



Newton City Council

2020-21

To: Councilor Deborah Crossley, Chair, Zoning & Planning Committee
Members of the Zoning & Planning Committee
Zachery LeMel, Chief of Long-Range Planning

From: Councilor Alicia Bowman

Re: Comments on Residential Portions of Current Draft of the Revised Zoning

Date: September 11, 2020

CC: City Council

Thank you for taking the time to review questions I have regarding the residential portions of the current draft of the revised zoning. As we were not able to meet in person with Planning staff on these items, I hope I have given enough detail on my questions for them to respond.

I would like to add my support for the goals that Zoning & Planning voted on back in the spring:

- *Housing: A zoning code more responsive to a demand for housing that serves a range of incomes. Promote sustainable community development patterns.*
- *Sustainability: Environmental stewardship, fiscal strength and meeting community needs.*
- *Context: Preserve and protect what we like in our neighborhoods. Encourage new development to fit in the context of our neighborhoods and villages.*

I support these goals as they are consistent with and in support of many already developed Newton plans including: The Comprehensive Plan, the Climate Action Plan, the Housing Strategy Plan, the Transportation Strategy Plan and the Economic Development Plan.

It is important to recognize that these goals represent a shift from the original goals of zoning reform. With the increasing housing pressures in the region, the escalation of the climate crisis and renewed focus on equity and a call to make Newton a more diverse and welcoming community, shifting goals was necessary to meet the challenges Newton is facing now and will continue to face into the future. Zoning is one of the strongest tools Newton can use to achieve a more environmentally sustainable, equitable, economically vibrant and healthy community.

I applaud many of the Planning Department's suggested changes in zoning. Newton will benefit greatly from policies that will allow multi-family "missing middle" housing, create more walkable neighborhoods, enable more affordable housing to be built, encourage adaptive reuse of buildings and all done so while recognizing the need to be more environmentally sustainable.

Across the country, communities have been adopting similar zoning updates and are seeing success.

That said, I think this process will benefit from creating more detailed goals, analyzing how these changes are likely to materialize in Newton, determining how the effectiveness of the new policies will be measured and more robust discussions of potential downside of changes and how these could be mitigated. These conversations should have significant input from architects and developers including affordable housing developers. We also need to have a more robust community engagement process going forward. Zoning is complicated and will require significant community support to be successfully adopted.

Comments and questions on new draft of zoning using format of Mr. LeMel's email

3.1 Residence Districts

#1: Lot and standards:

- Lot coverage maximums. Will these make multi-family difficult in R1 and R2? Will it reduce tear downs? Do new rules apply if they tear down?
- Removing contextual setback. Can you explain how it works now? Are their neighborhoods where contextual setback is a positive? Should we consider this as something that could be reviewed under special permit?
- New setbacks and other dimensions. Will this increase non-conformity as letter from Debra Waller suggests? Does this open more properties to be modified by SP vs. higher bar of ZBA approval? Are there other impacts?
- Should we consider allowing small multi-use buildings to be up to 4 stories especially if designs include more historic details like a pitched roof or more historically appropriate façade/details?
- I disagree with the prioritization of goals by district. It is too restrictive. I feel that the goal of character and scale should never be a top priority given the importance of addressing housing and climate crisis.
- If the prioritization of the goals stands, than what is defined currently as R3 vs R4 should be reviewed. There many sections of R1, R2 and R3 that are very close to transit and/or village centers. R4 should be ¼ mile from transit and/or village centers and R3 ½ mile. Is there a plan to update the map?
- Multi-unit conversion re: Parking: What is adequate parking? Why does there need to be any parking at all?

