

# ZONING 101

*Allston-Brighton Community Plan (ABCP)*



Planning Department

**CITY of BOSTON**

# GOALS OF THIS PRESENTATION

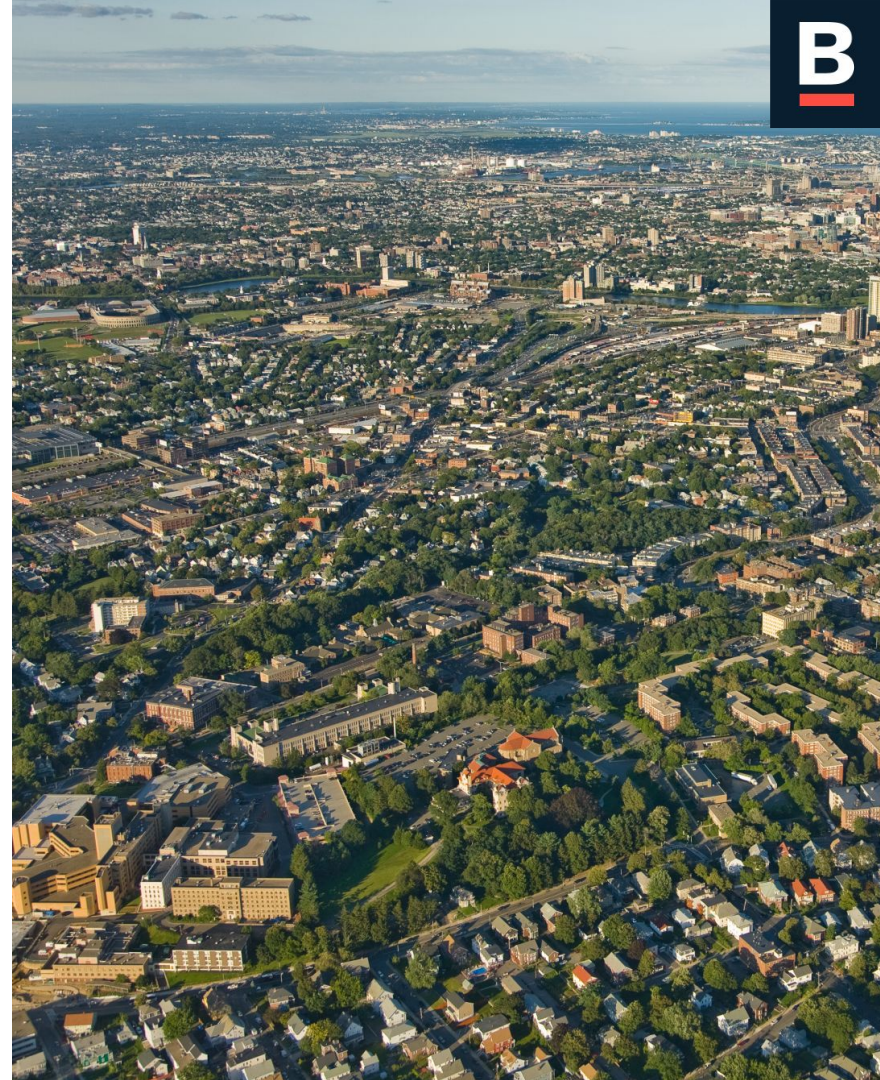
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- This is an educational-first presentation designed to introduce the basics of zoning and highlight key challenges in Boston's current zoning code.
- It also provides a high-level overview of the Allston-Brighton Community Plan (ABCP), including how the plan aims to address some of these zoning challenges.
- This is not a test run of materials for a public meeting, nor does it represent any final decisions about the ABCP. The zoning recommendations for the ABCP will be developed through robust community engagement and detailed technical analysis.

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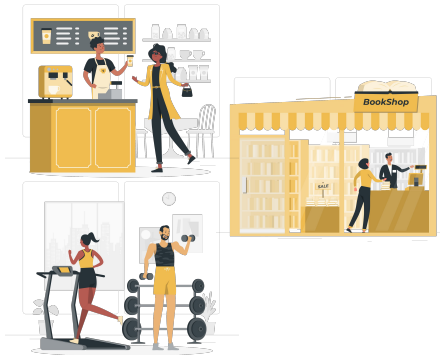


# WHAT IS ZONING?

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# WHAT IS ZONING?

