

Village Rezoning: What is Proposed for Newtonville?

October 19, 2023



What is zoning?

Zoning is a set of rules that control what may be built in each part of a community.

Zoning divides land into different districts and regulates allowable building area and volume on a lot, determines which uses are allowed or prohibited in each district, and establishes additional guidelines for growth and development.

Newton Zoning History

- 1922 First zoning ordinance in Newton
- 1940 updated ordinance; add lot size
- 1953 our present ordinance based on this version
- 1987 updated
- 2015 Phase I, reformatted, easier to read
- 2018 Phase II: completed Accessory Apts, short term rentals, inclusionary zoning, marijuana ordinance

Village Rezoning

Facilitating Vibrant and Active Village Centers

Intended Outcomes

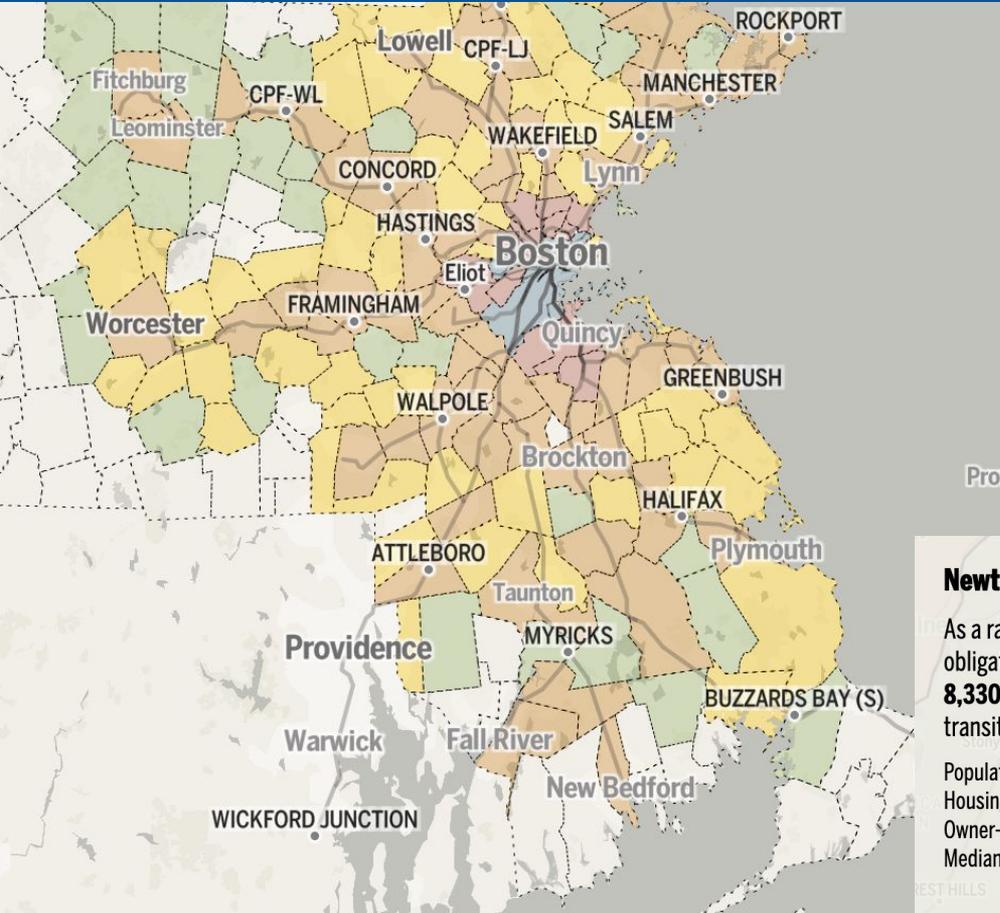
- Diverse housing options
- New local businesses
- Active gathering spaces
- Safe sidewalks / streets
- Sustainable / accessible buildings



2020: Newton City Council + Planning Department begin “Village Center Overlay District” Rezoning (VCOD)

- “Overlay District” means developer has **option** of existing zoning [BU1, BU2, MR, SR] or VCOD

MBTA Communities Law



2021: State legislature passed MBTA Communities Law requiring by-right housing around trains/subways

- “By-right” = no special permit required; developer pulls permit from ISD, no city council vote.
- Newton requirement = 8330 units
- No affordability reqt per se
- Must pass by Dec. 31, 2023

Newton

As a rapid transit community, Newton has a **high level** of obligation under the state mandate. **It must rezone to permit 8,330 multifamily housing units**, with 90% required near transit stations. Deadline for rezoning is the end of 2023.

