



# Newton Zoning 1<sup>st</sup> Draft Overview

Ward 8  
02.13.19

# Agenda

Objective

Background

Guide to Reading the 1<sup>st</sup> Draft

Draft Map & Districts

Key Features





# Objective

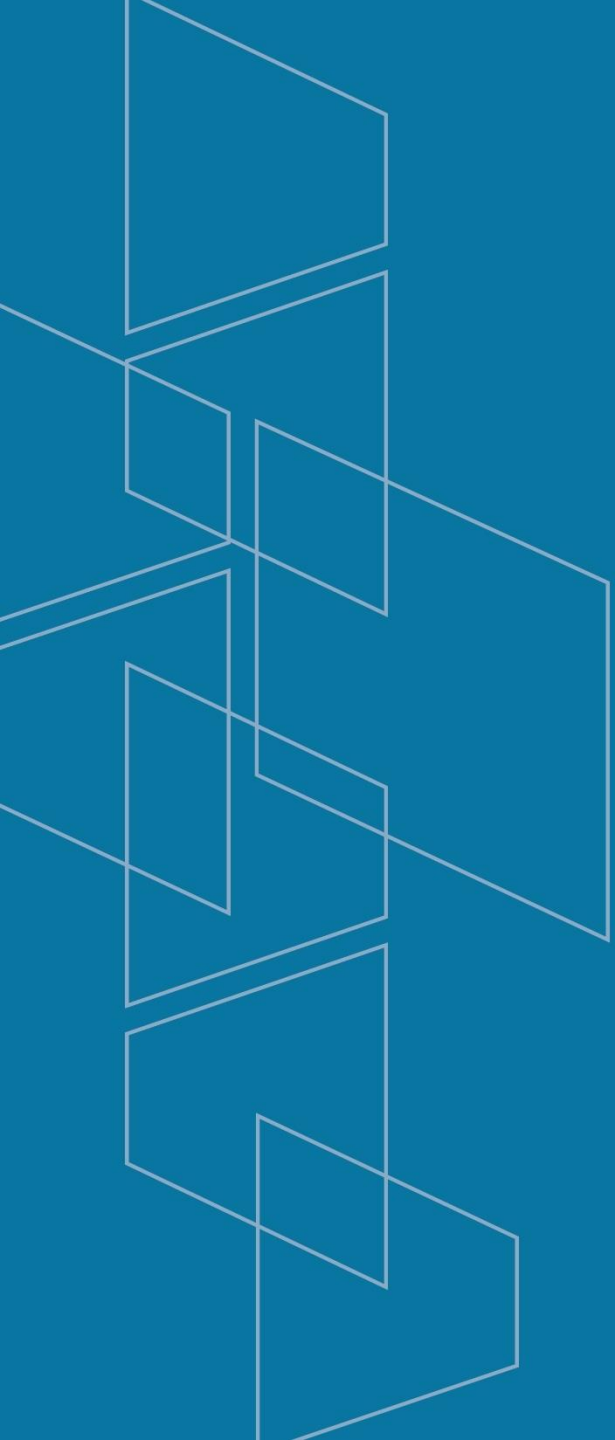
# Objective

Tonight we will:

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

# Objective

- **1<sup>st</sup> 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

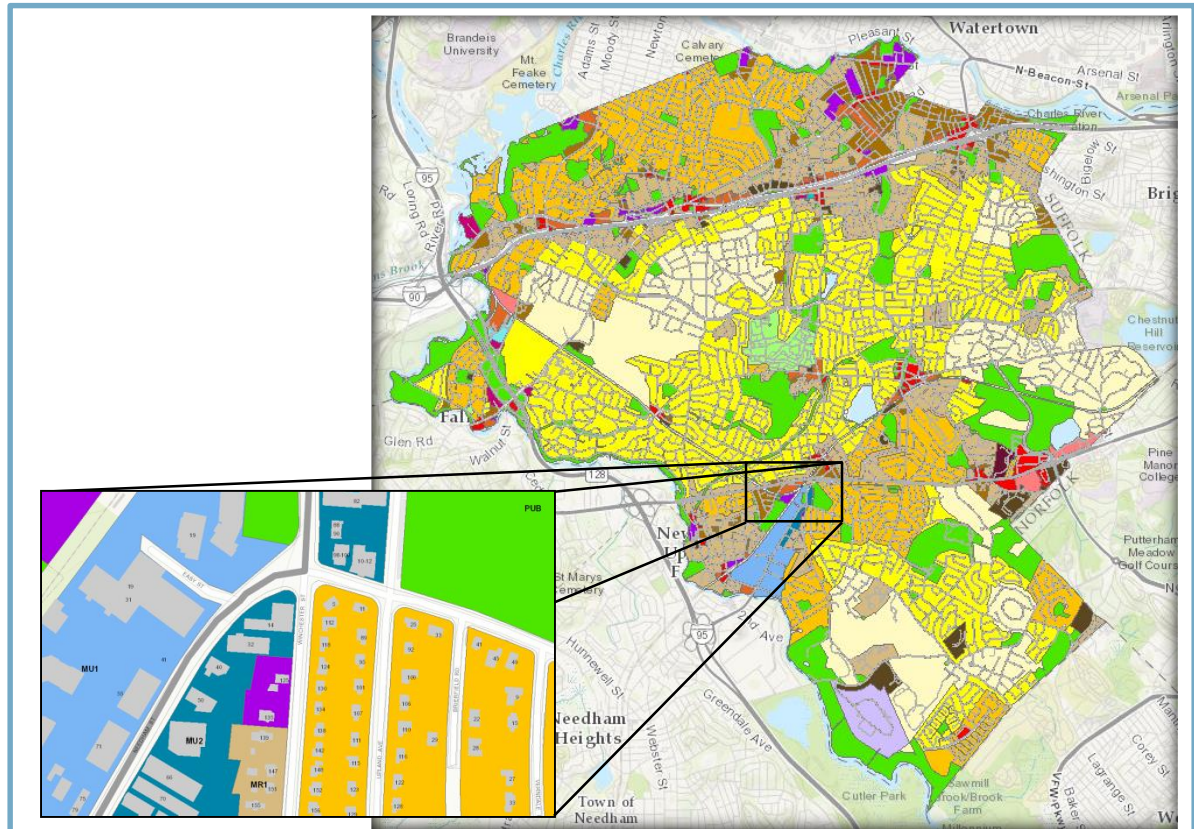
- Legislative Branch of the city government
- Zoning is a regulatory tool (legislation)

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



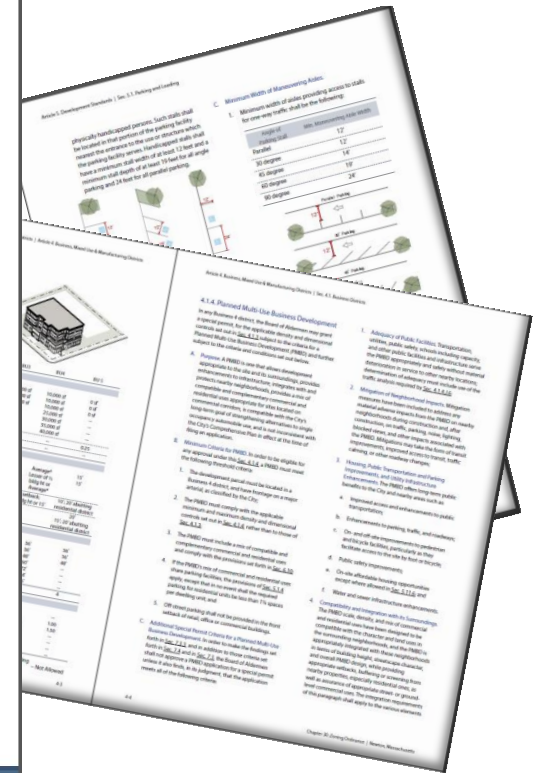
The Zoning Map divides the city into districts, each of which represents a different set of land uses and scales of building types.