**Zoning is a set of rules that dictates what and where you can (or can't) build in a city dictating the allowed\* use, shape, and density of a building or structure in a given area. Some of what zoning regulates includes:**



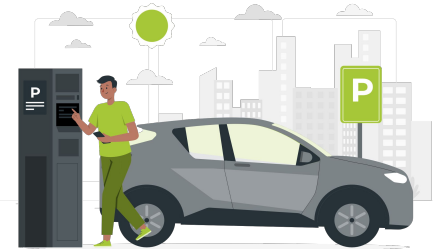
## LAND USES

*the types of activities allowed within a given area*



## SCALE AND LOCATION OF BUILDINGS

*how much space a building takes up, its height, and the open space around it*



## OTHER REGULATIONS

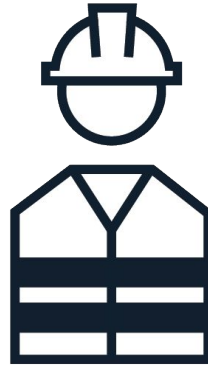
*parking and loading, signage requirements, roof deck allowances, and many more.*

**\*Zoning doesn't build or demolish anything; it acts as guides and limits to what people can build.**

# ZONING VS. BUILDING CODE VS. LAND USE POLICY



**Zoning** are local bylaws enforced by the Inspectional Services Department (ISD)



**Building code** is a state-regulated requirement that ensures building safety and health



**Land use policies** set the City's goals for the future (land use, resiliency, public realm)

# ZONING BALANCES DIFFERENT INTERESTS

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**Local Government**



**Property Owners**  
(each with different  
interests/preferences)



**Other Stakeholders**  
(such as your neighbors)

# WHAT ARE THE GOALS OF YOUR LOCAL GOVERNMENT?



- Ensuring that Boston **serves the public and meets shared community goals.**
- **Balancing private property rights with the common good**, so individual interests don't overshadow the collective benefit.
- Ensuring that both **benefits and responsibilities are fairly distributed** across the community



# WHAT ARE THE GOALS OF A PROPERTY OWNER?

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- Being able to **enjoy their property**.
- Ensuring they have the **freedom to use, develop, or improve their property**, whether through construction, renovation, or other enhancements.
- **Making money**, whether through rental income, resale value, redevelopment, or other revenue-generating activities.
- **Enhancing the value of their land**, recognizing that the worth of their land is closely tied to its development possibilities.

# WHAT ARE THE GOALS OF YOUR NEIGHBORS?

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- **Their personal interests**, including (potentially) their own property.
- **Minimizing what they perceive to be negative impacts on the community and/or maximizing what they perceive to be positive impacts, including** affordable housing, public amenities, local businesses prospering, mobility and accessibility, neighborhood aesthetics, and comfort with change.
- Another **key concern for many people is preventing displacement.**

# WHAT DOES ZONING CONTROL?

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## “Districts and Subdistricts”

Where different “uses” and “scales” occur

## Land “Use”

What activities can take place in buildings

## “Scale and Location”

How big buildings can be and where they go on a piece of property

# LAND “USES”

Within zoning, land “uses” are categorized as **allowed, conditional, or forbidden.**

- Allowed uses are permitted “by-right.”
- Conditional uses are required to meet certain conditions for approval and are only allowed via the granting of a “conditional use permit.”
- Forbidden uses require proof of substantial hardship to be developed and are only allowed via the granting of a “variance.”

**Different zoning districts allow for different types of uses to be developed.**



Retail / Commercial



Residential



Education



Health Care



Civic



Open Space

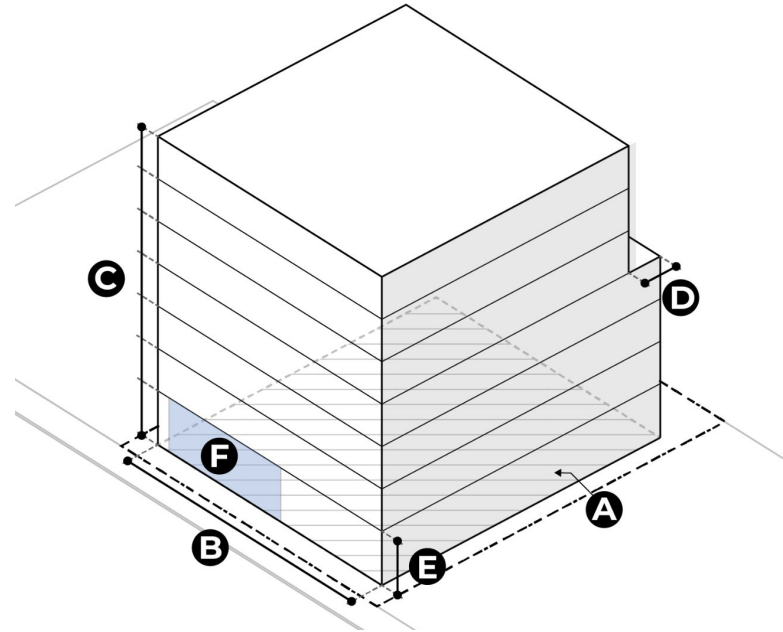
# “SCALE AND LOCATION” - WHERE AND HOW BIG

Zoning regulates the scale of buildings by **setting limits on dimensions**, including:

- Building lot coverage
- Yards
- Building height
- And more...

