

Zoning Framework for Village Centers

Virtual Library Exhibit

City of Newton, Massachusetts

Prepared by: Newton Department of Planning & Development

Last Updated: September 7, 2022

Introduction

(1)

Shaping Future Village Centers

Zoning for Newton's Community and Business Centers

What is This Document and How did We Get Here?

The City of Newton is updating certain aspects of its Zoning Ordinance - a set of rules that impacts what can be built, and where. Zoning can seem complicated at first glance, where eyes can gloss over numbers and planning jargon. But zoning is incredibly important and has a direct relationship to many things near and dear to the Newton community like helping small businesses thrive, responding to climate change, developing more diverse & affordable housing, and creating more communal & active spaces.

Right now, the Newton City Council is considering a set of proposed zoning changes for Newton's village center commercial districts. The last comprehensive update to Newton's village center zoning was in 1987 during a period of declining population.

The additional controls placed on commercial development then are still impacting economic development and village center vitality today.

This exhibit provides information about zoning generally, the village center specific zoning proposals, and how you can communicate your thoughts - your experience as a Newton community member is very important to this effort.



A zoomed in view along the street of a hypothetical village center that could be developed over time under the proposed zoning framework. Ample sidewalks, bike lanes, plazas, and landscaping create a high-quality experience for pedestrians, cyclists, and drivers. This is a successful village center given the high mix of uses, a built-in customer base from residences and offices on upper floors, and a safe and accessible transit network to move within and around it.

We Want to Hear from You

How to Give Your Feedback

How to Use This Document?

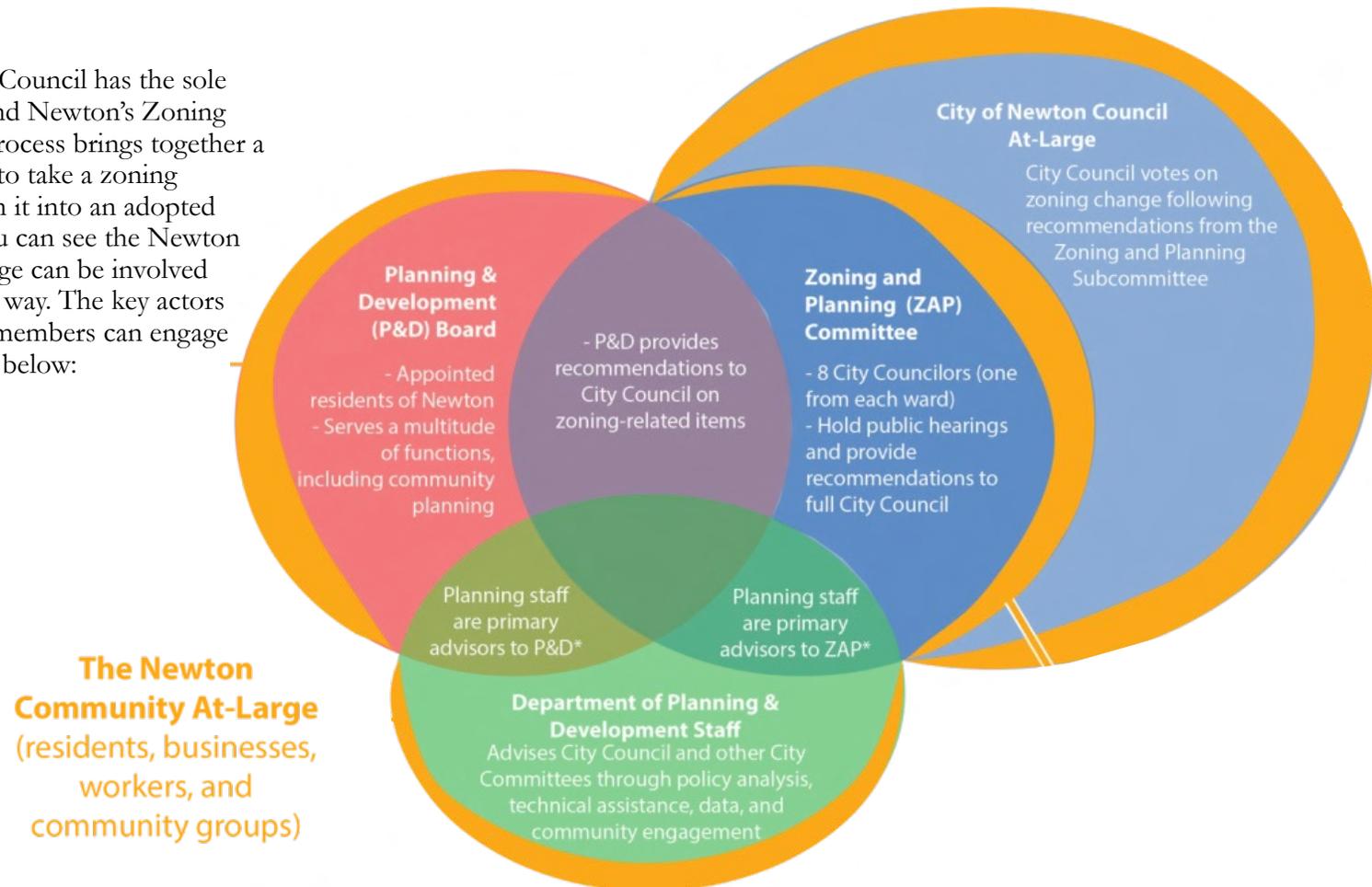
As you read through this document: take notes to mark your observations, formulate your questions, and list out pros and cons for each proposal. After you finish, complete the Feedback Tool using your phone, laptop, or tablet by going to the following website:

https://stanforduniversity.qualtrics.com/jfe/form/SV_9MrszPSIt4KcGq2

The Feedback Tool will be open from September 1, 2022 through October 16, 2022.

Key Actors

Though the City Council has the sole authority to amend Newton's Zoning Ordinance, the process brings together a variety of actors to take a zoning proposal and turn it into an adopted ordinance. As you can see the Newton community at-large can be involved every step of the way. The key actors that community members can engage with are outlined below:



We Want to Hear from You

How to Give Your Feedback

How to Use This Document for a Group Meeting

If you are using this document for a group meeting, either in person or in a virtual meeting, we suggest the following agenda to the right.

Why are less slides suggested in the agenda than what exist in the document?

This agenda is suggested for an hour-long meeting, a standard for group convenings. It zooms in on the most relevant slides for community members to give their input through the feedback tool.

If you were to present this whole document in a group meeting, it would take a while. This document is comprehensive and goes through each proposed change to the village center zoning. However, zoning rules often function like a pulley system – you pull on one pulley, it impacts other pulleys in different ways. Similarly, these 12 proposals are in dialogue with one another, working individually and together to create a complete proposed zoning framework.

That's why the city is asking just three zoning questions to try to get at the core reasoning behind the 12 proposals.

Have more time? Want to present more slides?

While all the slides are important, we suggest the agenda above for about an hour-long meeting. However, this is not the only way you have to use this document with your group! Go through all the slides or add on slides that you think are additionally relevant.

Suggested Group Meeting Agenda

Identify one or multiple people to facilitate this meeting and present the slides listed here.

1. Introductions (Name, pronouns if one wants, the activities they enjoy or want to see in village centers, and the village centers they have relationships with)
2. Present **Zoning History (2.1 – 2.3)**, pg 7-13
3. Present **Nuts and Bolts of Zoning (3.1)**, pg 14-17
4. Present **Allow for Reasonably Taller Buildings (3.2)**, pg 18-21
5. Present **Mapping the Village Center Zoning Districts (5.1)**, pg 58-64
6. **Pause and ask discuss:** Currently Newton essentially has the same zoning districts for all its village centers. Do you think there should be a variety of zoning districts for the variety of village centers?
7. Present **Mapping and MBTA Communities (5.2)**, pg 65-67
8. **Pause and discuss:** Which allowed heights for new buildings do you think are appropriate for village centers?
9. Present **Lower Parking Requirements (3.9)**, p 45-49
10. **Pause and discuss:** Do you agree with the proposal to reduce the parking requirements for new buildings in the village centers? Have each person open the feedback tool: <https://tinyurl.com/ZoningFeedbackTool>
11. **Fill out the feedback tool.** A lot of the information written out here overlaps with what is in this document, so skip to the bottom part of each page that has the questions asked above. Each person individually submits their answers. Remind people that each person should only submit their input through the feedback tool once, in order to ensure equal representation of Newton's community members (those who live, work, or study in Newton.)

Table of Contents

The contents of this document are organized into six sections identified by color:

Introduction (1) page 2

Zoning History (2) page 7

Zoning Framework – Development Standards (3) page 14

Zoning Framework – Review Process (4) page 50

Zoning Framework – The Zoning Map (5) page 57

Next Steps (6) page 68

Zoning History

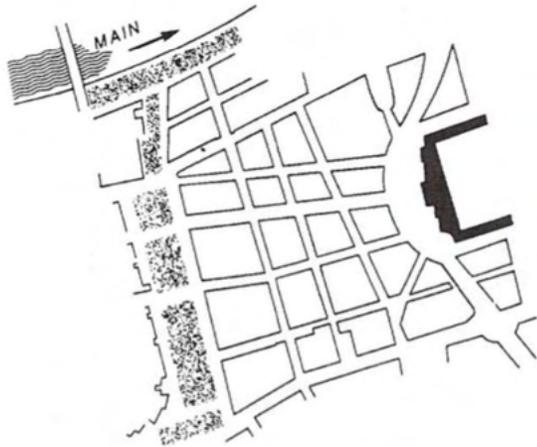
(2)

Newton's Zoning and Development History

Beginnings of Zoning + Village Centers (2.1)

Zoning Beginnings - Germany to Newton

Frankfurt, Germany first developed zoning in the 1870s to control toxic industry, provide relief from crowding, and offer protection of the countryside.



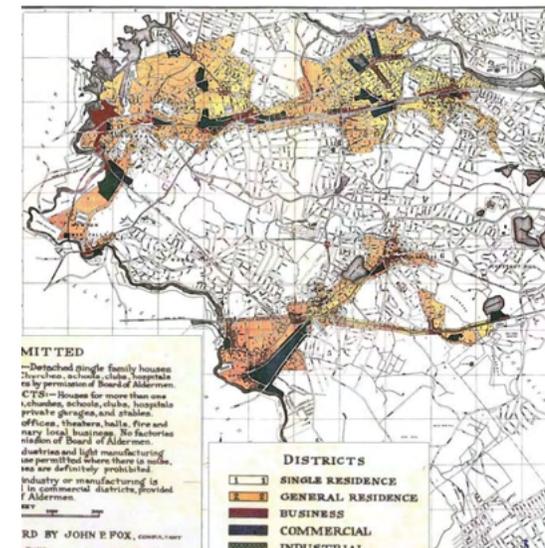
A sketch of plots from the Frankfurt zoning.

Influenced by Frankfurt, first attempts at zoning in the U.S. began in the 1910s. Although zoning was marketed as a tool to separate incompatible uses - like a school next to a slaughterhouse - in practice it served as a way to keep certain people and uses out, further segregating cities nationwide racially and economically.



People bustling down a busy street with street food vendors, horse carriages, and apartment complexes in NYC, c. 1900.

Newton adopted its first zoning ordinance in 1922 following the City's first comprehensive plan. This early zoning ordinance was designed to essentially hold commercial (including apartment buildings) and industrial development in its present (at that time) locations.



1921 Map from the first zoning proposal for Newton that has districts for single residence, general residence, business, commercial and industrial.

Newton's Zoning and Development History

Zoning Development + Events in Newton (2.2)

Newton's population nearly doubled from 46,000 to 82,000 between 1922 (when Newton first adopted zoning) and 1950. This rapid growth led to two major zoning overhauls, between 1930 and 1953, to further limit density and build upon the post-WWII suburban ideal. These zoning changes, made over 70 years ago, still form the foundation of the Zoning Ordinance today.