# Central Elements of Zoning

- The Zoning Map
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## Newton, Massachusetts Chapter 30: Zoning Ordinance

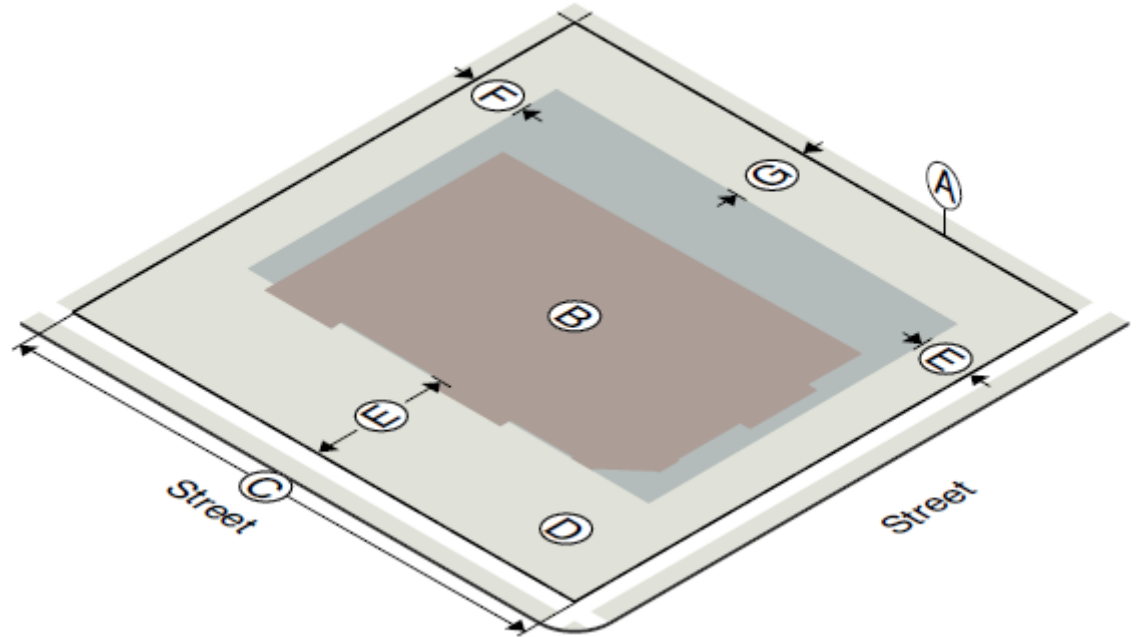
November 1, 2015



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



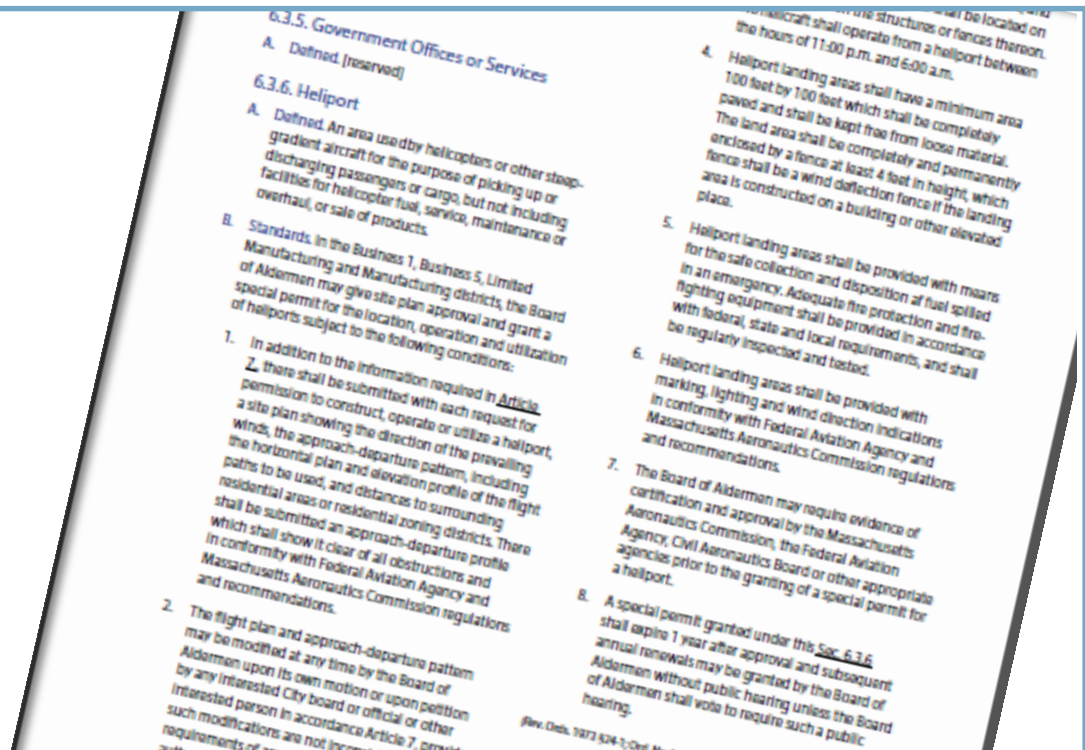
Dimensional Requirements control the dimensions of private property lots and the buildings constructed on them, including: width and depth of properties, height and overall scale or mass of buildings, as well as how far buildings are from the street and from neighboring property lines.

