



Zoning & Planning Committee Report

City of Newton In City Council

Monday, February 27, 2023

Present: Councilors Albright (Acting Chair), Crossley, Danberg, Wright, Leary, Baker, Krintzman, and Ryan

Also Present: Councilors Downs, Greenberg, Lucas, Lipof, Malakie, Laredo, and Oliver

City Staff: Jennifer Caira, Deputy Director of Planning; Zachary LeMel, Chief of Long Range Planning; Planning Consultant Tim Love; and Jaclyn Norton, Committee Clerk

For more information regarding this meeting, a video recording can be found at the following link: [Zoning and Planning Committee February 27, 2023 \(newtv.org\)](https://www.newtv.org)

#46-23 **Appointment of Anne Marie Stein to the Newton Historical Commission**
HER HONOR THE MAYOR appointing Anne Marie Stein, 31 Madoc Street, Newton as a full member of the Newton Historical Commission for a term of office to expire on March 6, 2026. (60 Days: 04/07/2023)
Action: **Zoning & Planning Approved 8-0**

Note: The Chair read the item into the record and introduced Anne Marie Stein. Ms. Stein is currently serving as an alternate member of the Newton Historical Commission and noted the important work of the Commission in her testimony. Councilors citing no objections voted 8-0 on a motion to approve from Councilor Danberg.

Chair's Note: *Planning staff and Utile will first review with the committee the many design standards embedded within the version 1 text (highlighted in last week's packet and also linked to the PD report), specific changes proposed for version 2, including: priority streets for mixed use, key elements of adaptive reuse requirements, and, if time, parking standards.*

#38-22 **Discussion and review relative to the draft Zoning Ordinance regarding village centers**
ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)
Action: **Zoning & Planning Held 8-0**

Note: The Chair introduced Jennifer Caira, Deputy Director of Planning; Zachary LeMel, Chief of Long Range Planning; and consultant Tim Love, Principal at Utile Architecture & Planning. She noted that this discussion will focus on four topics from the framework in the [Planning Memo](#). These topics are design standards, mixed-use priority streets, prioritizing historic preservation, and residential parking requirements in village centers. This framework will outline proposed revisions from the Planning Department and Utile in response to feedback received on version 1.0. The Chair then appointed Council President Susan Albright to preside over the remainder of the meeting.

Design Standards

Mr. Love noted the previous Planning Memo that contained a copy of the draft zoning text with all design standards highlighted. The framework provides a list of these design standards organized into three categories. (attached) These categories are “Shaping the Building”, “Building Placement”, and “Site Standards”. Mr. Love proceeded to describe the various design standards and that the number present in the draft text is enough to regulate building design without creating a significant administrative burden. An image of potential development in the VC3 district on Lincoln Street in Newton Highlands that highlighted various design standards was presented. (attached)

For version 2.0 the Planning Department and Utile are working to incorporate all non-discretionary design elements into the zoning text. Design guidelines would be revisited in the future to serve as a tool for the Planning Board and City Council when reviewing a project.

Multiple Councilors expressed support for the provided list. A couple of Councilors sought clarification regarding a potential maximum height inclusive of mechanical equipment and if the code has a maximum size for mechanical equipment. Ms. Caira noted regarding mechanical equipment that it is set up similarly to the current code and would require that they are setback 10 ft from the edge of the top floor. The Planning Department will also look into the possibility of a maximum size or screening requirements for mechanical equipment. Mr. Love stated that the 12 ft front setback is inclusive of the berm in response to a Councilor’s question.

Mixed-Use Priority Streets

The MBTA Communities Guidelines currently do not allow for required mixed-use development to be counted towards compliance. However, mixed-use development can be allowed and incentivized. The Department will provide an in-depth discussion on the compliance model at a future meeting. In version 1.0 mixed-use is incentivized in VC3 by allowing by-right a maximum height of 4.5 stories for mixed-use development versus 2.5 stories for residential development. The Planning Department is currently developing incentives to encourage mixed-use development in the VC2 district.

