

infrastructure was not at a level to support that height. She is generally in favor of the heights for Newtonville and Crafts Street, except for the 12-story buildings.

The Mass Pike is very noisy and having a park close to it would not be very pleasant. A park behind buildings would be better, but there needs to be good access to it from the street.

A Committee member noted that zoning is not appropriate for architecture. The drawings are placeholders. He also noted that the Committee needs to respond to the questions being posed by the Planning Department and should articulate their preferences. Ms. Reynolds said staff has been listening and will provide more information in the second draft.

The Committee thanked Ms. Reynolds for her excellent work and moved to hold this item, unanimously.

#518-18 Discussion and review relative to the draft Zoning Ordinance

DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

Action: Zoning & Planning Held 7-0

Note: Rachel Nadkarni, Long Range Planner, explained that the focus of this discussion will be on the Village Districts in the first draft zoning ordinance. She provided a PowerPoint presentation which is attached. Her comments and the PowerPoint follow the organization of the Planning Memo, which was provided in the Friday Packet, and may be found online at:

<http://www.newtonma.gov/civicax/filebank/blobdload.aspx?t=42866.8&BlobID=94559>

The memo provides detailed information of the Village Districts including the various districts and building types, alternatives development configurations and allowed uses. Ms. Nadkarni noted that staff would like feedback on the building types proposed for each district and if additional building types are needed.

Committee Comments/Questions

A Committee noted that there are currently de facto limits on 3-story construction. The proposed change would result in higher 3-story buildings because of the upward change in story height limits. This could potentially change the scale of the village centers in ways the public might not understand. Mr. Freas said then when developers are looking for height, they are really looking for floor area/stories. They are going to aim for the lowest height they can get to because the higher they go without getting additional stories, the more costs they have. The floor area is what is rented, not the walls, so they want to rent as much space as they can with the lowest cost. The proposal creates flexibility to allow the uses that the City would like to see including office, lab and retail space.

Committee members were in favor of the proposed approach to keep chain restaurants out of the village centers. Mr. Freas pointed out that Village districts do better with a range and diversity of uses, particularly unique local retailers. The language proposed is neutral on the ownership issue,

but if it is a “formula” establishment, then a special permit would be required. A court case was brought in Wellfleet in 2015 under this provision and the town lost but did not appeal the decision. Cambridge adopted this provision this year.

A Councilor liked the idea of putting in parameters to control the number of banks in village centers. Bronxville NY has regulations to require at least 150 linear feet between banks/financial institutions. They also require that while ATMs can be on the ground floor, the rest of the business be on upper floors, except by special permit. There was an uproar at first, but then banks decided it worked out very well. She wondered if Newton could do something similar. There was some concern with having a heavy vault built on a second floor.

She also felt personal services such as dentists, physicians, spas, etc. should not be on the ground floor in village centers. The better use of those spaces is for shops go be able to go in and out of and promote movement around the village center. Committee members mentioned that there are currently very many personal services establishments on the ground floor in many of the village centers. Another Councilor felt having your doctor or dentist in a village center was beneficial. It gave the sense of being able to do all your business in your village. Ms. Nadkarni said some transparency requirements at the front of buildings may mitigate some of those concerns and some existing establishments have shallow lobby spaces that look like a retail area, with services behind that. There is also the issue of not many 2-story buildings in village centers.

A Councilor was concerned that there were 0-foot setbacks in some of the proposed regulations. He is not sold on the increase in scale but would be more amenable if he felt wider sidewalks would be a trade-off.

A request was made for staff to provide a build-out analysis of the village districts as is being done for the residential districts.

A Committee member asked about Village 3. Staff replied that the properties in Village 3 are the hotel over the Pike and One Newton Place. The other Village 3 area is in the center of the block of the Needham Street Vision Plan. Unlike the rest of the villages, this area is based on the vision plan and is a little squarer, and more regular and based on actual plot lines. Riverside is also a placeholder for Village 3 but they are waiting to see what comes out of the visioning process.

A Councilor felt that proposed building sizes seem too big. For instance, are Washington Place types construction going to be welcomed in other village centers. Ms. Nadkarni said Washington Place is designed as two buildings attempting to look like three. What they would like to see in other village centers would be several, smaller separate buildings, that may be attached similar to Union Street - that building has many entrances and does not seem like one monolithic building. It is very aesthetically pleasing.

