

The Planning Department released the first draft of the new *context-based* Zoning Ordinance on October 19, 2018. Exploration into a new ordinance began with the Zoning Reform Group in 2011, while the decision to develop a *context-based* approach, which fundamentally differs with Newton's existing Zoning Ordinance, began in spring 2015 following the completion of Zoning Redesign Phase I. Below represents a compilation of where, when, and how this occurred between 2015 and the present.

Zoning and Planning Committee

1) ZAP Meeting [Memo](#) and [Report](#) (Docket #6-15)

Date: April 13, 2015

Who:

- Committee Councilors – Johnson (Chairman), Yates, Baker, Sangiolo, Hess-Mahan, Leary, Danberg and Kalis
- Other Councilors Also Present – Laredo, Crossley and Albright
- Planning & Development Board – Scott Wolf (Chairman), Peter Doeringer, John Gelcich and Jonathan Yeo
- City Staff Present – James Freas (Acting Director, Planning & Development), Eve Tapper (Acting Associate Director, Planning & Development), Judith Menon (Community Development Program Manager), John Lojek (Commissioner, Inspectional Services), Marie Lawlor (Assistant City Solicitor), Maura O'Keefe (Assistant City Solicitor), Karyn Dean (Committee Clerk)

What: With the completion of Phase I the Zoning and Planning Committee undertook how to proceed with Phase II. This meeting is one of the first introductions and discussions on utilizing a *context-based* approach. The memo states what *context-based* zoning is, how a pattern book can be used as the foundation for such zoning, and provides examples of a *context-based* zoning ordinance and pattern books. The memo is a high-level document. The conversation that followed illuminated a divide within the Committee on whether the City can address the issues, laid out in the Zoning Reform Group Report and that arose from the completion of Phase I, by solely amending the current Zoning Ordinance or must the City develop a new framework entirely. The Planning Department recommended that the issues identified by the Committee and beyond required a new framework.

2) City of Somerville Zoning [Presentation/Transcript](#) and ZAP [Report](#)

Date: June 8, 2015

Who:

- Committee Councilors – Johnson (Chairman), Danberg, Hess-Mahan, Leary, Yates Kalis, Sangiolo, Baker
- Other Councilors Also Present – Gentile, Ciccone, Norton, Brousal-Glaser, Rice, Blazar, Fuller, Lappin, Albright, Crossley
- Planning & Development Board – Scott Wolf (Chairman), Roger Wyner, John Gelcich and Jonathan Yeo
- City Staff Present – James Freas (Acting Director, Planning Dept.), Marie Lawlor (Assistant City Solicitor), Maura O’Keefe (Assistant City Solicitor), Karyn Dean (Committee Clerk), Maureen Lemieux (Chief of Staff/Chief Financial Officer), Dori Zaleznik (Chief Administrative Officer), Alex Valcarce (Deputy Commissioner of Public Buildings), Rafik Ayoub (Project Manager (Public Buildings Department), Alice Ingerson (Community Preservation Planner), Lisa Dady (Director of the History Museum), Elaine Gentile (Director of Environmental Affairs), Eve Tapper (Acting Associate Director of Planning), Liz Valenta (Housing Planner), Leo Brehm (Director of Information Technology; School Department), and David Wilkinson (Comptroller)

What: At the request of the Committee George Proakis, Planning Director for the City of Somerville, joined the meeting to discuss the experience that Somerville has had with their zoning reform process. At the time Somerville had released a draft *context-based* Zoning Ordinance and was going through the revision process to create an adoptable version, expected in 2016. The committee asked Mr. Proakis numerous questions that are all stated and answered within the transcript. The Planning Department suggested that Newton learn from Somerville’s experiences moving forward, which the committee found valuable as well.

3) ZAP Meeting [Report and Presentation](#) (Docket #6-15)

Date: June 16, 2015

Who:

- Committee Councilors – Johnson (Chairman), Danberg, Baker, Hess-Mahan, Yates, Kalis, Sangiolo and Leary

- City Staff Present – James Freas (Acting Director, Planning & Development), John Lojek (Commissioner, Inspectional Services), Marie Lawlor (Assistant City Solicitor), Maura O’Keefe (Assistant City Solicitor), Karyn Dean (Committee Clerk)

What: At this meeting the Planning Department used its presentation, and subsequent discussion, to dive deeper into what George Proakis presented at the previous meeting. Through the discussion Councilors gained an understanding of the various tools used within a *context-based* approach, how they work conceptually, and how they can be applied in Newton through discussing real issues like tear-downs and snout houses. Following the discussion of tools the Planning Department, City Staff, and the Committee discussed a dual path forward (begin the data gathering process for the Pattern Book/*context-based* Zoning Ordinance while also amending the existing code for the most pressing issues). Commissioner Lojek and the Committee Chair strongly cautioned about this dual path because the current zoning is “broken” and that it would detract from the overall goal of comprehensive reform. **It should be noted the City did proceed with this dual approach and we have successes (accessory apartments) and failures (garage ordinance).**

