



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

MEMORANDUM

DATE: February 24, 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 27, 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. Planning and Utile have been working on a series of revised proposals based on this feedback in advance of releasing version 2.0 of the zoning text and maps. Attached to this memo is a framework for a series of proposals to the VCOD zoning. Each proposal includes a brief description, comparison to the version 1.0 draft and explanation of why it is being proposed. The attached framework includes six proposals, briefly described below. The remaining three proposals are still being finalized and will be presented to the Committee at a future meeting in March.

VCOD Version 2.0 Framework

1. Focus on design standards. Design standards have been incorporated extensively throughout the proposed VCOD zoning text. Design standards are critical to ensuring by-right development contributes to the vitality of village centers. Version 1.0 also included a set of discretionary design guidelines intended to assist decision makers during site plan review or special permit review. Planning proposes focusing on the standards at this time and guidelines can be revisited at a future date.

2. Identify mixed-use priority streets. Active ground floor commercial uses are an integral part of the success of village centers. The existing zoning for many of these areas requires commercial uses on the ground floor, unless waived by special permit. Continuing to require ground floor commercial use is complicated by the MBTA Communities multi-family zoning requirements which limit the ability to require mixed-use. To address this staff have identified the streets, or portions of streets, where retaining ground floor commercial use is essential and the zoning will incorporate incentives or requirements for mixed-use along these streets.
3. Prioritize historic preservation. The VCOD zoning seeks to balance the opportunity for new housing with the preservation of important historic resources. This proposal would remove properties within a local historic district from the VCOD boundaries and would create a set of zoning exemptions to incentivize the adaptive reuse of older buildings.
4. Reduce residential parking requirements in village centers. Recent local data shows parking in multi-family buildings across Newton is underutilized. Reducing parking requirements and incorporating parking maximums near transit is consistent with national trends and supports City goals to reduce congestion, emissions, and housing costs.
5. Eliminate special permits for additional building height or footprint. The VCOD zoning is intended to create a fair, predictable process for new development. Removing the ability to increase height and/or footprint through a special permit will result in more predictability for both developers and neighbors.
6. Apply a consistent policy to zoning of City-owned parcels. Typically, property owned by the city is zoned Public Use. This is not consistently applied in the existing zoning with some properties zoned business or similar and others zoned Public Use. The first draft of the VCOD maps typically followed the existing pattern. Version 2.0 is an opportunity to clean this up and ensure all municipal buildings are zoned Public Use. It is also an opportunity to consider how surface parking lots owned by the city might transform over time. Planning proposes utilizing the VCOD zoning for public surface parking lots while ensuring all municipal buildings are zoned Public Use.
7. Revise VC1. Feedback about version 1.0 of the VCOD draft zoning text and maps largely centered around the VC1 district. Planning and Utile are working on revamping this district to better prioritize preservation of existing older homes and conversion to multiple units while still allowing for a small amount of new construction. *Details on this proposal will be presented at a future meeting in March.*
8. Incentivize additional affordable housing. Planning is working with representatives of the Newton Housing Partnership as well as consultants Utile and Landwise to determine the feasibility of allowing for additional height in exchange for additional affordable housing, above and beyond the inclusionary zoning requirements. *Details on this proposal will be presented at a future meeting in March.*
9. Maximize MBTA Communities compliance. The focus on new zoning for village centers was started in advance of and has continued in parallel with the state requirements for zoning for multi-family housing near transit stations. As we have received further guidance from the state Planning and Utile have begun to analyze the VCOD zoning against the MBTA Communities requirements to determine how far it could take Newton towards compliance. Once this information is available the Committee can consider how best to maximize compliance as part of the VCOD zoning. *Details will be presented at a future meeting in March.*

Next Steps

Planning and Utile will present the proposals within the framework for feedback from the Committee. This feedback will guide the revisions made in Version 2.0 of the zoning text and maps.

Attachment A: VCOD Draft Version 2.0 Framework (Part 1)