It was asked what a line garage is. Ms. Nadkarni explained that it is similar to the market driven images from the Principle Group illustrations. It allows the garage to drive the scale of the structure. There may be instances where a garage structure is appropriate which is why it is still included in the ordinance.

There was a question about signage. The sign ordinance needs to be updated and this is an opportunity to consider how existing and new signs can be integrated in a pleasant way and how to eliminate the clutter. Ms. Nadkarni said the sign ordinance is on the schedule for the development standards discussions and this is the time to revisit it. A Supreme Court case was heard a few years ago that changes what communities are allowed to look at for signage, so it has to be reviewed. The Urban Design Commission is looking at this as well and providing their perspective.

The fence ordinance was also mentioned. Care should be taken so that fences do not wall off properties extensively. Mr. Freas noted that fences are in the city ordinances and not in the zoning ordinance. The Committee has discussed bringing it into zoning but decided against it.

A Councilor said the draft ordinance gives the impression that multiple uses cannot exist in one space. It was asked how the primary use would be determined and how people will have predictability. Mr. Freas said that is not intentional and they will take another look at that section so that it is clear how primary uses, accessory uses and other factors play into determinations. It was also asked why the permit granting authority would not determine if a use is acceptable instead of the Commissioner of Inspectional Services. New uses are coming on line everyday that might not have been predicted. Mr. Freas said the categories have been made broader which should make any new use easier to fit into a category. Instead of "can factory", "taco factory", "doll factory", there will just be "factory". There could be something that is far outside any category they could realize at this point, however, an amendment can be made to the zoning ordinance to accommodate that.

A Councilor asked if more can be said about curb cuts. Ms. Nadkarni said it is in the transportation section and will be reviewed in the meetings to come. The curb cuts in the commercial districts are very important for public safety.

There is a parking setback which requires that the parking is either to the side of the building or behind and cannot be in front.

A Committee member was surprised about the outdoor space requirement and asked if the math works out for that. Ms. Nadkarni said they will run some numbers of that. Another member said that balconies are not always a good idea and can cause privacy issues in some contexts. Balconies were deliberately not added to a building on the golf course because of the safety issue.

The factor of 1000 to determine residential units is something that is confusing and the Committee and would like some more review of that going forward.

It was noted that the residential districts do not include co-living. Mr. Freas said they would look into that.

It was also noted that marijuana is not listed in this section. Mr. Freas said a placemaker is there for marijuana as they were awaiting the results of the election and the zoning. Ms. Nadkarni pointed out that marijuana is a use that goes into a building and not a building type in and of itself.

A Committee member expressed his thanks for the amazing work that has been done on the ordinance. It is innovative and he applauds the effort. Jonathan Yeo, Chief Operating Officer, noted that the Mayor gave an Innovation Award this year and the recipient was Rachel Nadkarni for her extraordinary work on the zoning ordinance.

Also, an Employee of the Year award was given to outgoing City Solicitor, Ouida Young.

The Committee voted to hold this item, unanimously.

#408-18 Discussion and adoption of Economic Development Strategy Plan

DIRECTOR OF PLANNING requesting discussion and adoption of the Economic Development Strategy Plan as an amendment to the 2007 Newton Comprehensive Plan.

Action: Zoning & Planning Approved as amended 7-0

Note: This item had been voted out of Committee but was recommitted at the City Council meeting due to some requested amendments to the Economic Development Strategy Plan. Barney Heath, Director of Planning, explained that he and staff worked with Councilor Baker who proposed the amendments to the document. He did not believe the edits changed the course of the strategy and were more editorial in nature. The Committee had been provided with a redline of the proposed changes prior to the meeting in the Planning Memo.

The Chair stated that Councilor Downs was unable to attend the meeting but sent some comments:

Objective 4.B i: She would prefer to see a shorter, simpler special permit process and would like to retain the two-track recommendation. Councilor Baker would not like to make an explicit criticism that the City's current system is not optimal. The Chair said her recommendation would be to analyze and propose options to the current zoning review process to find efficiencies without making any reference to a two-track system. Other Committee members agreed that a more efficient process was needed, and the current system needed analysis and recommendation should be made. The Chair asked Mr. Heath to draft some language to bring to Committee for the City Council meeting on January 22nd.

Objective 4.C. iii: Councilor Downs also felt that the parking requirements should be reformed by reducing or eliminating them. The current system is an ecological and economic drag. Another