



Newton Zoning 1st Draft Overview

Ward 1
02.07.19

Agenda

Objective

Background

Guide to Reading the 1st Draft

Draft Map & Districts

Key Features & Case Studies





Objective

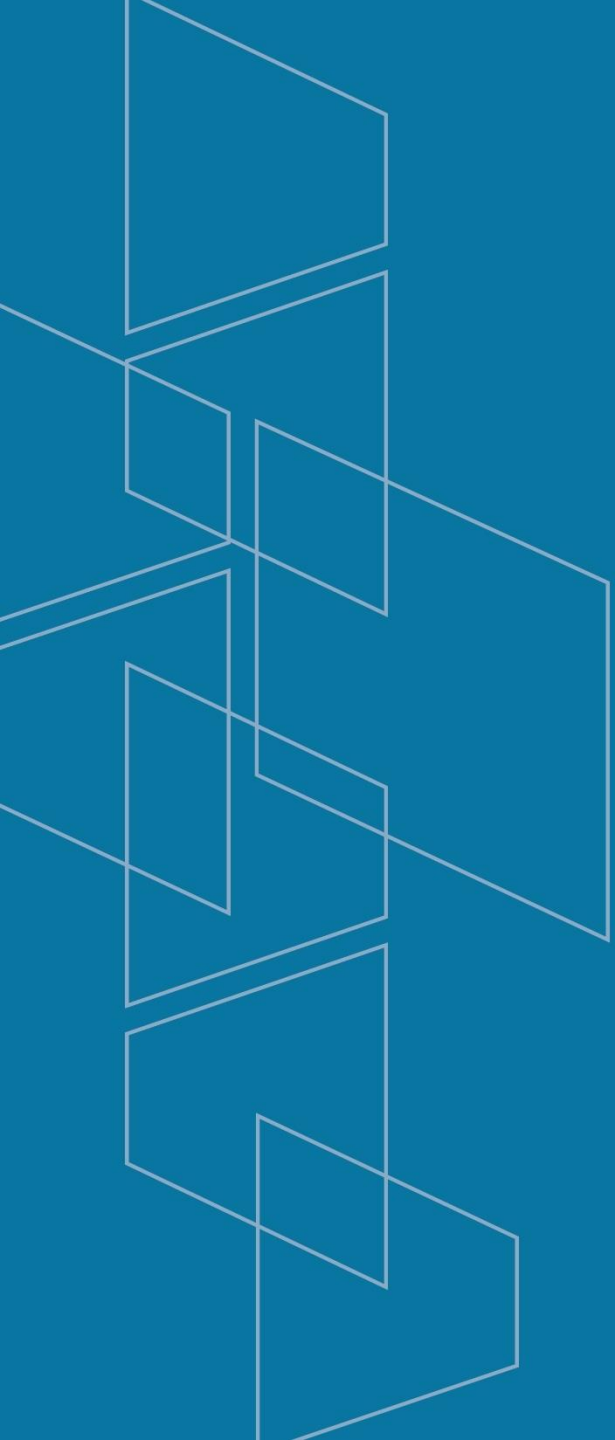
Objective

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.

Objective

- **1st Draft** Zoning Ordinance.
- **Start a discussion**



Background

What is Zoning?

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

How is zoning set?

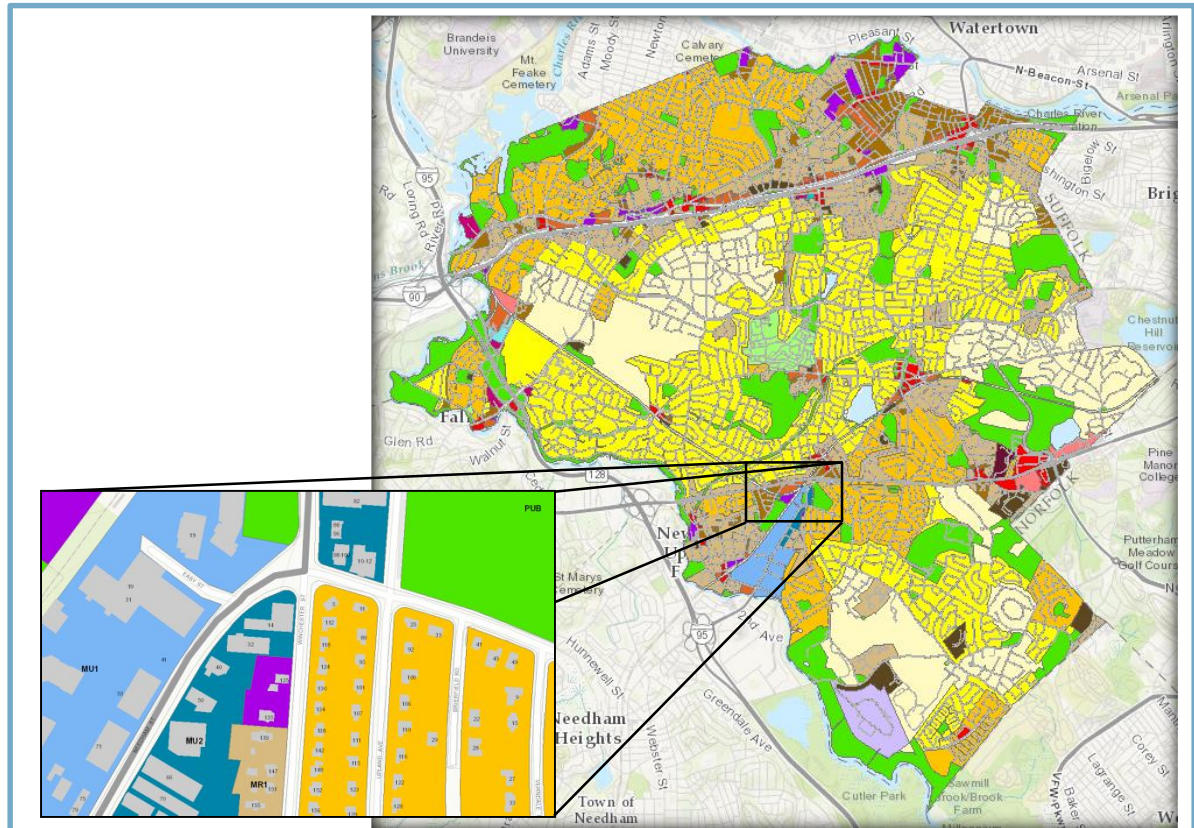
Newton City Council

- Legislative Branch of the city government
- Zoning is a regulatory tool (legislation)

City Staff support the City Council's work, taking ideas and feedback from the community at large and Councilors as well as reviewing best practices to develop the draft language

Central Elements of Zoning

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

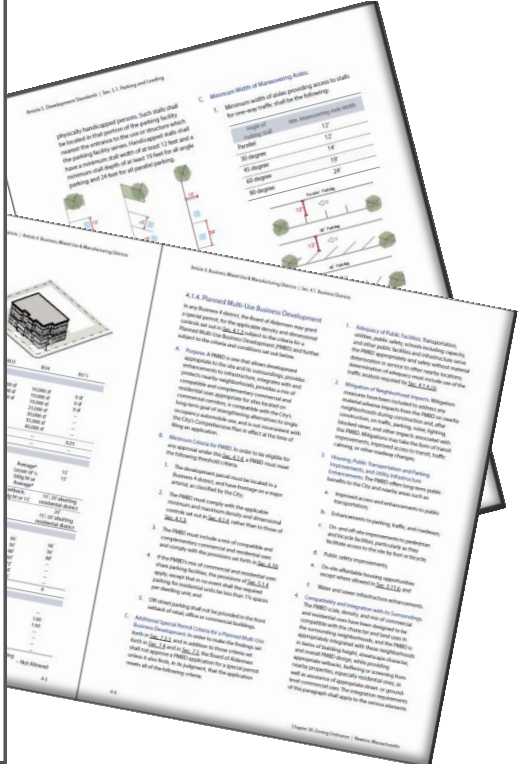





The Zoning Map divides the city into districts, each of which represents a different set of land uses and scales of building types.

