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Barney S. Heath  
Director

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## MEMORANDUM

**DATE:** May 05, 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)  
**#39-22 Requesting discussion on state guidance for implementing the Housing Choice Bill**  
COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting discussion on state guidance for implementing the Housing Choice element of the MA Economic Development legislation. (formerly #131-21)

**MEETING:** May 09, 2023

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

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### Village Center Overlay District (VCOD) Version 2.0 Zoning Ordinance

Under the direction and guidance of the Newton City Council Zoning and Planning Committee (ZAP), the Newton Department of Planning and Development is excited to share the updated draft "version 2.0" of the Village Center Overlay District (VCOD) Zoning Ordinance. This updated draft incorporates input received over the last six months from City Councilors, City Boards & Commissions, industry professionals, and the Newton community. Together with the [updated version 2.0 VCOD maps](#), the VCOD zoning is tailored to complement each village center, while also guiding development that addresses Newton's current and future needs. In particular, the draft zoning:

- Allows modest increases in building height to ensure varied housing options & economic vitality
- Incentivizes smaller development on smaller lots
- Encourages diverse rooflines and buildings of varied heights
- Limits the overall bulk of buildings through maximum building footprints and facade lengths
- Tiers the review process making it simpler for smaller projects and preservation, while ensuring additional review for larger projects and complex sites

## Key Updates from Version 1.0

While the entire VCOD language is provided here (Attachments A & B), the upcoming presentation will focus on the most critical components and the key updates made between version 1.0 and 2.0. These include the following:

- Purpose and functionality of overlay districts
- Approval process – by-right, special permit, and site plan review
- Dimensional standards –
  - Protections for abutting residential districts
  - Active use requirements along priority streets
  - Incentives for architectural articulation and height variation
- Incentive for more affordable units and deeper levels of affordability
- Requirements to minimize the impact of parking and loading
- Refinement of the Multi Residence Transit (MRT) Zone – remains a work in progress
  - Incentives to preserve existing buildings through adaptive reuse
    - Increased allowable addition under adaptive reuse from 400 sf building footprint to up to 50% beyond the existing building footprint
  - Financially feasible new construction creating appropriately sized units/buildings
    - Landwise and Utile are performing financial feasibility and urban form studies, which may inform updates to the MRT development standards to be presented at upcoming meetings

## Requested Data

At previous ZAP meetings, Councilors have requested additional data to help better understand, and clarify, various components of the proposed VCOD. This information can be found in the attachments below. As appropriate, additional data can and will be provided.

## Next Steps

Newton must pass compliant MBTA Communities zoning by the end of this year. As outlined at the [April, 24, 2023 ZAP meeting](#), the version 2.0 VCOD zoning would bring Newton into compliance if adopted. Given this tight timeline, Planning staff recommend the following steps:

- **May:** Set a public hearing for June 26 at the upcoming ZAP meeting
- **June:** Committee-of-the-Whole in early June, in advance of the June 26 public hearing
- **Summer:** Refinement of VCOD in advance of Committee/Council vote
- **Fall:** ZAP and the City Council vote on the proposed VCOD

## Attachments

<b>Attachment A</b>	Version 2.0 VCOD Zoning Ordinance (clean)
<b>Attachment B</b>	Version 2.0 VCOD Zoning Ordinance (red line)
<b>Attachment C</b>	VCOD Parcel List – Current and Proposed Zoning
<b>Attachment D</b>	VCOD Large Parcel List – Greater than 30,000 sf
<b>Attachment E</b>	VCOD Parcels as Percentage of Newton Parcels