These dimensional limits create a maximum potential building scale, known as a “*zoning envelope*.”

**Different zoning districts allow for different scales of buildings to be developed.**

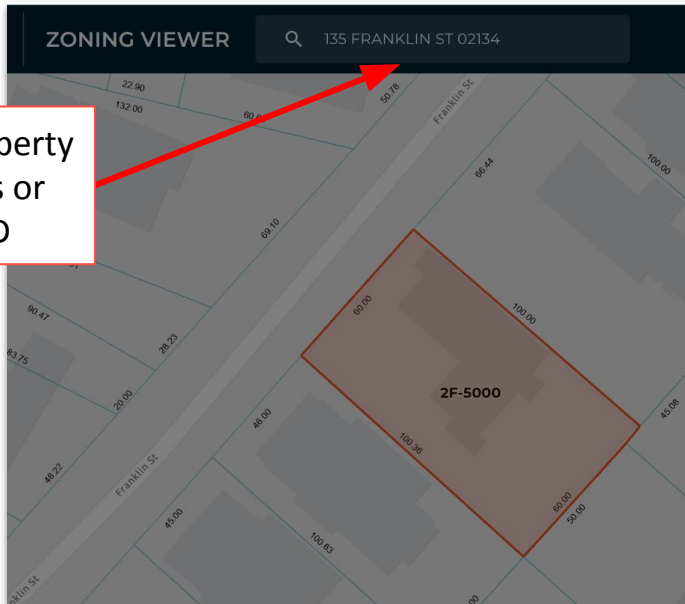


# HOW CAN I CHECK MY ZONING?

“What can I build on my property?”

- [Zoning Viewer](#)
- [Municode](#)

Look up property by address or parcel ID



Find your zoning District and Subdistrict

ASSESSING	^
PARCEL ID	2201454000
ADDRESS	135 FRANKLIN ST 02134
OWNER	RAMSINGH RICKHI
ASSESSOR'S REPORT	<a href="#">↗</a>
PROPERTY VIEWER	<a href="#">↗</a>
ZONING	^
ZONING DISTRICT	Allston/Brighton Neighborhood
ZONING SUBDISTRICT	2F-5000
SUBDISTRICT TYPE	^
	Medium Residential
ZONING OVERLAYS	^
	No Overlays
MAP NO.	<a href="#">7A-7D</a> <a href="#">↗</a>
ARTICLE	<a href="#">51   ( Table )   ( Appendix )</a>
OTHERS	^
	<a href="#">BOSTON MHC HISTORIC INVENTORY AREAS</a> <a href="#">↗</a>

Follow these hyperlinks to check out the map and zoning rules

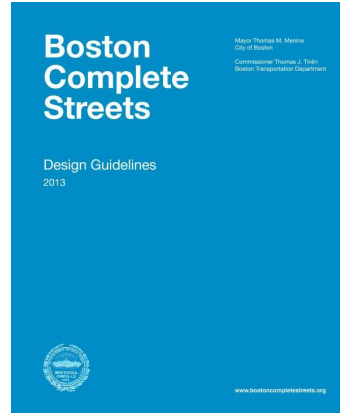
# ZONING IS A TOOL THAT PAIRS WITH OTHER TOOLS

- Zoning sets rules for development, but **cannot** resolve every problem associated with it
- Other policies and programs **pair with zoning** to support cities in meeting local needs
- Tools like housing funds, community processes for large projects, legal protections, design review, external funding and more **help shape the impact of land use policies**



## Legacy Business Support Grants

Grants for nonprofit organizations that currently work with small businesses across Boston.