Central Elements of Zoning

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

Newton, Massachusetts
Chapter 30: Zoning Ordinance
November 1, 2015



Minimum Width of Sidewalks

Category	Minimum Width
Public Use	12'
Residential	12'
30 degree	12'
45 degree	24'
60 degree	36'

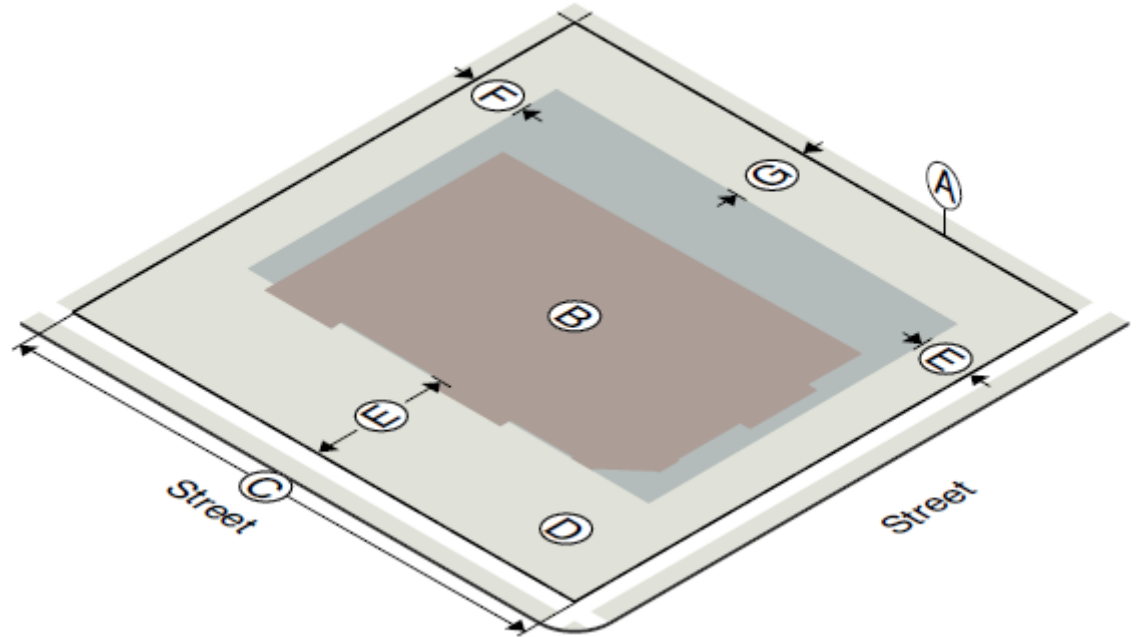
Planned Multi-Use Business Development

Public Facilities, Transportation and Other Public Uses

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

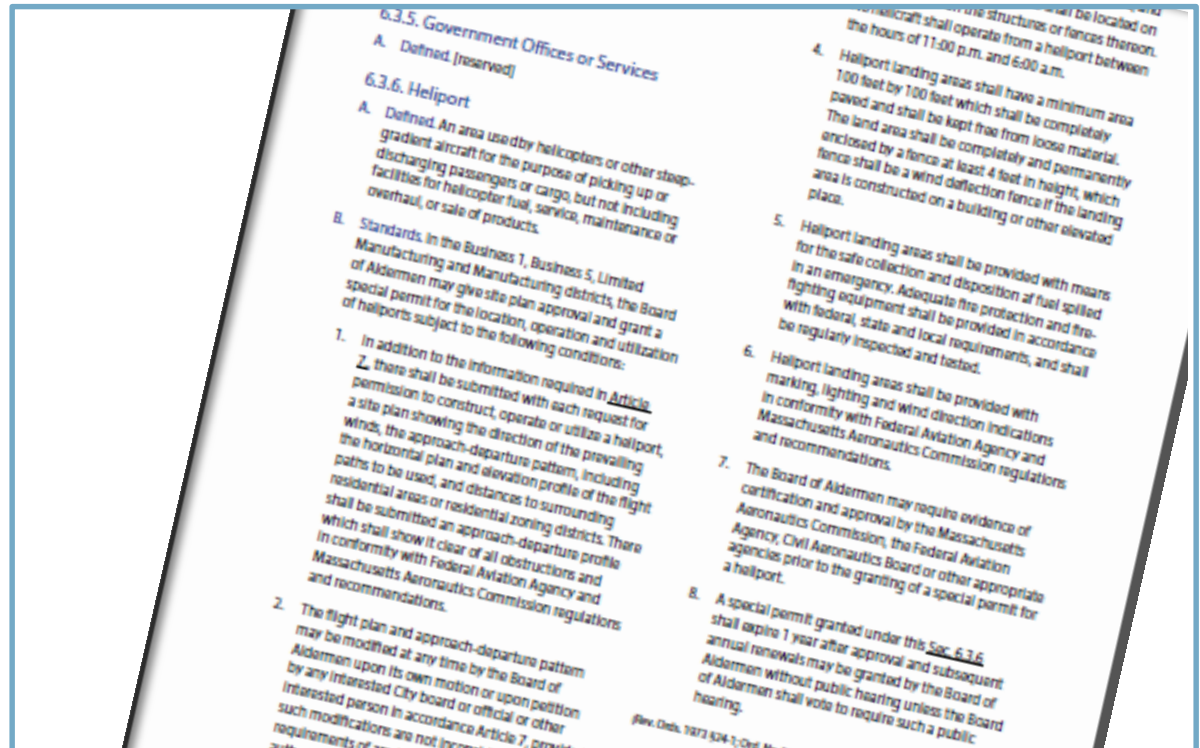
- The Zoning Map
- The Zoning Ordinance
- **Dimensional Requirements**
- Development and Use Standards
- Decision Making Processes



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

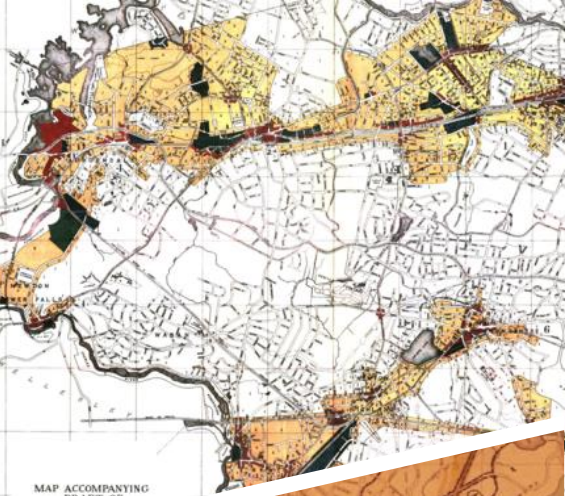
Inspectional Services Department

e.g. Building Permit

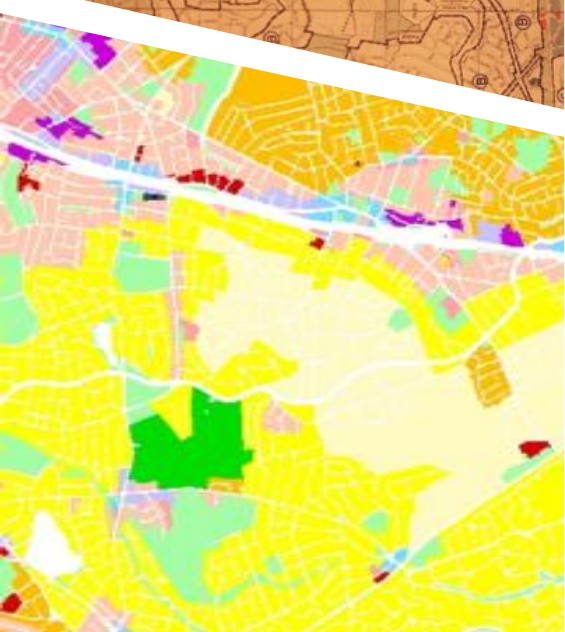


Created by Creative Stall
from Noun Project

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**

Themes from the 2011 Report

- **In short...**
- **Create a Zoning Ordinance that preserves and enhances what we love about Newton while modernizing and advancing issues we care about like addressing climate change and ensuring housing diversity.**

A Context-Based Ordinance...

