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Barney S. Heath
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MEMORANDUM

DATE: March 11, 2023

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 Department of Planning and Development
Zachery LeMel, Chief of Long Range Planning

RE: **#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)

MEETING: March 13, 2023

CC: City Council
Planning Board
Jonathan Yeo, Chief Operating Officer

Village Center Zoning

At the upcoming Zoning and Planning Committee (ZAP) meeting Planning will continue the guided discussion on a series of recommended updates to the Village Center Overlay District (VCOD) [zoning text – Version 1.0](#). Comments provided by the ZAP Committee will be incorporated into Version 2.0 of the VCOD zoning text and maps.

The items to be worked through with ZAP on Monday:

1. Reduce residential parking requirements in village centers (continued discussion)
2. Eliminate special permits for additional building height or footprint
3. Apply consistent policy to zoning of City-owned parcels
4. Revise VC1 to reduce the allowed footprint for new construction while at the same time providing a strong incentive for the preservation of existing properties by offering a conversion option.

Materials for all items can be found in the updated VCOD Version 2.0 Framework originally shared for the February 27, 2023 meeting (Attachment A). The updated attachment includes additional parking data and the VC1 proposal.

Revise VC1 by reducing the allowed new construction footprint and incentivizing the preservation of existing properties

Feedback on version 1.0 of the VCOD zoning text and maps largely centered around getting the metrics right for the VC1 district. The VC1 district typically surrounds the commercial core of the village centers and is an opportunity to provide additional housing near transit and in walkable village centers, while also furthering our progress towards the MBTA Communities unit capacity requirement. Version 1.0 of the text permitted a building with a 4,000 square-foot footprint and a total height of 2.5 stories, and we heard concerns that this might incentivize tear down of existing homes and the resulting buildings would be out of scale. Version 1.0 also contemplated the ability to allow some limited commercial uses in VC1 by special permit. The intent of the revised zone is to reflect the residential nature of this district and to incentivize conversion of existing homes to multiple units over demolition and new construction. The new VC1 would limit new construction to a 1,500 square-foot footprint and a maximum of four units and would not permit any commercial uses. Existing buildings could convert to up to six units and could add an additional 400 square-foot footprint addition as long as the addition was set back from the front façade and met all setback requirements. The revised VC1 would also require a pitched roof for the half story rather than allowing a flat roof with a setback from the front façade.

Next Steps

At the March 27, 2023 meeting, Planning and Utile will present on the remaining proposals:

- Incentivize additional affordable housing. Planning is working with representatives of the Newton Housing Partnership as well as consultants Utile and Landwise to determine the feasibility of allowing a by-right bonus for additional height and building footprint in exchange for additional affordable housing, above and beyond Newton’s inclusionary zoning requirements.

At the March 29, 2023 meeting, Planning and Utile will present on the remaining proposals:

- Maximize MBTA Communities compliance. The focus on new zoning for village centers was started in advance of and has continued in parallel with the state requirements for zoning for multi-family housing near transit stations. As we have received further guidance from the state Planning and Utile have begun to analyze the VCOD zoning against the MBTA Communities requirements to determine how far it could take Newton towards compliance. Once this information is available the Committee can consider how best to maximize compliance as part of the VCOD zoning.

From all of these working meeting with ZAP, and previous input received since releasing Version 1.0, Planning and Utile will prepare Version 2.0 of the VCOD zoning text and map for review in April. Planning will also put together a concurrent timeline toward achieving MBTA Communities compliance by the end of the year.

Attachments

Attachment A VCOD Draft Version 2.0 Framework (updated)