



Zoning & Planning Committee Report

City of Newton In City Council

Monday, October 24, 2022

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

Also Present: Councilors Lucas, Greenberg, Laredo, Humphrey, Malakie, and Oliver

Planning & Development Board: Peter Doeringer (Chair), Kevin McCormick, and Kelley Brown

City Staff: Barney Heath, Director of Planning; Jennifer Caira, Deputy Director of Planning; Zachery LeMel, Chief of Long Range Planning; John Sisson, Economic Development Director; Jonathan Yeo, Chief Operating Officer; and Jaclyn Norton, Committee Clerk

For more information regarding this meeting, a video recording can be found at the following link: [Zoning & Planning Committee October 24, 2022 \(newtv.org\)](https://www.newtv.org/Zoning-Planning-Committee-October-24-2022)

#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 Committee was joined by Planning Director Barney Heath, Deputy Director of Planning and Development Jennifer Caira, Chief of Long-Range Planning Zachery LeMel, and Tim Love from the Utile team to present the first version of the draft maps and timeline of the process going forward.

Multiple Councilors raised concerns over these draft maps not being made available to Councilors at least 48 hours before the meeting. The Chair noted that this Council rule may be waived, and that this is done routinely in every Council committee, particularly in cases where an initial presentation is brought before a Committee, and when no votes are being taken on the relevant item. She added that in this case it was felt important to introduce the first draft maps along with the narrative explaining underlying assumptions and how to read the graphics. Committee members voted 6-0-2 on a motion from Councilor Baker to suspend the rules and allow the presentation (attached).

Director Heath began the presentation by providing a brief overview on the efforts of the Planning Department since the Committee finished reviewing the zoning framework at the June 27th Committee Meeting ([06-27-22 Zoning & Planning Committee Report](#)). This work includes developing both physical and digital exhibits to inform the public, developing maps to align with the fabric of each village center, and beginning to draft zoning language. Later in the discussion, multiple presenters also described the process of developing these overlay districts (using both Google maps and on-site walks to affirm as built conditions), and considering the objectives of achieving the right mix of uses and additional density by right to facilitate sustainable economic vitality, while controlling scale to respect neighborhood boundaries. Ms. Caira and Mr. LeMel both noted that while small in land area (less than 2% of the city), the impact of rezoning the village centers is significant to achieve City objectives.

Copies of these maps will be made available on the City's website immediately following the ZAP meeting ([Version 1.0 Draft Village Center Maps](#)) and will be on display in City Hall starting November 14. From the recent engagement period and over the next several months, feedback from the community and Councilors will inform the mapping of VC districts and version 2 maps will be issued in 2023.

Mr. Love began by reviewing the principal mechanisms related to building form in the proposed three VC districts and a desire for them to be understandable. The **by-right** details of the three new districts were outlined:

Allowed by-right

- Village Center 1 (VC1): 2.5 stories, 49 ft maximum height, 5,000 sf maximum building footprint, residential only
- Village Center 2 (VC2): 3.5 stories, 62 ft maximum height, 10,000 sf maximum building footprint, mixed use/commercial & residential
- Village Center 3 (VC3): 4.5 stories, 75 ft maximum height, 15,000 sf maximum building footprint, mixed use/commercial & residential

Mr. Love noted that no village center is mapped as exclusively VC1 in this version. He also noted that the VC zones are intended as overlay districts; the underlying zoning and all other applicable rules would remain in place. He, and Planning staff, then presented the following draft maps, explaining key elements of each.

Newton Centre

Draft mapping shows VC3 focused in the middle, with VC2 tapering to VC1 primarily to the east along Beacon St and the west along Centre St where it meets the rail corridor. It was noted that VC1 is primarily overlaid on existing multi residence (MR) districts in close proximity to the business center. VC1 allows only residential by-right; first floor retail would require a special permit.

Auburndale

VC3 is mapped only near the intersection of Lexington St and Auburn St. near the commuter rail, VC2 is mapped primarily in existing business districts, and VC1 applied to the existing multi-residence district near the intersection of Commonwealth Ave and Ash St.

West Newton

The commercial zoning throughout Washington St posed some challenges for the team in setting the boundaries for the Village Center Zoning. VC3 is mapped along Washington St. from the West Newton MBTA Station to the Dunstan East site. VC2 is mapped to the north and VC1 along Webster St.

Newtonville

VC3 is mapped along Washington St and Austin St, primarily encompassing the current Business and Mixed Use zoning. Mr. Love noted the careful placement of VC2 and VC1 to aid in the transition to VC3.