#2: Linking building types to districts

- Triple Deckers ought to be allowed by right in R3, especially if R3 will be closer to transit and/or village centers. Also does a 3 unit “need” to be a triple decker?
- Same thing for small apartment houses in R4 and small multi-use buildings in N, allow these by right.
- As for house D, why would we not allow it anywhere it meets the dimensional requirements? For house type D I am concerned with: “Design and landscaping is compatible with the neighborhood and adjacent properties.” This seems too subjective to have in zoning

3.2 Building Types

#1: Increasing beyond maximum building standards

- While I support allowing the special permit process to be used to flex above the maximum standards and thus better meet the needs and desires of property owners, I am not yet convinced that building components is the best way to handle it. I am likely to be more in favor of a cap on the maximum percent increase.

#2: Two units by right

- Yes. Two units by right is a good way to increase housing availability, gives home owners more flexibility in how they manage their homes and is equitable across the city. Restricting two-family to certain areas of the city is not equitable.
- What can be done to blend single family and two-family homes design wise? What can be done to encourage renovation over teardowns?

#3: Small Shop

- I am in favor of the Small Shop building being replaced by the Shop House as it provides more flexibility in use and more likely to provide better transition from residential neighborhoods to village centers.

3.3 Building Components

#1: Controlling Max Buildout

- I don’t feel that we have enough information on building components and the potential downsides of controlling maximum build out by them.

#2: Other

- Are wraparound porches allowed?

- Cross-gable – Please explain the maximum
- Revisit what can be in front set back – currently dealing with issue deciding if dumpster in front of condominium building is a “built structure” or not although ISD agrees it should not be allowed in front setback

3.4 Design Standards

#1: Garage Design Standards

- Not allowing garages to dominate the front of a property is a desirable goal. Thus, I support stepping them back and one door per bay.
- As for the number of garages that can face the front, would we want to consider allowing one front facing garage by right and more than one by special permit?

3.5 Alternative Lot/Building Configurations

#1: Multi-unit conversion

- Multi-unit conversions should be allowed by right. My concern with it being as many as 6 units by right. Will development review be sufficient to ensure the integrity of the outside of the building is maintained and that parking and driveways are minimized?
- 100% Affordable/Sustainable Design Standard RU Factor = 900: Would Sustainable Design Standard today = Passive House?
- I would like to hear from affordable housing developers on what percentage it would take to make a conversion possible. There may not be enough units in most conversions to make projects possible.

#2: Courtyard Cluster

- No strong feelings either way.

3.6 Uses

#1: Adaptive reuse of existing buildings

- Too restrictive for arts category. Why allow Shared Art spaces/education in R1 but not in R2 and R3. Work/Live Creative Studios should be allowed anywhere.
- If we have a goal of 15-minute neighborhoods, can that be reached if *Fresh Food Market or Grocery Store* can only be in N or BU districts?
- Adaptive reuse should be allowed in all residence districts; maybe this should all be by special permit

#2: Other

- Accessory apartments: How many homes currently have detached buildings such as carriage houses? How many have been converted to accessory apartments? Is there any reason we wouldn't let others be converted by right? Also, think we should consider allowing small detached units by right up to a certain size if there is not another detached building
- Car share and bike share should be allowed anywhere

3.7 Parking

#1: Requirements

- Just verifying that this means that tenants or buyers MUST pay separately for parking and it cannot be given away for free. *Off-street motor vehicle parking spaces must be rented, leased, or sold as a separate option rather than a requirement of the rental, lease, or purchase of a residential unit or non-residential floor space.*
- Please give an example of what can't be done. *No parking stall may be located between the building front elevation and the street.*
- Parking minimums for vehicles should be eliminated altogether for all uses.
- Larger commercial buildings and residential units of 6 or more should have secure, covered bike parking.

#2: Driveway Access

- Driveway widths should be set to 10ft maximum at the curb
- 20 ft wider driveways are fine but I think that this should be for much larger multi-unit buildings (25+?) by right
- Allow other wider driveways by special permit only
- Allow a second curb cut by special permit. For some properties a small circular driveway is the best or only option.

Comments are based on review of the following document:

<http://www.newtonma.gov/civicax/filebank/documents/105495>