

ARTICLE 80 MODERNIZATION ZONING AMENDMENTS

Text Amendments for Article 80, Article 81, Article 28, and Article 2



City of Boston
Planning Department

CITY of **BOSTON**

MODERNIZATION PROJECT SUMMARY

SPRING 2023



Project begins

Listening & Research



FALL 2024



Draft Action Plan

Draft Recommendations

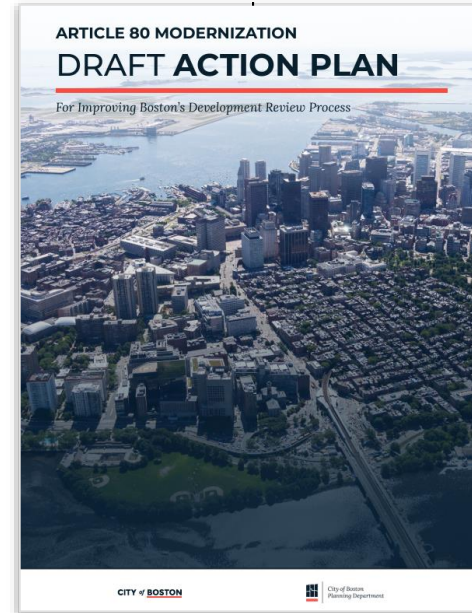


SPRING 2025

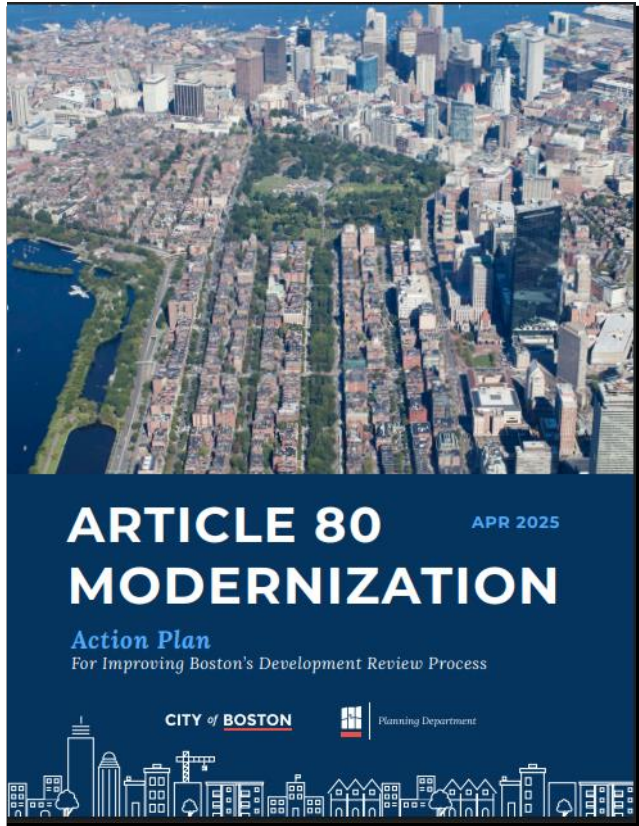


**Updated Action Plan,
Early Actions, and
Draft Zoning**

Comment period

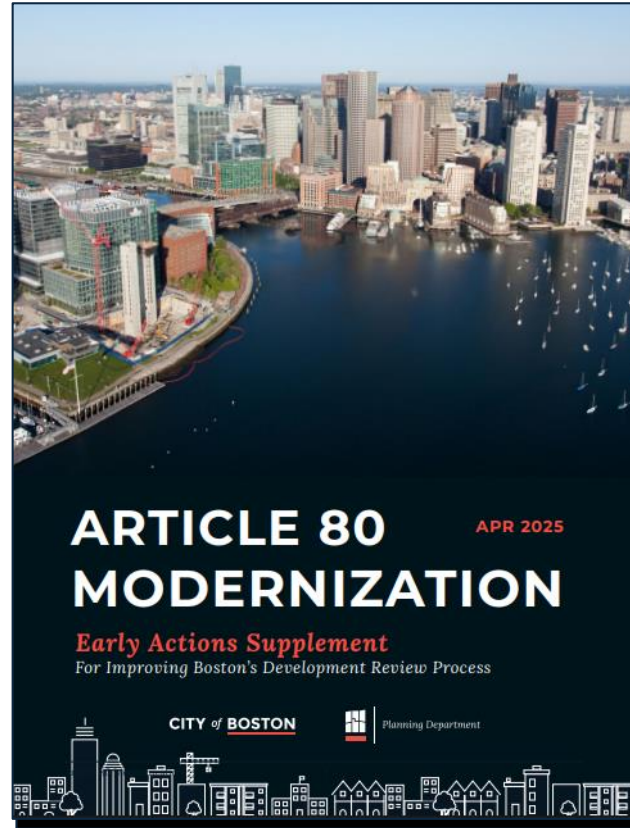


ZONING UPDATES ARE PART OF IMPLEMENTATION



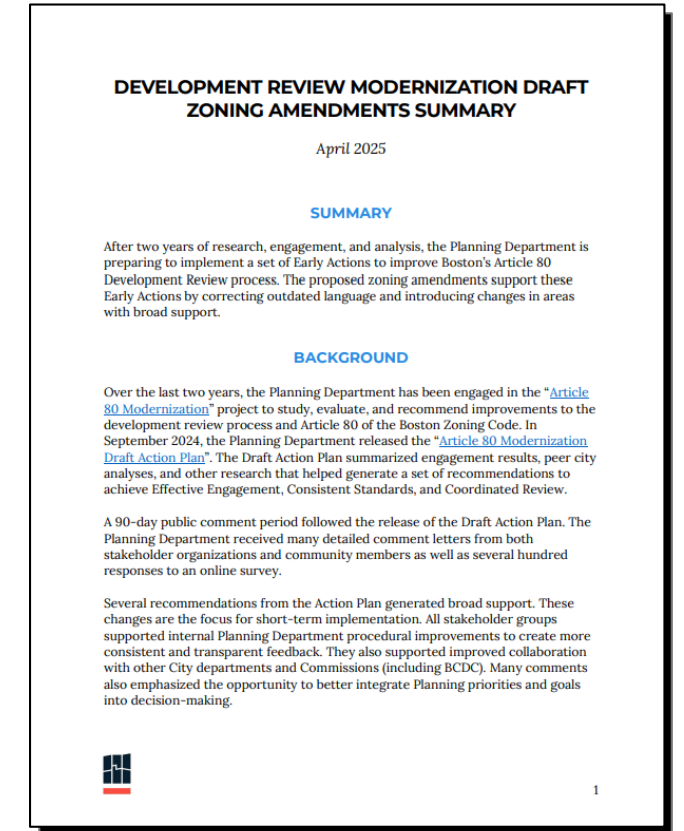
Action Plan

Sets the direction for change based on over two years of engagement, research & analysis



Early Actions Supplement

Describes implementation priorities and operational improvements



Draft Zoning Amendments

First zoning action to correct outdated language and introduce changes with broad stakeholder support



ZONING STRATEGY



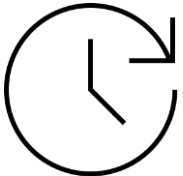
Easy To Use

Proponents, attorneys, and community members can quickly find what they need



Consistent With Existing Practice

The zoning rules reflect the way we actually work today



Set Up For Future Reforms

Lay the groundwork for long-term impact

PROPOSED ZONING CHANGES



Update BCDC Thresholds
and Procedures



Harmonize the Code
with Existing Processes



Support Conversions,
Sustainability, and
Reinvestment



Improve Citywide
Coordination



Modernize Communication
Methods



Remove Contradictions
and Improve Usability

UPDATE BCDC THRESHOLDS & PROCEDURES

WHAT ARE WE CHANGING?

- **Increase the threshold** for the size of projects reviewed from 100,000 square feet to 200,000 square feet
- **Change the recipient of BCDC recommendations** from the Mayor to the Planning Department
- Migrate BCDC procedures to **Article 81**
- **New bylaws** that provide clarity about public participation in the BCDC process

WHY ARE WE DOING THIS?

75% of housing projects reviewed by BCDC are under 200,000 SF. This changes refocus BCDC's expertise on projects that significantly impact the city's fabric, while speeding up housing approvals and enabling speedy delivery.

BUT HOW WILL YOU ENSURE THAT SPECIAL PROJECTS ARE NOT MISSED?



We will retain an optional trigger for “Projects of Special Significance” in the zoning code that can be used to include projects below 200,000 square feet at the Planning Department’s discretion.

SUPPORT CONVERSIONS, SUSTAINABILITY & REINVESTMENT

WHAT ARE WE CHANGING?

- **Update “substantial rehabilitation”** procedures and exempt interior renovation projects from undergoing full Article 80 review (subject to a new notification requirement).
