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Barney S. Heath  
Director

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## MEMORANDUM

**DATE:** February 25, 2022

**TO:** Councilor Deborah Crossley, Chair, Zoning & Planning Committee  
Members of the Zoning & Planning Committee

**FROM:** Barney Heath, Director, Department of Planning and Development  
Jennifer Caira, Deputy Director Department of Planning and Development  
Zachery LeMel, Chief of Long Range Planning  
Nevena Pilipovic-Wengler, Community Engagement Planner  
Cat Kemmett, Planning Associate

**RE:** **#38-22 Discussion and review relative to the draft Zoning Ordinance regarding village centers**  
ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)

**MEETING:** February 28, 2022

**CC:** City Council  
Planning Board  
Jonathan Yeo, Chief Operating Officer

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Last year Planning staff undertook an engagement process to hear from the Newton community on their future visions for village centers. In tandem, Utile provided parallel quantitative analyses probing the various metrics of success for vibrant village centers. This foundation of work leads us into Phase 2 of the village center Zoning Redesign effort. As a reminder, the community takeaways from Phase 1 are:

- Create more communal & public space + activation
- Increase accessibility to buildings and infrastructure within village centers
- Incorporate climate resiliency through built structures and green spaces
- Help small businesses to begin, stay and thrive in Village Centers
- Make the permitting process easier, clearer, and multi-tiered
- Add more diverse housing options and encouraging mixed-use projects
- Prioritize safe and accessible routes, especially walking and biking
- Incentivize the preservation and adaptive reuse of historic buildings<sup>1</sup>

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<sup>1</sup> This takeaway was added following the 11/15 Public Info Session and the 12/16 ZAP Meeting

During the 2021 engagement, community members identified those aspects of village centers that they believe work well today but most of the feedback focused on how the village centers could be improved. Overwhelmingly people wanted more vibrant and active village centers with more places to gather both formally and informally and more easily accessible to all. Zoning alone can not achieve this vision; both public and private investment is necessary. Zoning however is an important tool and first step in allowing the types of development that are consistent with the community's vision.

ZAP ended 2021 with a discussion focused on a menu of zoning tools that could be tweaked or created to facilitate the above and further Citywide policy objectives (see Attachment A). Phase 2 will kick-off at the upcoming ZAP meeting where Utile and Planning staff will present on the goals & outcomes, methodology, and community outreach.

## **Phase 2 - Overview and Goals**

Phase 2 will translate the community takeaways into tangible design scenarios for "large" and "small" village centers. These scenarios will be tested against their alignment with the community visions, financial feasibility, and zoning process. Working with ZAP and the broader community, the goal will be to come up with a set of recommended scenarios that will lead to a concrete set of zoning regulations and standards calibrated to Newton's "large" and "small" village centers.

## **Phase 2 - Methodology**

The work will fall into the following general categories: (1) Analysis and scenarios for "Large" Village Centers, (2) Analysis and scenarios for "Small" Village Centers, and (3) Inform the community and receive public comment. For steps one and two, Utile will generate alternative development scenarios under Newton's existing zoning, using typical village center parcels as test cases. After establishing this baseline and understanding the resulting economics, Utile will generate development scenarios on the same parcels under a range of proposed zoning changes, with the goal of finding a zoning framework that results in development that is financially feasible and realizes the community goals.

To inform the financial modeling, the economic sub-consultant, Landwise, will review existing conditions (market and demographic data), assess market conditions (economic forecasts, recent development financials), and verify some of the findings with developers working in Newton. This work will lead to a set of recommendations on the financially viable range of zoning updates that accounts for market cycles, developer expertise, and underlying project economics.

At the February 28 ZAP meeting Utile and Landwise will present an analysis of what could be built under the current zoning on several test sites in Newton Centre. New development is not currently being proposed on these sites, they have been chosen as they represent typical parcel sizes and conditions that can be found across other larger village centers. Utile has analyzed various scenarios of development that could be possible by-right or by special permit under the current zoning. Landwise has done a pro-forma analysis of the most intense development scenarios to determine if they are feasible under current market conditions.

Utile and Landwise have found that under the existing zoning development is generally not financially feasible and in just a few cases it is borderline feasible. The borderline feasible scenarios still do not achieve the goals identified by the community such as the creation of public spaces, increased sustainability, subsidizing small businesses, etc. These findings are consistent with the lack of investment in village centers. Recent developments in village centers have typically sought a rezoning of the property.