Population (2020): **88,923**
Housing units (2020): **33,320**
Owner-occupied percentage: **71.8%**
Median household income: **\$154,398**

Boston Globe, October 18, 2023

Criteria for compliance

1A. District Shape, Size, and Density

- Contiguity standards- 50% of land area in one contiguous district, all districts at least 5 acres
- Minimum district(s) area
- Gross Density requirement

1B. Zoning Standards

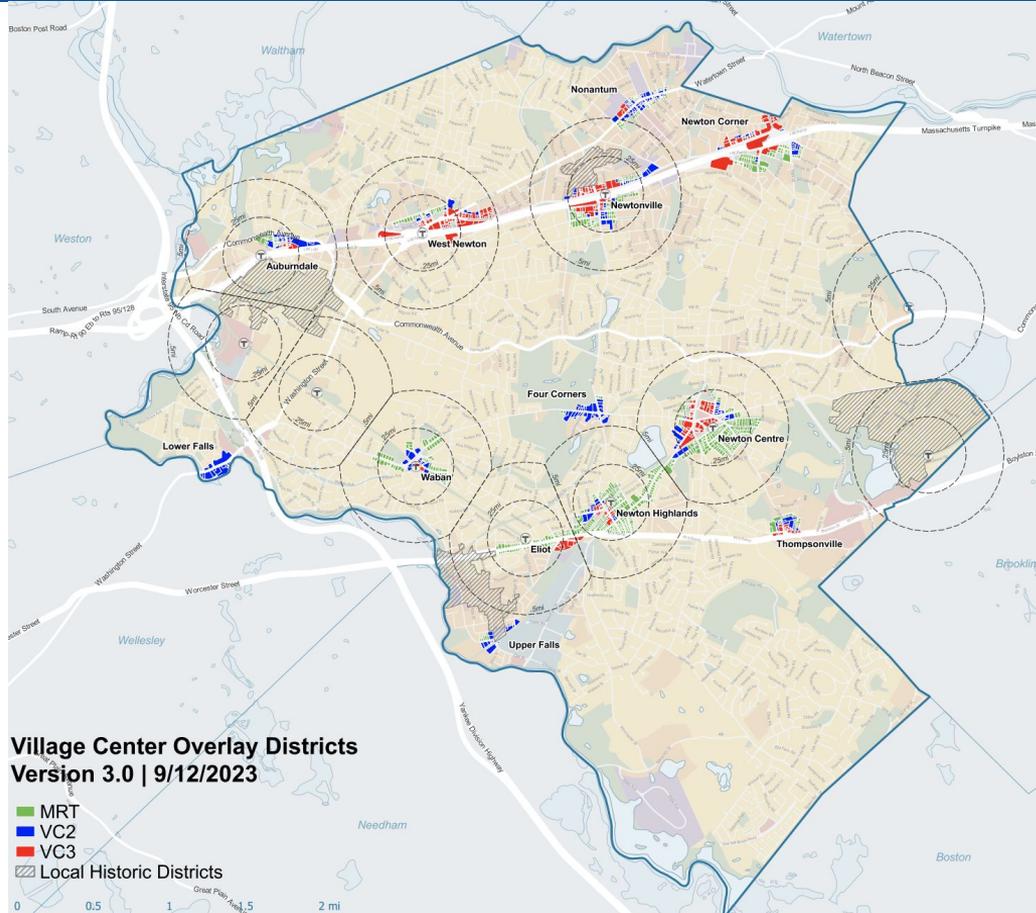
- Setbacks, height limits, parking requirements, etc. allowed
- No age restrictions
- ~~No required~~ ground floor commercial
- No restrictions on # of bedrooms, size of bedrooms, # of occupants

2. Multi-Family Unit Capacity

8,330 unit capacity

This is simply a zoning capacity - not a requirement to *build* a certain number of units

Citywide Map



- Village Rezoning has gone through several iterations, now on 3.0
- MBTA has been combined with VCOD into one docket item

