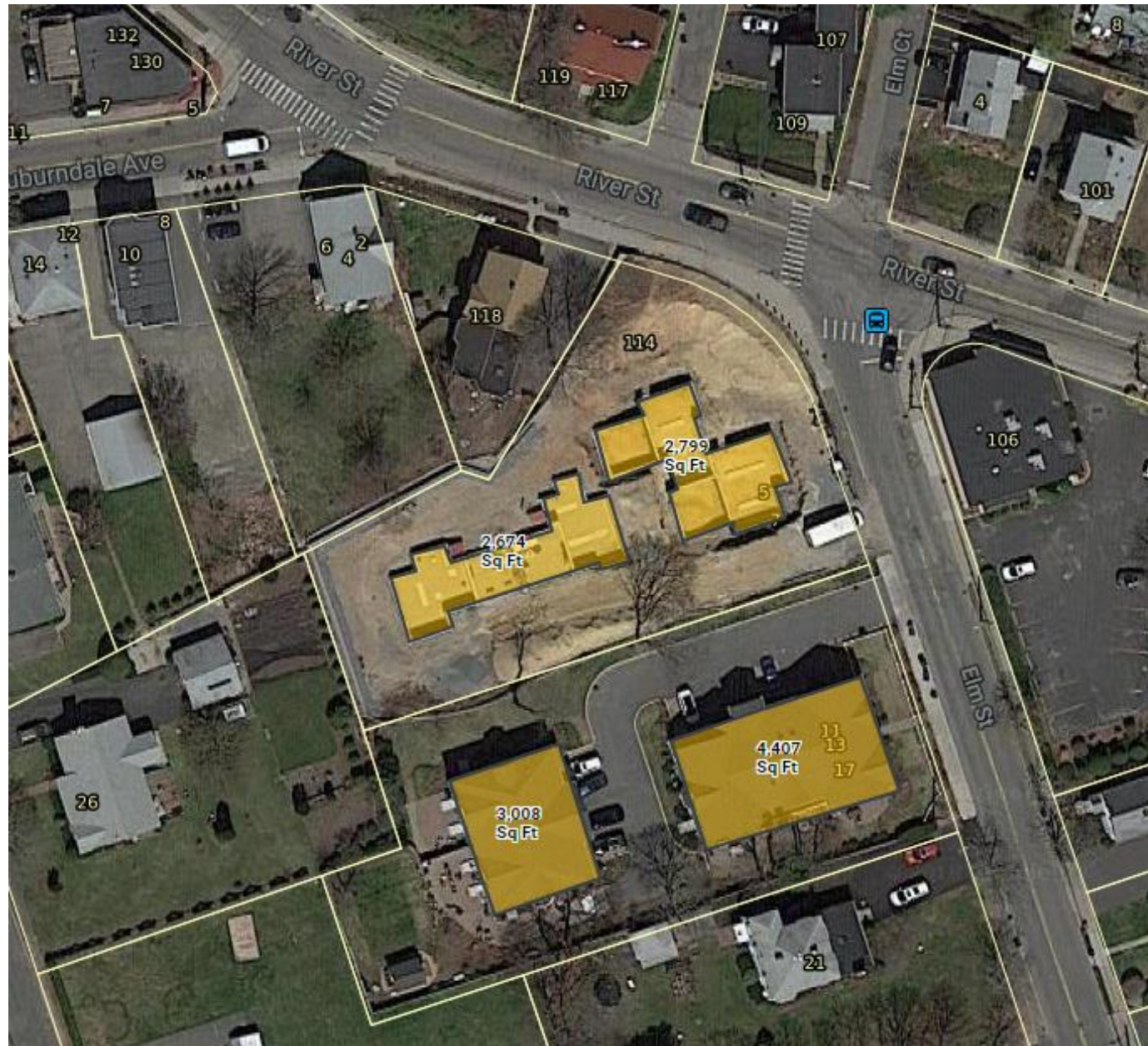
1-19 Elm St

Under current ordinance properties received Special Permits for **9 attached units** (each 1300-1500 sf footprint)

Courtyard Cluster:

- Central courtyard
- Must meet lot standards
- Separate buildings with smaller than typical building footprints
- In the R3 district the following building types are allowed:
 - House C
 - House B
 - 2-Unit Res.