# 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*

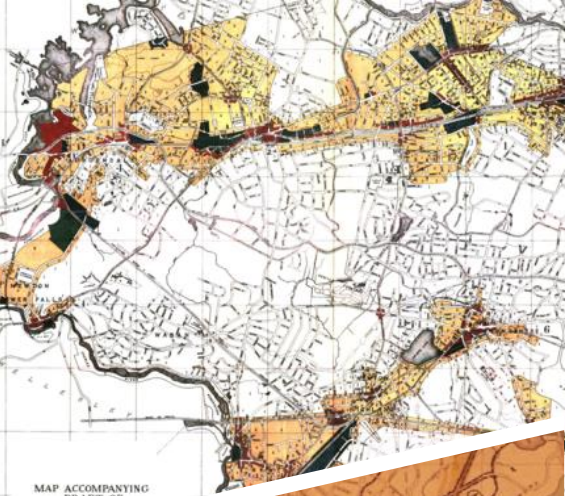
**Inspectional Services Department**

*e.g. Building Permit*

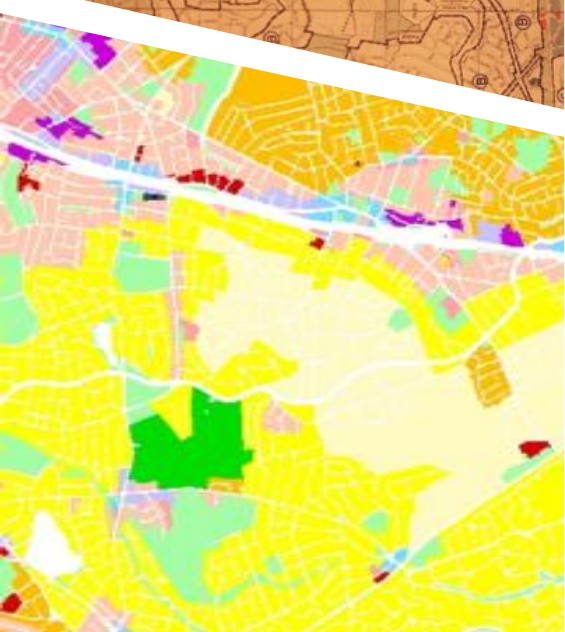


Created by Creative Stall  
from Noun Project

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**

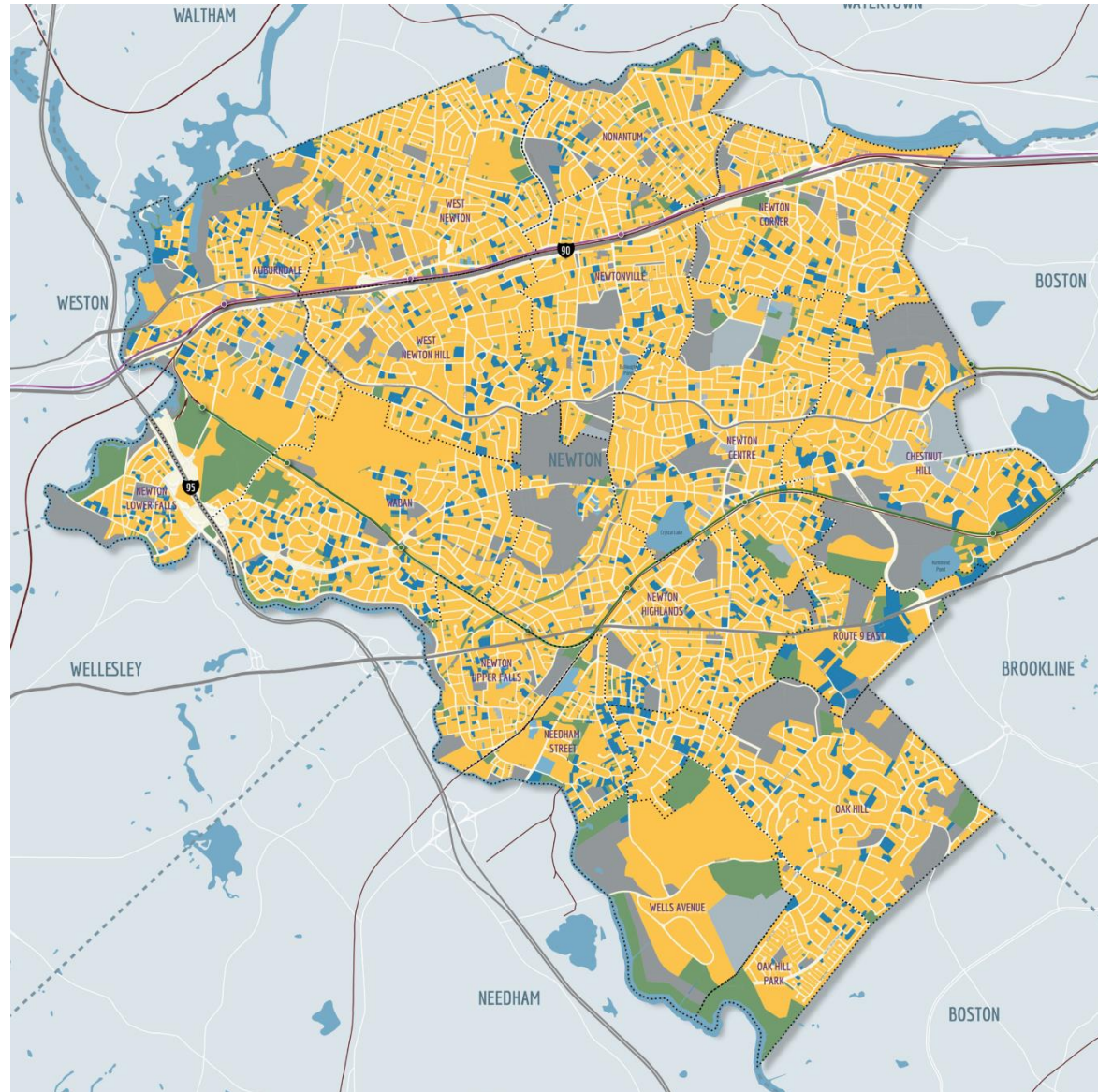
# The Pattern Book

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...

