

Zoning Proposals

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This document extracts the 13 zoning proposals discussed in depth in the larger document entitled Zoning - Issues Assumptions Proposals.

Proposals on Building Types

Proposal 1: Introduce the Three-Unit Residence as an explicit building type. Make the rules for the Three-Unit Residence type be the same as for the one and two unit types.

Proposal 2: Modify the Apartment House and the Small Apartment Building types.

Change the definition of Apartment House to:

A small multi-unit residential building with a footprint similar to a single unit house. An apartment house contains 4-6 units, but the scale of the structure is similar to 1, 2, or 3 unit building types nearby, just with a few smaller than average units.

Change the definition of Small Apartment Building to:

A small multi-unit residential building that contains 4-10 units. Whether built as a stand-alone building or as part of a complex, small apartment buildings typically are no taller than the peak of the roof of houses and apartment houses in the surrounding neighborhood and about the footprint of two mid-large attached house building types. With special incentives, a small apartment building may be allowed to have up to 14 units.

Proposal 3: Introduce 4 types of Apartment Building parallel in structure to the Multi-Use Building types in the current zoning proposal:

Small Apartment Building
Medium Apartment Building
Large Apartment Building
Tall Apartment Building

In these building types, there would be no requirement for non-residential rental space on the ground floor. However, such rental space *would be permitted* as determined by the developer in coordination with city planners and the local community. This would be a more practical way to promote limited amounts of valuable non-residential use spaces without the threat of creating a glut of such spaces.

Note that if there is non-residential use space created in one of these Apartment Building types then the height of the ground floor story could be permitted to increase as in the Multi-Use Building type.

Proposals for R3 Zoning

The next proposal is formulated on the assumption that a Three-Unit Residence type has been defined and that an apartment type building is an Apartment House or a Small Apartment Building with 4 or more units.

Proposal 4: Since the creation of apartment type buildings will dramatically affect those in an R3 neighborhood, Special Permits for any apartment type buildings in R3 must be approved in a public meeting where community comments may be heard. This is regardless of whether the approving body is the Zoning Board or the City Council.

The point here is that any introduction of apartment type buildings should be seen as a decision that affects the whole community and that deserves full public review.

Proposal 5: To moderate the development of apartment type buildings, replace “500 linear feet” in the proposed apartment type building restrictions with “250 linear feet”. This stretches out the time line for the spread of apartment type buildings.

Proposal 6: Cap the number of apartments type buildings in an R3 zone within any square of side 250 feet (1/20 mile). Within any such square, no more than 20% of the land area should have apartment type buildings. This will maintain the character of the neighborhood by retaining at least 80% of the buildings as 1, 2, and 3 unit houses.

Proposal 7: The side setback rules for an R3 house should require at least 10 feet on each side of the house. This will permit a drive way on one side of the house.

Proposal 8: The maximum height for buildings in R3 should be 3 stories. By the standard rules for residential buildings, one story is 12 feet. By special permit, one story may be up to 14 feet. This restriction therefore sets the maximum height to between 36 and 42 feet.

Proposals for Density and Diversity Throughout Newton

Proposal 9: Guarantee that density and diversity will be spread throughout the city of Newton by setting the zoning for all residential houses that front on major through streets in Newton to R3 regardless of the current characteristics of the existing housing.

Comments on Proposal 9:

If Newton has a genuine commitment to density and diversity then this commitment cannot be implemented only in the current 10-15% of the city that is R3 by the Pattern Book. There must be a mechanism to spread R3 more uniformly throughout the city.

The notion of a “major through street” deserves debate but here is a first pass at a list:

Watertown St, California St, Crafts St, Washington St, Tremont St, Commonwealth Ave, Beacon St, Waverley Ave, Grant Ave, Langley Rd, Centre St, Parker St, Walnut St, Lowell Ave, Waltham St, Chestnut St, Lexington St, Needham St, Dedham St, Brookline St.

If house on these streets are zoned as R3 then the seeds of density and diversity are planted throughout Newton.

Proposal 10: We have noted that it is legally permissible to convert single unit homes in R1 and R2 to 2 or 3 unit houses. Make the rules and processes for this more streamlined so that such conversion is easier.

Proposal 11: Allow a new building in R1 and R2 to be a 2 or 3 unit residence by Special Permit. Do not insist that all new buildings in R1 and R2 be single unit. This change is consistent with the fact that conversion to 2 or 3 unit residences is already permitted.

Proposals Regarding Tear-Downs

Proposal 12: Change the law regarding grandfathering properties involving a tear-down. A tear-down should mean starting over. All new buildings should have to conform to current zoning requirements not to those regulations associated with a house that no longer exists.

Proposal 13: A house that is gutted should be viewed in the similar way to a tear-down. If during reconstruction most of the exterior siding is removed, the house should be viewed as a partial tear-down. The replaced house should be permitted to be built on the existing footprint. However, if the developer wishes to expand the footprint then the current zoning requirements should apply.