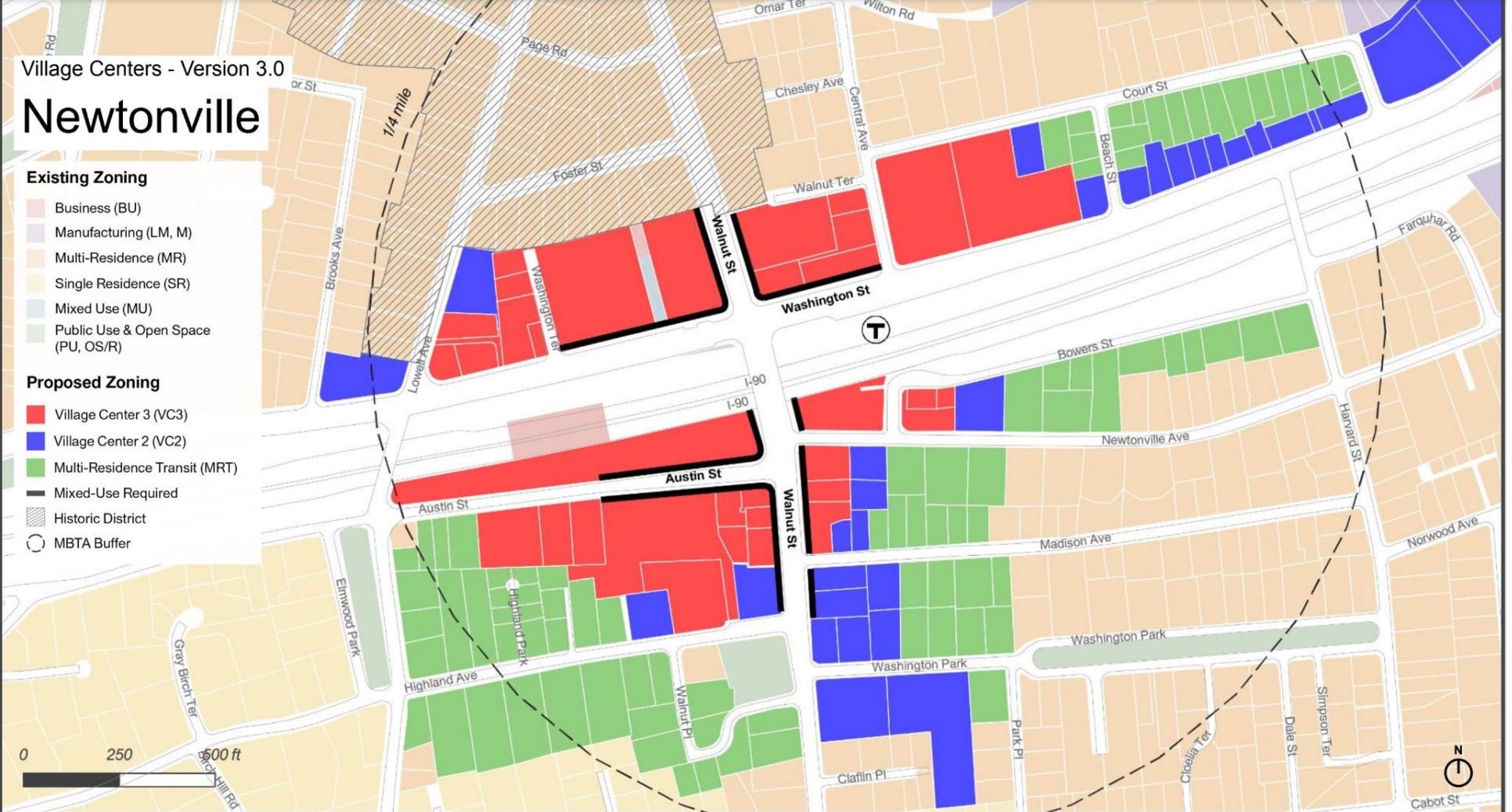
Newtonville

Existing Zoning

- Business (BU)
- Manufacturing (LM, M)
- Multi-Residence (MR)
- Single Residence (SR)
- Mixed Use (MU)
- Public Use & Open Space (PU, OS/R)

Proposed Zoning

- Village Center 3 (VC3)
- Village Center 2 (VC2)
- Multi-Residence Transit (MRT)
- Mixed-Use Required
- Historic District
- MBTA Buffer



VC 3



C. **Village Center 3 (VC3)**. The VC3 zone facilitates mixed-use development of moderate- and larger-scale. This zone serves as the core commercial zone of certain village centers, particularly those with access to mass transit. Buildings are typically set close to the sidewalk to create a defined street wall that supports pedestrian activity and a sense of place. Ground story active uses address the needs of residents and employees in the immediate neighborhood, the larger Newton Community, and regional visitors.