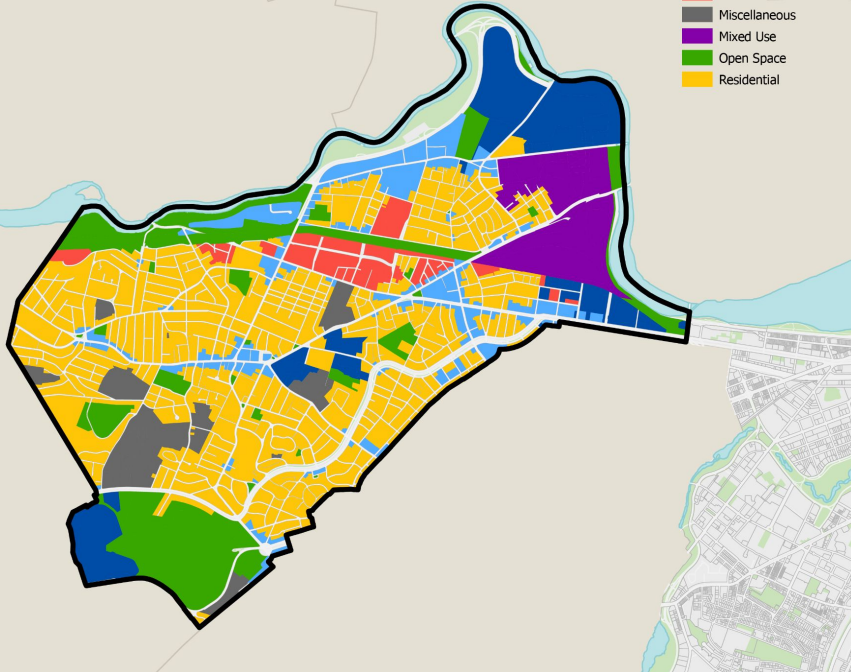
## RENTAL RELIEF FUND

Supports Bostonians at risk of losing their rental housing due to COVID-19.

To learn more about eligibility and how to apply, visit [boston.gov/rental-relief](https://www.boston.gov/rental-relief)

# ALLSTON-BRIGHTON ZONING

## Current Zoning in Allston-Brighton



## Residential Zoning

- The **most common type of zoning** in Allston and Brighton is residential (~ 88% of lots)
- Only **17% of lots** (42% of land area square footage) in the neighborhood **allow for multifamily (4+ units) housing**

## Other Takeaways

- **Institutional land** cover ~12% of land area,
- Many of the **industrial land** are in Planned Development Areas (PDAs) for large-scale development like Boston Landing



# WHAT IF A PROJECT DOES FOLLOW ZONING?

- **Allowed or As-of-Right:** Uses and dimensional regulations that are allowed by the zoning code, meaning a project can move forward without ZBA appeal if it follows an area's zoning rules.

\*The ZBA (Zoning Board of Appeals) is a 10-member body that reviews and makes decisions on applications seeking zoning relief



62 Antwerp Street, Brighton - **Existing single-family** that added an addition and interior improvements without needing zoning relief

# WHAT IF A PROJECT DOESN'T FOLLOW ZONING?



- **Conditional Use Permit:** A land use that is allowed only if the Zoning Board of Appeal decides that it follows certain conditions set out in the Code
- **Variance:** Permission provided by the [Zoning Board of Appeal](#) (ZBA\*) for a project that does not follow a specific requirement of the Zoning Code.

*Appealing and navigating ZBA approval is a costly process that adds time and financial burden to building new housing, frequently driving up price*



40 Lake Street  
Brighton - **Conditional use** to have community center for young adults with autism



50 Gardner Street  
Allston - **Variance** to convert a single-family into a 2-family

# WHAT IS ARTICLE 80?

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- **Article 80** (a chapter in the Zoning Code) provides a detailed review process for:
  - **Small Projects** (adding/constructing 20,000 - 49,999 square feet and/or 15+ net new residential units)
  - **Large Projects** (adding/constructing >50K sf)
  - **Planned Development Areas** (project areas larger than 1 acre)
  - **Institutional Master Plans** (projects for academic and medical campuses).



386 Market Street



The Nexus at Allston Innovation Corridor

# CHALLENGES WITH BOSTON'S CURRENT ZONING

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*Why updating Boston's zoning is important for many Bostonians*

# HISTORY OF ZONING

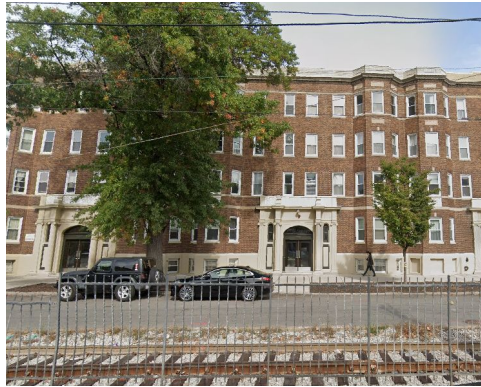


Over the past 100 years, each update to zoning has implemented stricter rules and requirements than what existed previously.



(Above): 418 Market St (Washington Building - Imperial Hotel) was built in 1910. The building's scale would render it forbidden using today's zoning.

(Below): 1189 Comm Ave (@ Harvard Ave station) was built in 1930. It's front and rear yards would be illegal under current zoning.