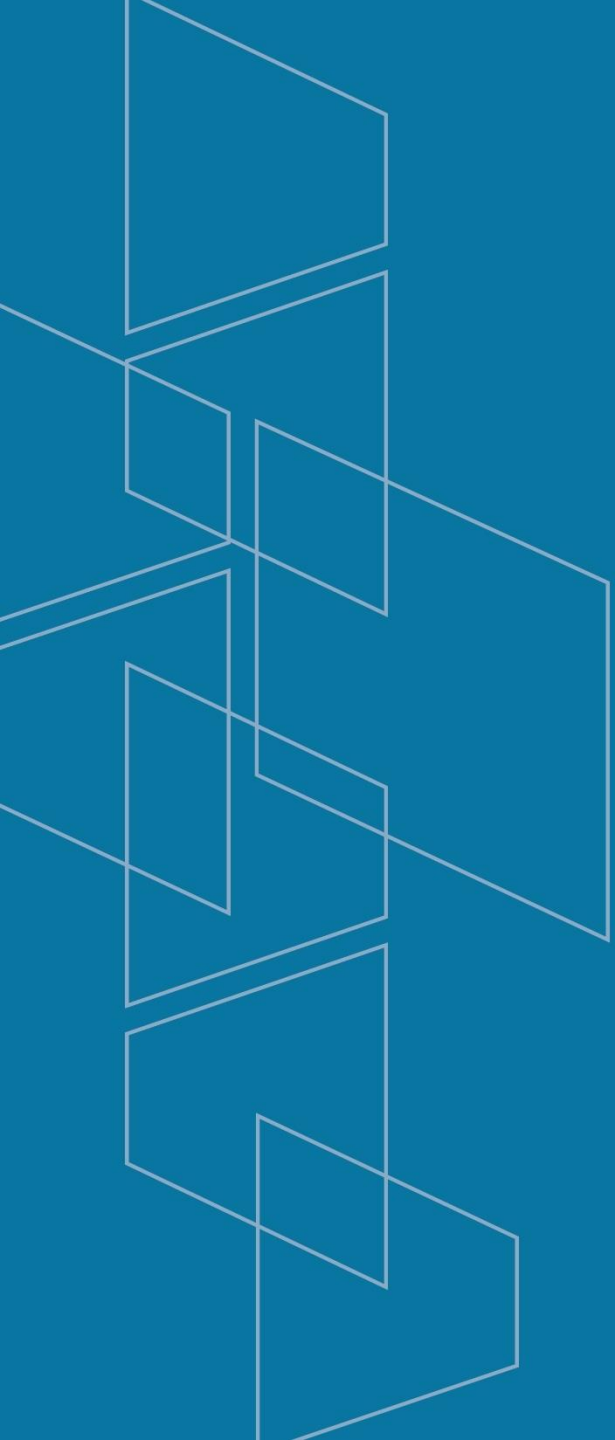
- Reduces the strength of the ordinance



# 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

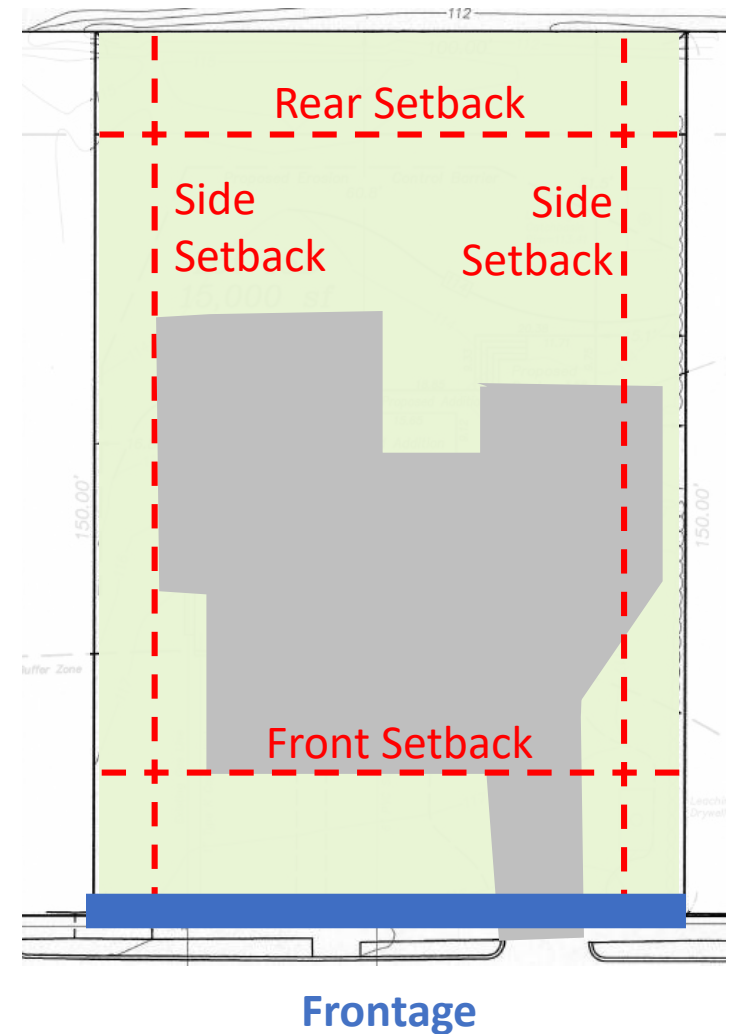
Definitions | Article 12

# Reading the Ordinance

## Districts

**Lot and Setback Standards are set by the district:**

- Frontage
- Setbacks
- Lot Coverage
- Allowed Building Types

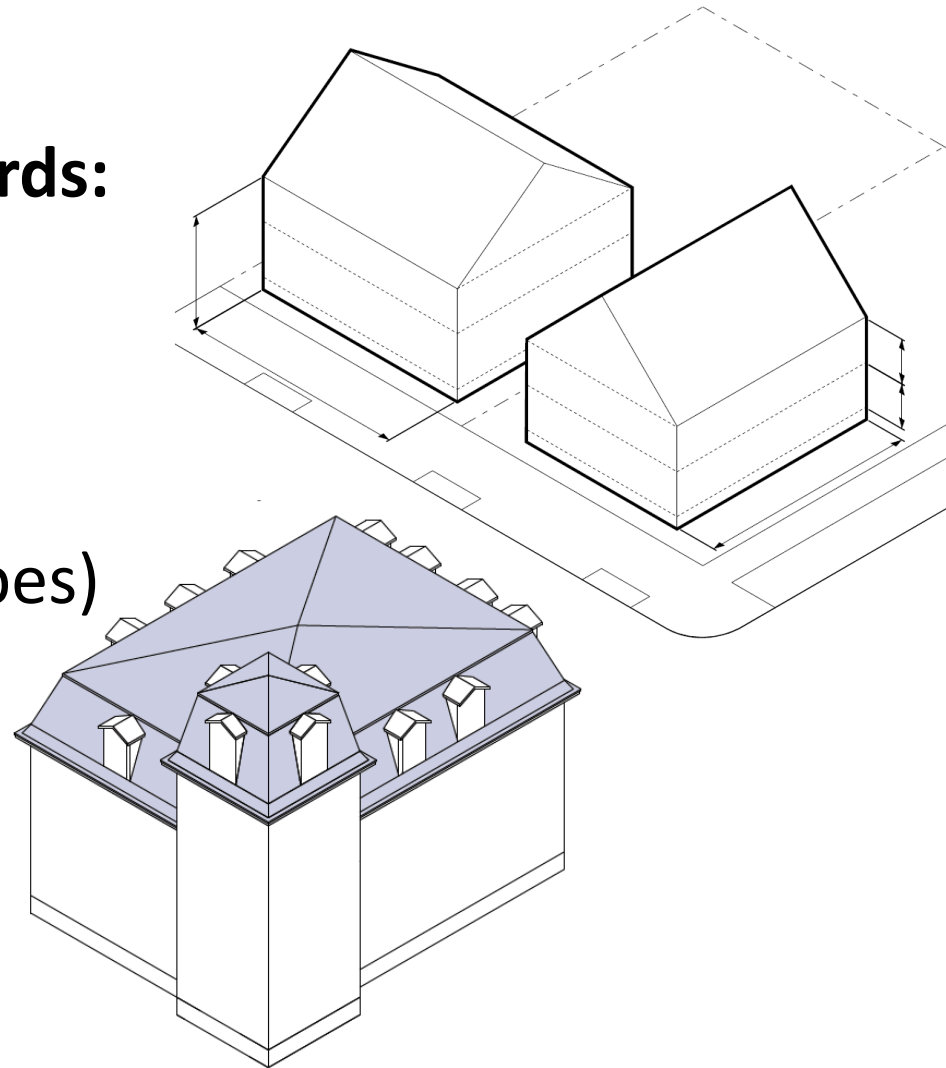


# Reading the Ordinance

## Building Types

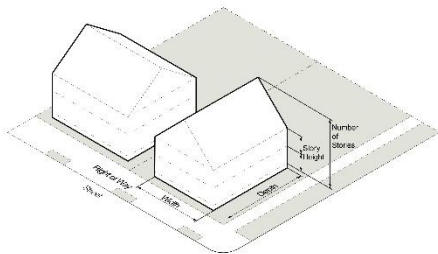
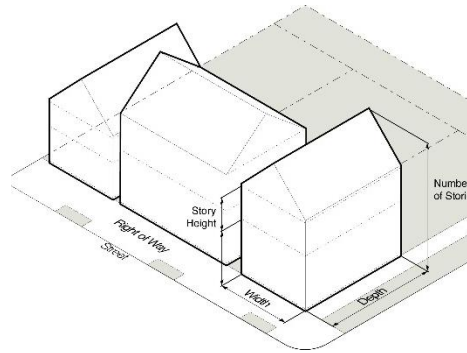
**Building Types include all building dimensional standards:**

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