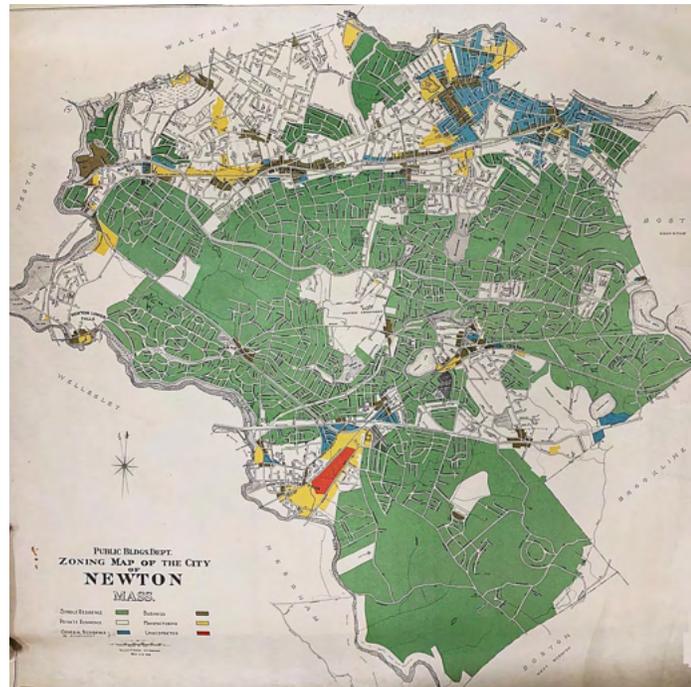
In addition, major events of discrimination took place, like redlining. While not directly influenced by local zoning, they are relevant in the overall understanding of Newton's development.

- Legend
- General Residence (apartments)
 - Business
 - Manufactured
 - Unrestricted
 - Single Residence
 - Private Residence



Early Zoning Revisions

This zoning map of 1938 is broken up into 6 areas. They are zoning districts - an area of the city within which zoning rules control what can be built or redeveloped. So the areas marked brown will only allow buildings used for business. Most of the village centers today sit within 2 types of business districts.

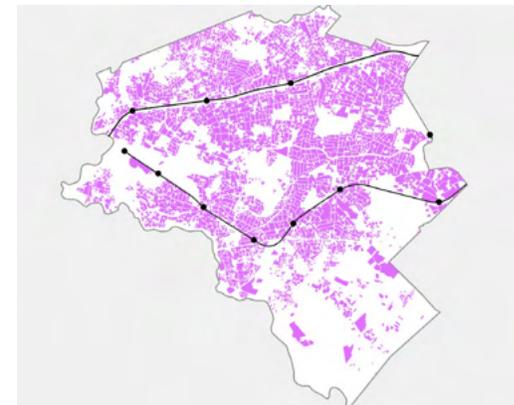


Village Center revisions (1987)

The Zoning Ordinance is revised and imposes restrictions on commercial development following the completion of The Atrium in 1986, pictured above, along Route 9.



Existing Buildings Built Before 1945



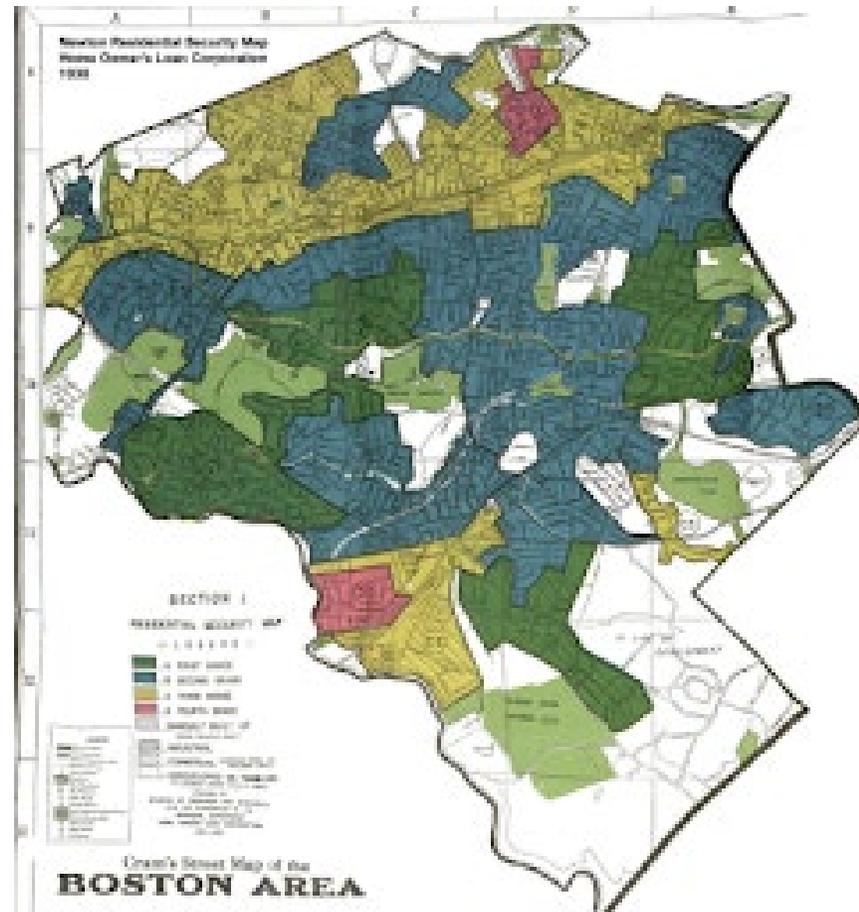
Newton's Zoning and Development History

Zoning Development + Events in Newton (2.2)

Redlining (1945-1959)

The U.S. government outlined areas across the country with sizable Black and immigrant populations in red on maps as a warning to mortgage lenders. This effectively isolated Black people in areas that would suffer lower levels of investment than their white counterparts.

For Newton, these 'red areas' were applied to immigrant neighborhoods of Upper Falls and Nonantum.



The 1938 'Newton Residential Security Map' from the Home Owner's Loan Corporation. Neighborhoods are colored based on their 'grade,' or rather, 'desirability' for receiving mortgages.

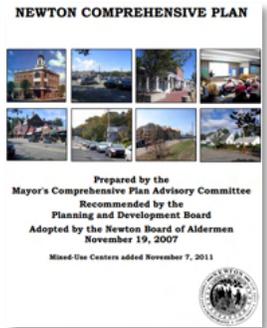
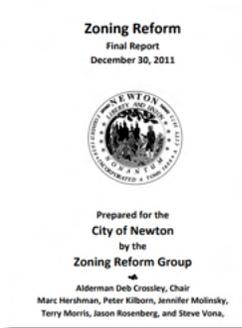
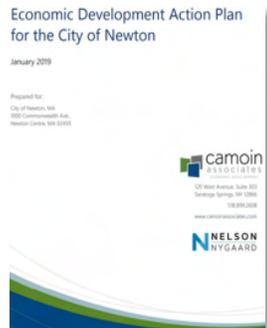
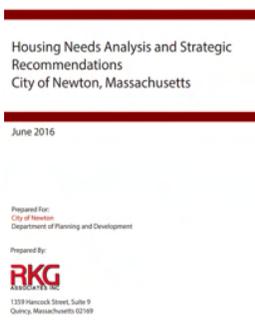
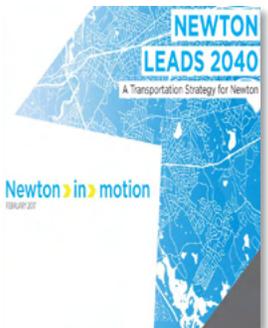
Legend – Residential Securities Map

- A - First Grade - 'Best'
- B - Second Grade - 'Still Desirable'
- C - Third Grade - 'Definitely Declining'
- D - Fourth Grade - 'Hazardous'

Newton's Zoning and Development History Considering Zoning Updates (2.3)

Since 2000, the City of Newton has produced multiple future-looking plans and reports that all highlighted the need to change zoning in village centers in order to achieve the stated goals.

Zoning can seem technical and boring. But as these City reports highlight, it plays an essential role in the city reaching - or not reaching - its goals. This exhibit is designed to help break down the mechanics and bring community members into the decision-making process.

2000	2010	2020
 <p>NEWTON COMPREHENSIVE PLAN</p> <p>Prepared by the Mayor's Comprehensive Plan Advisory Committee Recommended by the Planning and Development Board Adopted by the Newton Board of Aldermen November 19, 2007</p> <p>Mixed-Use Centers added November 7, 2011</p>	 <p>Zoning Reform Final Report December 30, 2011</p> <p>Prepared for the City of Newton</p> <p>Prepared by the Zoning Reform Group Alderman Deb Crossley, Chair Marc Hershman, Peter Kilborn, Jennifer Molinsky, Terry Morris, Jason Rosenberg, and Steve Vona,</p>	 <p>Economic Development Action Plan for the City of Newton January 2019</p> <p>Prepared for: City of Newton</p> <p>Prepared by: camoin ASSOCIATES and NELSON NYGAARD</p>
<p>Beginnings of Zoning Updates</p> <p>The 2007 Comprehensive Plan highlighted how the zoning ordinance was difficult to read and did not always lead to desirable outcomes. In response, City staff, City Council and community members formed the Zoning Reform Group in 2011. It recommended comprehensively updating the Zoning Ordinance, kicking off the Zoning Redesign project.</p>	 <p>Housing Needs Analysis and Strategic Recommendations City of Newton, Massachusetts June 2016</p> <p>Prepared for: City of Newton Department of Planning and Development</p> <p>Prepared by: RKG ASSOCIATES</p>	 <p>NEWTON LEADS 2040 A Transportation Strategy for Newton Newton in motion</p>
<p>Creating the Pattern Book</p> <p>In 2015, the Zoning Ordinance was reorganized to make it more user friendly. In 2016, the City began to develop the Pattern Book to assess existing development patterns in order to better understand Newton's context. Geographic information systems (GIS) data, historical records, regulatory/policy documents, existing conditions measurements, and community input were all used. It was released in 2018.</p>	 <p>Needham Street Area Vision Plan 2018</p>	 <p>WASHINGTON STREET VISION PLAN Adopted 12.16.2019</p>
		 <p>RIVERSIDE Vision Plan May 2019</p> <p>CivicMoxie experts in place</p>

Newton's Zoning and Development History

Considering Zoning Updates (2.3)

Focus on Village Centers

In 2021, the City shifted the focus to updating the zoning districts for Village Centers. Here is the City's step-by-step approach:

I. Identifying Values (summer 2021)

City staff and the consultant team are continuing to refine the proposed development standards so that they facilitate desired community outcomes, allow for financially feasible development, and align with overall City policy. In that regard, what follows remains a work in progress.



II. Getting Technical (today)

City staff drafted zoning update proposals based on Phase I, and they were workshopped by ZAP between February and June 2022. The resulting proposals are presented for community input.



III. Going to Vote (winter 2022)

First: Zoning Ordinance language is drafted, based on Phase II results & ZAP deliberation

Second: ZAP votes on drafted language & proposed updates

Third: If ZAP votes approval, City council votes on zoning changes



Zoning Framework – Development Standards

(3)

The Nuts and Bolts of Zoning Development Standards (3.1)

Introduction

Development standards determine the overall size, shape, and location of a building, or buildings, that property owners can develop on their lot. These standards form the nuts and bolts of any zoning code. To ensure that new and renovated buildings, along with new uses of land, promote positive outcomes for the community, the Zoning Ordinance incorporates these standards.

They are hard and fast rules, applying to all projects in that zoning district in the same way. This section explains each development standard proposed within the village center zoning framework: what they do, why they were chosen, and the common arguments for and against each one that ZAP discussed before taking straw votes.

City staff and the consultant team are continuing to refine the proposed development standards so that they facilitate desired community outcomes, allow for financially feasible development, and align with overall City policy. In that regard, what follows remains a work in progress.

Development Standard Categories

Building Design

Scale, proportions, and exterior appearance of buildings. These are the standards which typically deal with the overall building height and mass. They also deal with windows, finishes, widths, roofs and roof lines in an attempt to describe local and regional building traditions within village centers. That said, zoning does not regulate architectural style, nor should it. Rather zoning and its standards create a framework with specific constraints that the design and creative process must work within.

Lot Configuration

The location of a building and garage entrances for cars and delivery trucks. This element also controls overall the minimum requirements of a lot size, if any, and other things proportional to the lot. Such things include: on-site open spaces, buffering, and setbacks.