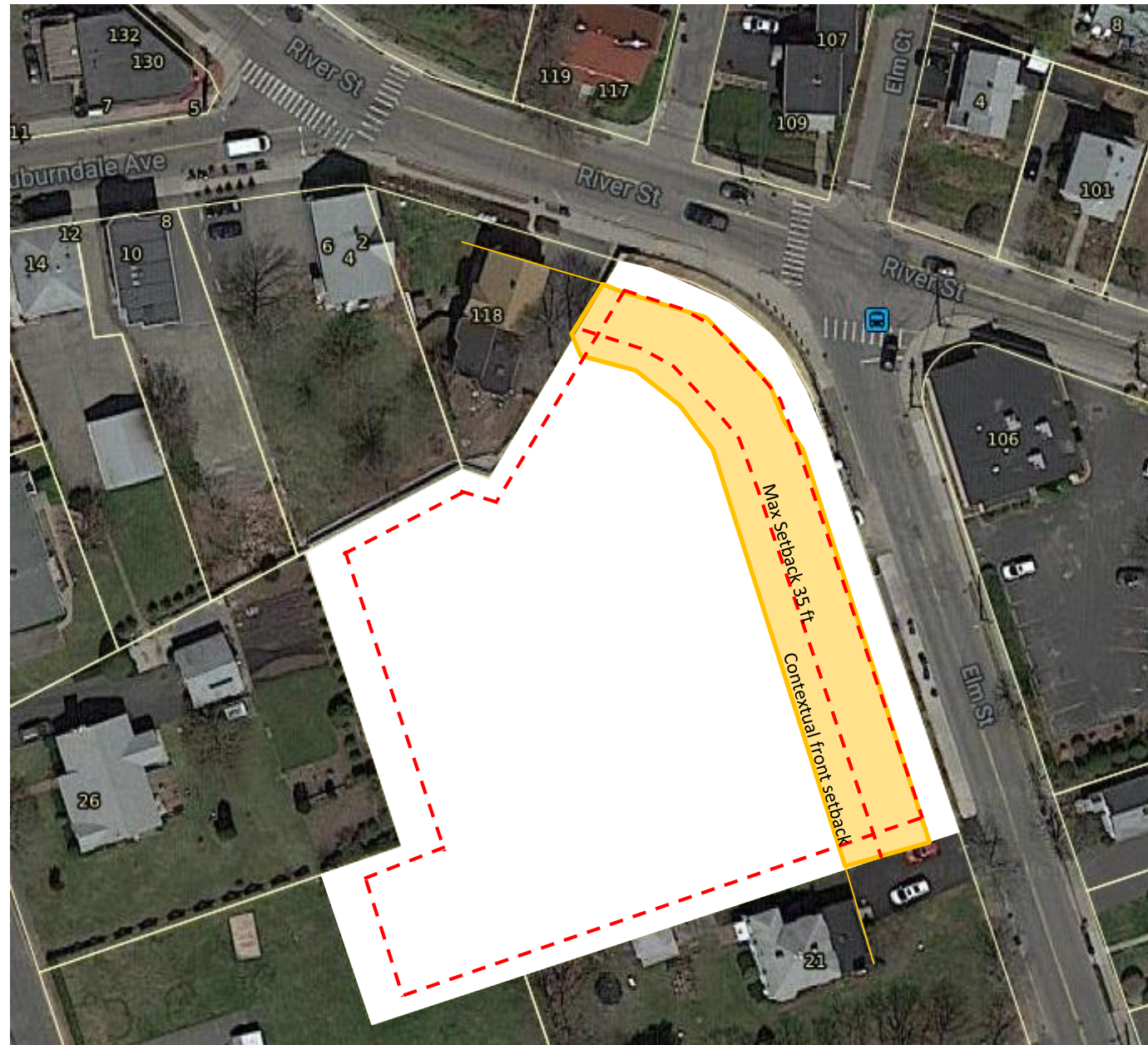
(all limited to 1200 sf footprints in R3)



1-19 Elm St

Example Courtyard Cluster:

- Setbacks:
 - Front: contextual 12-52 ft
max 35 ft
 - Sides: 7.5 ft
 - Rear: 15 ft



1-19 Elm St

Example Courtyard Cluster:

- Setbacks:
 - Front: contextual 12-52 ft
max 35 ft
 - Sides: 7.5 ft
 - Rear: 15 ft
- Central courtyard