Shophouse



House B



What is a Building Type?

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# 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

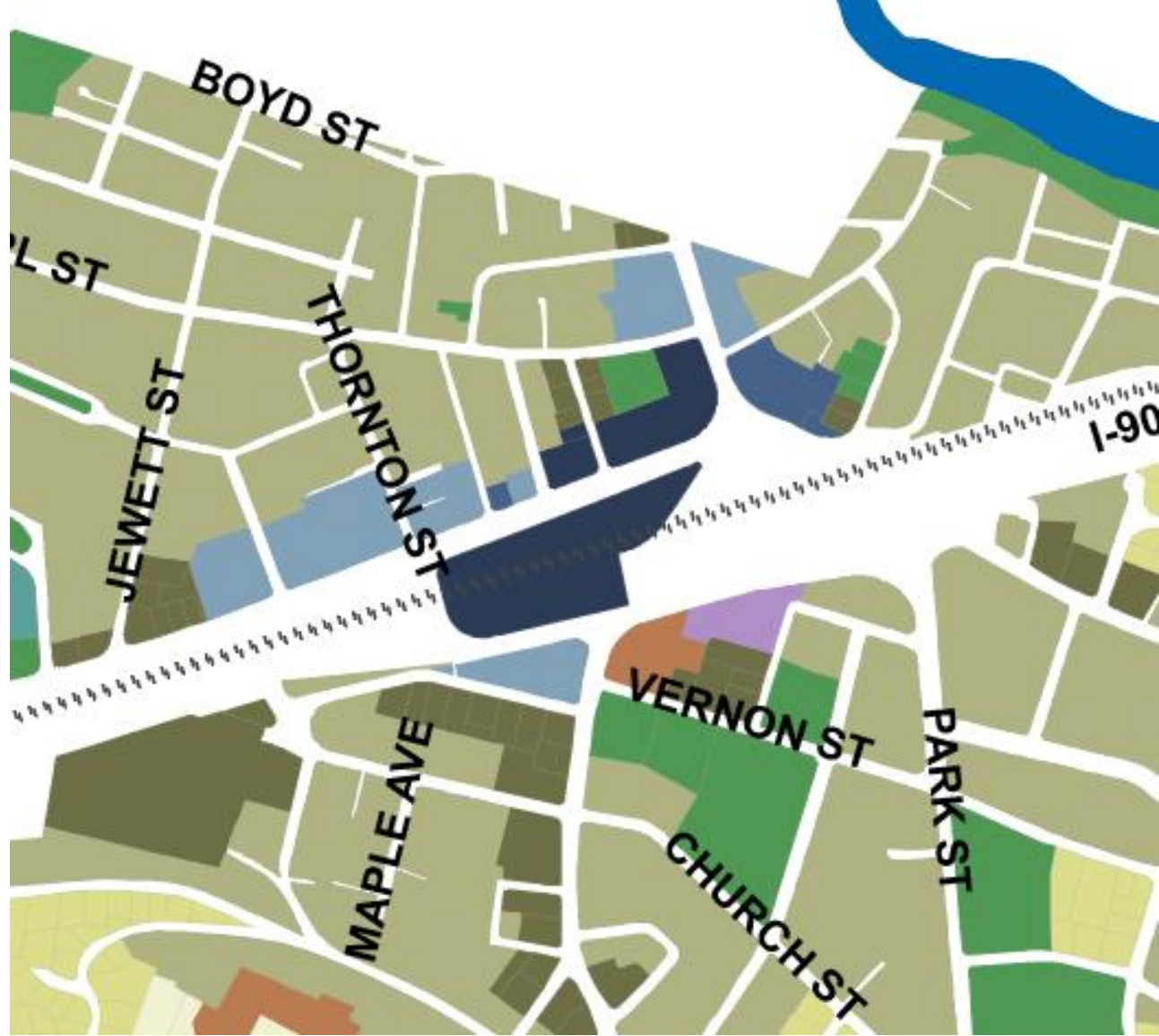
- R1 Residence 1
- R2 Residence 2
- R3 Residence3
- N Neighborhood General

### 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

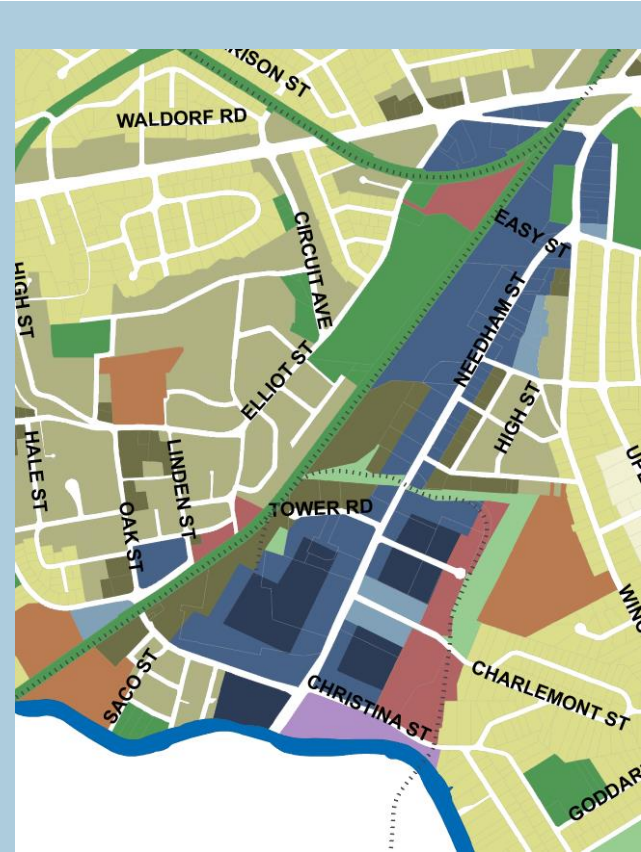
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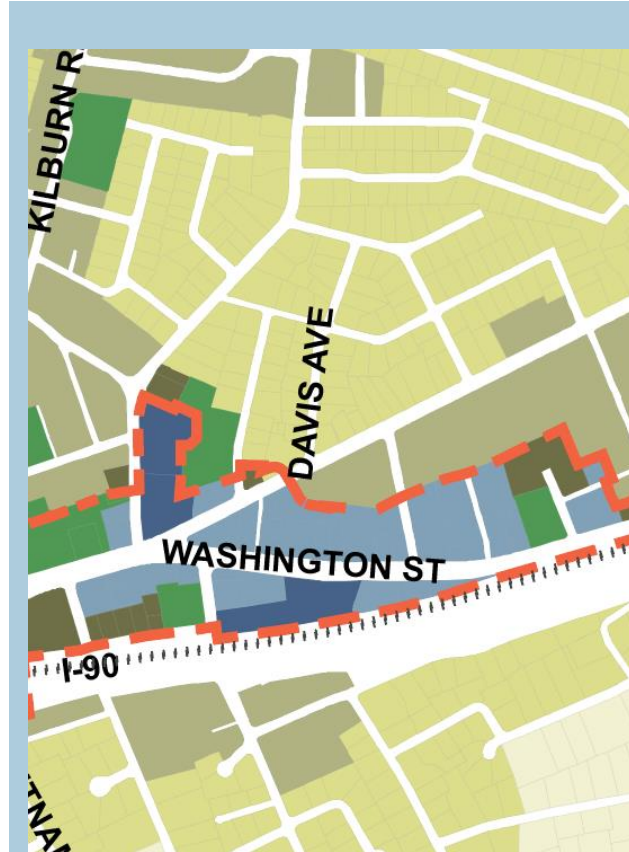
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# Areas of Further Study