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

Existing Quality of Place



Sustainability of the Form



Future Planning

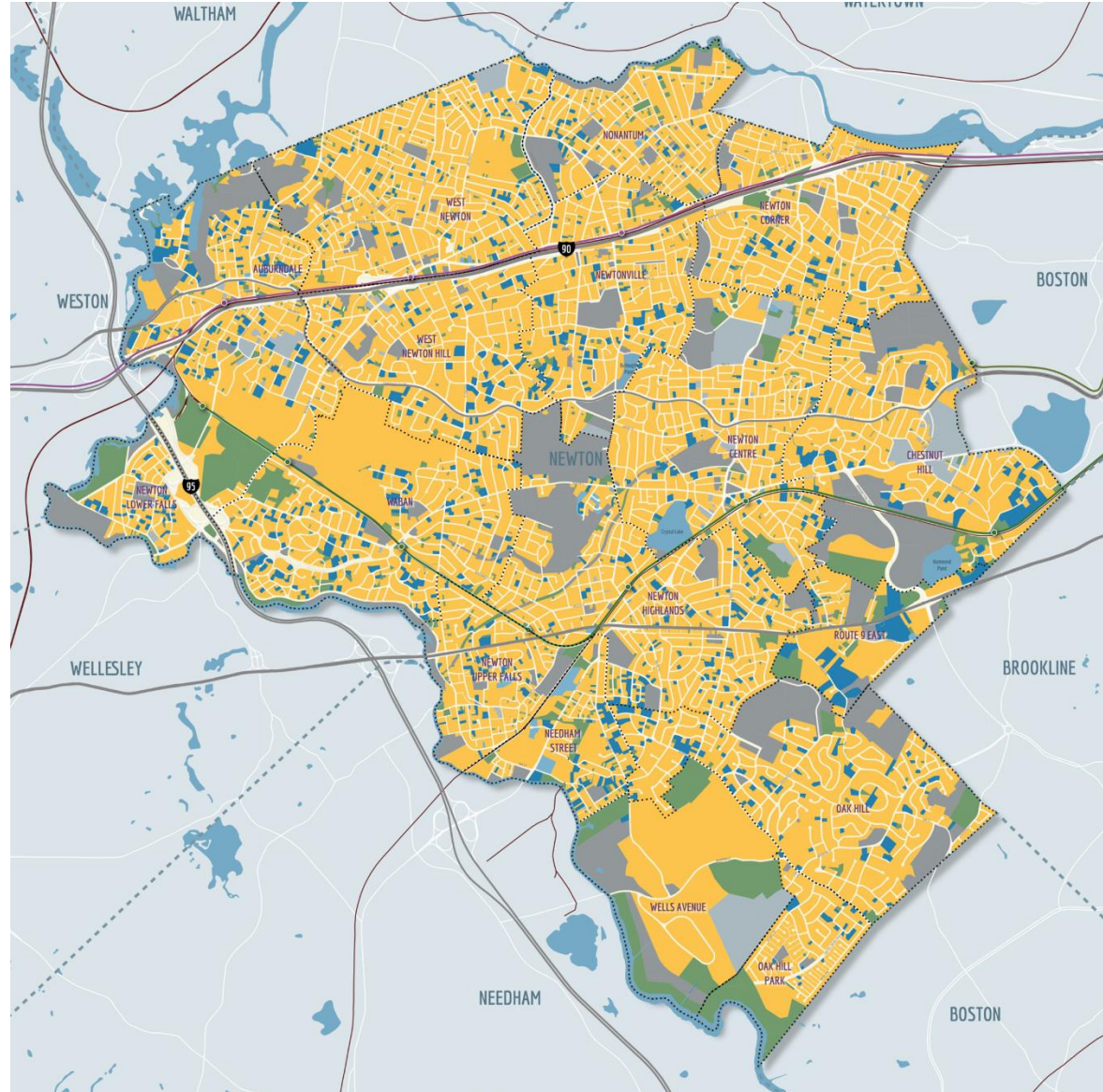
The Pattern Book

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

Non-Conforming Homes & Lots

87%
Non-Conforming



What does it mean to be non-conforming?

The Exception becomes the Rule

For a homeowner...

- Longer and more expensive review of home improvements

For a neighbor...

- Unclear rules on how the building could expand

For the City...

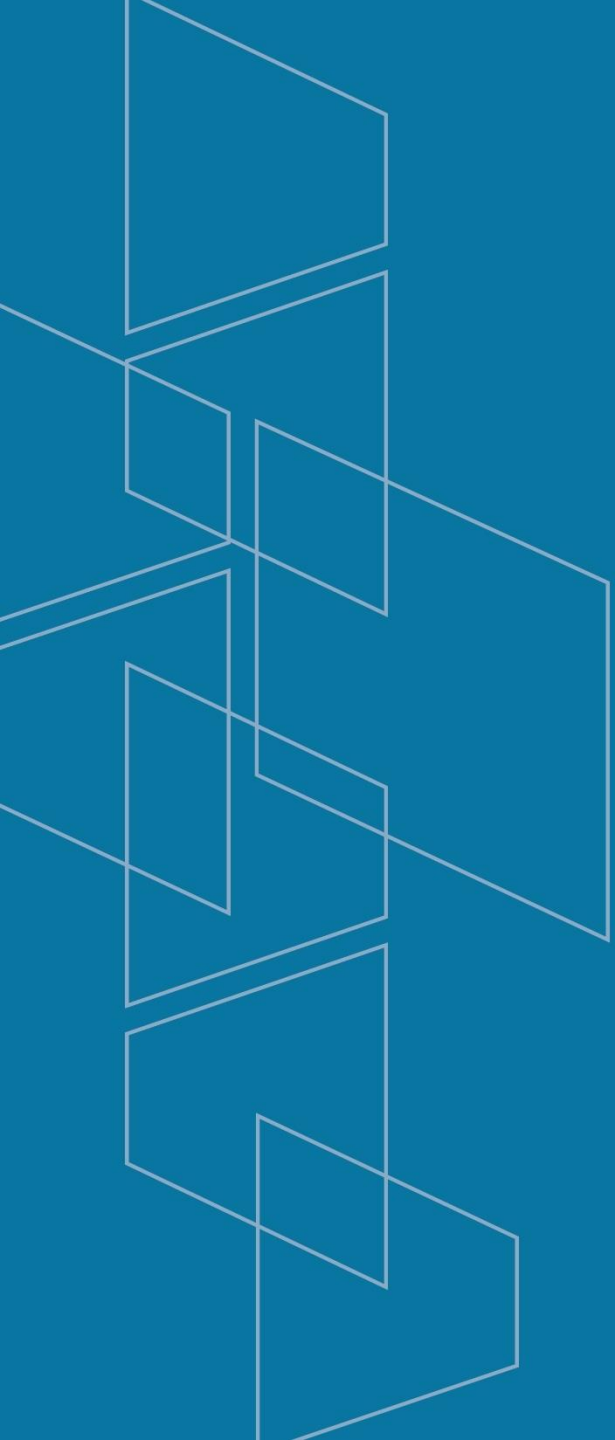
- Reduces the strength of the ordinance



Event Series

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





Guide to Reading the Draft Ordinance

Setting Standards

- **Starting point was to develop a set of data driven standards – utilized pattern book**
- **Standards reflect the existing buildings in the City with a goal of 75% to 80% conforming.**
- **Conversation now switches to other policy objectives.**
- **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**

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

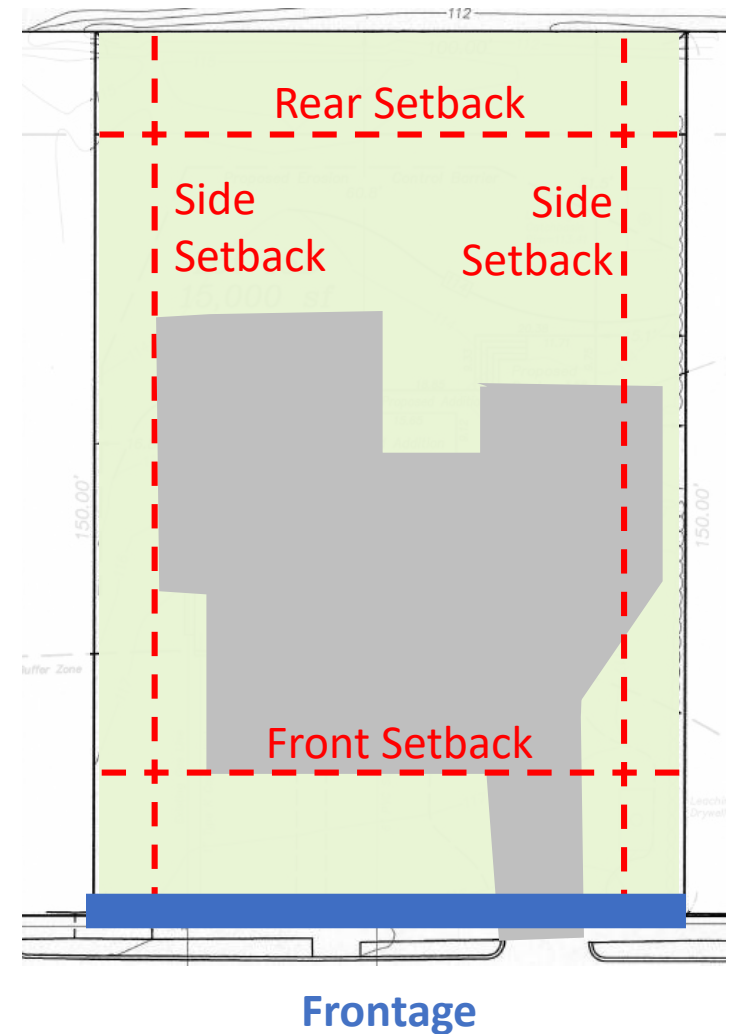
Definitions | Article 12

Reading the Ordinance

Districts

Lot and Setback Standards are set by the district:

- Frontage
- Setbacks
- Lot Coverage
- Allowed Building Types

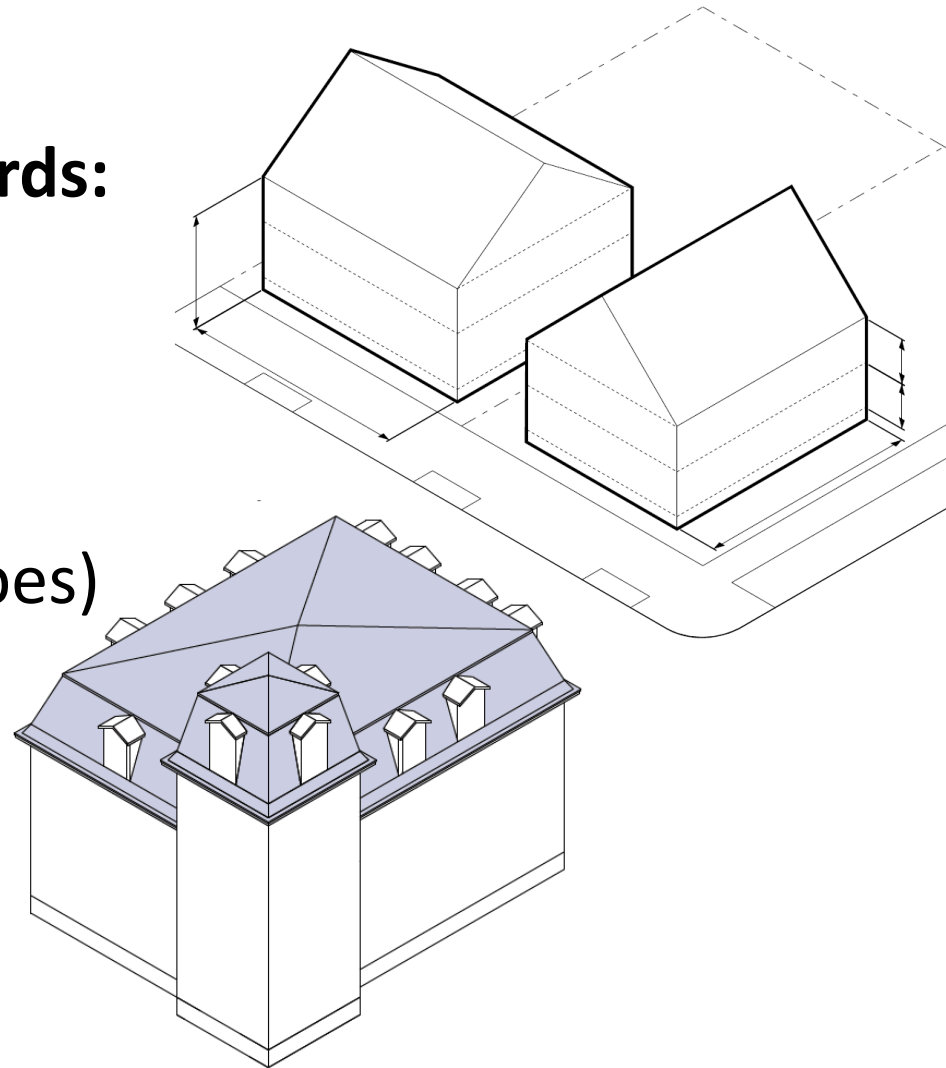


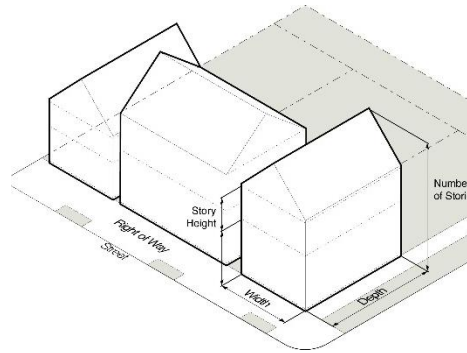
Reading the Ordinance

Building Types

Building Types include all building dimensional standards:

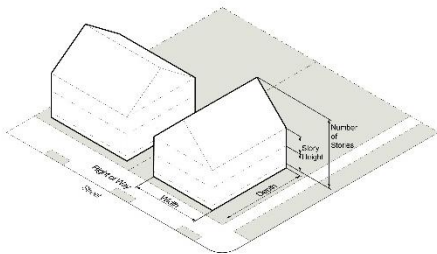
- Footprint
- Height (Stories)
- Specific Rules
(e.g. Fenestration, Roof Types)





Shophouse

What is a Building Type?



House B

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

Map Making Principles

- **Minimize non-conformity**
 - The exception does not make the rule
 - 100% conformity is not possible
- **Like should face like**
 - 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



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

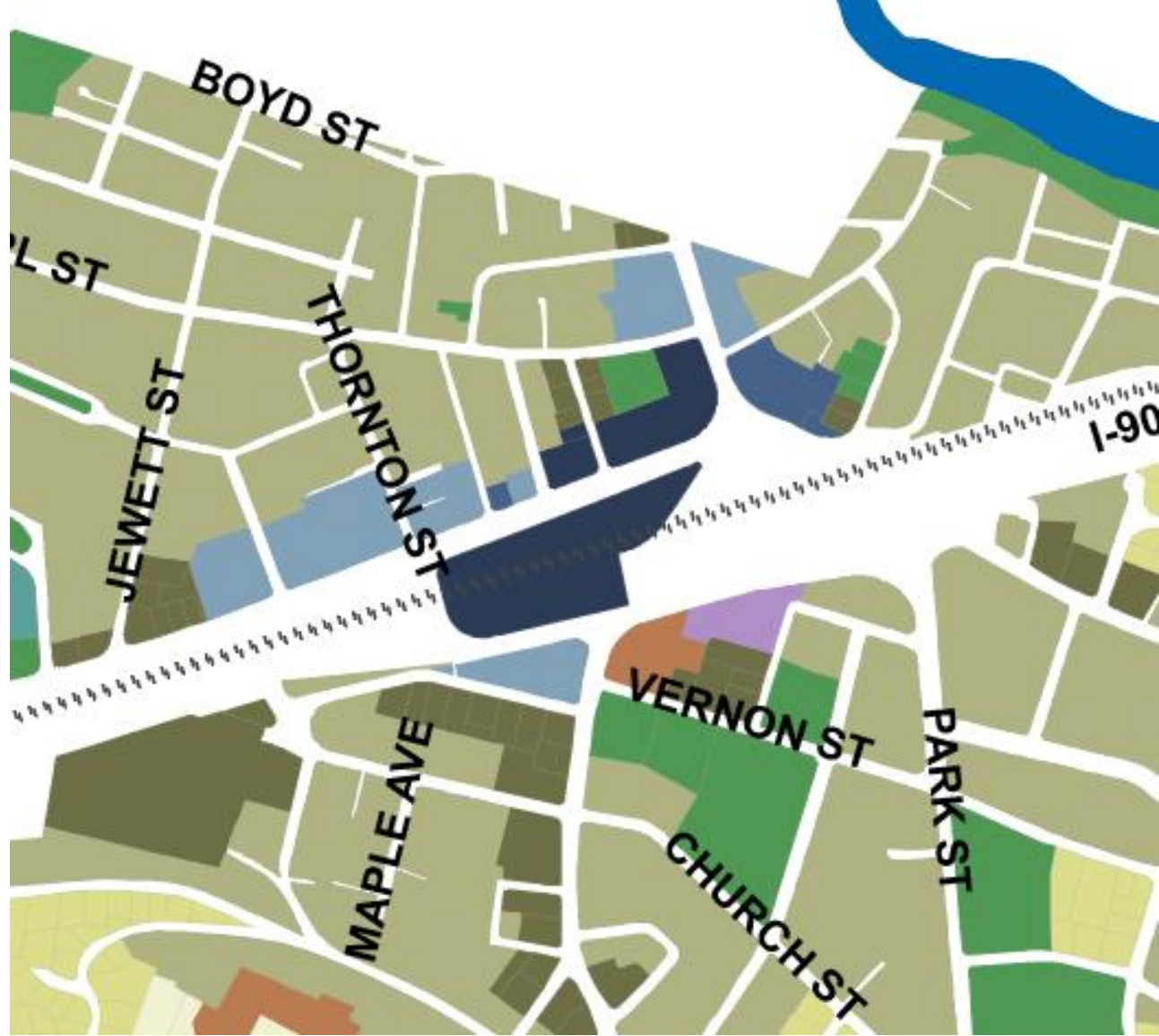
- R1 Residence 1
- R2 Residence 2
- R3 Residence3
- N Neighborhood General

Village Districts

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

Single Purpose Districts

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





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

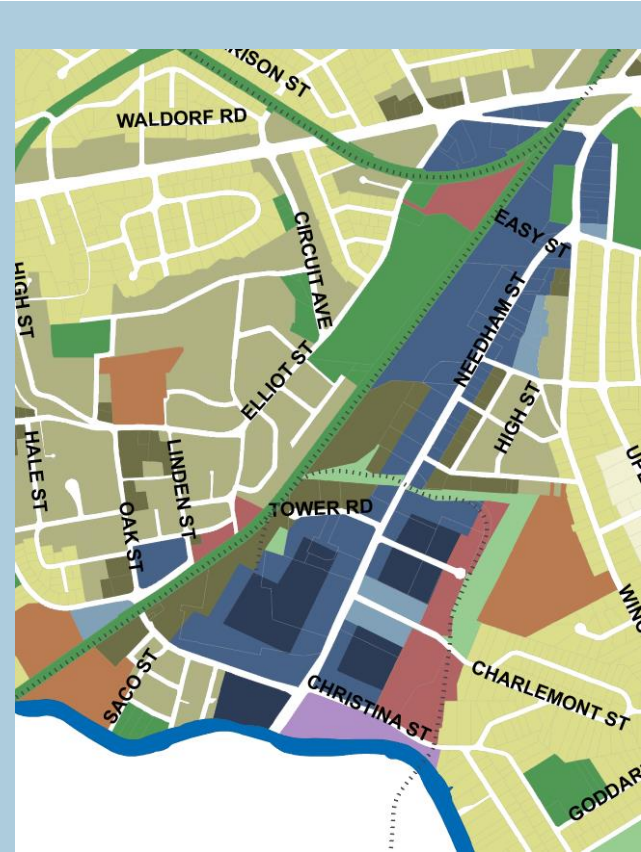
Single Purpose Districts

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



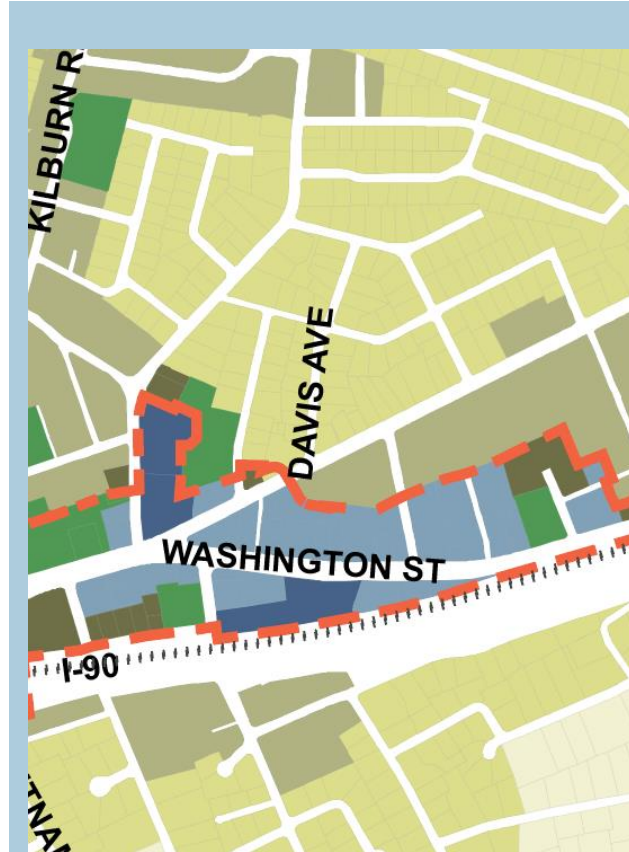
Newton's village centers typically follow a concentric circle model (more intense activity at the center, stepping down to surrounding neighborhoods)