The next step for Planning, Utile and Landwise will be to analyze potential zoning scenarios that do achieve the community goals. This will include drawing from existing zoning districts, such as Mixed Use 4, ideas received from the community, and examples from other communities.

### **Phase 2 - Outreach & Engagement**

As always, the Planning team is committed to equitably and inclusively engaging the Newton community. The development scenarios for “large” and “small” village centers presented at ZAP will serve as the foundation for the outreach material with the overarching goal being to inform, and receive feedback from, the community on how the development scenarios (1) align and facilitate the 2021 engagement takeaways, and (2) appropriately consider market conditions (i.e. feasibility). Achieving these two goals means the Planning team can confidently develop a technical zoning framework for Newton’s “large” and “small” village centers for ZAP to begin debating before the end of 2022. Staff plan to present a more detailed engagement proposal at the March 14 ZAP meeting.

### **Looking Ahead**

At the upcoming ZAP meeting, the Planning team hopes to receive feedback on the Phase 2 methodology and outcomes. Moving forward, we expect to return to ZAP once a month to present project updates and incorporate Committee input.

### **Attachments**

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|--------------|---------------------|
| Attachment A | Zoning Tools Matrix |
| Attachment B | Phase 2 Timeline    |

(#38-22) - Attachment A

Engagement Takeaways	Zoning Tools						Non-Zoning Tools
	Dimensional Standards	Development Standards	Allowable Uses	Allowable Density	Permitting / Process	Incentive	
<b>Create more communal &amp; public space + activation</b>	Setbacks that prioritize active use	Open space/ community space requirements for new development & redevelopment	Update Use Table		Public realm design guidelines that address accessibility, green infrastructure, and activation considerations	Height and density bonuses in exchange for greater public realm enhancements	<b>X</b>
<b>Increase accessibility to buildings and infrastructure within village centers</b>	Ensure minimum sidewalk widths	Follow universal design guidelines  Require affordable accessible housing units			Public realm design guidelines that address accessibility, green infrastructure, and activation considerations	Height and density bonuses in exchange for public realm accessibility improvements	<b>X</b>
<b>Incorporate climate resiliency through built structures and green spaces</b>	Exemptions for sustainable building design components	Tier sustainability benchmark requirements for different sized projects  Planting/open space requirements for new development & redevelopment		Height and density allowance for sustainability measures	Public realm design guidelines that address accessibility, green infrastructure, and activation considerations	Height and density bonuses in exchange for increased sustainability measures	<b>X</b>
<b>Help small businesses to begin, stay and thrive in village centers</b>	Smaller retail spaces  Flexible ground floor story height	Flexible parking requirements	Simplify home business regulations  Update Use Table	Upper floor residential above ground floor retail  Expand built-in customer base	Flexible parking requirements  Streamline process for use change in existing space	Height and density bonuses in exchange for subsidized commercial space	<b>X</b>
<b>Make the permitting process easier, clearer, and multi-tiered</b>	Update standards for by-right projects	Update standards for by-right projects  Design guidelines	Tiered process for by-right and Special Permit projects  Update Use Table		Tiered process for by-right and Special Permit projects  "How To" guide for small builders and developers	Streamlined process in exchange for greater levels of affordability, sustainability, accessibility, etc.	
<b>Add more diverse housing options and encouraging mixed-use projects</b>	Setback requirements that allow for missing middle housing	Flexible parking requirements	By-right mixed use and multi-family projects  Update Use Table	Height and density allowance for missing middle and mixed-use buildings	Tiered process for by-right and Special Permit projects		<b>X</b>
<b>Prioritize safe and accessible routes to and through village centers, especially walking and biking</b>	Ensure minimum sidewalk widths	Promote bicycle, shuttle, rideshare, and other alternatives to driving infrastructure  Flexible parking requirements	Update Use Table	Height and density allowance for missing middle and mixed-use buildings	Public realm design guidelines that address accessibility, green infrastructure, and activation considerations	Height and density bonuses in exchange for greater public realm enhancements	<b>X</b>
<b>Incentivize the preservation and adaptive reuse of historic buildings</b>		Update standards for by-right projects			Streamlined process for adaptive reuse.	Streamlined process in exchange for a certain level of preservation of the existing building.	<b>X</b>