4) ZAP Meeting [Report](#) (Docket #6-15)

Date: July 20, 2015

Who:

- Committee Councilors – Johnson (Chairman), Danberg, Hess-Mahan, Leary, Yates, Kalis, Baker
- Other Councilors Also Present – Albright, Crossley
- City Staff Present – James Freas (Acting Director, Planning Dept.), Marie Lawlor (Assistant City Solicitor), Maura O’Keefe (Assistant City Solicitor), Karyn Dean (Committee Clerk)

What: Most of the conversation focused on the draft RFP that the City eventually awarded to Sasaki for the Zoning Redesign Phase II work. Councilors explained how critical the RFP was because it establishes the road map forward, if the City does not ask for the right things then what is eventually produced will not help. **It was made clear that the RFP is directed towards producing a new zoning ordinance.** The Committee was divided on whether the RFP should move forward with requesting master plans or a pattern book, but the Committee did agree a choice needed to be made. The Planning Department stated they firmly agree with the pattern book approach. **The pattern book**

path was chosen, while simultaneously the Planning Department did undertake master planning projects in the form of Vision Plans and Comprehensive Plan updates.

5) ZAP Meeting [Report](#) (Docket #115-16)

Date: April 11, 2016

Who:

- Committee Councilors – Hess-Mahan (Chairman), Sangiolo, Danberg, Leary, Yates, Kalis, Baker, Albright
- Other Councilors Also Present – Fuller, Ciccone, Norton, Brousal-Glaser, Blazar, Lappin
- City Staff Present – James Freas (Acting Director, Planning Dept.), Maura O’Keefe (Assistant City Solicitor), Karyn Dean (Committee Clerk), Shawna Sullivan (Committee Clerk)

What: Following a joint meeting with the Finance Committee on March 28, 2016 the Zoning and Planning Committee voted to approve the funding for Zoning Redesign Phase II as laid out in the RFP (approved in fall 2015), which Sasaki successfully won.

6) ZAP Meeting [Memo](#) and [Report](#) (Docket #80-13)

Date: August 22, 2016

Who:

- Committee Councilors – Hess-Mahan (Chairman), Sangiolo, Leary, Yates, Kalis, Baker
- City Staff Present – Barney Heath (Director, Planning Dept.), James Freas (Deputy Director, Planning Dept.), Alice Ingerson (Community Preservation Manager), Marie Lawlor (Assistant City Solicitor), Lily Canan Reynolds (Community Engagement Manager), Karyn Dean (Committee Clerk)

What: This meeting formally introduced the consultants (Sasaki) to the Zoning and Planning Committee. Sasaki presented the work plan for Zoning Redesign Phase II and a discussion followed. It was clear that Phase II would consist of the comprehensive approach (pattern book and new *context-based* Zoning Ordinance) and interim solutions adopted into the existing Zoning Ordinance (accessory dwellings, inclusionary housing, signs, etc.). Building from the Committee approved RFP Sasaki defined Phase II success as “yield[ing] a *context-based* zoning ordinance that provides guidance and rules for the development and redevelopment of Newton’s neighborhoods and village centers...”

FAR Working Group

1) FAR Working Group Final Report (Docket #142-09)

Date: May 2010

Who:

- Working Group Members – K. Edward Alexander (AIA) , Chris Chu (architect), Henry Finch (architect), Thomas Greytak (homeowner), Treff LaFleche (architect), Peter Sachs (architect), Alan Schlesinger (attorney)
- Working Group Staff – Mike Kruse (Director, Planning Dept.), Candace Havens (Interim Director, Planning Dept.), Jen Molinsky (Principle Planner, Planning Dept.), John Lojek (Commissioner, Inspectional Services)

What: The FAR Working Group was appointed in June 2009 to study floor area ratio (FAR) in the City of Newton and to propose amendments to the Zoning Ordinance designed to ensure that FAR regulations more accurately reflect current conditions, are easier to apply and enforce, and result in new construction that is in keeping with surrounding structures and the Newton Comprehensive Plan. Two critical findings that both the Zoning Reform Group and the Zoning Redesign efforts used to justify a new Zoning Ordinance format are:

- The City's existing residential zoning districts are too blunt to account for the range of neighborhood character, yet acknowledged the need, at present, to develop FAR recommendations that work within existing zones.
- That a number of elements of massing cannot be regulated by FAR limits, or indeed, by other dimensional controls, but that these nonetheless influence neighborhood character.