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MEMORANDUM

DATE: February 10, 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

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: February 13, 2023

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

Village Center Zoning

The Planning Department spent the end of 2022 presenting the version 1.0 drafts of the Village Center Overlay District (VCOD) [zoning text](#) and [maps](#) and discussing with the Zoning and Planning Committee (ZAP) as well as the community through a series of input sessions and an online input form. At the January 23, 2023 ZAP meeting Planning staff presented a brief summary of the main topics raised during these sessions along with the list of items that are currently under exploration by staff and Utile in preparation for version 2.0 of the zoning text and maps. The list of items currently being worked on is below.

In the upcoming February 13 ZAP meeting Planning and Utile will focus on presenting updated visuals of what future development might look like under the proposed Village Center 3 (VC3) districts.. Recent 3D drawings and other visuals prepared by outside parties have not accurately represented the proposed zoning and have largely ignored the required design standards. The perspectives prepared by Utile will help illustrate the design standards that will shape future development. Planning and Utile will also present a comparison of the zoning requirements in the Mixed Use 4 (MU4) district and the VC3 district.

At the following ZAP meeting on February 27 Planning and Utile will present a framework for the main changes that Planning and Utile will be proposing for version 2.0 of the zoning text. The ZAP Committee members will then have an opportunity to discuss each proposal prior to Planning releasing version 2.0 of the text and maps.

Timeline for items under exploration

- Updated visuals – February 13
- Comparison to existing zoning – MU4 vs. VC3 comparison February 13
- Revisions to VC1 – Framework 2.0 February 27
- Revisions to prioritize historic preservation – Framework 2.0 February 27
- Churches – Framework 2.0 February 27
- Updated parking requirements – Framework 2.0 February 27
- Affordable housing incentives – Framework 2.0 February 27
- Updated mixed-use incentives – Framework 2.0 February 27
- Initial compliance analysis for MBTA Communities Multi-Family Zoning - March

Visual representation of zoning and design standards

During our conversations around the version 1.0 draft we heard many requests for more visuals and in particular there were concerns about how various streets in village centers would feel when built out with the maximum heights allowed in the VC3 district. Utile has been working on accurate renderings of the existing conditions along with a phase in of development along a portion of Lincoln Street in Newton Highlands, Walnut Street in Newtonville, and Washington Street in Newton Corner. These three locations are proposed to have VC3 along both sides of the street and represent a variety of existing conditions and street widths. These renderings will also highlight how the design standards built into the proposed zoning will apply.

There have also been questions about how design standards work and the difference between design standards and design guidelines. Design standards are enforceable requirements built into the zoning and apply to all developments unless otherwise noted or exempted. An initial draft of design guidelines was also included in the version 1.0 draft zoning text. Design guidelines are not enforceable zoning requirements, unlike design standards, and are meant to be additional guidance for developers and decision makers during site plan review and special permit review. The success of the proposed zoning does not depend upon the design guidelines. The zoning is full of design standards based on best practices that ensure quality design in new developments.

Attached is the version 1.0 draft text that was released last November with the design standards highlighted in yellow. Some of these design standards are typical zoning requirements (such as maximum building heights) but many of them go beyond what is included in the existing zoning. These standards (such as maximum building footprints, maximum façade lengths, public open space requirements, ground floor transparency, minimum sidewalk widths, location of parking, screening requirements, etc.) will ensure that even by-right development meets the high standards that have been applied to previous special permit developments.

Comparison to existing zoning

The majority of recent developments (and development proposals) in the village centers have requested a rezoning to the Mixed Use 4 (MU4) district. This district was not proactively mapped when it was adopted so any developer seeking to use this zoning district must also request a rezoning along with their special permit. The VC3 district was modeled off of the MU4 district but made a few key changes and incorporated additional design standards. One major change is the 15,000 square foot building footprint maximum. Buildings like 28 Austin Street and Trio would still require a special permit due to the lot size but would be required to break up the buildings into buildings with smaller footprints. Planning and Utile will present a more detailed comparison of these two districts on February 13.

Next Steps

Planning staff and Utile will present a set of proposals for revisions to the Village Center Overlay District at the February 27 ZAP meeting. This will provide a framework for discussion of policy decisions in advance of the release of version 2.0 of the zoning text and maps.

Attachment A: VCOD Draft Version 1.0 with highlighted design standards