Parking Requirements

Off-street parking and the number of parking spaces required. This element could also be used as a means to balance on-street and off-street parking in the total count to encourage the level of activity desired on the street. In addition, parking requirements could mute the visibility and visual impact of parking lots and garages by setting parking setbacks and other design standards.

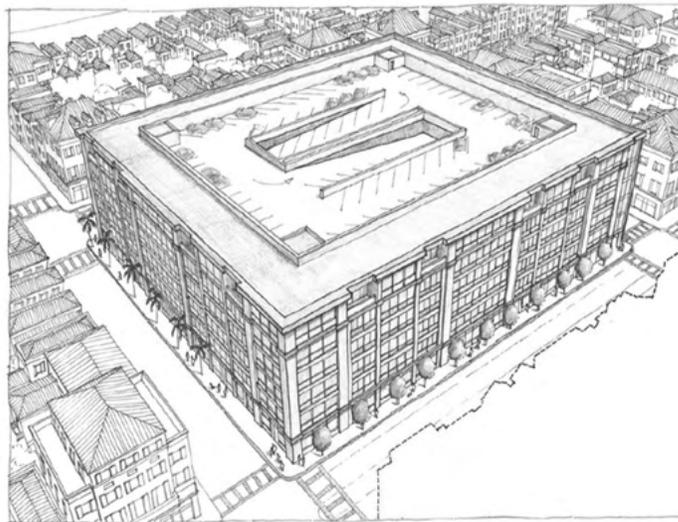
The Nuts and Bolts of Zoning Development Standards (3.1)

Importance of Standards

Calibrated correctly, these standards build upon the characteristics, or “DNA”, that make up desired village centers. This approach to creating standards brings a greater level of intent and purpose to the zoning, which is often lacking in the current rules. In addition, they make the development process predictable, yet flexible enough for Newton’s diverse lot sizes and allow for architectural creativity.

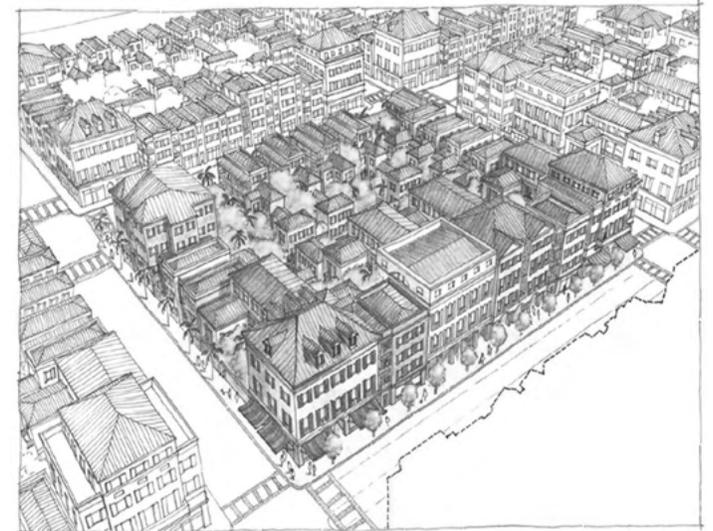
The following case study (left) illustrates how it is not the proposed density of new development that is incompatible with Newton’s village centers, but rather the proposed form that clashes. Development standards can guide that form.

Poor Standards: “Texas Donut” Urbanism



An all-too-common building type proposed across the United States, an Anyplace USA. It is a 6-story building wrapped around a parking garage covering the entire city block and only has windows facing the street. No public or private green space is provided.

Development Standard Categories



The same city block developed with a variety of buildings and open space that draws inspiration from the surrounding forms and architecture. This development pattern has the same number of units as the “Texas Donut” but in buildings no taller than 4.5 stories and with significant space left for light, air, and gardens.

The Nuts and Bolts of Zoning Development Standards (3.1)

Breaking Down a Standard

Each development standard has two components, a regulation and a standard (right). The regulation defines the specific feature, configuration, or function of a building or lot that determines how it interacts with the public realm around it. The standard attached to each regulation is the quantifiable measure that determines what is and is not allowed.

Ground Floor Transparency Requirements



Regulation: Ground floor commercial space must provide high transparency

Standard: A minimum of 60% transparency is required

Allow for Reasonably Taller Buildings

Increased Height Proportionate to the Village Center Size (3.2)

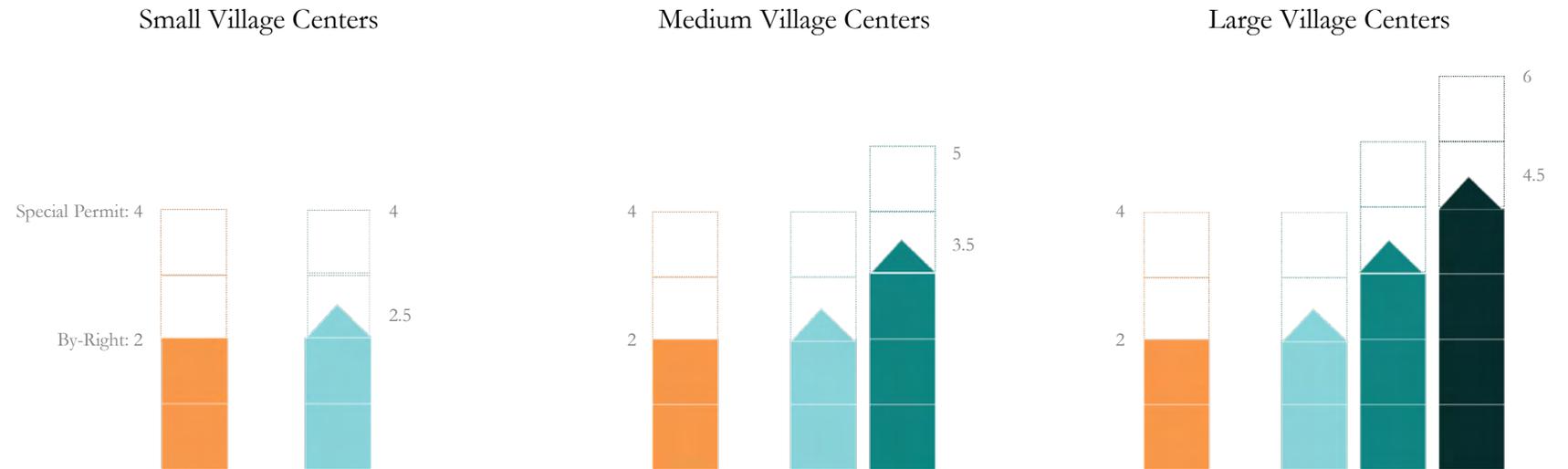
What is This?

When looking at the current zoning map it is hard to know that one village center differs from another. That is because Newton's village centers, regardless of size, are primarily zoned Business 1 (BU1) and Business 2 (BU2). Meaning, the scale of development allowed in Newton Corner is also allowed in Four Corners and Waban.

While BU1 and BU2 are the zoning districts that regulate the commercial core of village centers, there is also a patchwork of other adjacent zoning districts including manufacturing and residential that many consider part of the commercial core.

The proposal to create three new village center zoning districts will establish a zoning framework that allows for small-, medium-, and large-scale development appropriate for the sizes and attributes of each village center.

Current vs. Proposed Requirements (# of stories allowed)



The figure is a bar chart, with the bars illustrated to look like buildings with either a flat or pointed roof. The chart indicates that the current zoning in all village centers allows 2 stories by-right, and up to 4 stories by Special Permit. Under the proposed new zoning, village centers would have different heights allowed based on their size. The proposals are described below.

Allow for Reasonably Taller Buildings Increased Height Proportionate to the Village Center Size (3.2)

Existing Conditions

Proposed Allowance

Small Village Centers



Medium Village Centers



Large Village Centers



Allow for Reasonably Taller Buildings

Increased Height Proportionate to the Village Center Size (3.2)

Why This Proposal?

Village centers historically have been places of gathering for socializing, commercial activity, and civic life. Typically, housing or local businesses occupied space on the upper floors of buildings with retail space along the street. This is the case today to some extent, but greatly diminished.

Allowing additional height can facilitate greater levels of sustainability and accessibility in building design, of affordability and size diversity in housing units, of successful businesses with a built-in customer base, and beyond.

Additional Height Can Reduce the Overall Cost Per Housing Unit

Inclusionary Zoning Ordinance

This Newton ordinance requires multi-family projects to provide deed restricted affordable units. This number increases with size of the project, meaning buildings with more units require more affordable units. Units created under this ordinance are marketed to low-to-moderate income (LMI) households. In Newton, 4-person LMI household incomes range between \$60,000 and \$90,000.

Distributing Land Costs

In Newton, land costs are very high, making up a large portion of development costs. Additional height allows more units to be built, distributing the cost of land across more units. Other recommendations discussed later, like simplifying the permitting process, can further reduce development costs and thus reduce the overall cost per unit of housing.



Required
affordable units



Market rate units



Acres: 1.5
of Units: 6



Acres: 1.5
of Units: 24

Allow for Reasonably Taller Buildings

Increased Height Proportionate to the Village Center Size (3.2)

ZAP Deliberation (6 in favor, 0 against, 2 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- Varied height allowances better align with the different scales and types of village centers
- Combined with other proposals it can incentivize smaller lots to develop, which will lead to more contextual and diverse projects
- Will help Newton come into compliance with the state MBTA communities requirements

Against:

- Allowed increased heights, particularly for the zoning district allowing 4.5 stories, are too tall for Newton's village centers
- Allowed heights by-right means the City Council loses their discretionary review through the special permit process, which produces better projects

Incentivize Diverse Roof Lines, Including Pitched Roofs

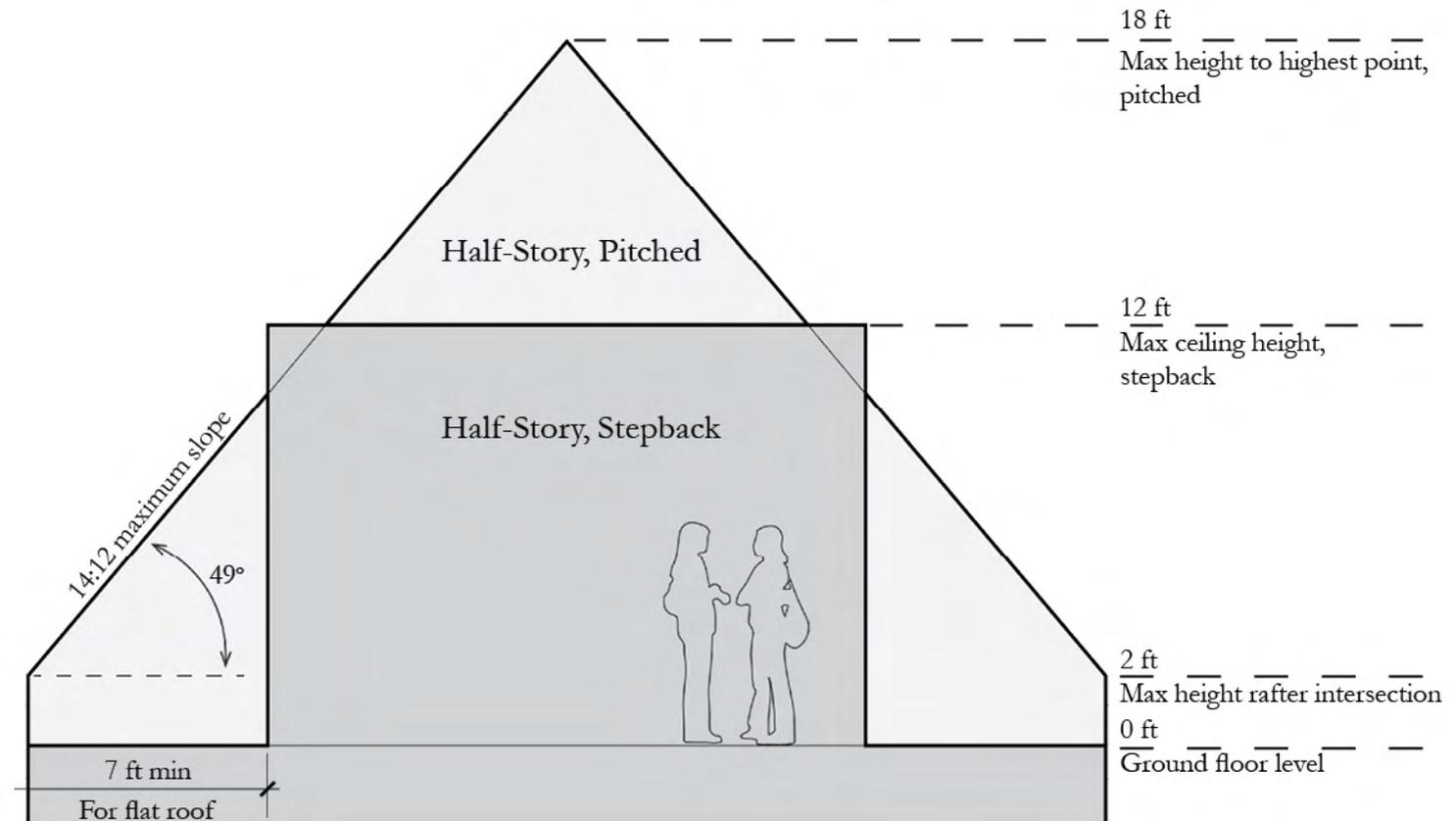
Set Maximum By-Right Building Height at a Half-Story (3.3)

What is This?

