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Barney S. Heath
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MEMORANDUM

DATE: March 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: March 28, 2022

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

At the [February 28, 2022 ZAP meeting](#), Planning Staff, Utile, and Landwise introduced and kicked-off the phase 2 Zoning Redesign: Village Center work. 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 village centers of different scales.

After analyzing typical development sites in a “large” village center under the existing zoning ([see 2/28/22 presentation](#)), and providing ZAP with additional time to discuss the results at the [March 14, 2022 meeting](#), we will return to ZAP on March 28 with similar analysis (urban form and financial feasibility) on the same development sites using alternative zoning standards.

Key Takeaways from February 28 – Existing Zoning Does Not Produce Feasible Development

In nearly every development scenario, under by-right and Special Permit zoning allowance, the three parcels analyzed resulted in financially infeasible projects and less than desirable urban forms. Below are the key constraints within Newton’s current zoning. These constraints help illuminate the elements of zoning to explore amending. This finding was not surprising to staff, nor the Committee, and aligns with the rezoning requests we typically see with new development in village centers.

Physical Constraints Under Current Zoning

- Parking requirements are the biggest limitation on building size.
 - Parcels that allow more units cannot build them because the site cannot accommodate the required parking and/or the number of units is restricted by the lot area per unit requirement. This leads to projects with fewer units that are typically larger and more expensive.
- Maximum allowable building heights often do not allow for market-minimum floor-to-floor heights within the allowable number of stories. Market-standards are:
 - Ground floor retail = 15 ft
 - Office space = 12'-6"
 - Residential = 10'-6"
- Setbacks requirements have a greater impact on smaller parcels. Parcels in village centers are relatively small (under 10,000 sf).

Financial Constraints Under Current Zoning

- Residential
 - Generally, projects with an FAR of less than 1.0 are not financially feasible.
 - Typically, parking needs to be located below-grade. Below grade parking costs between \$50,000 and \$100,000 per space.
- Office
 - Generally, projects with an FAR of less than 1.0 are not financially feasible.
 - Feasible projects need to minimize, or waive, overly burdensome parking ratios.

Looking Ahead to March 28 Presentation

With input from ZAP, the project team analyzed the same parcels, by-right and Special Permit, if they were rezoned to MU4, BU3, and BU2 depending on their location. In some cases, the projects are still financially infeasible. In other cases, financially feasible projects result in less than desirable urban form (i.e. a small building footprint with large surface parking). This work is leading towards the refinement of what zoning regulations can be adjusted to facilitate desirable and financially feasible projects. These zoning regulations will be expanded upon at Monday's meeting for ZAP's consideration and comment. Questions to help guide the conversation include:

1. What do you think about the tiered framework approach? What do you think of the proposed revisions to the zoning requirements?
2. Do you think that the proposed revisions are ready to be tested for urban form, scale, and contextual fit as well as financial viability?
3. Do you have any other comments on the content?

Next Steps

With the input gathered at the March 28 meeting, the Planning team will return to ZAP at the end of April with recommended development scenarios for "large" village centers based on revised zoning regulations and standards. Like previous meetings, these scenarios will be analyzed for urban form and financial feasibility. In addition, the team will share development scenarios under the current zoning, by-right and Special Permit, for "small" village centers.