Areas of Further Study



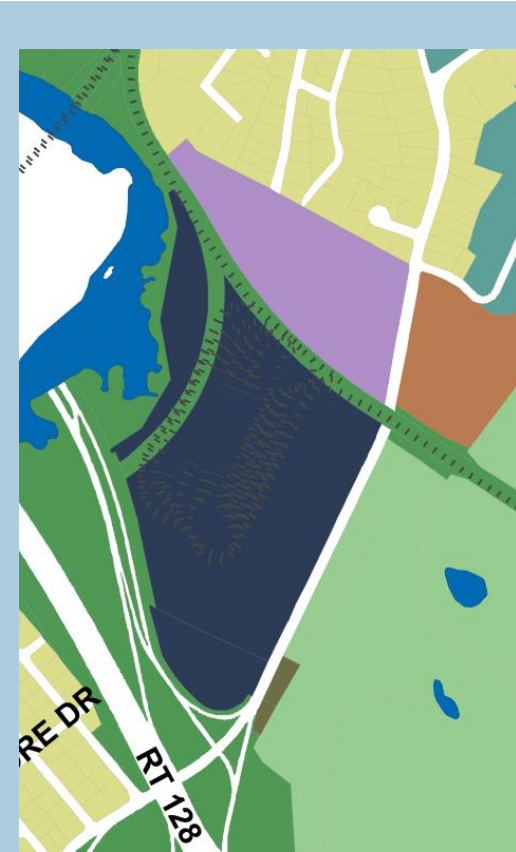
Needham Street

- 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



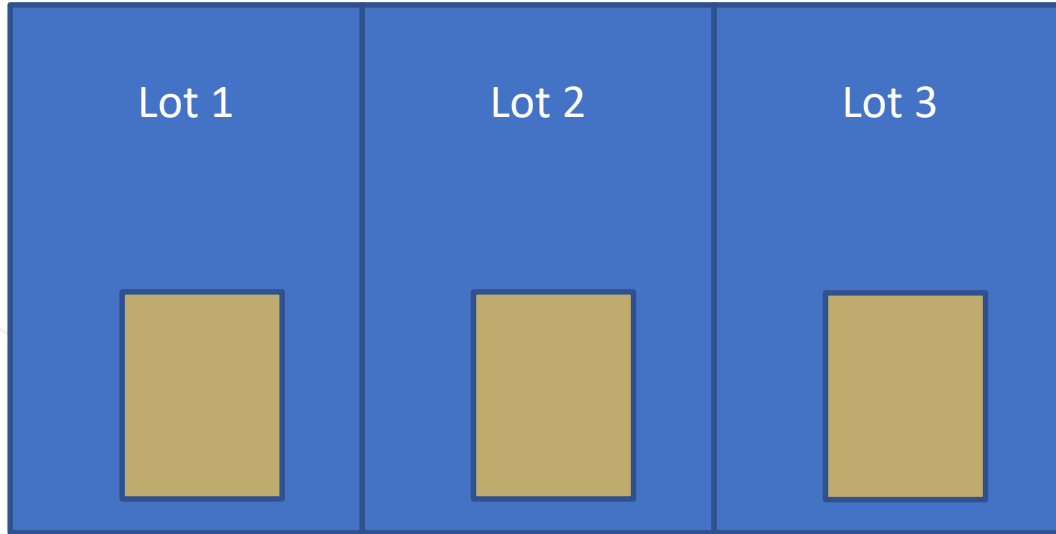
Riverside

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



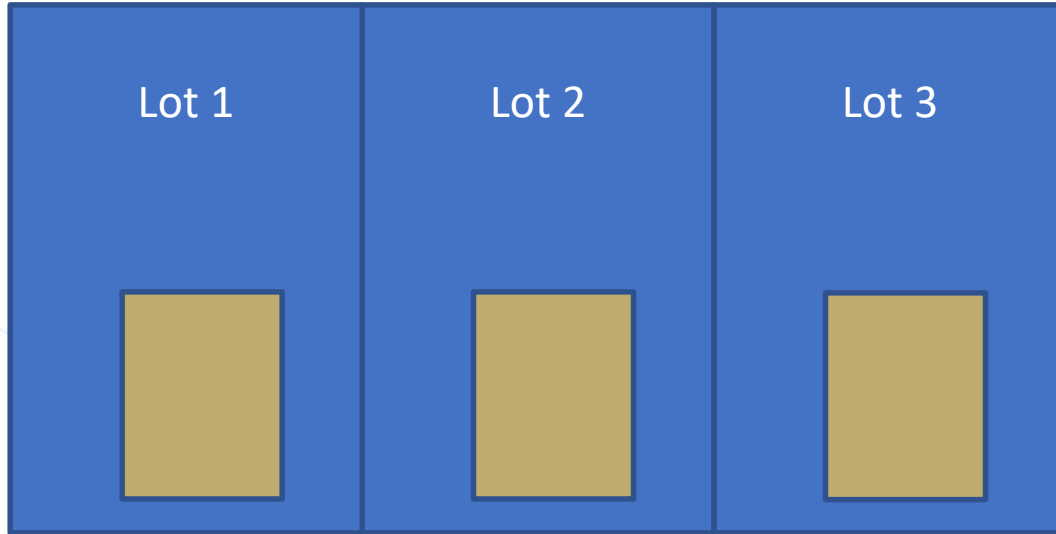
Key Features & Zoom in on Ward 1

Lot Size & Building Size

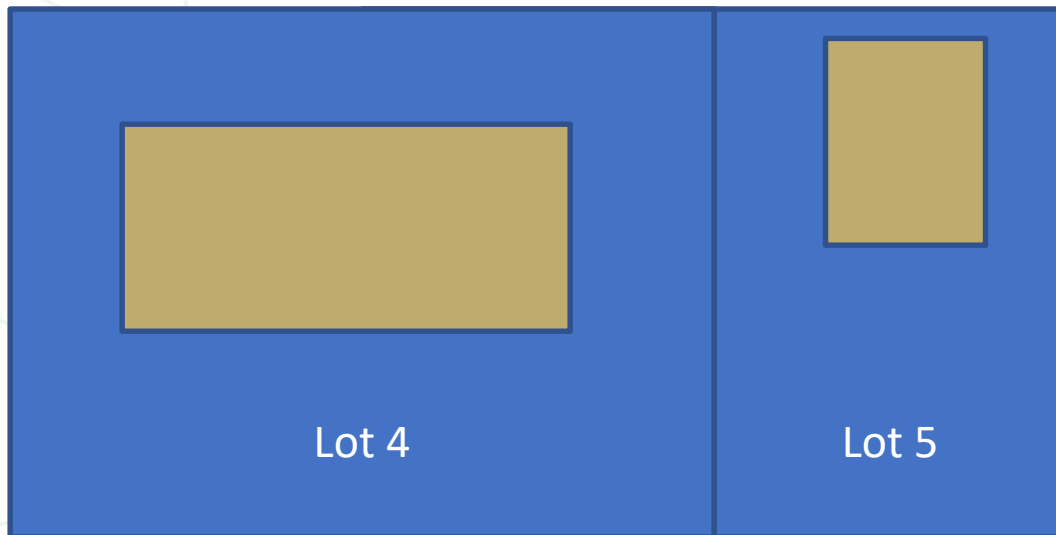


Street

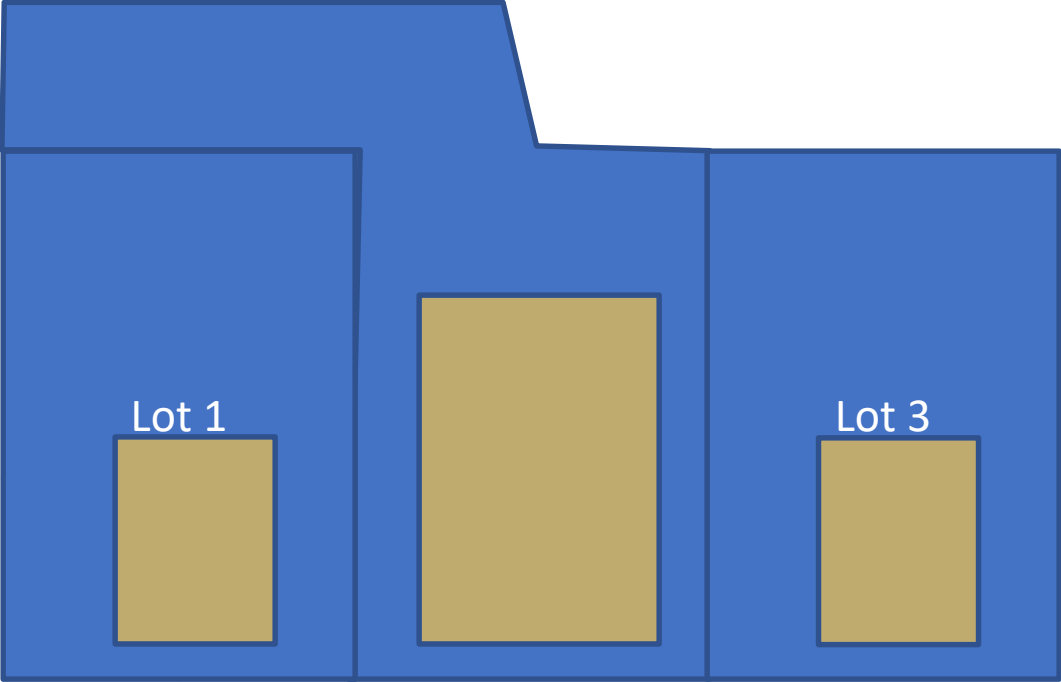
Lot Size & Building Size



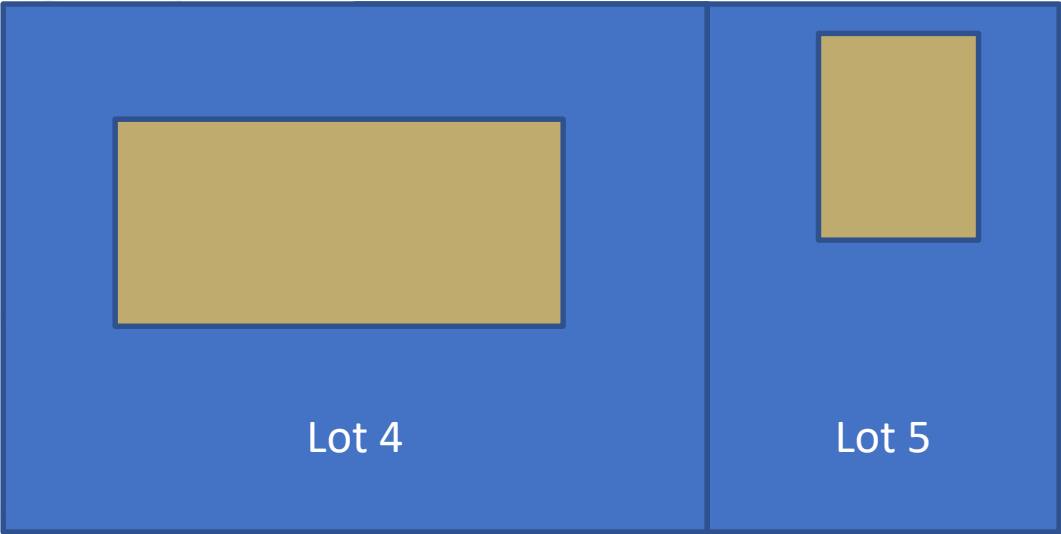
Street



Lot Size & Building Size



Street



Lot 4

Lot 5



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



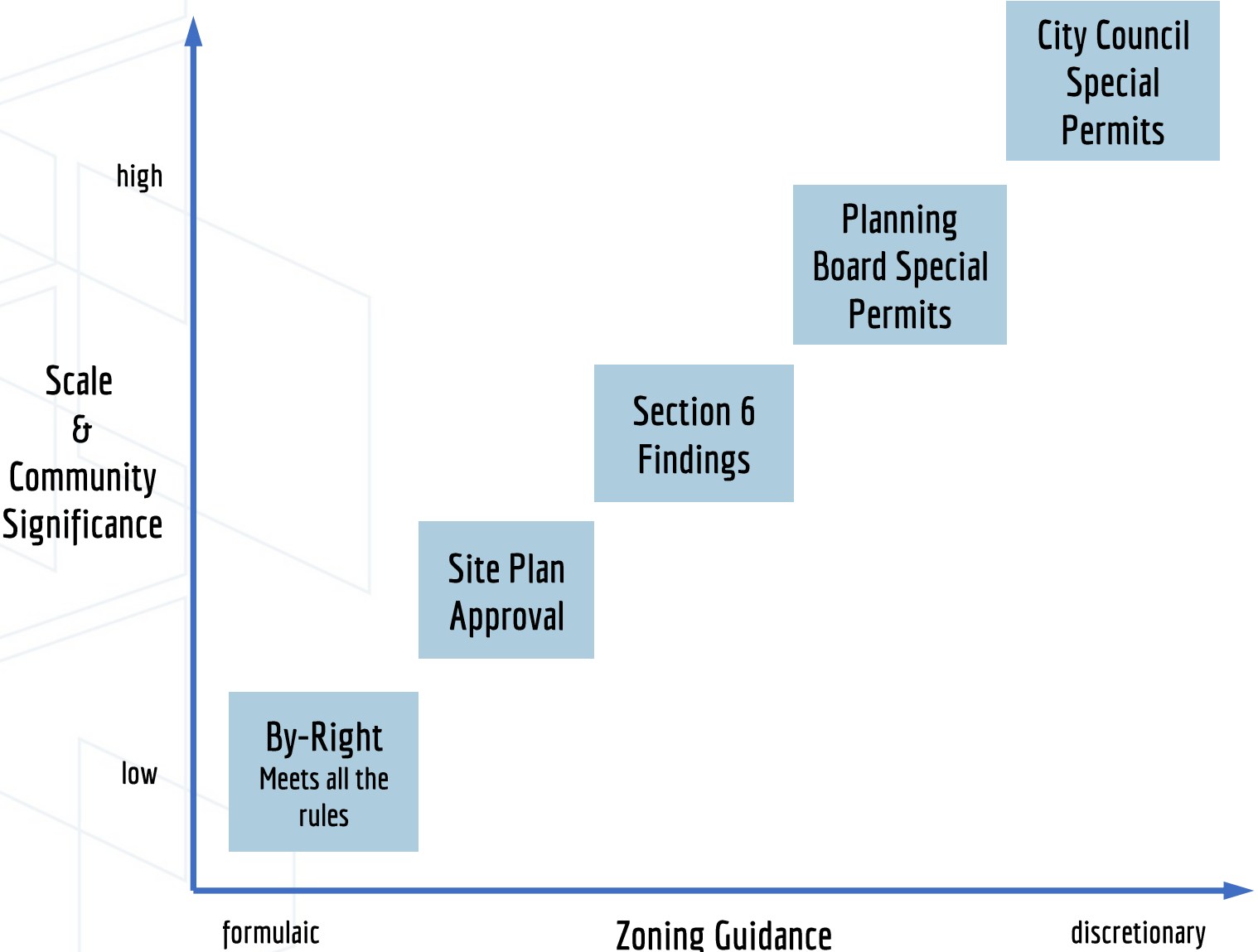
- Promote buildings and site design that achieve City objectives relative to environmental sustainability and addressing Climate Change.
- Base Requirements + Incentive level requirement
- Looking for guidance from the upcoming Climate Action Plan.
- Other environmental provisions layered throughout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