1-19 Elm St

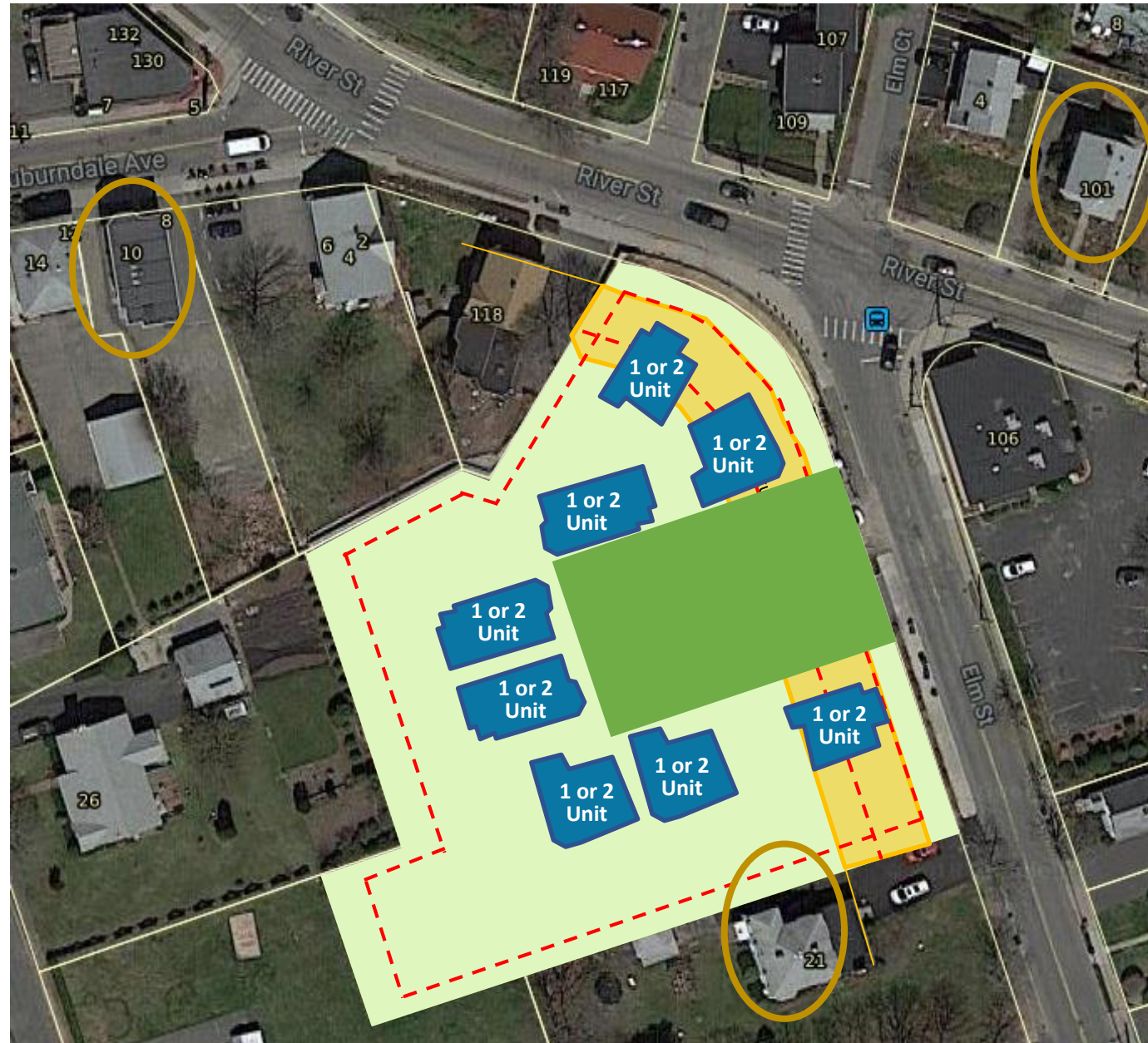
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Example Courtyard Cluster:

- Setbacks:
 - Front: contextual 12-52 ft
max 35 ft
 - Sides: 7.5 ft
 - Rear: 15 ft
- Central courtyard
- Separate buildings with smaller than typical building footprints
- In the R3 district the following building types are allowed:
 - House C
 - House B
 - 2-Unit Res.