Nonantum

VC2 is mapped along Watertown St. from Nevada St. to Faxon St. The team excluded a majority of the manufacturing zones north of Watertown St in this version to allow for a related study of this area along California St to finish. Mr. Love noted that if included in future map iterations, these manufacturing districts the increased density could benefit the Nonantum village.

Newton Corner

Existing transportation infrastructure and several large-scale projects that exceed what would be allowed under the proposed districts complicated the mapping of this area. The placement of VC3 is largely concentrated along Washington St with it following up Centre St to the Watertown border. Regarding the lack of VC1 and VC2 north of Washington St, Ms. Caira noted that requiring step-down in building heights is being considered to aid in the transition to VC3.

Newton Lower Falls

VC2 is mapped only along Washington Street. Mr. LeMel noted that significant topographic changes north of the proposed zoning help to provide that buffer with the single-residence zones; the Charles River is a natural boundary to the south.

Waban

Mr. Love noted the unique attributes of this village center as having public transit but relatively small land area. VC2 is mapped primarily along the Waban MBTA station and Beacon St. VC1 is mapped around all edges of the VC2 zoning. Ms. Caira noted that VC3 was not used due to the smaller size of the commercial district.

One Councilor sought clarification regarding the MBTA station parking lot on Wyman St being included in the proposed map. Ms. Caira noted that this MBTA lot is zoned as a business district currently (versus public use) and that no parcels zoned for public use are intended to be included in the draft mapping.

Four Corners

VC2 is mapped primarily over the existing commercial district. VC2 is also mapped over some multi-family districts along Beacon Street west of Walnut St., to achieve continuity in the village center. It was noted that similar approaches were taken regarding mapping this village center as Waban due to Four Corners having a slightly larger commercial district but less access to public transit.

Upper Falls (Pettee Square)

The mapping of this village center helps to facilitate a step down from the Northland project. Staff noted that the other Upper Falls site shown in earlier maps was removed due to being located within the historic district, and that the one large site at Mills Falls would be subject to a special permit under any development scenario due to its size.

Newton Highlands

VC3 is mapped primarily over the existing business districts along Lincoln and Walnut Streets. Ms. Caira also reaffirmed that step-downs are being developed for areas that go from VC3 directly to the existing residential areas.

Thompsonville

VC3 is mapped over the business districts at the Langley Rd, Jackson St, and Boylston St intersection north of Route 9. VC2 and VC1 are mapped respectively you move further north away from that intersection. Ms. Caira noted recent development interest in this village center and Boylston St providing a strong barrier for the mapping. The south side of route nine will be considered as part of a separate zoning review of commercial corridors outside of village centers.

Calendar/ Next Steps

The Planning Department shared a draft calendar (attached) developed with the Chair and Vice Chair, to discuss the process and possible timing to get to public hearings on a rezoning package. The next three ZAP meetings will be devoted almost entirely to discussions of VC maps and zoning; draft zoning text and design standards will be issued ahead of the November 28 meeting. Planning will set up meetings with Councilors from every ward to review maps in detail. Community meetings will be scheduled and revised maps issued early in 2023. We may open ZAP meetings for some public comment in meetings early next year. It was noted by the Chair that this calendar can be subject to change.

During the discussion on this presentation, Councilors sought clarification on the specifics of overlay districts. Ms. Caira noted that overlay zoning allows for a second set of rules that the property owner can choose to follow if they would like. It was also noted that these may not be combined with the current zoning to create a separate set of rules. One Councilor asked why an overlay district is being used rather than changes to the existing zoning. Mr. Love noted that the overlay allows for a separate set of rules that can be tailored to the goals outlined in the presentation without amending the entirety of Chapter 30 ordinances, which would require a massive overhaul to achieve the same goals.

When asked about the metrics for special permits, Ms. Caira noted that this work focuses predominantly on by-right development, as special permits require a level of discretionary review. There may be cases where the addition of one more story makes sense, but that would be determined by the Council. Mr. Love suggested that if we adopt zoning that allows the right scale of development to help sustain healthy village economies, then developers seeking a special permit have a greater challenge to meet Council approval of additional density. Finally, staff noted that existing zoning is not producing new development; projects to create housing and mixed use are routinely seeking rezoning.

A Councilor also inquired about implications for projects that have received a special permit and will be within one of the overlay districts. Staff noted that this will require further research to be answered at a later date.

Many councilors praised the work as comprehensive, clear, and thoughtful, stating that these maps are a very good start and on the right track. Several councilors noted instances where the maps could be modified, both to expand or contract the zones in future iterations.

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

The meeting adjourned at 9:39pm.

Respectfully Submitted,
Deborah J. Crossley, Chair