## ZONING TIMELINE

1924

First Iteration of Citywide Zoning in Boston Adopted

1964

Boston Zoning Code first adopted - "base code"

1991

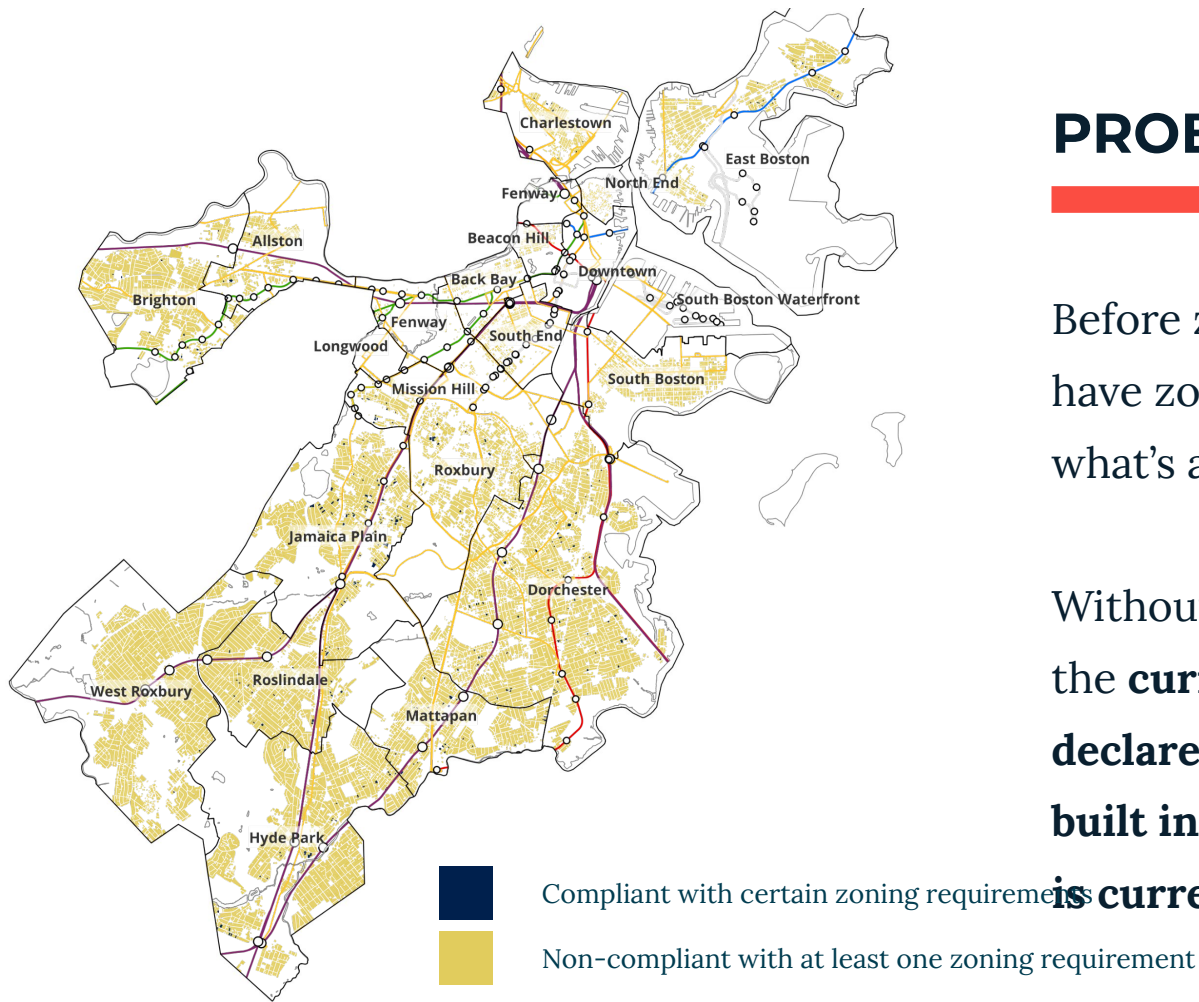
New chapter was added (known as "articles") for Allston and Brighton neighborhoods

**Most of the new neighborhood articles retained or down zoned the scale of allowed development**

## PROBLEM

Before zoning reform, 99% of lots have zoning that fails to match what's already there.

Without case-by-case zoning relief, the **current zoning code effectively declares that nothing should be built in Boston that looks like what is currently in Boston.**



# BOSTON'S OUTDATED ZONING



Learn more by reading this [report](#).

## ABNORMALLY LONG AND COMPLEX

- five times the average length of comparison cities' codes.
- Even NYC's code (13x Boston's population, 6x land area, and far greater density) covers "just" 2,751 pages