- Similarly, **increase the review threshold for institutional projects undergoing interior renovations.**
- **Tie Linkage payments to changes of use** and avoid “double-dipping”:
 - A Linkage-eligible project that changes their use within 15 years of the initial approval is exempt from paying Linkage again as long as the rates for both uses are the same.
 - For a change of use with a higher Linkage rate, the project only pays the difference in rates. After 15 years, the project must pay the full rate again.

WHY ARE WE DOING THIS?

To make it easier for building owners to upgrade and rehabilitate their buildings; for example, to reinvest in downtown office buildings or make green upgrades to aging institutional facilities.



MODERNIZE COMMUNICATION METHODS

WHAT ARE WE CHANGING?

- Replace print noticing and physical copy distribution requirements with **website updates and publicly accessible email notifications**
- There is **no change to Language Access requirements** or public hearings



WHY ARE WE DOING THIS?

These edits improve transparency by changing outdated language to reflect today's methods for public noticing and document distribution.

HOW WILL WE PRESERVE ACCESSIBILITY?

We will continue to maintain a physical print copy of all project filings, available upon request. Updated engagement methods will expand opportunities for in-person interaction, including site walks, workshops, and office hours.

HARMONIZE THE CODE WITH EXISTING PROCESS

WHAT ARE WE CHANGING?

- Incorporate the “**Notice of Project Change**” and “**Letter of Intent**” into Article 80.
- **Transfer procedures** for reviewing projects in CPS (Conservation Preservation Subdistricts) and GPOD (Greenbelt Protection Overlay Districts) to a separate zoning article (Article 28)
- **Simplify document names** and move definitions to Article 2

WHY ARE WE DOING THIS?

To move toward a user-friendly zoning code by reorganizing certain sections, reflecting commonly-used terminology in the code, and consolidating definitions.



This is one part of the Planning Department’s overall Zoning Reform efforts

IMPROVE CITYWIDE COORDINATION

WHAT ARE WE CHANGING?

- Assign primary responsibility for reviewing and approving **Transportation Access Plan Agreements (TAPA) to the Planning Department** from BTD.
- Combined with operational changes, this will be a first step in ensuring that **post-Board design review is consistent and coordinated** across City Departments.

WHY ARE WE DOING THIS?

We're rethinking how we work with other City teams, starting with one of our key partners, the Streets Cabinet. Today, only 14% of development stakeholders clearly understand the post-Board process. This is an important step toward improving the end-to-end permitting process.



MODERNIZATION SUMMARY