These days, most new development in Newton has flat roofs - leading to less diversity of building design and a more box-like feeling along the street. This is largely because the current rules in Newton's village centers set maximum floors, or stories, at whole numbers - such as, 2 or 3 stories. With the high cost of land, materials, and construction labor, property owners typically need to build as big as zoning allows to make a project financially feasible.

Given this, the proposal suggests setting the maximum number of stories at halves - such as 2.5 or 3.5. For additional flexibility, the proposal defines half stories as either a stepback full height space or as a pitched roof that can be articulated with dormers and other bump outs. Both cases encourage a greater diversity of roofs and buildings that appear smaller for any people walking along the streets below.

Defining a Half-Story for Flat and Pitched Roofs



Incentivize Diverse Roof Lines, Including Pitched Roofs

Set Maximum By-Right Building Height at a Half-Story (3.3)

Why This Proposal?

Look at most new developments in Newton and you will see a lot of flat roofs. This lack of roof variety is a result of the current development standards height and floor maximums. For property owners, a pitched roof is both more expensive than a flat roof to build and it results in less space they can lease or sell below it. All buildings (right) exist in Newton but could not be built today under the current zoning rules.



2.5 Stories – Waban, MA



3.5 Stories – Chestnut Hill, MA



2.5 Stories – Newton Corner, MA

Incentivize Diverse Roof Lines, Including Pitched Roofs

Set Maximum By-Right Building Height at a Half-Story (3.3)

Hypothetical Medium Village Center

Not Allowed: 4-Story Building No Stepback



The sketch above shows a view from the perspective of a pedestrian walking through a medium scale village center. The building on the corner is a four-story structure where the top floor has no stepback. This makes the building feel larger and more imposing. This would not be allowed under the village center proposals.

Allowed: 3.5-Story Building with Stepback



The sketch above shows the same perspective view of a medium size village center as the one to the left, except that the top floor steps back from the floor below. This stepback is a requirement of the village centers proposals. The resulting structure appears smaller, allows for more light and air at the street, and creates a usable terrace space on the roof for either apartments or commercial space.

Incentivize Diverse Roof Lines, Including Pitched Roofs

Set Maximum By-Right Building Height at a Half-Story (3.3)

ZAP Deliberation (6 in favor, 0 against, 1 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- Setting the maximum height at the half-story will lead to a greater diversity of building design and incentivize pitched roofs
- Requiring a stepback top floor for flat roofs will lessen the impact of the building on the street and increase active roof space for terraces

Against:

- Specific concerns were not brought up by ZAP

Prevent Large and Blocky Buildings

Establish a Maximum Building Footprint (3.4)

What is This?

The building footprint is defined as, “the area measured as the total gross floor area of the ground floor of a building, including all enclosed space.” In other words, it is the portion of the building that touches the ground.

A maximum building footprint functions as a tool to limit the overall massing of the building. Together with other design standards like facade length, half-story maximum heights, and ground floor transparency, the building footprint requirements will help facilitate design variety and a more human-scaled experience along the streets and sidewalks in village centers.

Defining a Building Footprint – Examples of Newton Buildings and Structures



Hyde Community Center

~6,100 square feet



Gath Pool

~7,500 square feet



West Newton Cinema

~10,800 square feet



Newton Free Library

~25,000 square feet



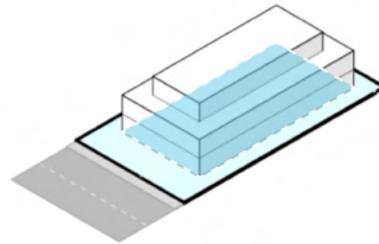
Prevent Large and Blocky Buildings

Establish a Maximum Building Footprint (3.4)

Current vs. Proposed Requirements

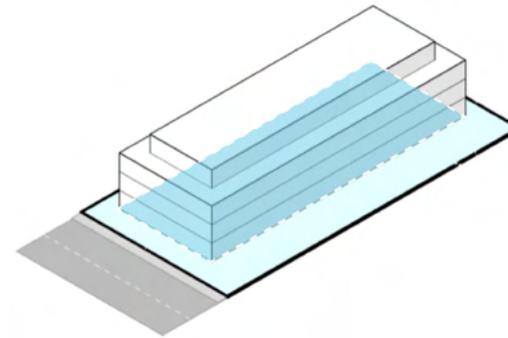
Currently, there are no zoning regulations for building footprint. Rather floor area ratio (FAR) and setbacks indirectly control the overall footprint. The proposal recommends three building footprint maximums, one for each village center zoning district proposed.

Small Village Centers



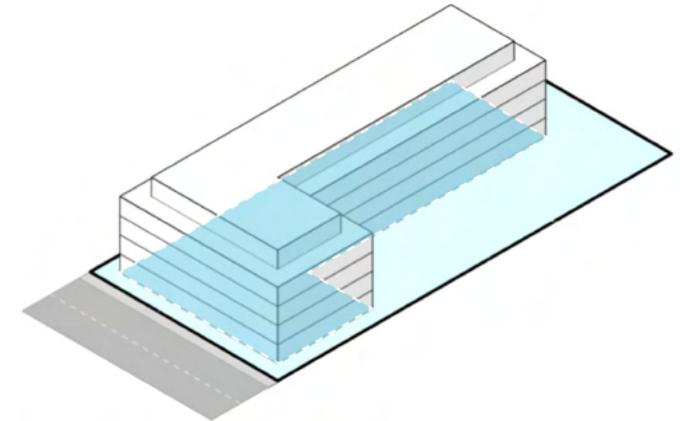
5,000 square feet

Medium Village Centers



10,000 square feet

Large Village Centers



15,000 square feet

Prevent Large and Blocky Buildings

Establish a Maximum Building Footprint (3.4)

Why This Proposal?

One of the primary goals of the zoning framework is to allow more development within Newton's village centers. There is understandable concern for the impact of that new development. A maximum building footprint can mitigate and address this concern. Along with other dimensional controls, such as maximum facade length, the building footprint will help ensure larger lots in village centers develop as a building, or series of buildings, that are visually and functionally broken up. This condition of smaller buildings side-by-side is typical of older New England villages and main streets.

Diverse & Interesting Streetscape - Multiple Footprints

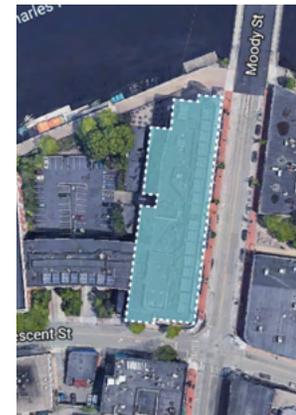


Main Street – Brattleboro, VT

Many of the buildings along Main Street date back to the 19th- and early 20th-centuries. All together these buildings create a strong street wall and diverse experience for pedestrians walking along the sidewalk. The image above shows approximately 400 feet of building facades along Main Street, which is the same length as Cronin's Landing, shown to the right.

- Footprint Size: ~2,000 - 15,000 square feet
- Facade Length: ~400 feet

Repetitive & Blocky Streetscape - Single Footprint



Cronin's Landing – Waltham, MA

This site along Moody Street in Waltham was redeveloped as a single large-site development in the 1990s. Though it brought significant infrastructure improvements, diverse housing opportunities, and enhanced public space along the waterfront, the singular mass creates a less than desirable pedestrian experience at the street.

- Footprint Size: ~30,000 square feet
- Facade Length: ~400 feet

Prevent Large and Blocky Buildings

Establish a Maximum Building Footprint (3.4)

ZAP Deliberation (6 in favor, 0 against, 2 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- The different sizes better align with and distinguish the different scales of Newton's village centers
- The proposal better mitigates the impact of new buildings along the street than the current 20,000 square feet total building area
- The footprint size cap encourages designing multiple buildings on larger sites instead of one large building

Against:

- In addition to setting a by-right building footprint maximum, there also needs to be a special permit maximum
- The current special permit threshold of 20,000 sf total building area is better
- The largest allowed footprint is too big and out of scale for village centers

Encourage a Mix of Uses

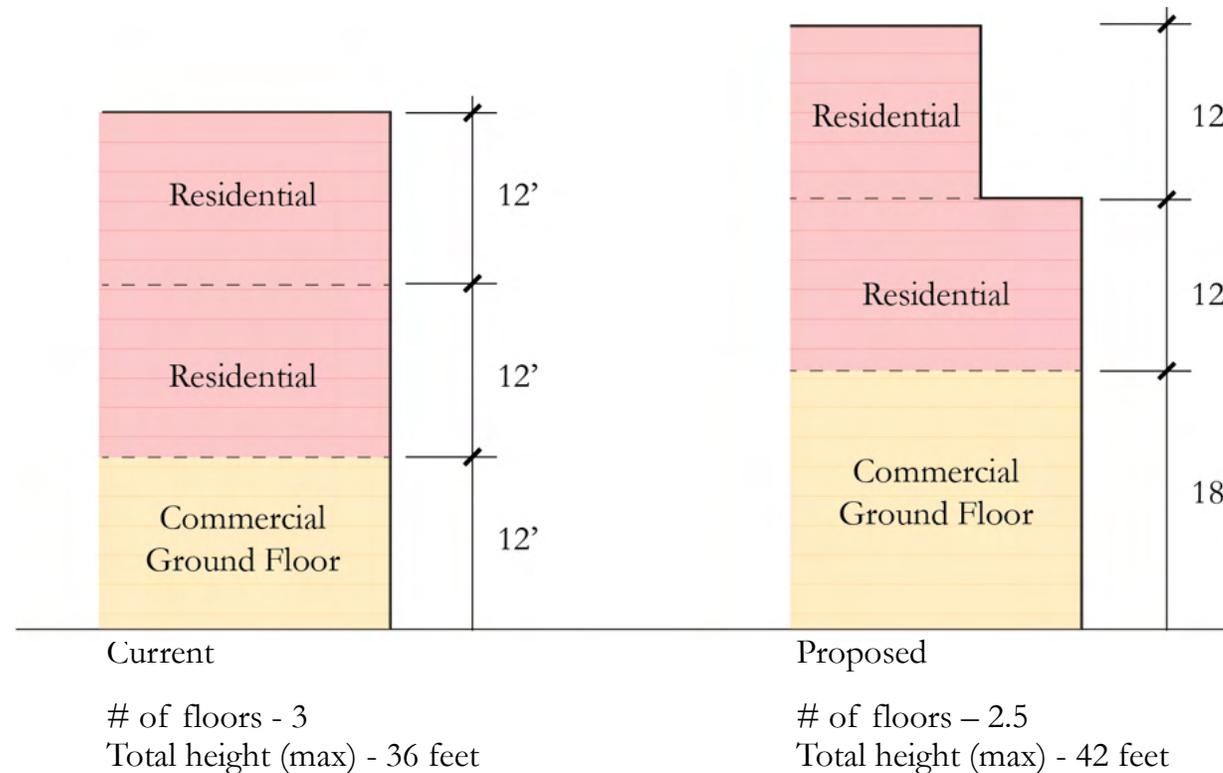
Allow Standard Floor-to-Floor Heights (3.5)

What is This?