*(all limited to 1200 sf
footprints in R3)*



Parking & Transportation

- **Require Bike Parking**
- **Reduce Automobile Minimums & Add Maximums**
- **Allow sharing of underutilized parking**
- **Introduce Transportation Demand Management as a base requirement**



Sustainable Buildings & Environmental Site Design



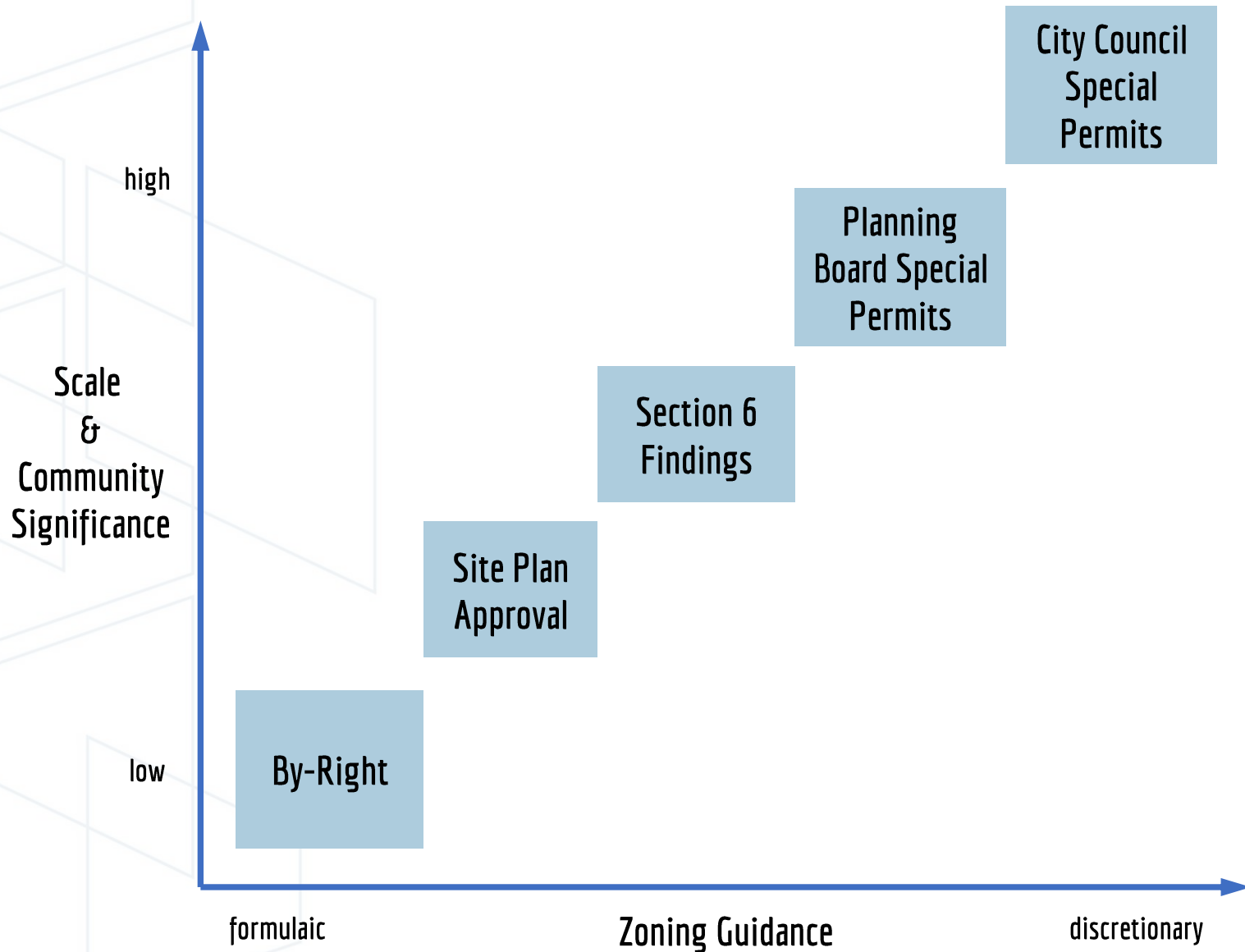
- **Promote buildings and site design that achieve City objectives relative to environmental sustainability and addressing Climate Change.**
- **Base Requirements + Incentive level requirement**
- **Looking for guidance from the upcoming Climate Action Plan.**
- **Other environmental provisions layered throughout the ordinance.**