Arts & Cultural Institutions

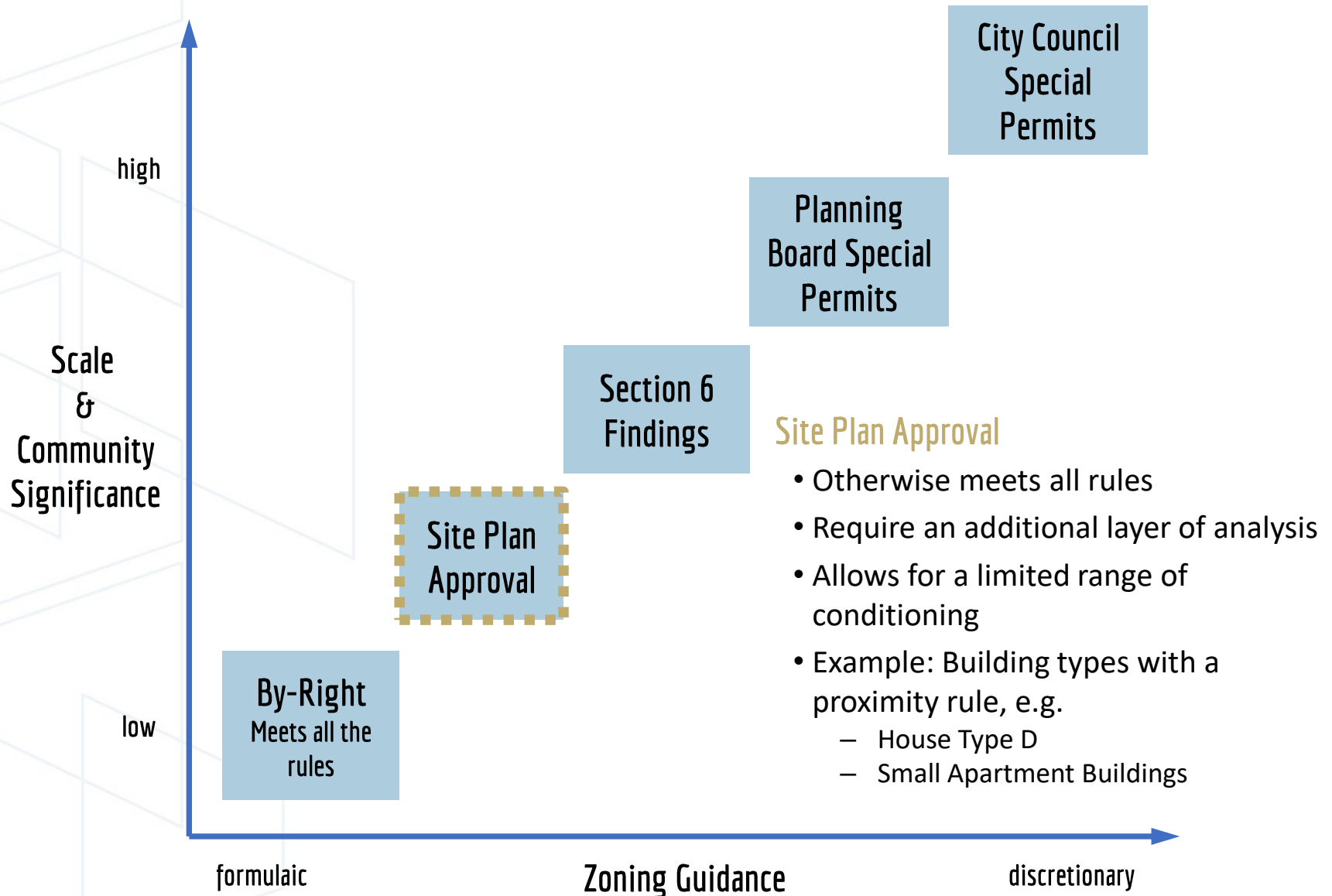
- New Use Categories
- Coming Soon - Arts related requirement for development projects over a certain size