## OUTDATED

- Boston's code last updated 20-60 years ago

3,791  
pages

89 base  
districts

Enacted  
in 1964

6 months  
for a simple alteration

## INCONSISTENT

- Full of inconsistencies and contradictions that make zoning hard to understand

## INEQUITABLE

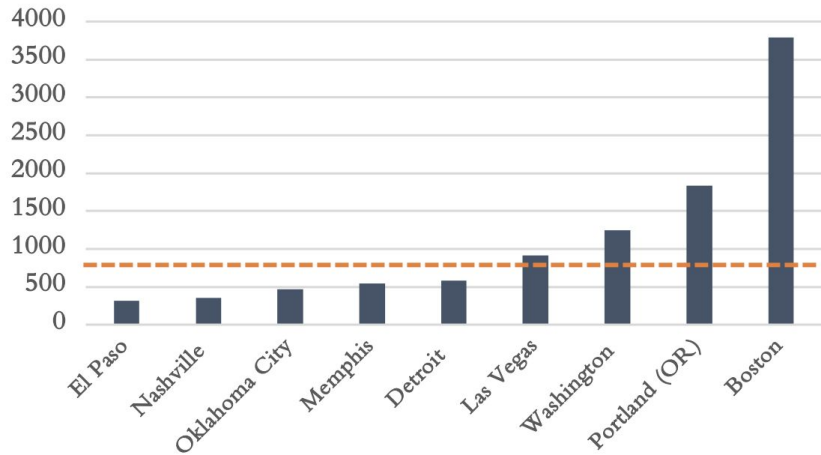
- A homeowner or a small business owner to make a simple alteration needs to pay lots of money and undergo a long review process.

# BOSTON'S ZONING IS ABNORMALLY LONG AND COMPLEX

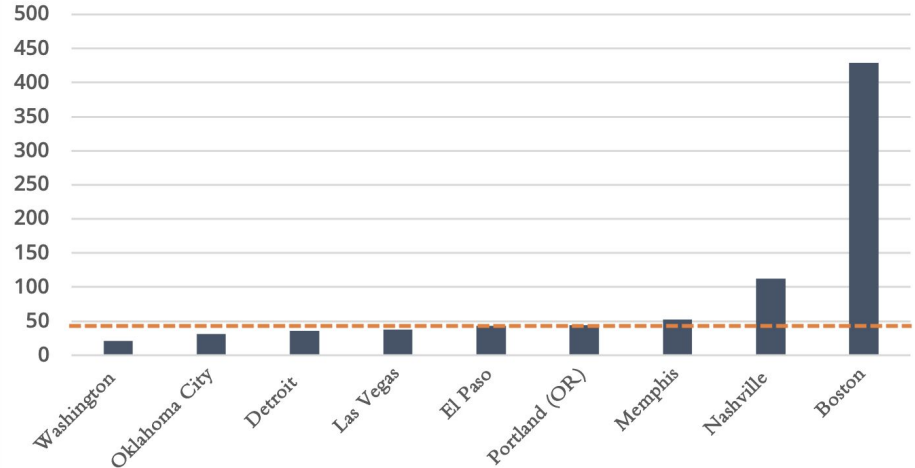


Learn more by reading this [report](#).

# PAGES



# ZONING DISTRICTS





# BOSTON'S OUTDATED ZONING

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“One of the most impactful responsibilities of city government is to set the rules for how our neighborhoods grow,” said Mayor Michelle Wu. “But for decades, our system in Boston has been built on a confusing and inconsistent process of handing out exceptions. Reforming our planning process and zoning code will be a sea change for our city, helping to fulfill a commitment for predictability and equity to meet the needs of our communities.”

- [BPDA Releases Analysis of City's Out of Date Zoning Code, Announces Restructuring of Planning Department to Tackle Inequities](#), Sep 13, 2023

# HOW DOES THIS IMPACT A HOMEOWNER WANTING TO FIX THEIR HOME?



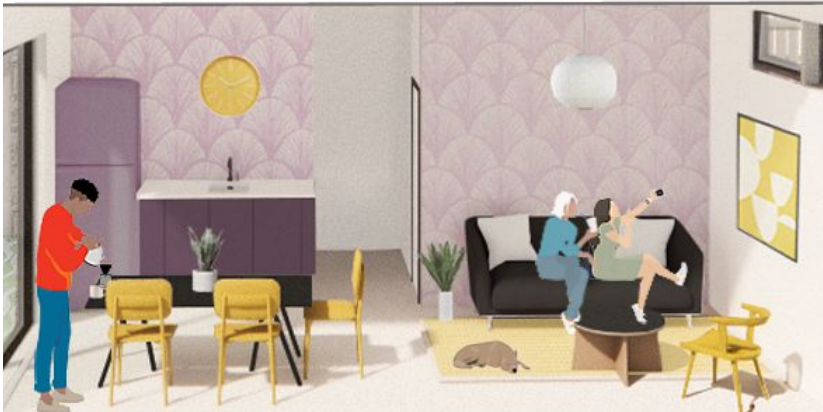
“ Adding a dormer to my attic took one year and cost about \$10,000 only in permitting process, even before I could start construction. ”

Because of **inflexible dimensional regulations**, homeowners **often get stuck in a long and expensive process** when trying make simple changes to their residences.

# HOW DOES THIS IMPACT A LONG-TIME BOSTONIAN LOOKING TO AGE IN PLACE?



“ I would like to build an ADU so that I may age in place (my wife and I are 72) so that my daughter and son-in-law could be prepared to assist us. ”



Because zoning does not permit the development of ADUs, lots of long-time residents are not able to age in place because they **cannot afford or don't have family that can afford living nearby** to assist them.