Arts & Cultural Institutions

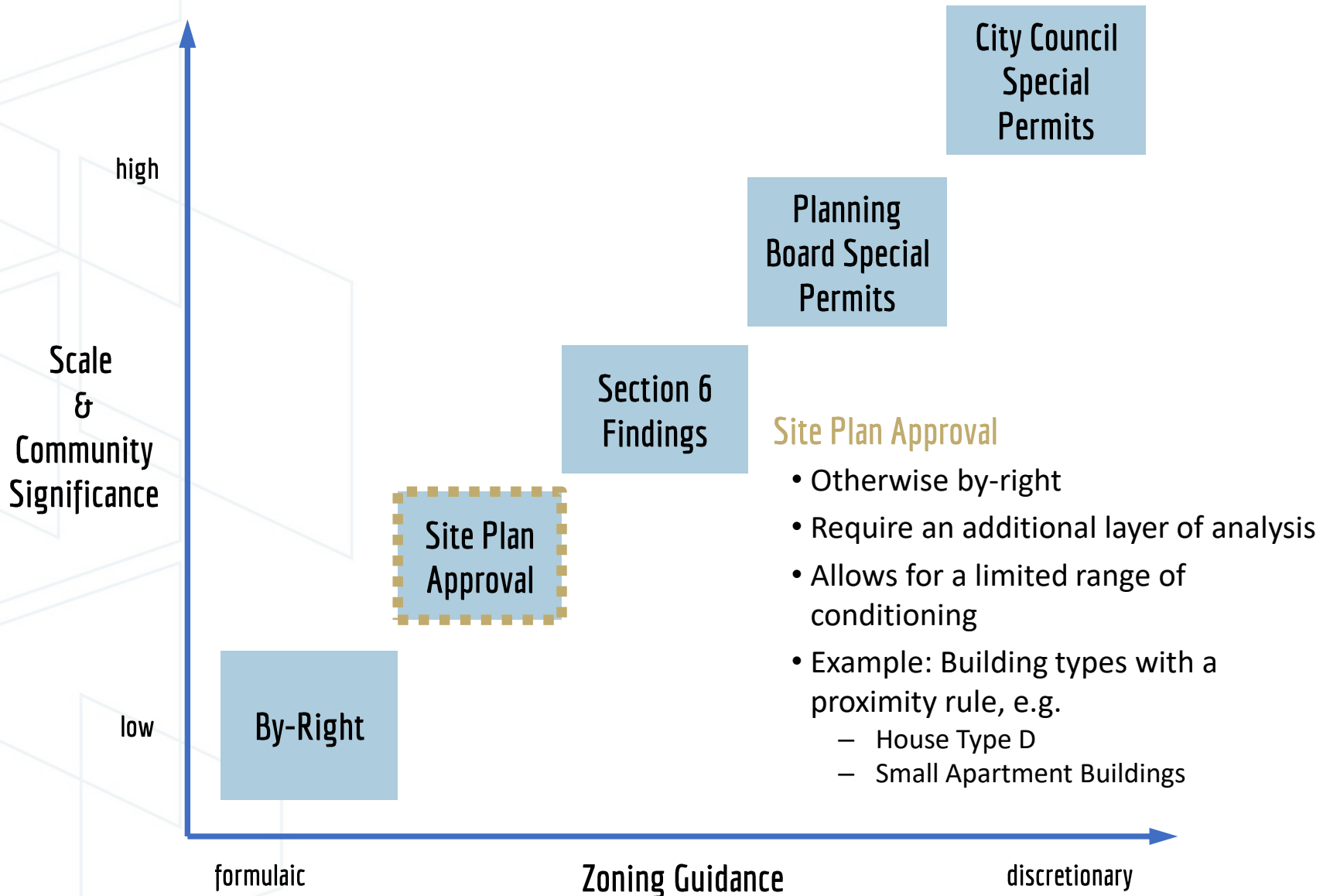
- New Use Categories
- Coming Soon - Arts related requirement for development projects over a certain size



