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James Freas
Acting Director

MEMORANDUM

DATE: June 12, 2015

TO: Alderman Marcia T. Johnson, Chairman
Members of the Zoning and Planning Committee

FROM: James Freas, Acting Director of Planning and Development

RE: #222-13 - ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, DANBERG, FISCHMAN & JOHNSON proposing to amend the definitions of "Common roof connector", "Common wall connector", and " Dwelling, two-family" in Chapter 30, Section 30-1 of the City of Newton Zoning Ordinances.

#278-14 - ALD. YATES proposing to amend Chapter 30 of the City of Newton Ordinances to restrict the two-unit structures allowed by-right in the multi-residence districts to structures with the two units side-by-side in a single structure, or one above the other as in double-deckers.

MEETING DATE: June 16, 2015

CC: Board of Aldermen
Planning and Development Board
Donnalyn Kahn, City Solicitor



The design of two-family homes in Newton has presented a number of challenges in various neighborhoods of the City and a number of changes to the definition of this home type have been introduced to try to address those issues. At the February 9, 2015 meeting of the Zoning and Planning Committee, it was suggested that a return to a simpler definition might be preferable over continued modifications to the current, multi-part definition. Staff concurs, recommending a simple definition for two-family. Other issues that have been raised regarding two-family homes are more appropriately addressed through changes to dimensional requirements for two-family homes and zoning districts that more closely adhere to the desired development of Newton's neighborhoods.

The City Zoning Reform effort has thus far focused on the clarity and understandability of the Zoning Ordinance. An essential element of clarity is simplicity. The challenge of how our existing two-family definition works is that it appears to be attempting to deal with multiple problems, most of which are not best addressed through the definition. The only problem the definition should be concerned with is conveying the meaning of the word being used.

Given Newton's development patterns and current desirability in the housing market, the challenge presented by new two-family developments appears to be primarily about size and perhaps setbacks. There are also concerns raised about design, particularly the placement of front doors and garages. Ultimately, part of the challenge around two-family homes appears to have been around preventing builders from using the two-family rules to effectively put two large single family homes on a lot, linking them with a breezeway or garages. Again, this issue appears to be about size and scale, especially as that relates to the character of the surrounding neighborhood.

All of the issues above are best addressed through dimensional regulations and the composition of district standards, rather than through the definition of the word two-family. Such regulations would be a central component of Phase 2 and addressing them would be best done in a more comprehensive approach that would allow consideration of the myriad of issues that would come into play.

Staff recommends the following definition:

Two-Family, detached. A building that contains 2 dwelling units and is either divided vertically so that the units are side by side but separated by a shared wall or is divided horizontally so that one unit is above the other.

Attachment:

Attachment A, Zoning Text – Clean Version

Attachment B, Zoning Text – With Edits