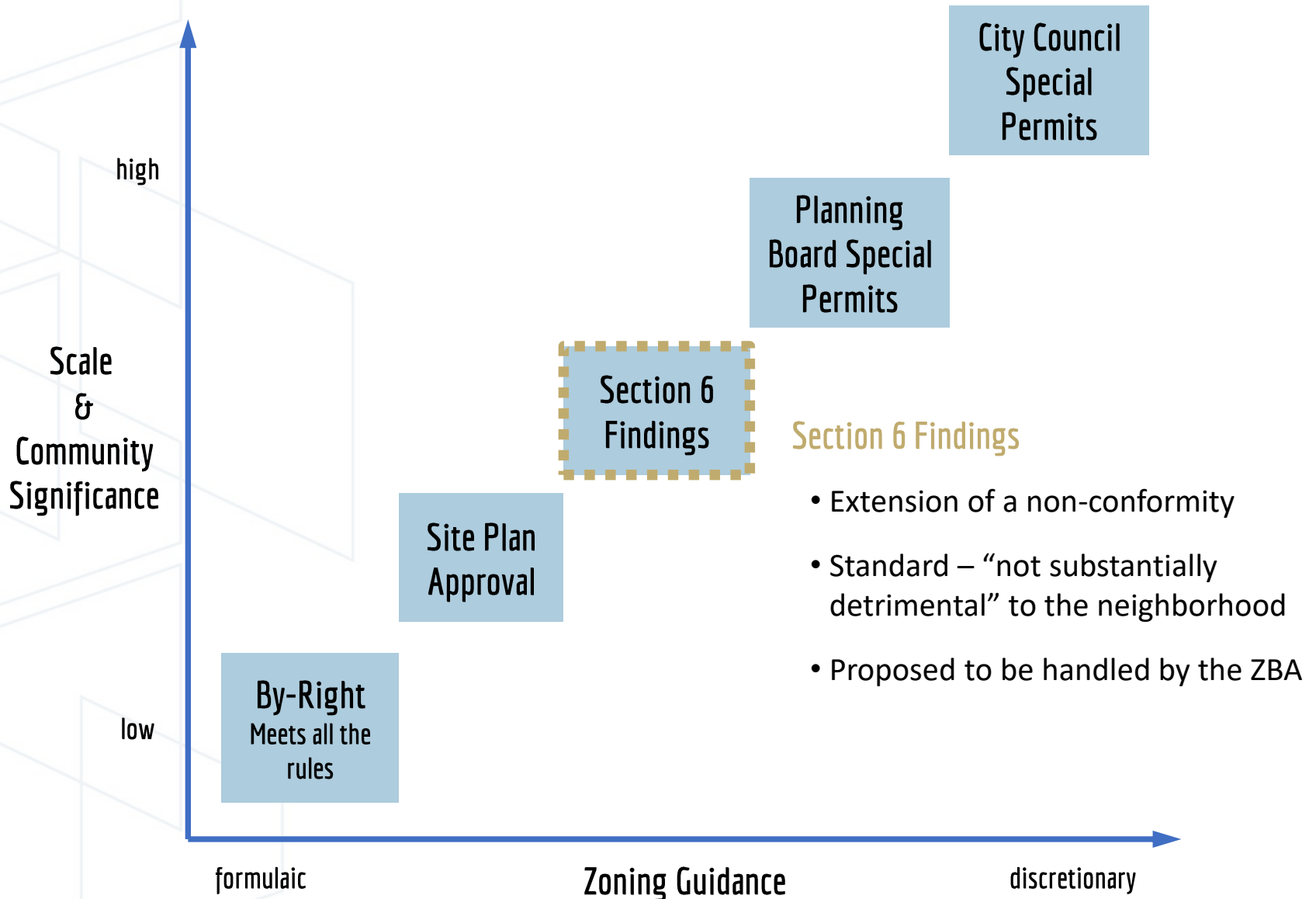
Development Review



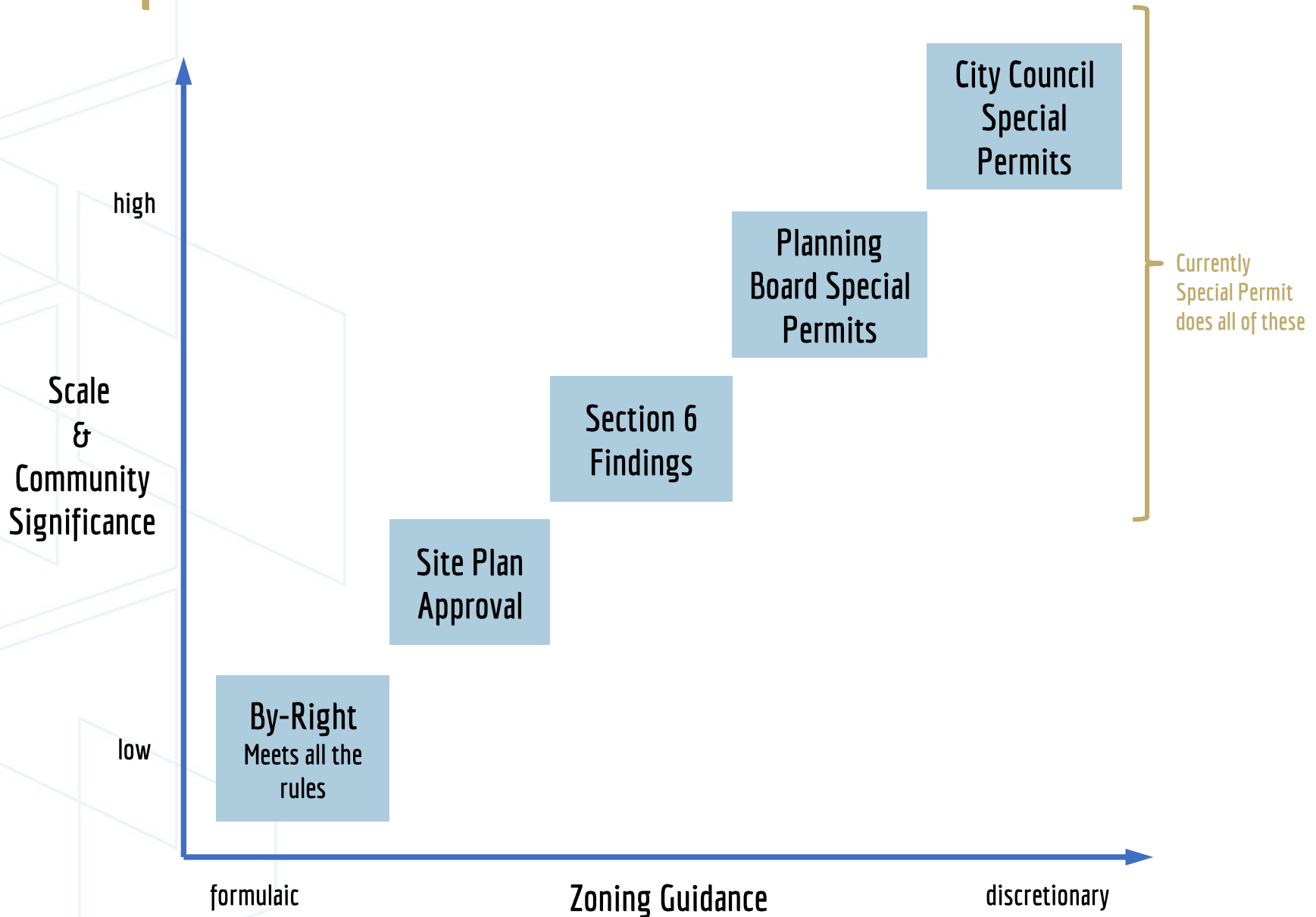
Development Review



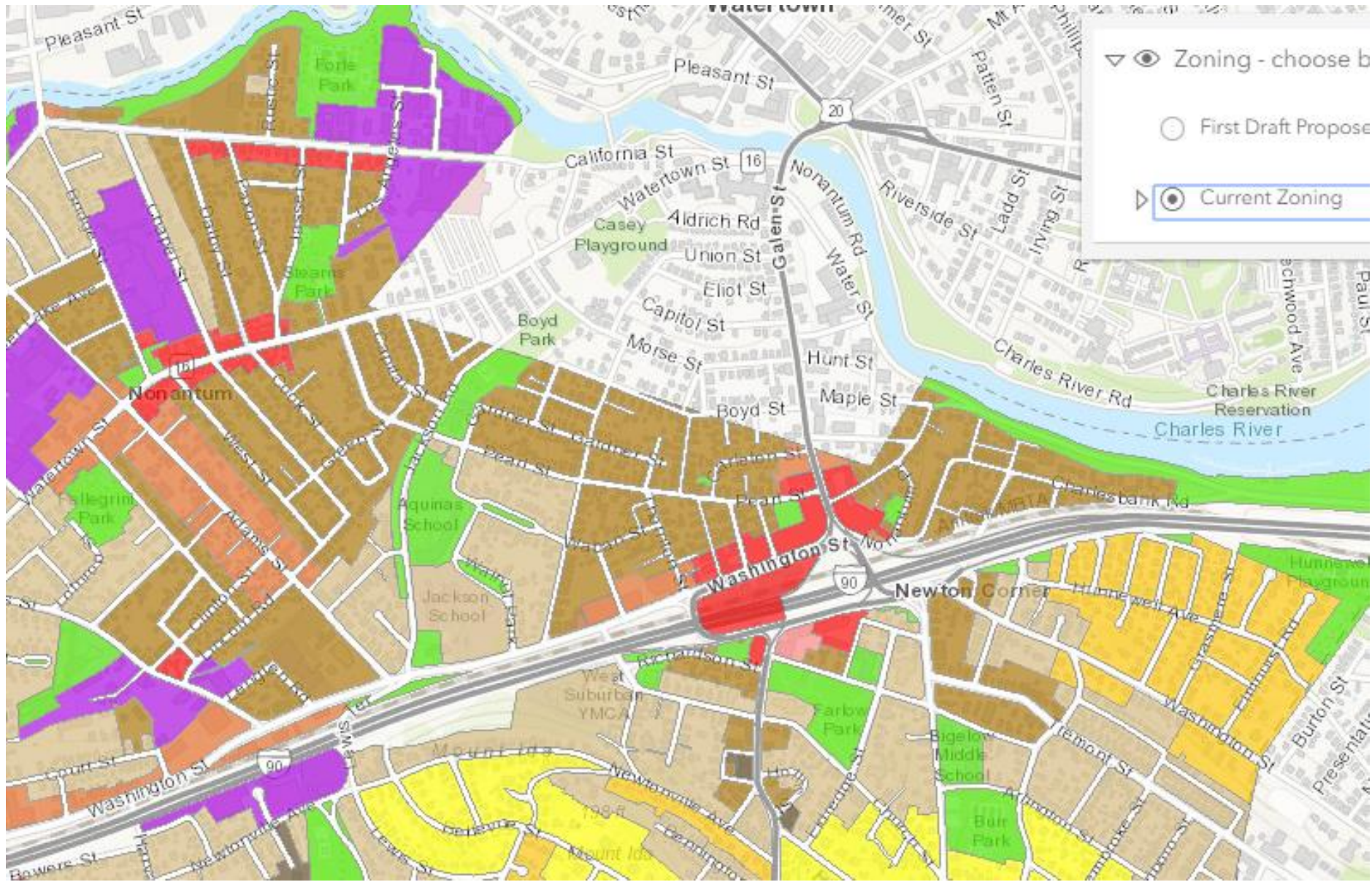
Development Review



Development Review



Zooming in on Ward 1



Current Zoning Map



First Draft Zoning Map

A Walk Through of the R3 District

Building Types

By Right

(conforming with all of the rules)

- House B
- House C
- Two-Unit

Site Plan Approval

(conforming with all of the rules, detailed check on proximity rule)

- Apartment House
- Small Apartment Building

Sec. 3.1. Residence Districts | Article 3. Residence Districts

3.1.4. Residence 3 District (R3)

A. Context Description
The Residence 3 District includes suburban neighborhoods composed of single, two, and three-unit homes, frequently within walking distance to transit and activity centers. The intent of this district is to preserve neighborhood character, increase predictability, and integrate homes in two and three-unit buildings into the fabric of the neighborhoods.

B. Purpose

1. To preserve the scale of these neighborhoods.
2. To permit the development of single and multi-unit detached residential buildings on individual lots.
3. To permit contextual modifications of existing residential buildings.
4. In limited circumstances, to retain or allow neighborhood serving commercial uses in order to enhance walkability and sustainability.

C. Lot Standards
The following table contains lot standards for the Residence 3 District.

Lot Characteristics	
Frontage:	40 ft Min, 100 ft Max
Lot Depth:	
Lot Coverage:	60% Max; +10% by SP (See Sec. 2.3.2)

D. Setback Standards
The following table contains setback standards for the Residence 3 District:

Setbacks	Min	Max
Front:	Contextual Front Setback (See 3.5.1A) Absolute Min: 5 ft	35 ft
Side:	7.5 ft	-
Rear:	15 ft	-
Frontage Buildout:	Greater of 12 ft or 25% of the frontage non-conforming lots exceeding the max. frontage have a min. of 25 ft	-

E. Building Types.

1. The following principal building types are permitted in the Residence 3 District:
 - a. House B (3.2.4)
 - b. House C (3.2.5)
 - c. Two-Unit Residence (3.2.7)
 - d. Apartment House (3.2.8)
 - e. Small Apartment Building (3.2.10)
 - f. Civic Building (3.2.14)

2. Additional Criteria for Apartment House and Small Apartment Building.

- a. The Apartment House and Small Apartment Building building types may only be utilized on a lot if there are at least 3 of the same type (apartment house or small apartment building respectively) within 500 linear feet along the street, measured from the lot edge.
- b. Establishing a new Apartment House or Small Apartment Building in the R3 district requires Site Plan Approval to confirm the above criteria have been met.