Building Height

- Pitched Roof: 4.5* stories, 71'
 - Within 50' of lot line abutting Residential: 3.5* stories, 58'
- Flat Roof: 4.5** stories, 69' with top floor setback
 - Within 50' of lot line abutting Residential District: 3.5** stories, 56'

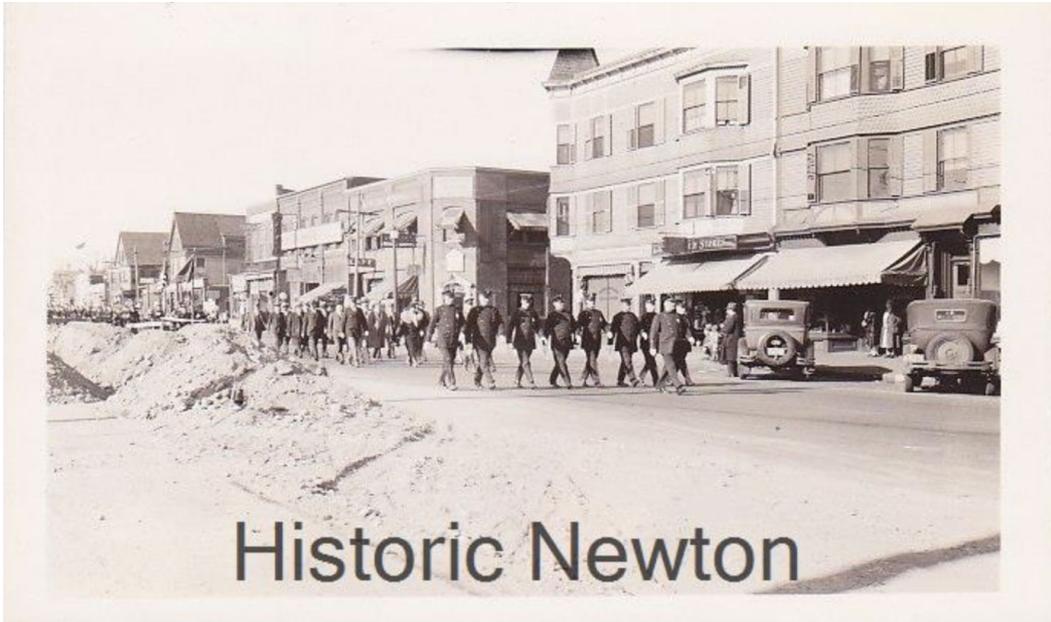
Parking

- No requirements for commercial or residential units

* *Building is 5 stories tall; top floor is pitched*

***Building is 5 stories tall; top floor set-back*

VC 2



B. **Village Center 2 (VC2).** The VC2 zone facilitates mixed-use and residential development of moderate scale. This zone serves as the core of some village centers and as a transition zone for other village centers. Buildings are typically set close to the sidewalk to create a defined street wall that supports pedestrian activity and a sense of place. Ground story active uses address the needs of residents and employees in the immediate neighborhood as well as the larger Newton community.

Building Height

- Pitched Roof: 3.5* stories, 58'
- Flat Roof: 3.5** stories, 56' with 10' top floor setback in front and rear

Parking

- No requirements for commercial or residential units

* *Building is 4 stories tall; top floor is pitched*

***Building is 4 stories tall; top floor set-back*

Walnut St, Newtonville: Existing



Existing Street View

Existing Context

Uses: single-story small retail; two-story bank; three-story function hall with ground story retail