Different uses within a building need different design requirements. When it comes to heights of individual floors, floor-to-floor heights are critically important for the space to function properly. Floor-to-floor height is defined as the distance from the top of a floor to the top of the next floor, meaning it includes all the space for mechanical equipment, insulation/soundproofing, and anything else that needs to go in the ceiling.

This proposal looks to establish maximum by-right and special permit heights based on industry standards for commercial and residential uses.

Current vs. Proposed Requirements



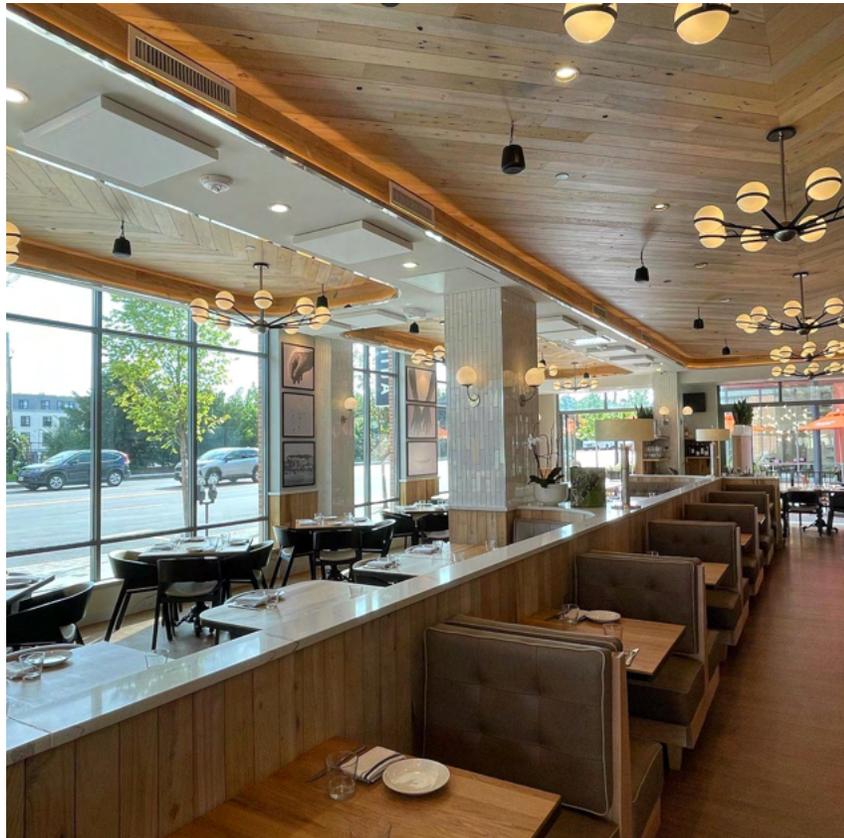
Currently the overall height of a building is tied to 12 feet floor-to-floor heights, regardless of use. The proposal recommends linking the maximum heights to the given use as follows:

- 12 feet – Residential
- 13 feet - Commercial (upper floor)
- 18 feet - Commercial (ground floor)

Encourage a Mix of Uses

Allow Standard Floor-to-Floor Heights (3.5)

Desirable Spaces Require Greater Height



MIDA in Newtonville. Building completed in 2020 with 16'-9" floor-to-floor heights



Harvard Book Store in Cambridge, MA. Building completed in 1885 with ~16' floor-to-floor heights

Encourage a Mix of Uses

Allow Standard Floor-to-Floor Heights (3.5)

Why This Proposal?

Not surprisingly, a ground floor business requires taller ceilings to function properly. Restaurants need additional ceiling space to accommodate certain equipment like exhaust systems, and bookstores may want higher ceilings so they can have large bookshelves that invite shoppers in. Likewise, upper floor office or residential space need a minimum floor-to-floor height so that businesses and residents do not feel cramped.

Historic Precedent for Greater Floor-to-Floor Heights



The Abbot Building was completed in 1908 as mixed-use building with offices above ground floor retail. During a recent renovation the ground floor-to-floor heights were increased from 14'-6" to over 16' and in some areas even higher.

Encourage a Mix of Uses

Allow Standard Floor-to-Floor Heights (3.5)

ZAP Deliberation (4 in favor, 2 against, 1 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- Allowing industry standard heights is critical to encouraging businesses to locate in village centers
- Developers will only build greater heights if they have specific tenants to rent it since all additional height raises costs
- Additional floor heights is properly mitigated by other zoning proposals

Against:

- The allowed floor heights increase the overall height of the building too much
- Need more design standards to mitigate the additional height allowed

Ensure Design Quality and Compatibility

Incorporate Strong Design Standards (3.6)

What is This?

Design standards define how a development should complement the area around it and achieve quality of design based on public interest purposes or community vision. At their best, design standards provide a menu of options that architects can creatively incorporate into the development designs.

Effective design standards can:

- Establish clear and consistent criteria applied consistently
- Utilize a common vocabulary of terms and concepts through charts, images, and diagrams
- Provide practical guidance with clear expectation for property owners, designers, or community members

Design standards cannot:

- Create unreasonable requirements that would prevent by-right development
- Create design solutions specific or unique to an individual project
- Conflict with other applicable laws and regulations

Architectural Exterior Elements Commonly Found in Design Standards



Ensure Design Quality and Compatibility

Incorporate Strong Design Standards (3.6)

Current vs. Proposed Requirements

In the current zoning few to no design standards exist. Through the special permit process design standards are often required on a case-by-case basis. Examples include the development requiring public open space (such as the plaza at Austin St), wider sidewalks, sustainability features (such as green roofs or pollinator gardens), or transparent storefronts.

As with all the development standards here, the zoning proposal seeks to implement design standards appropriate to the project scale and promote a desired community outcome. These may include the following examples from Watertown shown here.

Categories of Design Standards



Façade Treatment



Parking and Access



Public Realm and Open Space



Building Massing

Ensure Design Quality and Compatibility

Incorporate Strong Design Standards (3.6)

Why This Proposal?

With allowing more development by-right comes the concern that new buildings will not have the proper review necessary to ensure a quality building. Design standards mitigate this risk because they are requirements within the zoning. Some design standards would be required for all projects, while others would be required only for larger projects on larger lots.

More importantly, the design standards would represent desired public interests shared last summer and codified in Newton policy documents. This could be public open space, similar to the plaza at Austin Street, or setting back the building enough to accommodate a wider sidewalk. Finally, establishing design standards should eliminate any surprises and lower the cost for new projects because it is a simpler and more efficient process.

Categories of Design Standards



Sustainable Design



Building Setbacks



Building Height

Ensure Design Quality and Compatibility

Incorporate Strong Design Standards (3.6)

ZAP Deliberation (8 in favor, 0 against, 0 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- Design standards mitigate the impacts of allowing larger buildings
- As requirements in the zoning code, we know what we will be getting from the start
- Larger projects still will require a special permit or site plan review
- Design standards for by-right projects align with the state MBTA communities requirements

Against:

- Many lots and projects are unique and benefit from a more discretionary review (i.e. special permit) process

Promote Variety of Apartment Sizes

Eliminate Lot Area Per Unit Minimums (3.7)

What is This?

The lot area per unit minimum is a ratio between the size of the lot and the number of units of housing allowed on that lot. It is calculated as follows:

$$\frac{\text{Lot size}}{\text{Lot area per unit}} = \# \text{ of units (max)}$$

$$\frac{10,000 \text{ sf}}{1,000 \text{ sf}} = 10 \text{ units (max)}$$

As you can see from the formula above, a property owner that wants to build more units that are smaller (ex. 15 units that average 670 sf) is prevented from doing so because of the lot area per unit requirement. This standard controls the interior layout of a building and has no connection to its outward appearance or overall size.

Current vs. Proposed Requirements

Scale of Village Center	Current	Proposed
Small	1,200 sf / unit	None
Medium	1,200 sf / unit	
Large	1,000 – 1,200 sf / unit	

Promote Variety of Apartment Sizes

Eliminate Lot Area Per Unit Minimums (3.7)

Why This Proposal?

Lot area per unit is one of multiple existing standards that control density. Floor Area Ratio (FAR) is another density control. However, these two density controls are not linked, which leads to a disconnect between the overall size of a building and the number of units it contains. This can be seen in Newton's older multifamily residential buildings, which are often on smaller lots and have smaller units (see right).

This proposal recommends removing the lot area per unit requirement entirely for village centers in order to promote new development that fits in with Newton's existing context. See the examples above of various contextual Newton buildings in and around village centers.

Lot Area Per Unit Compliance – Comparing Old vs. New Development



457 Washington Street – Newton Corner

- Year Built = 1920
- Lot Size = 11,320 sf
- # of Units = 16
- Lot Area per Unit = 702 sf



457 Washington Street – Newton Corner

- Year Built = 2018
- Lot Size = 74,482 sf
- # of Units = 68
- Lot Area per Unit = 1,095 sf

Promote Variety of Apartment Sizes

Eliminate Lot Area Per Unit Minimums (3.7)

ZAP Deliberation (5 in favor, 0 against, 2 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- Removes a barrier to creating smaller, more affordable units
- Allowing more units will mean more deed restricted affordable units
- Will help Newton come into compliance with the state MBTA communities requirements
- We should be allowing maximum flexibility for the building interior

Against:

- Eliminating is too extreme, maybe a lower number could be appropriate
- It is a good tool to prevent greater density in terms of too much activity (i.e. more units = more people)
- Without this requirement developers could build only small units and we want a greater variety of unit sizes, including those for families

Promote Smaller Buildings on Smaller Lots

Remove Minimum Lot Size (3.8)

What is This?

Minimum lot size is defined as the smallest amount of land allowed for constructing a new building. For example, a minimum lot size of 10,000 square feet (the standard in Newton's village center zones today) means that a building can't legally be constructed on any lot smaller than 10,000 square feet without special approval.

54% of existing lots within village centers, as defined by the Pattern Book boundaries, are less than 10,000 square feet. This proposal recommends to remove the minimum lot size requirement entirely. The total size and appearance of buildings will still be tied to the lot through other dimensional controls like setbacks and facade requirements.

Current vs. Proposed Requirements

Scale of Village Center	Current	Proposed
Small	10,000 sf	None
Medium		
Large		

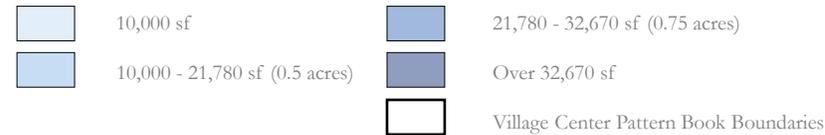
Promote Smaller Buildings on Smaller Lots

Remove Minimum Lot Size (3.8)

Typical Village Center Lots are Small

The village center maps below break down the lots by size. The majority are small, with more than half less than 10,000 sf or more depending on the specific village center.

Legend (lot sizes)



Nonantum



Auburndale



Newton Centre

Promote Smaller Buildings on Smaller Lots

Remove Minimum Lot Size (3.8)

Why This Proposal?

While lots smaller than the minimum requirement can develop through a special permit, that additional burden typically leads to the aggregation of smaller lots for a bigger development (ex. Trio in Newtonville) or to no development at all. Removing the minimum lot size requirement will allow for smaller projects on smaller lots, which can better fit into the existing village center fabric.

The images here show traditional village center development in neighboring communities. In many cases the building takes up all or most of the lot.