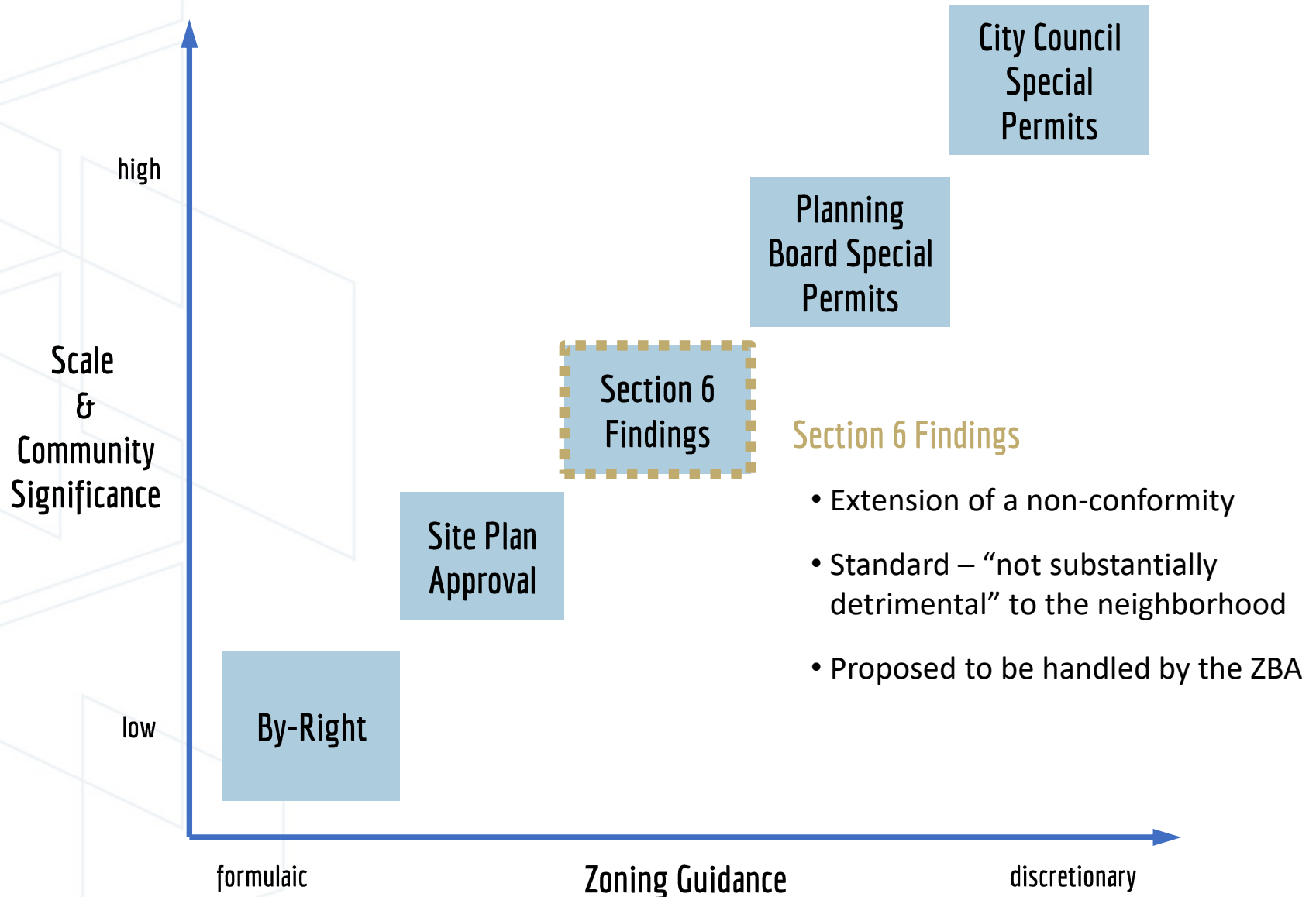
Development Review



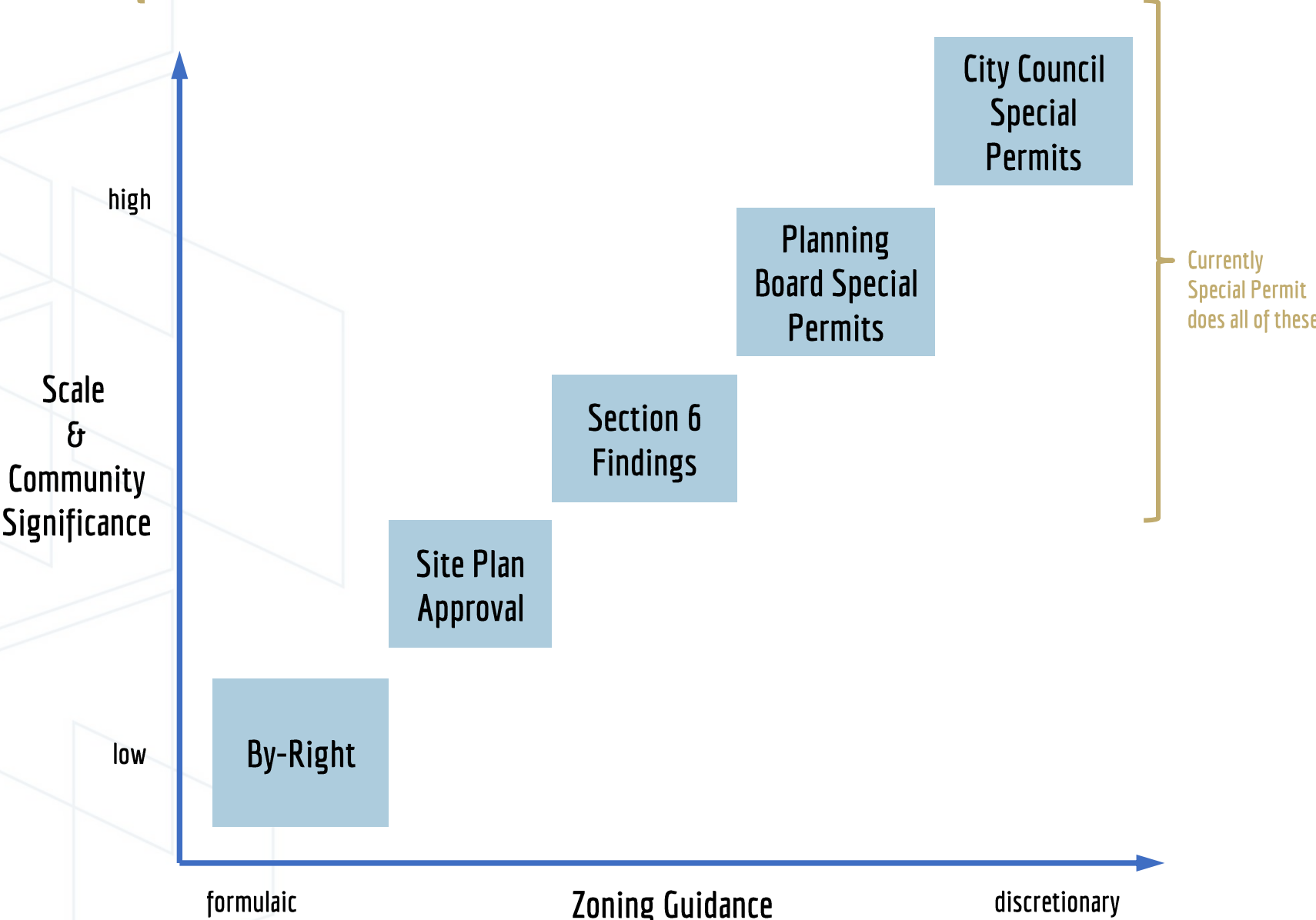
Development Review



Development Review



Development Review





Next Steps & Schedule

Upcoming Discussions

City Council Meetings

- Regular discussions at the Zoning and Planning Committee
- February: Build Out Analysis (under current & first draft ordinances)
- Quarterly Full Council Discussions

Public Meetings

- Ward-by-Ward Meetings
Nov - Feb
- Meetings with Community Groups
- Office Hours (Spring 2019)

2nd Draft - Anticipated May 2019

Focus for Buildout Analysis?

- Footprint + Height = Building Size
- Footprint is a critical measure
- Range of Options
 - New District(s)
 - New Footprint standards
 - New Frontage standards
 - And others
- The Build-out Analysis will give us critical information to inform this discussion.

Questions

- What are the top priority issues that you see relative to the zoning ordinance?
- What questions are you hoping the build out analysis can answer?
- What topics are most important to you to have discussion on in the next committee of the whole meetings?

How to Connect

[www.newtonma.gov/
zoningredesign](http://www.newtonma.gov/zoningredesign)

- **Full text of the First Draft Ordinance**
- **Interactive Map (Current Zoning and First Draft Zoning)**
- **Additional Materials**
- **Archive of the 2016-2018 Series Materials**

Sign Up for Emails!

Office Hours

Starting in March 2019

Email a Question, Idea, or Comment:
zoningredesign@newtonma.gov

Thank You!



Questions

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- What questions are you hoping the build out analysis can answer?
- What topics are most important to you to have discussion on in the next committee of the whole meetings?