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Barney S. Heath
Director

MEMORANDUM

DATE: February 7, 2020

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

FROM: Barney Heath, Director, Department of Planning and Development
Jennifer Caira, Deputy Director of Planning & Development
Zachery LeMel, Chief of Long Range Planning
Gabriel Holbrow, Community Engagement Planner

RE: **#88-20 Discussion and review relative to the draft Zoning Ordinance**
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

MEETING: February 10, 2020

CC: City Council
Planning Board
John Lojek, Commissioner of Inspectional Services
Alissa O. Giuliani, City Solicitor
Jonathan Yeo, Chief Operating Officer

The Planning Department, with the ZAP Chair, have developed a process to efficiently work through the draft Zoning Ordinance to achieve the goal of full adoption by December 2021. The process focuses around the ZAP Committee and incorporates constant community engagement in various forms to both inform and guide the City along the way. The established process and proposed prioritization for tackling the draft Zoning Ordinance Article-by-Article is summarized below. Of course, this will evolve over time and the Planning Department is prepared to adapt the process and timeline as necessary.

Process

Zoning Redesign is complex. The Planning Department recommends an **Article-by-Article review** through a clearly defined discussion/workshop process for the ZAP Committee. Staff proposes that ZAP review and edit each Article within the draft Zoning Ordinance, including the draft Zoning Map. Some Articles may be grouped together, as appropriate. To succeed, the Planning Department recommends dedicating at least one hour to Zoning Redesign at each of ZAP's regular meetings. Reviewing each Article consists of three parts:

Part I: Overview and Discussion Workshops

- **Overview Meeting:** The Planning Department will set the stage for the work ahead by presenting an overview for each Article of the draft Zoning Ordinance on the what, why, and how of the content. The overview discussion at ZAP will help determine the exact needs and timeline for each article. At least one week before the overview meeting, staff will provide ZAP members with the full text of the draft Article in electronic Word-document format, and/or printed paper format, along with other supporting material to use throughout the process.
- **Discussion Workshops:** A series of the workshops will continue through several ZAP meetings, approximately one workshop per topic or issue in the Article. Some Articles, like Residence Districts or Village Districts, may require multiple workshops; other more straight-forward Articles may only require one or two. The Discussion Workshops should confirm the direction, the methods, and the numbers (e.g. 5' setback versus 8' setback) in order to inform the content for the refined draft. Part II serves to address line-by-line text edits and other format considerations.

Part II: Summary and Editing Workshop

- **Summary Meeting:** To ensure a smooth transition from Part I into Part II, staff proposes the Committee review a summary of the outcomes developed in Part I: the direction, the methods, and the numbers. Staff will then present an outline of work for Part II, focusing on sections that need line-by-line review. Following the summary meeting, at least two weeks before the Editing Workshop, Councilors will receive a revised draft Article. Any Councilor may submit written proposals for line-by-line edits to the revised Article.
- **Editing Workshop:** ZAP should engage in a structured discussion to consider proposed format and wordsmithing edits methodically, building to a draft Article that effectively implements the direction and purpose developed in Part I.

Part III: Public Comment at ZAP and Straw Vote

- **Public Comment at ZAP:** Councilors should have the opportunity to hear from focus group participants, interested community groups, and residents from throughout the community. After receiving public comment, the Committee may deliberate and make changes to the draft Article as appropriate.
- **Straw Vote:** At the following meeting, after the public comment at ZAP, staff recommends the Committee hold a straw vote on the proposed Article to memorialize their support before moving on. The Law Department recommends that only after all Articles have gone through this deliberation process should ZAP hold a formal public hearing and vote.

Staff will provide any background documents and supporting materials to the ZAP Committee at least one week before each meeting to allow sufficient time to prepare. At the same time, staff will post the same materials on the project website for the public and in the Friday Packet for all other Councilors. While at ZAP, the Planning Department will run a parallel process of engagement, including meetings the Planning & Development Board, other City departments and commissions, focus groups, and Community Meetings for the general public. Committee of the Whole meetings may also be important to keep the entire Council up to date on the progress being made and to solicit feedback on each article.

Prioritization

The Law Department has advised that the ZAP Committee vote to adopt the complete Zoning Ordinance, not individual components. This will require prioritization of each Article and the creation of a timeline where the Zoning and Planning Committee can efficiently review the draft Article, propose updates, and come to consensus in a clear manner. The Planning Department recommends building out this prioritization by looking at the Zoning Reform Group Themes and key issues brought up in the past as they relate to each Article. Essentially, prioritize the Article that encompasses the most Zoning Reform Group Themes and resolves the most key issues (Attachment A). The Planning Department will be compiling a list of key issues per article to be discussed at the February 10th Committee meeting.

Timeline

Building from the prioritization table the Planning Department has created a draft timeline beginning in March 2020 and ending in December 2021 (Attachment B), when the City Council votes on the new Zoning Ordinance. The timeline is ambitious. But, by building from the existing draft Zoning Ordinance and following an efficient process the Planning Department believes the City can achieve its goal. This timeline acknowledges that passing a perfect Zoning Ordinance is impossible, so when something is not working or needs adjustment staff and the ZAP Committee will be ready to do so.

Looking Ahead

The Planning Department requests feedback on the prioritization and resulting timeline from the ZAP Committee. If the committee arrives at consensus the Planning Department will revise the priorities and timeline and prepare to begin with the first chosen Article in March.

Attachments

Attachment A Prioritization: Draft Articles and Guiding Principles

Attachment B Timeline to Adoption