Different Lot Sizes Achieve Visual Interest and Diversity



Moody Street – Waltham, MA



Brookline Village – Brookline, MA



Leonard Street – Belmont, MA

Promote Smaller Buildings on Smaller Lots

Remove Minimum Lot Size (3.8)

ZAP Deliberation (8 in favor, 0 against, 0 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- Encourages smaller buildings on smaller lots that fit better into the village centers
- Along with other proposals, removes current incentive to merge lots and build bigger
- Typical building requirements, like egress and fire safety, will prevent extremely small lots from being built
- Will help Newton come into compliance with the state MBTA communities requirements

Against:

- Would be more comfortable with lowering the minimum lot size, not eliminating it entirely, to prevent very small lots from developing odd shaped/sized buildings

Remove Greatest Barrier to Desirable Development

Lower Parking Requirements (3.9)

What is This?

Parking requirements are local laws that require private businesses and residences to provide at least a certain number of off-street parking spaces. The number of parking spaces required is determined based on the individual use. For example, new apartments require a number of spots for the residents and new businesses for the expected customers and employees.

This proposal looks to reduce the required parking for all uses within village centers and in certain instances eliminate the requirement altogether. These requirements would only apply to the village center zoning districts, not the adjacent residential districts or other areas of Newton.

How Should Space be Prioritized in Village Centers?



 Newton Centre off-street public and private parking

What Could Replace Parking in Village Centers?



Green Infrastructure



Outdoor Dining



Parks and Plazas



Housing and Shops

Remove Greatest Barrier to Desirable Development

Lower Parking Requirements (3.9)

Current vs. Proposed Requirements

The table shown here highlights the current and proposed parking requirements for typical uses found in village centers. It is not a comprehensive list, which will include additional allowed uses.

Use Type	Current – All Floors	Proposed – Ground Floor	Proposed – Upper Floors
Residential, multi-family	2 per unit	1 per unit	1 per unit
Bank	1 per 300 sf + 1 per every 3 employees	Exempt	1.5 per 1,000 sf
Health Club	1 per 150 sf + 1 per every 3 employees	Exempt	1 per 750 sf
Medical Office	1 per 400 sf + 1 per every 3 employees	Exempt	1 per 500 sf
Office, professional	1 per 250 sf up to 20,000 sf	Exempt	1.5 per 1,000 sf
Restaurant	1 per 3 patron seats + 1 per 3 employees	Exempt	4 per 1,000 sf
Retail Store	1 per 300 sf + 1 per every 3 employees	Exempt	1 per 1,500 sf

Remove Greatest Barrier to Desirable Development

Lower Parking Requirements (3.9)

Why This Proposal?

These requirements are one of the most significant factors shaping how new uses and new buildings can or cannot fit within Newton's village centers. High minimum parking requirements hinder the economic potential of village centers by filling our cities with unproductive, empty parking spaces that don't add value to our places. They require new commercial uses in existing buildings to provide parking or seek a waiver from City Council even when parking has never existed on the site.

They push homes and businesses farther apart, impede the walkability of our neighborhoods, raise the cost of housing, and place an especially costly burden on small, local entrepreneurs. With reduced parking minimums, we will still have parking—but property owners can decide how necessary it is for a viable project and weigh its value against the other things they could do with the same finite, precious land.

Many Alternatives Exist to the Private Automobile

MBTA – Public Transit



Rideshare Services



Personal Mobility



Remove Greatest Barrier to Desirable Development

Lower Parking Requirements (3.9)

But Where Will People Park?

Many people have expressed concern over reducing required parking to be provided on individual lots. However, there are many ways to address or mitigate these concerns, see left.

In addition, all village centers have a variety of public parking between on-street parking and off-street municipal lots. Having control over these spaces could allow the City to more efficiently manage parking for all users. For example, more centralized parking can allow visitors to park once and visit multiple establishments.

Common Concern	Mitigating Measures
The people who live in new developments (that have less required parking) will park on the residential streets nearby	Developing buildings with less parking attracts tenants who want to live a car-free or car-lite lifestyle. We have seen this in the recent Newtonville developments (Austin Street and Trio) and older developments (Avalon on Needham Street) with much less parking being utilized than what is provided.
There will not be enough parking for visitors to the village centers, which will negatively impact businesses	Village centers have numerous alternatives to private parking and the City more broadly has numerous alternative transit options to bring visitors to/from village centers (see top right). Or when possible, the City could provide a parking garage.

Remove Greatest Barrier to Desirable Development

Lower Parking Requirements (3.9)

ZAP Deliberation (Residential: 5 in favor, 1 against, 2 abstained) & (Commercial: 6 in favor, 2 against, 0 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- Eliminating parking requirements for ground floor commercial will remove the greatest barrier to entry for businesses
- Current multi-family projects almost always request less parking for residential units and the City Council approves it
- Parking is expensive. Lowering or eliminating the requirement will lower the cost of development and the housing that comes with it
- Parking takes up a lot of space. With less required there can be more area for open space

Against:

- Many village centers do not have adequate public parking and we will see visitors parking in the surrounding residential neighborhoods
- We should not require any parking and allow the property owner to determine what is needed for a successful project

Zoning Framework – Review Process

(4)

How the Zoning Rules are Applied and by Whom

The Review Process (4.1)

Introduction

In addition to setting the rules for new buildings and uses, zoning also determines how the rules are carried out. A shorter, more predictable process makes it clear to property owners and neighbors what could be built and may reduce overall costs associated with development. A longer, more discretionary process allows for more public input and for the review to be tailored to individual development proposals.

However, the longer process means less predictable outcomes and typically higher costs associated with the project. This can result in more expensive housing being built or nothing being built at all.

All Special Permits Require a Public Hearing and City Council Approval



Newton City Council Chamber

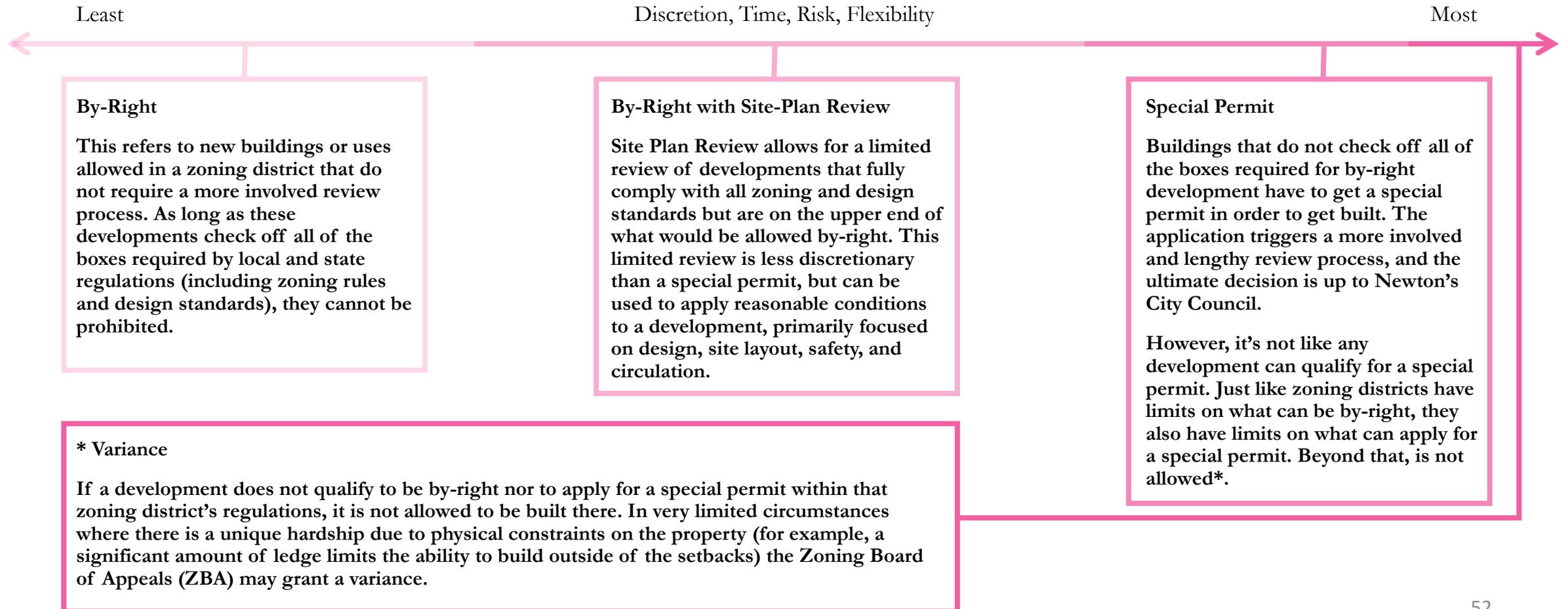


Public Hearing Notice

How the Zoning Rules are Applied and by Whom

The Review Process (4.1)

What is the Review Process and Why is it Important?



Match the Level of Review to the Project Impact

Revise the Special Permit Threshold for New Development (4.2)

What is This?

The current zoning in village centers makes almost all new by-right development financially infeasible, thus requiring special permit requests and often rezoning. The special permit process allows the City Council a lot of discretion and can take more than six months, depending on the type of project.

This level of review and flexibility is important for projects that may have a large impact or unique circumstances. However, with updated zoning and strong design standards, a shorter, more predictable process could be appropriate for many projects.

In addition, all new buildings with more than 20,000 square feet of gross floor area require a special permit today. Gross floor area is the total

square feet of all of the floors in a building. This proposal recommends removing the floor area threshold for a special permit and creating a new tiered review process based on the size of the lot.

Current vs. Proposed Requirements

Current Review Process	
Buildings with > than 10,000 sq ft floor area	Buildings with > than 20,000 sq ft floor area
Site Plan Approval by City Council	Special Permit by City Council

Proposed Review Process		
Lot Size up to 1/2 acre (21,780 sq ft)	Lot Size between 1/2 (21,780 sq ft) and 3/4 acre (32,670 sq ft)	Lot Size over 3/4 acre (32,670 sq ft)
By-Right	By-Right with Site Plan Review by Planning Board	Special Permit by City Council

Match the Level of Review to the Project Impact

Revise the Special Permit Threshold for New Development (4.2)

Current Process

Special Permit



28 Austin > 20,000 sf floor area



20 Kinmonth > 20,000 sf floor area



967 Washington > 20,000 sf floor area



The Beacon > 20,000 sf floor area



The Gateway > 20,000 sf floor area



1149 Walnut > 20,000 sf floor area



386 Watertown



424 Cherry

Proposed Process (design changes may be necessary to comply with zoning)

By-Right



1149 Walnut 0.30 acres



The Gateway 0.42 acres



386 Watertown 0.22 acres

Site Plan Review



20 Kinmonth 0.56 acres



424 Cherry 0.32 acres

Special Permit



28 Austin 1.73 acres



967 Washington 0.79 acres



The Beacon 1.19 acres

Match the Level of Review to the Project Impact

Revise the Special Permit Threshold for New Development (4.2)

Why This Proposal?

The current process is one-size-fits-all. It incentivizes a developer to combine lots to create larger projects, given the time and risk involved in the process. With new zoning more carefully tailored to the size and scale of the village center and with strong design standards, smaller buildings will be more compatible with their surroundings and will require less discretionary review.

A shorter, more predictable process reduces the cost of development and makes it easier for property owners or small developers to participate in the process.

Lot Size vs. Floor Area

Lot size is also a better indicator of a development's complexities and potential

Lot Size vs. Floor Area

impact, which would benefit from the higher level of review. Development on larger lots requires more scrutiny regarding design, open space, access and circulation, public amenities, and potential impacts on the surrounding area and infrastructure.

¾ Acre Special Permit Threshold

Historically, village centers have been made up of individual buildings on relatively small lots. Recently, developers have typically bought several lots and merged them together to build a larger building on a larger site. This proposal, along with others such as maximum building footprint, is designed to encourage buildings on smaller lots, more in line with the existing fabric of the village center.

Site Plan Review by the Planning Board*

Incorporating site plan review also allows for planning professionals on the Planning Board to perform a limited review of developments that fully comply with all zoning and design standards, but are on lots that are on the upper end of what would be allowed by-right. This limited review is less discretionary than a special permit, but can be used to apply reasonable conditions to a development. It may also be used to incorporate design review, which could be done by the City's Urban Design Commission.