The Planning Department and Utile are proposing identifying mixed-use priority streets where mixed-use development would be incentivized/potentially required. Only VC3 and VC2 districts

were considered for determining priority streets. It was also noted that portions of streets were designated to encourage placemaking and bolster existing patterns of commercial and retail activity. Maps identifying these priority streets were presented to the Committee with priority streets denoted with a heavy black line. (attached)

Multiple Councilors asked how these priority streets would impact compliance with the MBTA Communities Guidelines. Ms. Caira reiterated that not being able to count required mixed-use development towards compliance poses a barrier. Later in the discussion, Mr. Love stated that he will run various scenarios through the compliance model to quantify this impact on compliance. A Councilor asked if Councilors will be meeting with the Planning Department to discuss specific changes to the proposed mixed-use priority streets. Ms. Caira stated that Councilors are welcome to send proposed revisions to the Department and that they will look into scheduling meetings by Ward once version 2.0 of draft maps is released.

Prioritizing Historic Preservation

Ms. Caira noted that this discussion will focus on VC2 and VC3 districts as the Department will be revising the VC1 district. In response to feedback received the Department and Utile are proposing removing properties in local historic districts from village center boundaries. This only effects Newtonville and one parcel in Upper falls.

The other component would be to incentivize adaptive reuse in VC2 and VC3 districts. Ms. Caira noted that they have discussed preserving churches primarily ones where the congregation has dwindled or is no longer extant. The proposed amendments would provide zoning exemptions for the reuse of pre-1940 buildings. These exemptions include a building footprint bonus for additions, exemption from parking requirements, exemption of open space requirements, and site plan review in lieu of a special permit.

A Councilor asked if the building footprint bonus for additions would allow for the addition to be built to the by-right maximum and if this section can be limited to specific sites rather than pre-1940 buildings. Ms. Caira noted that this would be limited to small additions with Mr. Love stating that specific non-church sites would be significantly harder to implement than the current approach. Another Councilor raised concern about the scope being too broad and would like to see refinements. Mr. Love noted that the Department and Utile will stress test the proposed approach to adaptive reuse and will potentially narrow the scope. He also stated the significant financial burden to get an older building to comply with the zoning and building code in response to a Councilor's comments on previous work regarding adaptive reuse.

Residential Parking Requirements in Village Centers

Ms. Caira noted the impact that parking requirements have on what is built within the City. The Metropolitan Area Planning Council (MAPC) did a recent study called Perfect Fit Parking Initiative. This study examined parking utilization at multi-family developments within various communities. Data collection was done using overnight counts and surveying building owners. In response to Councilor questions, Ms. Caira noted that the raw data has been provided to

the Planning Department but has not been made public by MAPC as their report has not yet been published.

Within Newton, there are an average of 1.5 parking spaces per unit while only an average of 0.8 spaces per unit were occupied during data collection. This results in roughly half of the parking spaces being vacant and similar outcomes were seen in other communities. The attached presentation contains a graph made by MAPC with this information for Newton and other communities. This study found that parking supply was the dominant factor for parking demand with each additional space being associated with an increase of 0.24 parked cars per household.

Version 1.0 of the draft text proposed one parking space per unit parking minimum in residential development. This framework proposed 0.5 spaces per unit in residential development, a minimum of 0 and a maximum of 1 space per unit for residential within 0.25 miles of a transit station, and none for adaptive reuse.

Multiple Councilors expressed support for the proposal. A Councilor raised concern about the data potentially being skewed by a development within Newton that built more parking spaces per unit. Ms. Caira stated that the 0.8 occupied parking spaces per unit cannot be skewed. Another Councilor sought clarification on if the framework proposal includes a distinction between multi-family and one- and two-family homes. These requirements would not apply to one- and two-family homes per Ms. Caira.

Committee members voted 8-0 on a motion to hold from Councilor Krintzman.

The meeting adjourned at 9:45pm.

Respectfully Submitted,

Susan Albright, Acting Chair