 - i. In reviewing a proposed new Apartment House or Small Apartment Building, the Director of Planning and Development may refer the proposal to the Urban Design Commission (see Sec. 11.X) and may condition the property to require additional screening if needed.
- c. Notwithstanding the above requirements, a new Apartment House or Small Apartment Building may be established on a lot that does not meet the above criteria by Special Permit.
- d. Review Criteria. In its discretion to approve or deny a special permit authorizing a new apartment house or small apartment building, the Special Permit Granting Authority must find that the application meets the following criteria:
 - i. The criteria for all Special Permits specified in Sec. 11.4.3.
 - ii. Design is compatible with the scale of the neighborhood and adjacent properties.
 - iii. Strategies to address transportation demand are sufficiently employed.

F. Alternate Lot/Building Configurations
The following alternate lot/building configurations are permitted in the Residence 3 District:

1. Rear Lots (Sec. 3.5.1)
2. Multi-Unit Conversion (Sec. 3.5.2)
3. Courtyard Clusters (Sec. 3.5.3)

G. Allowed Uses
Uses permitted in the Residence 3 District are described in Sec. 3.6 and subject to further restrictions as described in each building type.

Chapter 30: Zoning Ordinance | Newton, Massachusetts

10.19.2016 Draft

Site Plan Approval Building Types

Apartment House

- Max. 2500 sf footprint
- Max. 3 stories
- 3-6 Units (*up to 8 with incentives*)



Small Apartment Building

- Max. 4200 sf footprint
- Max. 3 stories
- 3-10 Units (*up to 14 with incentives*)



Site Plan Approval Building Types

Proximity Requirement

- 3 of the same building type within 500 ft of the property
- Burden of proof on the applicant that the 3 buildings used were legally established (illegal conversions do not count)



Site Plan Approval Building Types

Additional Rules Apply

All requirements apply simultaneously

- Setbacks
- Lot Coverage
- Parking 1 per unit for all building types above Two-Unit
- Stormwater management
- Outdoor Amenity Space Requirement



Building Types

Special Permit

(exceptions with clear criteria for granting the exception)

- Apartment House
(not meeting the proximity test)
- Small Apartment Building
(not meeting the proximity test)
- Rear Lot Subdivision
- Courtyard Cluster
- Multi-Unit Conversion





Next Steps & Schedule

Next Task

Calibrate for the second draft

- Review feedback on the 1st Draft
- Review questions and concerns about potential outcomes of the 1st Draft
- Develop new zoning text and map for City Council consideration

2nd Draft - Anticipated May 2019

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

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!