*The Planning Board consists of seven full time members and up to five alternates. Five of the full time members are appointed by the Mayor and confirmed by the City Council, one is appointed by the state Secretary of Housing and Economic Development, and the Director of Planning serves as an ex-officio (automatic) member of the board. The Planning Board includes professionals with experience in areas such as planning, housing, and economic development. The board is charged with reviewing new subdivision requests, making recommendations on the following: new zoning changes, landmark designations, and community development programs.

Match the Level of Review to the Project Impact

Revise the Special Permit Threshold for New Development (4.2)

ZAP Deliberation (6 in favor, 0 against, 2 abstained)

The comments for and against to the left represent the common sentiments of ZAP Councilors during the June 2022 ZAP meetings in advance of the straw vote taken on this specific zoning proposal. The result of the straw vote is shown above.

For:

- Tying the special permit to the lot size means that smaller development will be allowed by-right, but the larger more impactful projects will still be captured by special permit
- Alright with the threshold size because all projects will be subject to more stringent development and design standards
- A more predictable process will lower the cost of development
- The Urban Design Commission has done a very good job on reviewing Riverside and Northland against the project design guidelines, which can similarly be applied to the village centers

Against:

- The $\frac{3}{4}$ acre threshold is too big and smaller lots should trigger a special permit
- A one sized threshold does not take into consideration the different village center scales and should be different based on the different village center zoning districts
- Site Plan Review performed by the Planning Board or other commission is problematic because members of the board or commission are appointed, not elected

Zoning Framework – The Zoning Map

(5)

Where Will the New Rules Apply

Mapping the Village Center Zoning Districts (5.1)

Introduction

Much of the exhibit so far has discussed the zoning text, rules and regulations that will shape Newton's future village centers. But where will these new rules apply? The City's Zoning Map breaks the City up into multiple zoning districts, that each lot of land fits into. As mentioned previously, Newton's village centers are primarily zoned for business use (BU1 and BU2). In addition to these business zones, village centers often have a patchwork of other zoning districts, like manufacturing or residential, on lots that many would consider part of the commercial core. The zoning also restricts buildings to 2 stories by-right in the core of most village centers, which is not in sync with existing buildings.

All the development and parking proposals work together to create the proposed three new village center zoning districts. If this proposal is adopted, City Council will explore the new boundaries needed to apply the proposed zoning districts.

Key Terms

- Zoning district - A defined area delineated on the City's official Zoning Map with specific zoning regulations controlling how the land is used and what can be physically built on each lot. Typical zoning districts include residential, commercial, and industrial.
- Pattern Book - A resource that documents the existing pattern of development up until 2017. It was created through analysis of geographic data, historical records, regulatory/policy documents, existing conditions measurements, and working with Newton community members.

Where Will the New Rules Apply

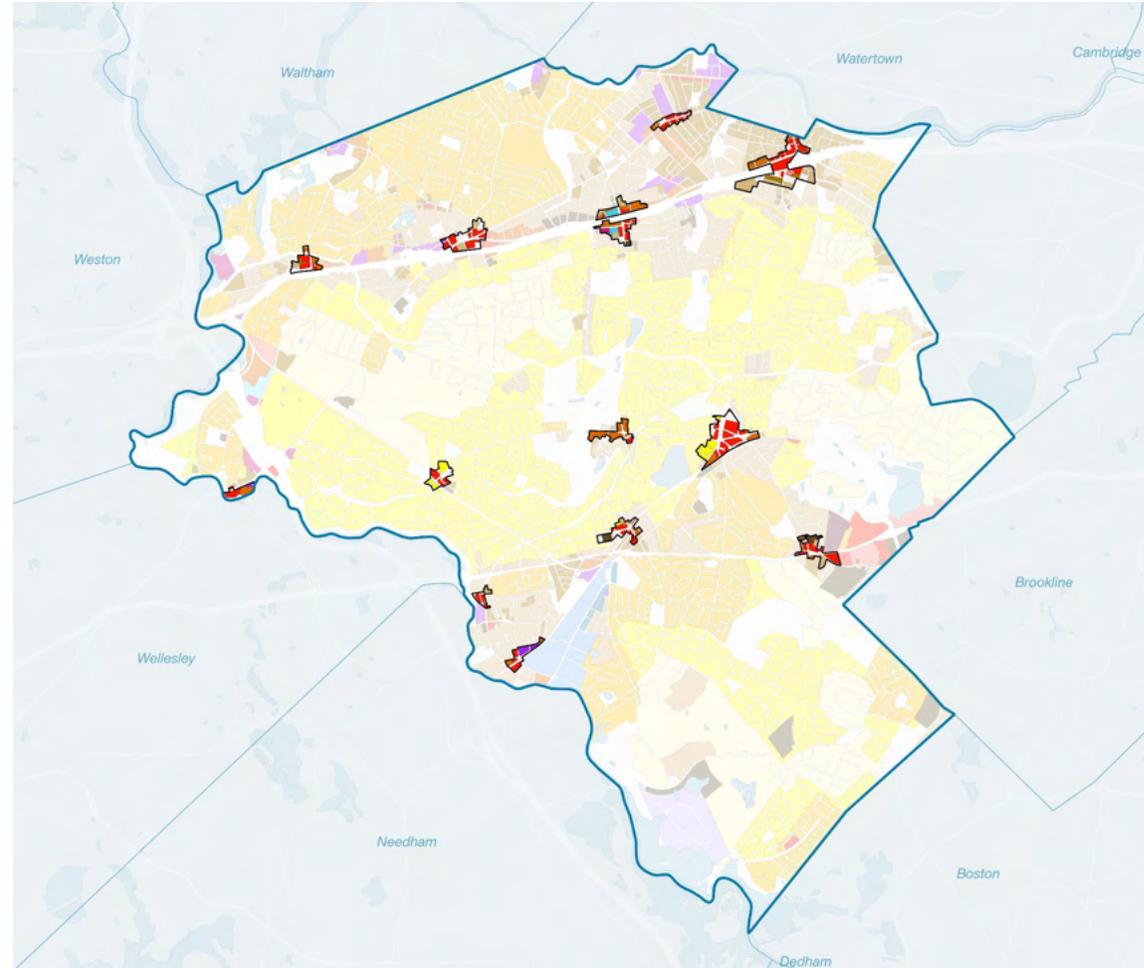
Mapping the Village Center Zoning Districts (5.1)

Existing Zoning in Village Centers

Existing zoning map, right, showing the village center outlines from the Pattern Book study from 2018. The Pattern Book boundaries are being used as a starting point for the mapping of the new village center zoning districts. These boundaries are not final.

Legend (by-right)

	Business 1 (BU1) 2 stories		Multi-Residence 1 (MR1) 2.5 stories
	Business 2 (BU2) 2 stories		Multi-Residence 2 (MR2) 2.5 stories
	Business 5 (BU5) 3 stories		Multi-Residence 3 (MR3) 2.5 stories
	Village Center Pattern Book Boundaries		Mixed-Use 4 (MU4) 3 stories



Where Will the New Rules Apply

Mapping the Village Center Zoning Districts (5.1)

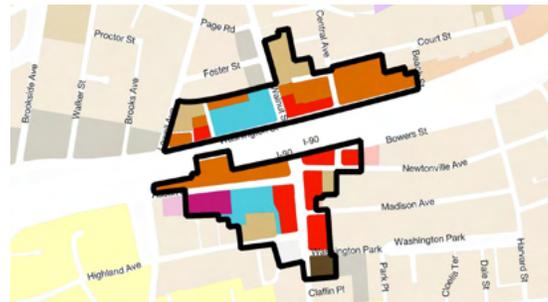
Existing Zoning Conflicts with Existing Buildings

Nonantum



An existing 3-story building in Nonantum, zoned BU1, which only allows 2-story buildings by-right

Newtonville



An existing 4.5-story building in Newtonville, zoned BU1, which only allows 2-story buildings by-right

Newton Highlands



An existing 3-story building in Newton Highlands, zoned BU1, which only allows 2-story buildings by-right

Where Will the New Rules Apply

Mapping the Village Center Zoning Districts (5.1)

What to Include and What Not to Include in Drafted Boundaries?

Mapping a new zoning district is a process that has no easy answers. How can the city look to both the past and the future at the same time? The Planning Department will use historical development patterns and what exists on the ground now as a starting point, along with the boundaries established in the Pattern Book and the City's existing zoning map.

Input from the public will be essential to the updated Zoning Map. No one knows village centers like the people who live, work, and study in Newton. Bringing together the research and community input, Planning staff will bring a draft zoning map, with boundaries for new village center zoning districts, to ZAP for their deliberation.

Where Will the New Rules Apply

Mapping the Village Center Zoning Districts (5.1)

Current vs. Proposed Scales of Zoning Districts

The diagrams here show the comparison between the current zoning districts in Newton's village centers in contrast to the proposed districts. With a birds-eye view, you are looking down on a map of buildings along roads in the core of a hypothetical village center.

In the current zoning, for Newton village centers of all sizes (small, medium and large), the same two zoning districts are applied to most of the commercial core - Business 1 and Business 2. A draft map has not yet been completed for the new village center zoning. The three proposed zoning districts will allow for zoning to be tailored to the uniqueness of each village center. All three districts may be used in larger village centers while only one may be appropriate in smaller village centers.

Small Village Centers



Legend

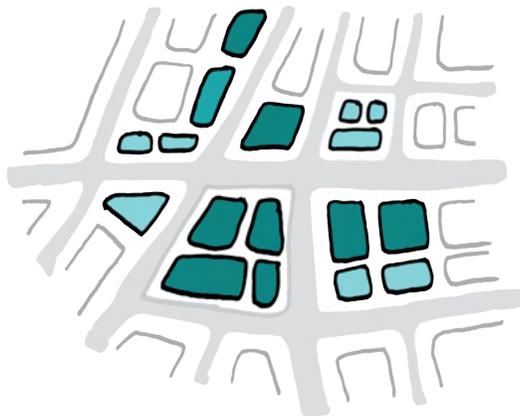
- BU1 and BU2 (2 stories)
- Small (2.5 stories)
- Medium (3.5 stories)
- Large (4.5 stories)

* All village centers presented here are hypothetical

The diagram shows that in a small village center, it would only have the small scale district - which allows up to 2.5 floors by right, and 4 by special permit.

Current vs. Proposed Scales of Zoning Districts

Medium Village Centers



Legend

- BU1 and BU2 (2 stories)
- Small (2.5 stories)
- Medium (3.5 stories)
- Large (4.5 stories)

* All village centers presented here are hypothetical

In the medium village center, it would have the small scale district and the medium scale district, allowing up to 3.5 floors by-right and 5 by special permit.

Where Will the New Rules Apply

Mapping the Village Center Zoning Districts (5.1)

Current vs. Proposed Scales of Zoning Districts

Large Village Centers



Legend

- BU1 and BU2 (2 stories)
- Small (2.5 stories)
- Medium (3.5 stories)
- Large (4.5 stories)

* All village centers presented here are hypothetical

In a large village center, it would have the small scale, medium scale, and large scale districts - where the large scale allows up to 4.5 floors by-right and 6 by special permit.

Mapping and MBTA Communities

Incorporating State Requirements for Allowing Multi-Family Housing (5.2)

What is This?

Massachusetts, and the entire United States, is facing a housing crisis. To address this, the State recently passed a law to encourage building more housing throughout 175 cities and towns that make up Greater Boston. This law requires towns and cities served by the MBTA to create zoning districts that allow multi-family housing (3 units or more) by-right.

Cities and towns that do not revise their zoning regulations to accommodate this new requirement will become ineligible for some State funds that support affordable housing and community projects. This includes Housing Choice Grants, Local Capital Fund Projects, and MassWorks Infrastructure Program.

Key Requirements

Newton is not in compliance with this new regulation. In order to come into compliance, the city will need to have at least one zoning district in which multi-family housing is permitted by-right and meets the other criteria in the statute including:

- Minimum gross density of 15 units per acre
- Not more than 1/2 mile from a commuter rail station, subway station, ferry terminal or bus station, if applicable
- No age restrictions
- Suitable for families with children

- Allows for the by-right construction of a minimum multifamily housing unit capacity. Unit capacity is a percentage of a community's total housing units based upon the level of transit service in the community. Since Newton has multiple rapid transit stops, the City must zone to allow for 25% of the total housing units, or 8,330 units.