# HOW DOES THIS IMPACT A SMALL BUSINESS OWNER LOOKING TO GROW?



“ I was not able to add a takeout component to my business because I did not have the time and money. ”

Because outdated zoning categorizes many common business types as conditional or forbidden “uses,” many small businesses looking to set down roots are met with **additional time/cost barriers in the development process.**

# HOW DOES THIS IMPACT A BUSINESS OWNER WANTING TO BUILD HOUSING ABOVE THEIR STORE?

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“ It has taken me several years to build only a few stories of housing above my business because of the time it takes to get zoning approved ”

**Outdated zoning** puts up **barriers** to **small business owners** being able to **contribute housing** to their community and build equity through **small scale development**.

# HOW DOES THIS IMPACT A RENTER IN BOSTON?



“ I’m starting my first job and am looking for a place to rent close to my community. But there is little to no inventory available and prices are sky high. ”

Because of outdated zoning, many places in the City are **not able to quickly and efficiently build more housing units.**

# ABCP - REZONING THE NEIGHBORHOOD

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*How we are addressing the zoning challenges in the Allston Brighton Community Plan (ABCP)*

# HOW WILL REZONING BE APPROACHED?



- 1) Modernize Allston-Brighton's land use regulations
- 2) Identify existing citywide districts that are applicable to Allston-Brighton
- 3) Identify areas that would require new zoning districts
- 4) Create a new zoning map for all of Allston-Brighton, including focus areas, using existing and new citywide zoning districts



# ALLSTON BRIGHTON COMMUNITY PLAN

A community plan **does**:

- **Set a vision for the future**
- Provide guidance to the City on future developments and investments
- **Coordinate City decisions** on the location, financing, and timing of public investments
- **Identify areas that should be rezoned** to achieve community priorities (for example: more affordable housing, more open space, more areas that have a mix of residential and retail uses)

## VISIONS FOR CHANGE

Recurring Themes Across Focus Areas



### Supporting Thoughtful Infill Development

E.g., "Residential grows slowly over time to mid-rise mostly through infill"



### Concentrating New Mixed-Use Development

E.g., "Increase amenities for residents"

E.g., "Increase mixed uses and density near transit."



### Leveraging Underutilized Space

E.g., "Reinvest in and develop underutilized or vacant buildings"

E.g., "Increase density in select smaller sites to increase housing and amenities"



### Improving Public Realm and Mobility

E.g., "Improve safety of connections into area"

E.g., "Greening the avenue to make it more comfortable to travel along and linger on"



### Transitioning Scales of Development

E.g., "Growth as a transitional area between different land uses and scales of density"

E.g., "Thoroughfares develop as mixed residential and commercial buffers"



### Investing in Arts & Culture

E.g., "Maintain and enhance arts/cultural spaces + invest in existing community"