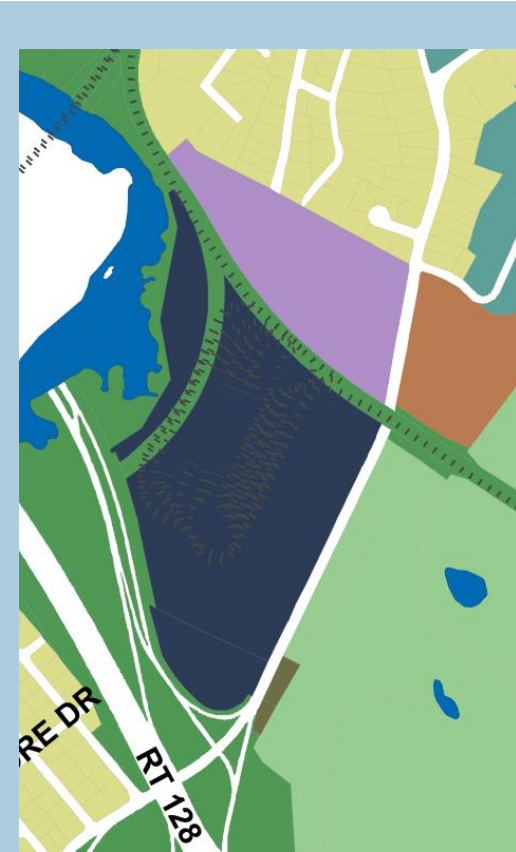
## Needham Street

- 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



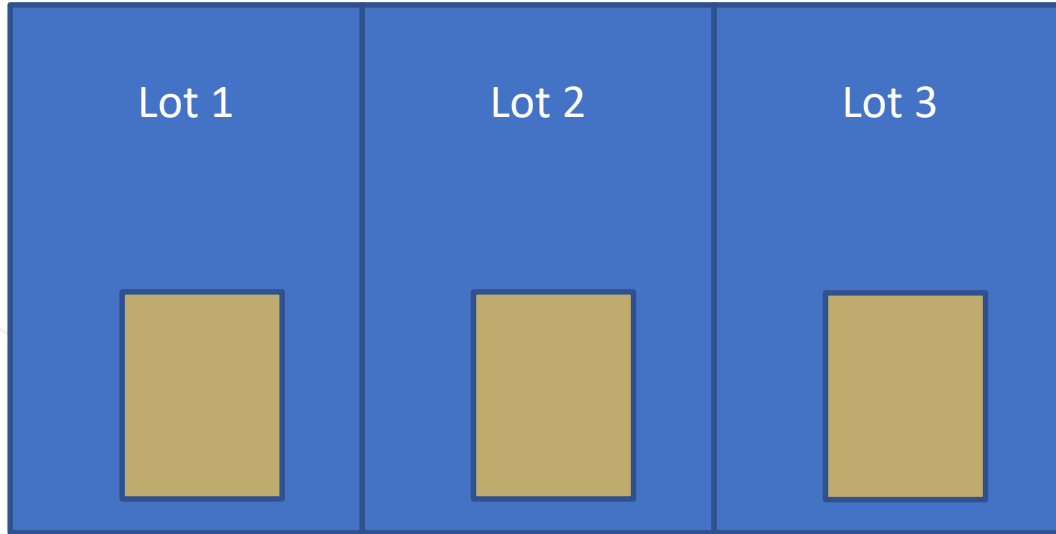
## Riverside

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



# Key Features & Zoom in on Ward 8

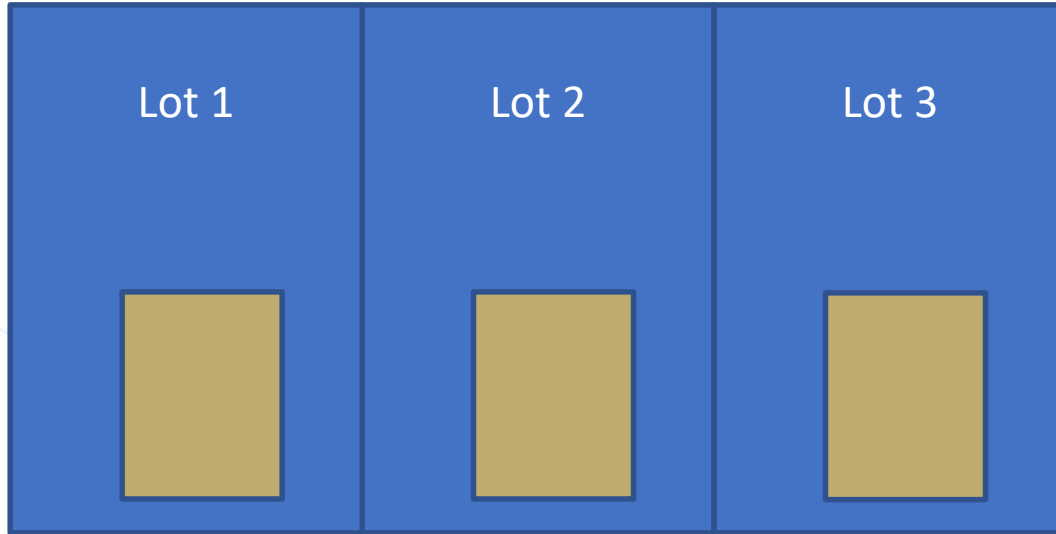
# Lot Size & Building Size



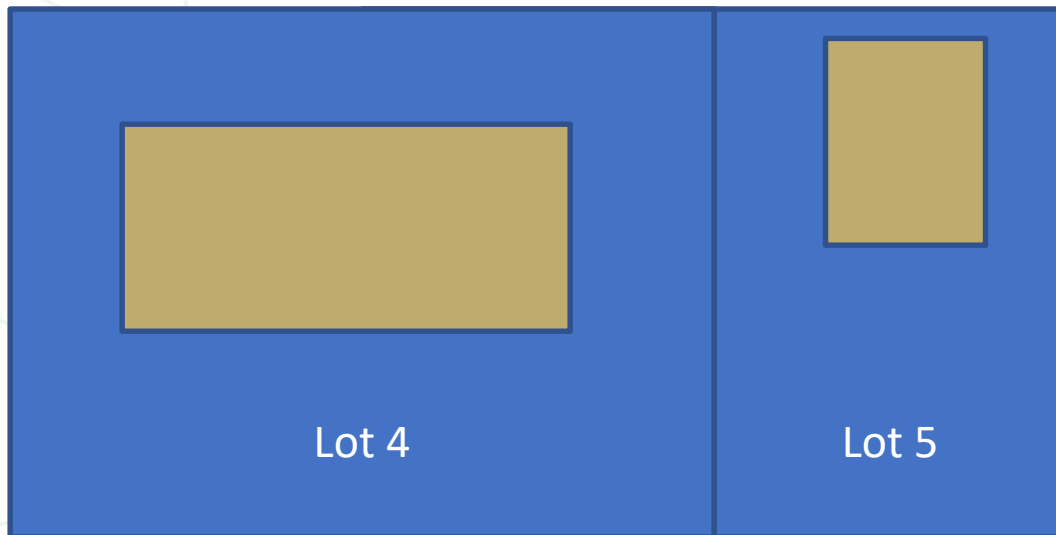
Street



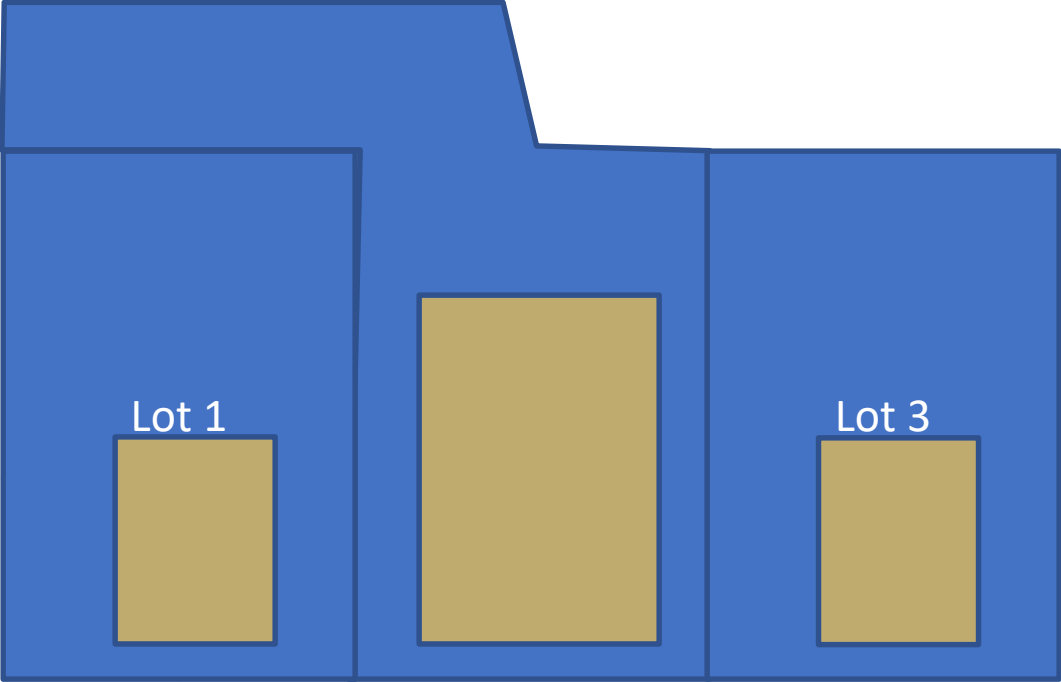
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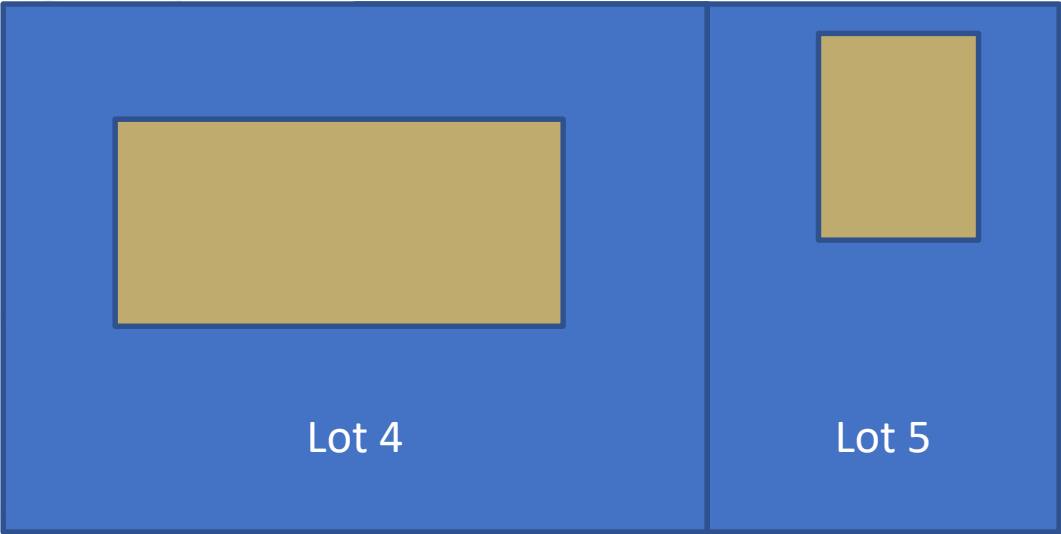
Street



# 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

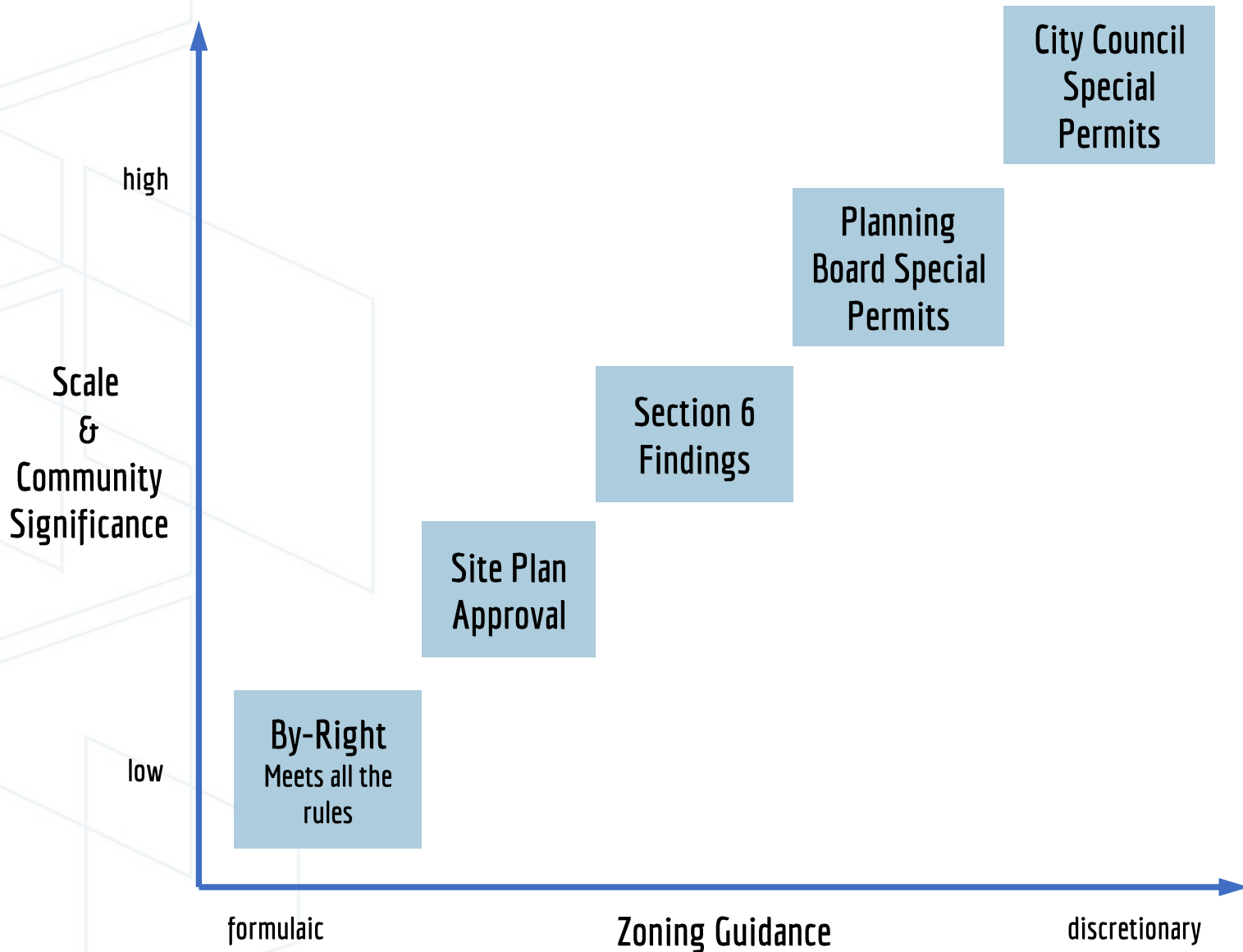
- **New Use Categories**
- **Coming Soon - Arts related requirement for development projects over a certain size**