Walnut St, Newtonville: Potential Development

Design Standards

1. **Building Placement:**
When development occurs on any lot abutting a sidewalk that is <12' in total width, inclusive of the Furnishing Zone, buildings must be set back an additional distance such that a paved area meeting City sidewalk standards of at least 12' width is provided, inclusive of the Furnishing Zone.
2. **Building Entrances:**
Principal entrances must either be recessed from the plane of the facade, or have a projecting Awning or Canopy, to signal building entry and provide adequate protection from the elements.
3. **Architectural Features: Canopy**
A wall-mounted structure that provides shade and weather protection over a storefront or building entrance.
4. **Fenestration:**
For ground story fenestration, glazing must have a min. 60% Visible Light Transmittance (VLT) and no more than 15% Visible Light Reflectance (VLR) as indicated by the manufacturer.
5. **Number of Stories:**
A pitched roof may be composed of roof planes with different slopes. The slope of any pitch must not be greater than 14:12 (49 degrees). The roof rafters must intersect the wall plate or top of wall frame of the exterior walls at a height no more than 2' above the finished floor of the half-story.
6. **Half-Story Step-Back:**
A required distance that certain upper stories of a building must be recessed from the plane of the facade of the stories below.
7. **Parking Lot Access:**
Access to parking lots and structures parallel to the Front Elevation is prohibited when access along another lot line is available.



Blue = VC 2; Red = VC3

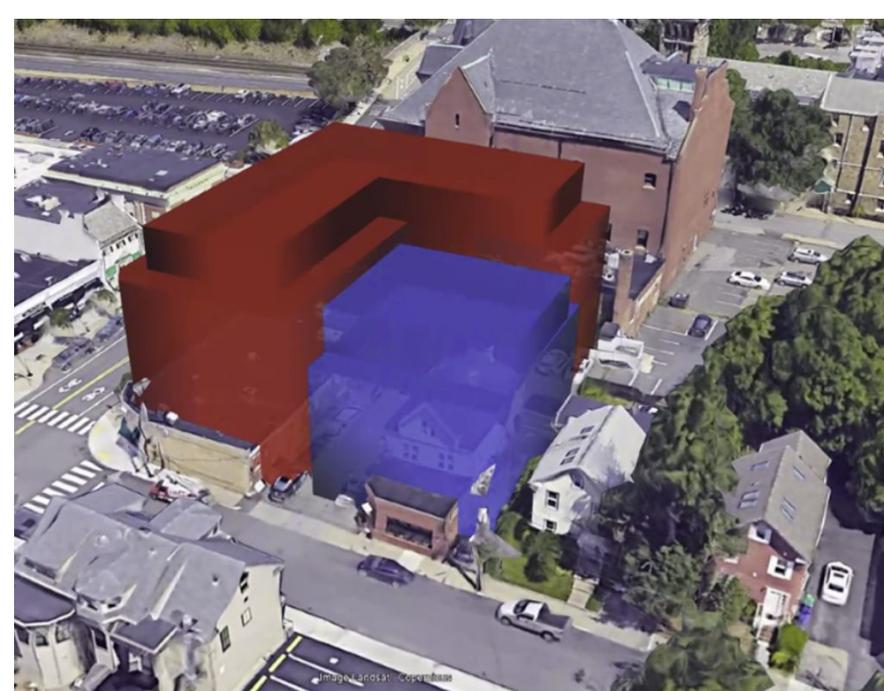


Image created by Councilor Pam Wright to demonstrate maximum building volume

Affordable Housing Bonus

Building Dimensional Standards		
VCOD Zone	VC2	VC3
Building Height in Stories, (max.)	4.5	5.5
Pitched Roof, Building Height in Feet, (max.)	71'	84'
Flat Roof, Building Height in Feet, (max.)	69'	82'
Building Footprint, (max.)	12,500 sf	17,500 sf

In Return

- 25% all rental units must be affordable at 50% to 80% Area Median Income (AMI)
- 25% all ownership units must be affordable at 80% AMI

Mixed Use



- Any lot with mixed-use priority street frontage must provide ground story active use for the entire width of the front elevation of the building facing the priority street.
- Active uses include:
 - Retail
 - Restaurant / bar / craft beverage
 - Specialty food service
 - Place of amusement
 - Personal service
 - Gallery / arts studio
 - Live/work space
 - Community use space
- Banks permitted on 2nd floor only

Multi Residence Transit (MRT)



Source: Historic Newton

- **Building Height**
 - Pitched Roof: 2.5 stories, 40'
 - Flat Roof: 2 stories, 24'
- **Dwelling Units**
 - Minimum = 3; Maximum = 4; new build 1500 sf footprint max
 - “**Adaptive Reuse**” provision when preserving an existing building: can build up to 6 units by-right, increase the building footprint 50% and add multiple 1500 sf footprint 3 or 4 unit buildings on the lot
- **Affordability**
 - Inclusionary Zoning Ordinance applies to 7+ units
- **Parking**
 - No parking minimums

Questions?

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