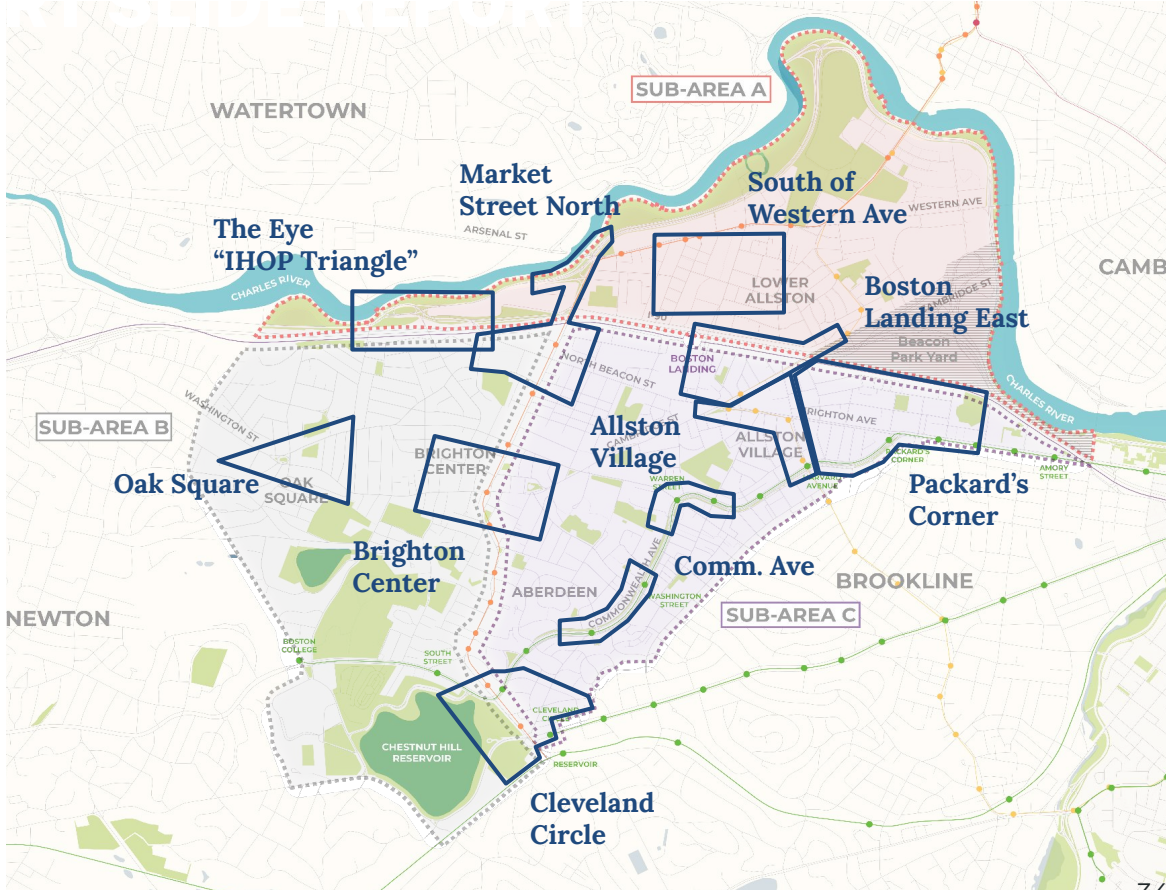
### Improving Access to Green Space

E.g., "Improve pedestrian connections to the Reservoir,"

E.g., "Create safe pedestrian and bike connections to the Charles"

# FOCUS AREAS

- We're doing **specific spatial plans in focus areas** and then we are expanding on them.
- Focus areas help us figure out the types of places that exist throughout the neighborhood.



# GROWTH IN MIXED-USE AREAS



Oak Square

- Make it **easier to build buildings that mix different types of housing and businesses near transit** in neighborhood centers.



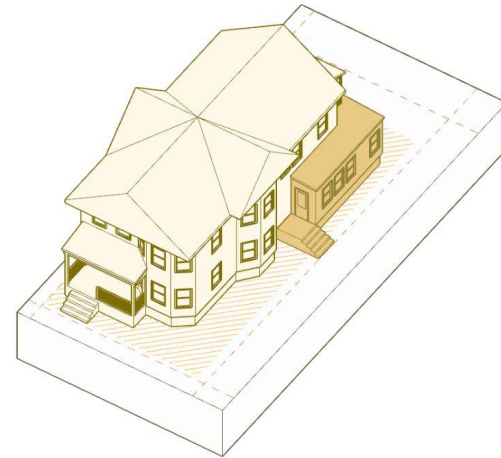
Vision example with ground floor commercial and residential on upper floors

# AFFIRM EXISTING HOUSING (PLUS GENTLE ADDITIONS)



*Low-scale residential area*

- Enable the construction of **Accessory Dwelling Units (ADUs)** and new **small-scale housing**
- **Simplify upkeep** of existing homes
- **Provide predictability** to the community



# ADD SMALL MULTIFAMILY



Glenville Ave - Allston Village

- New **small multifamily buildings**, if designed well, can **provide needed housing**, and offer distinct **benefits for accessibility, affordability, and housing choices**.



Vision example of density added to existing building

# SIGNIFICANT GROWTH IN “DESTINATION” AREAS



*Boston Landing*

- **Significant growth areas** like Boston Landing may occur elsewhere in the neighborhood where there is **opportunity for high-density, mixed use development**

# INCREASING HOUSING DENSITY NEAR OPEN SPACES



83 Leo Birmingham Pkwy (Charles River in background)

- There are **significant public open spaces** in Allston and Brighton that would **benefit from having more people living adjacent/closer** to these spaces

# REIMAGINING SOME INDUSTRIAL AREAS



Existing conditions at 445 Cambridge Street, including an auto repair center and surface parking

- There are areas of the neighborhood with **pockets of light industrial uses** that are close to existing civic assets, transit, and open space where **housing and better pedestrian infrastructure** could replace these uses



Proposed multifamily residential at 449 Cambridge Street



# STAYING INVOLVED



- **Upcoming meetings:**

- If you're not already signed up for the Allston-Brighton **email list**, sign up [here!](#)

- **Feedback**

- Comments on the ABCP can be **directly emailed** to any of the following emails or submitted using the **comment form** at the bottom of the [project website](#)

## Project Contacts

[abcommunityplan@boston.gov](mailto:abcommunityplan@boston.gov)

- Ben Zunkeler, Project Manager  
[ben.zunkeler@boston.gov](mailto:ben.zunkeler@boston.gov)
- Jack Halverson, Zoning Reform  
[jack.halverson@boston.gov](mailto:jack.halverson@boston.gov)
- Grey Black  
[grey.black@boston.gov](mailto:grey.black@boston.gov)

**THANK YOU!**