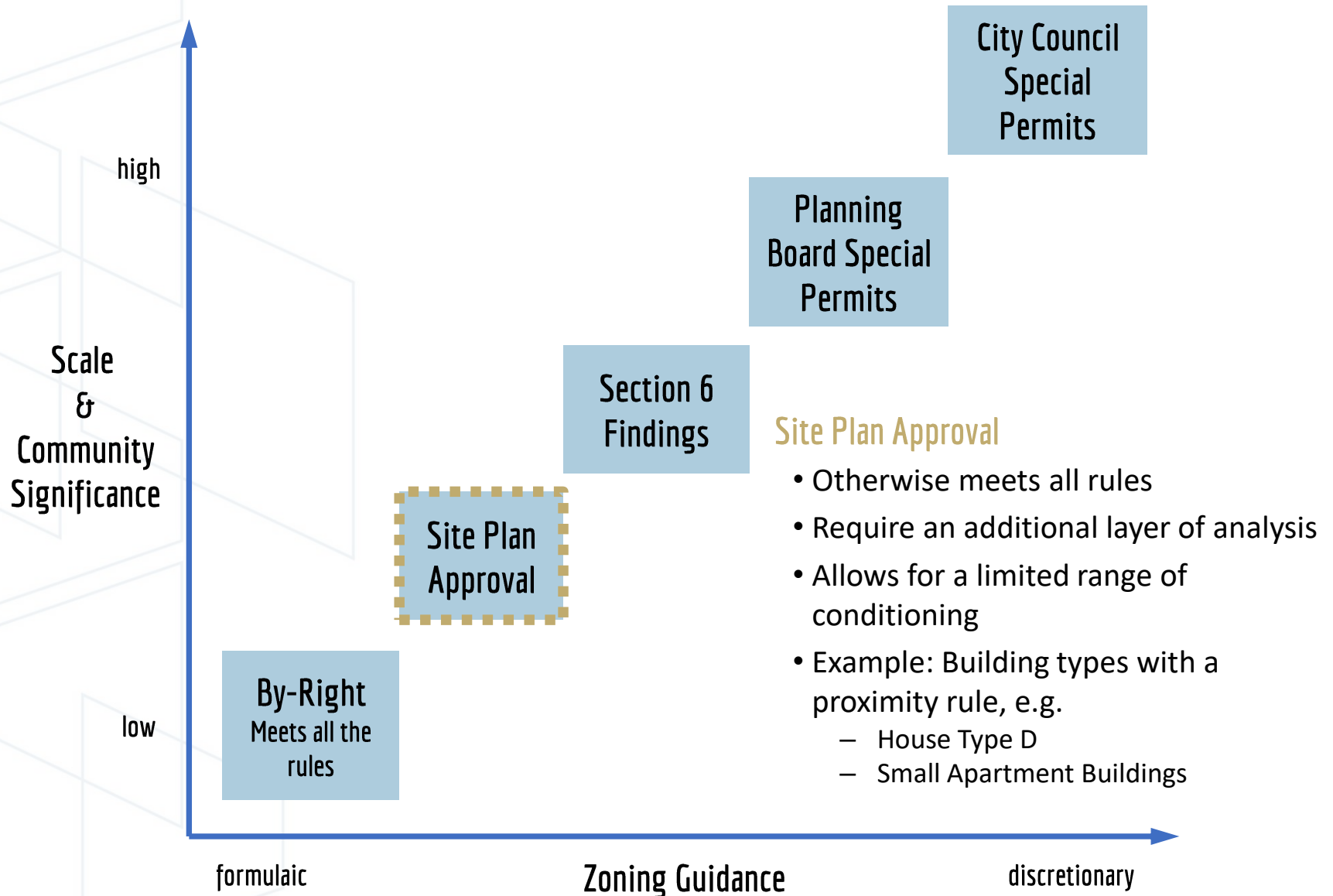
*Solidworks*



# Development Review

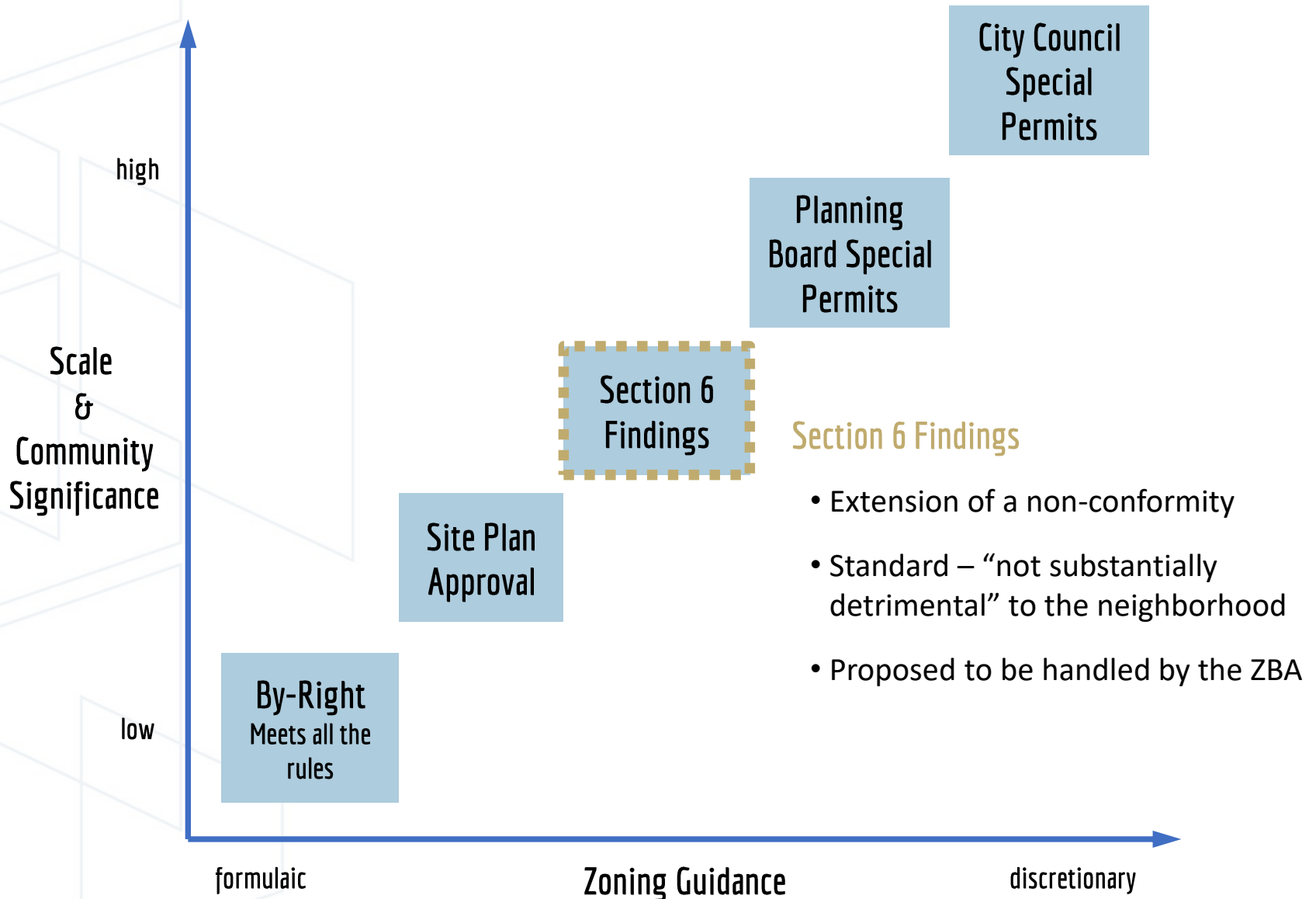


# Development Review

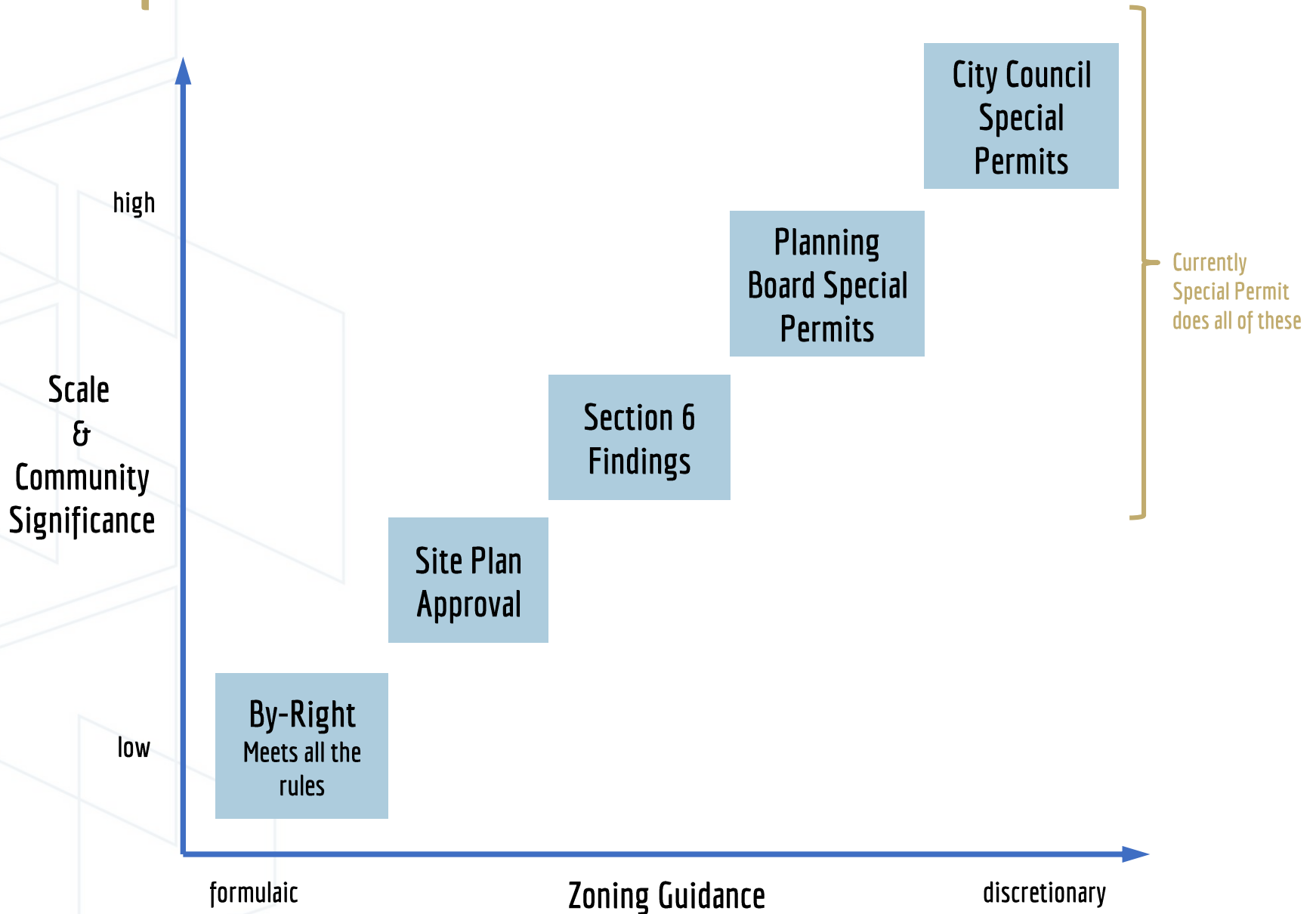




# Development Review

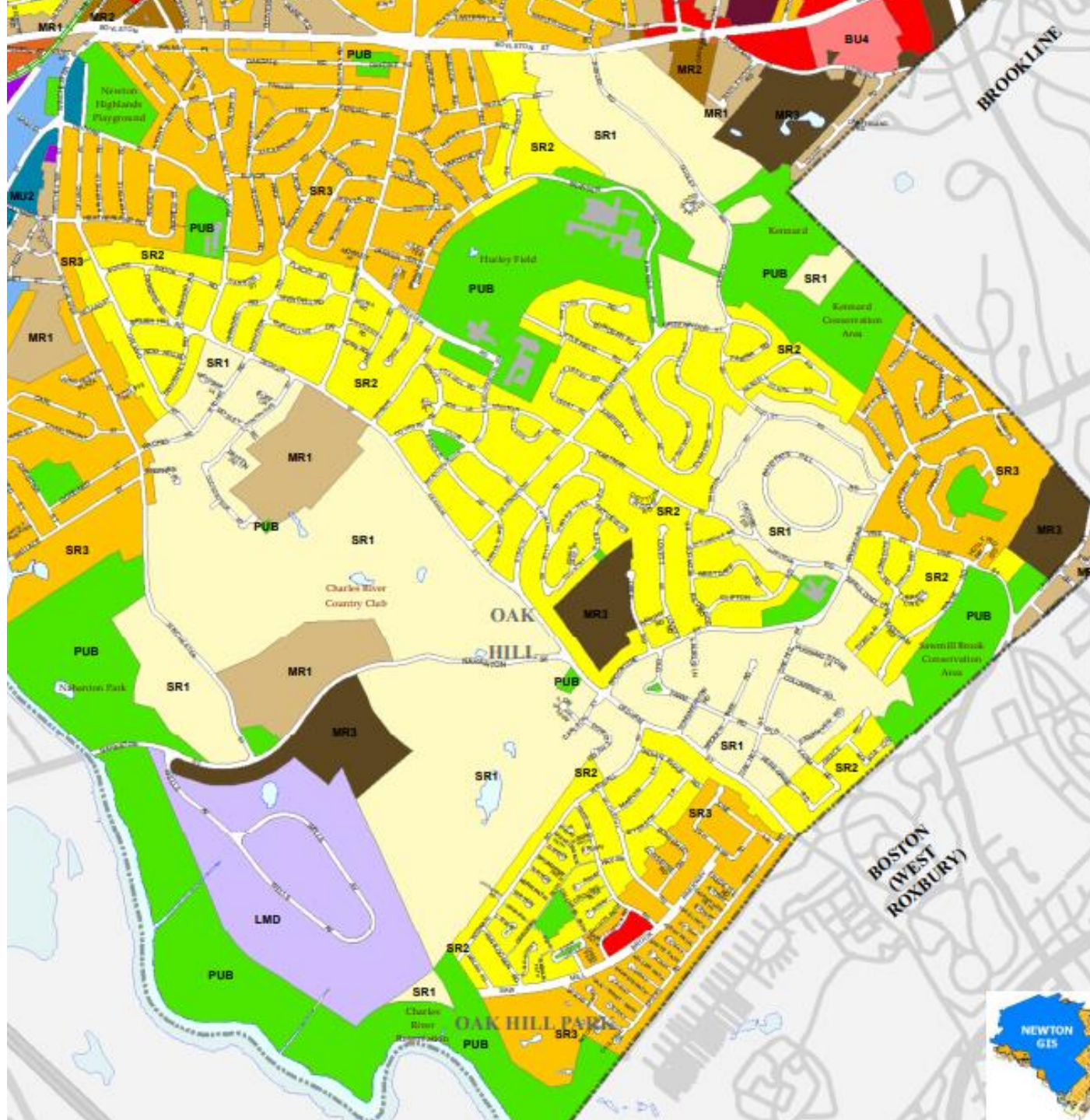


# Development Review



## Zooming in on Ward 8

# Current Zoning Map





First Draft  
Zoning Map

# A Walk Through of the R2 District

# Building Types

## By Right

(conforming with all of the rules)

- House B
- House C

## Site Plan Approval

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

- House D



House B



House C



House D

# Building Types

## By Right

(conforming with all of the rules)

- House B
- House C

## Site Plan Approval

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

- House D

### 3.1.3. Residence 2 District (R2)

#### A. Context Description

The Residence 2 District contains quintessentially suburban neighborhoods with ample lawns and single-unit homes, developed primarily in the 20th Century in the spaces between Newton's villages. The intent of this district is to preserve neighborhood character and to create predictability for homeowners in what they may do with their homes. Many of these neighborhoods are remote from the walkable village centers of the City and therefore do not have nearby gathering places, shops, or services.

#### B. Purpose

1. To preserve the scale of these neighborhoods throughout the city.
2. To permit the development of single unit detached residential buildings on individual lots.
3. To permit contextual modifications of existing single unit detached 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 2 District:

Lot Characteristics	
Frontage:	60 ft Min, 110 ft Max
Lot Depth:	N/A
Lot Coverage:	35% Max; +10% by SP (See Sec. 2.3.2)

#### D. Setback Standards

The following table contains setback standards for the Residence 2 District:

Setbacks	Min	Max
Front:	Contextual Front Setback (See 3.5.1A) Absolute Min: 10 ft	40 ft
Side:	10 ft	-
Rear:	20 ft	-
Frontage Buildout:	greater of 12 ft or 25% of the frontage non-conforming lots exceeding the max. frontage have a min. of 27.5 ft	-