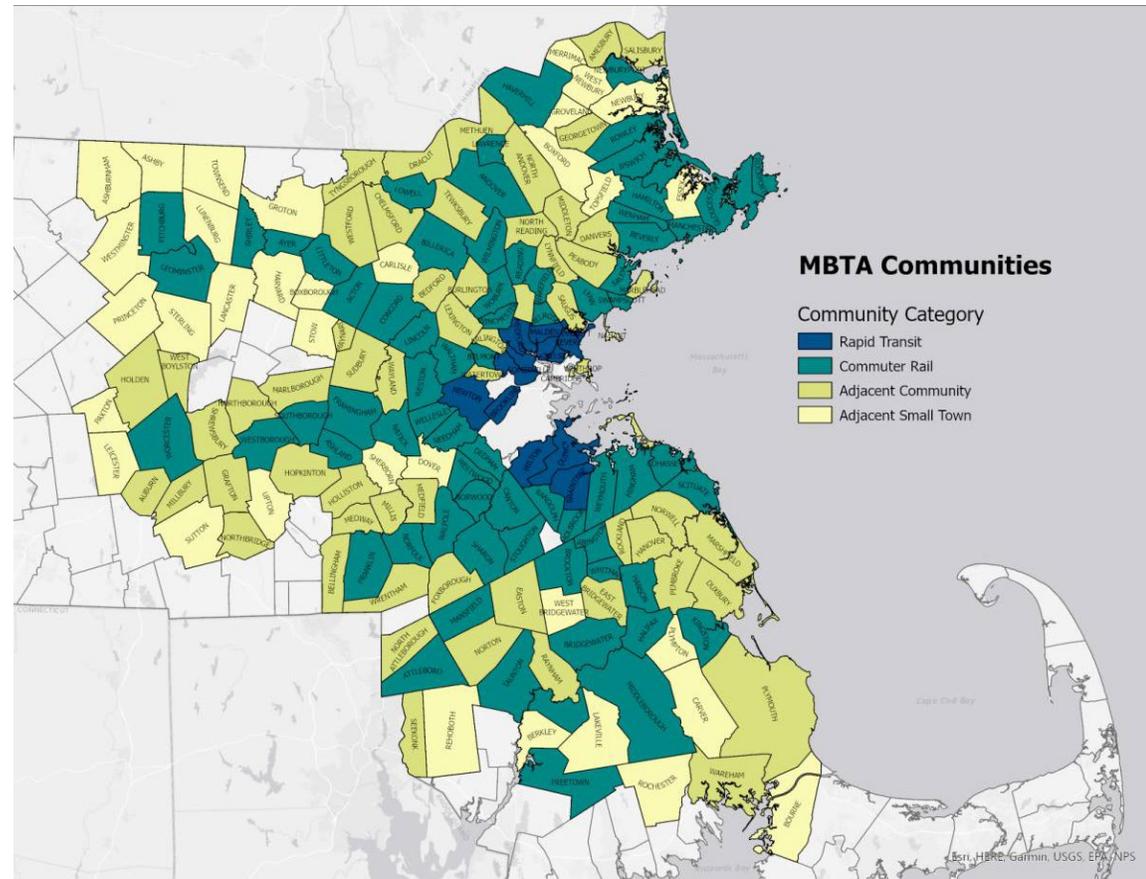
Currently, multi-family housing is either not allowed by right in Newton or is made financially infeasible by the zoning requirements imposed on it. If some village centers- particularly those with good public transit access- were to allow multi-family housing by-right, that could get the City closer to complying with the law.

Mapping and MBTA Communities Incorporating State Requirements for Allowing Multi-Family Housing (5.2)

State vs. Local Zoning

In Massachusetts, most zoning regulations happen at the local level. The MBTA Communities requirement is notable for being the rare comprehensive zoning mandate by the State, requiring rezoning portions of 175 different communities in Metro Boston. The State's overall goal is to reduce the price of homes and rent in the state.

Massachusetts has some of the highest housing costs in the country, and Newton has the second most owner-occupied housing valued at over \$1 million, behind only Boston. The mandate aims to do so by allowing more housing by right through reducing barriers to building new homes, particularly near transit and other resources.



Newton is classified as a Rapid Transit Community due to the Green Line. Rapid Transit Communities are required to provide zoning that allows multifamily housing to be built by-right near transit, equivalent to 25% of the City's existing housing.

Mapping and MBTA Communities

Incorporating State Requirements for Allowing Multi-Family Housing (5.2)

Unit Capacity and Timeline

8,330 units may seem like a lot, however the requirement it is not a housing production mandate. There is no requirement to build all of the units, only adopt zoning that would allow them to be built. Similarly, Newton's current zoning allows for many more units than are actually built.

In reality it will take many years, and some may never be built. It also does not matter what existing housing has been built or approved, the requirement is solely for zoning.

It is likely that the village center zoning alone will not be enough to fully comply with the MBTA zoning requirements, however it is an important piece of the puzzle as many village centers are located near transit.

Compliant zoning must be adopted by the end of 2023 and an Action Plan is due by January 31, 2023.

Planning staff will provide additional analysis and updates to the City Council regarding options for compliance

Newton – Rapid Transit Community

2020 Housing	Minimum Multi-Family Unit Capacity	Minimum Land Area	Developable Station Area	% of District to be Located in a Station Area
33,320 units	8,330 units	50 acres	2,833 acres	90%

Next Steps

(6)

Stay Involved and Informed

Continue to Help Shape the Village Center Zoning (6.1)

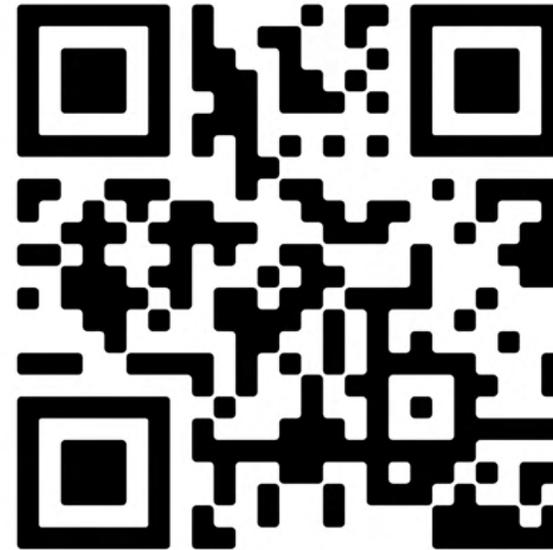
Completing the Feedback Tool

Now that you have reviewed the village center zoning framework, you are invited to provide your thoughts and opinions using the Feedback Tool. You can use your phone, laptop, or tablet to complete it.

The Feedback Tool will be open from September 1, 2022 through October 16, 2022.

The Feedback Tool consists of three questions that try to get at the core reasoning behind the proposals you just reviewed and how they work together to make up the overall framework. These questions ask:

- Currently, Newton essentially has the same zoning districts for all of its village centers. Do you think there should be a variety of zoning districts for the variety of village centers?
- Three different scaled zoning districts are being proposed. What allowed building heights do you think are appropriate for which village center district?
- Required parking is one of the main factors for feasible development. What is your opinion on the proposal to reduce parking requirements for new buildings and uses in village centers?



Scan the QR Code here with the camera on your phone or tablet to access the Feedback Tool. Or Click on the link below.

https://stanforduniversity.qualtrics.com/jfe/form/SV_9MrszPSIt4KcGq2

Stay Involved and Informed

Continue to Help Shape the Village Center Zoning (6.1)

Contacting Your City Councilor Directly

By law, the Newton City Council is the ultimate decision maker on any zoning changes. Your response will be collected by the Newton Department of Planning & Development. Staff will then present the results for consideration by ZAP, a subcommittee of the Newton City Council. ZAP determines what zoning changes move on to the full City Council to accept or reject.

If you want to directly reach out to a ZAP member, or your ward's City Councilors, please visit the website below to see the Councilor names and contact information.

tinyurl.com/NewtonCityCouncilors



Moving from Proposal to Law

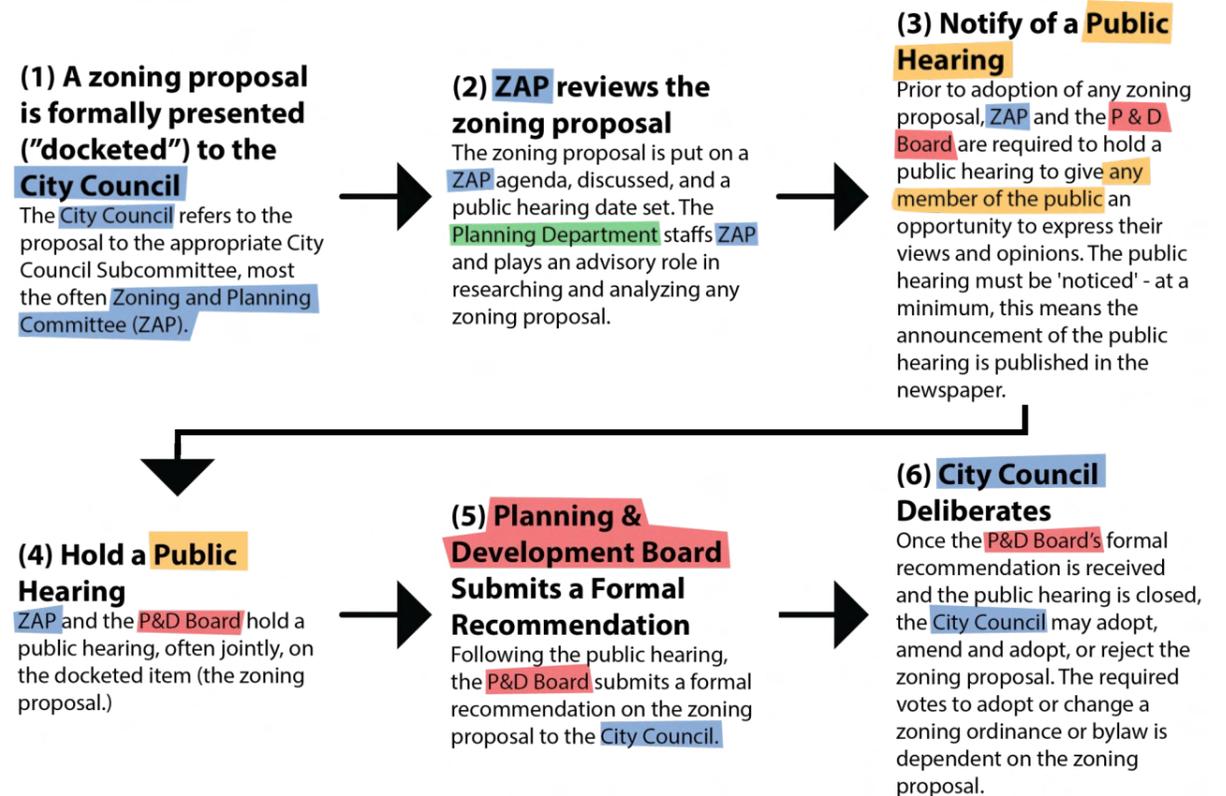
Looking Ahead to City Council Deliberation and Vote (6.2)

Presenting the Draft Zoning and Map

While this engagement takes place, the Planning Department and its consultant, Utile, will begin drafting village center zoning text from the direction discussed at ZAP meetings held in June. This ongoing community engagement will further inform the drafting of the recommended policy language and the mapping. Draft zoning language and maps will then be brought back into ZAP for further deliberation this fall.

All of the thoughts and opinions provided by you will be shared with ZAP and the City Council in advance of any votes to adopt new village center zoning. In addition, you will have the opportunity to directly speak or provide additional written responses to the City Council once a Public Hearing is set.

What Does it Take to Change the Zoning Ordinance?



Moving from Proposal to Law

Looking Ahead to City Council Deliberation and Vote (6.2)

More to Come this Fall

The Newton City Council is the ultimate decision maker on any zoning changes. Working closely with City Council, the Planning Department will present the engagement findings and the resulting proposed zoning language and map this fall.

Thank You!



https://stanforduniversity.qualtrics.com/jfe/form/SV_9MrszPSIt4KcGq2