#### E. Building Types

1. The following principal building types are permitted in the Residence 2 District:

- a. House B (3.2.4)
- b. House C (3.2.5)
- c. House D (3.2.6)
- d. Civic Building (3.2.14)

#### 2. Additional Criteria for House D.

- a. The House D building type may only be utilized on a lot if there are at least 3 House D buildings within 500 linear feet, measured from the edges of the front lot line along the street.
- b. Establishing a new House D in the R2 district requires Site Plan Approval to confirm the above criteria have been met.
  - i. In reviewing a proposed new House D, the Director of Planning and Development may refer the proposal to the Urban Design Commission and may condition the property based on recommendations of the UDC.
- c. Notwithstanding the above requirements, a new House D 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 House D, 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 and landscaping is compatible with the neighborhood and adjacent properties.
  - iii. Methods to address energy efficiency are sufficiently employed.

#### F. Alternate Lot/Building Configurations

The following alternate lot/building configurations are permitted in the Residence 2 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 2 District are described in Sec. 3.6 and subject to further restrictions as described in each building type.



# Site Plan Approval Building Types

## House D

- Building footprint:  
Max. by right: 3,500 sf  
Max w/ Special Permit: 4,000 sf
- Number of stories:  
Max. 1 story
- 1 Unit Residence only



# Site Plan Approval Building Types

## Proximity Requirement

- 3 of the same building type within 500 ft of the property



# Building Types

## Special Permit

(exceptions with clear criteria for granting the exception)

- Rear Lot Subdivision
- Courtyard Cluster
- Multi-Unit Conversion





# Next Steps & Schedule

# Next Task

## Calibrate for the second draft

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

**2<sup>nd</sup> 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)

**2<sup>nd</sup> 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](mailto:zoningredesign@newtonma.gov)

**Thank You!**

