

**MEMORANDUM****JUNE 18, 2026**

**TO:** **BOSTON REDEVELOPMENT AUTHORITY**  
**D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)**  
AND KAIROS SHEN, DIRECTOR

**FROM:** KATHLEEN ONUFER, DEPUTY DIRECTOR OF ZONING  
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**SUBJECT:** PLANNING DEPARTMENT REPORT ON: (1) ZONING BOARD OF APPEAL  
RECOMMENDATIONS BETWEEN 10/1/2025 AND 03/31/2026; AND (2)  
AS-OF-RIGHT PERMITTING BETWEEN 05/01/2024 AND 05/01/2026.

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**SUMMARY:** This Memorandum informs the Board of the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency (“BPDA”) of: (i) trends in the recommendations written by BPDA planners to the Zoning Board of Appeal between 10/01/25 and 03/31/2026; and (ii) trends in as-of-right permitting between 05/01/2024 and 05/01/2026.

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**BACKGROUND**

The Zoning Board of Appeal (“ZBA”) is a quasi-judicial body of seven members who are appointed by the Mayor. The ZBA hears requests for conditional use permits, variances, and similar zoning relief. While the ZBA is housed in the Inspectional Services Department (“ISD”) of the City of Boston, the Director provides non-binding recommendations to the ZBA for their consideration. Each recommendation is provided in a letter which includes basic information about the project, the planning context surrounding the project, and an analysis of the zoning implications (such as the applicability and/or obsolescence of the provisions of the Boston Zoning Code (the “Code”). These letters can now be found online by scheduled ZBA hearing date at [bostonplans.org/zoning/zoning-board-of-appeals](https://bostonplans.org/zoning/zoning-board-of-appeals).

On June 15, 2023, the BPDA Board voted to grant authorization to permit the Director to make these recommendations on behalf of the BPDA. As part of this change, the BPDA Board requested that Planning staff present regular reports which summarize and highlight trends in the recommendations and ZBA cases. This eighth report includes data from the ZBA hearings in the time period between October 1, 2025 - March 31, 2026. Since planners do not currently write separate recommendations for the 39 Article 80 cases as part of this process, instead including the adopted BPDA Board memo as the recommendation, they are excluded from this analysis.

**PLANNING DEPARTMENT RECOMMENDATIONS AND ZBA DECISIONS**

Overall, from October 1, 2025, to March 31, 2026, there have been 321 total (including deferrals from the ZBA) cases. The Planning Department wrote 274 recommendations; this number excludes four deferral recommendations. From these recommendations, the ZBA issued 274 final decisions and 47 deferrals (meaning a case’s hearing will be pushed to another date), summing to the total of 321 decisions. From the last report that looked at April 1, 2025, to September 31, 2025 (268 decisions), there has been a ~2% increase in decisions. However, when looking at the larger picture from 2023 to 2025, there has been a continuous decrease (8-10%) in volume of cases. This decrease could likely be due to broader economic conditions as well as the incremental progress of zoning reform.

**2023-2025 Total ZBA Decisions**

<b>ZBA Decision</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
Withdrawn	4	8	5
Approved	262	311	359
Approved with Proviso	341	221	155
Denied	10	11	4
Denied without Prejudice	44	41	19
<b>Total</b>	<b>661</b>	<b>592</b>	<b>543</b>

**Total Recommendations and Decisions (No Repeats) between the Planning Department and the ZBA**

<b>Decisions</b>	<b>Oct 2025 - Mar 2026 Planning Department Recommendations (6 Months)</b>	<b>Oct 2025 - Mar 2026 ZBA Decisions (6 Months)</b>
Withdrawn	N/A	4
Approved	167	192
Approved with Proviso	83	70
Denied	11	2
Denied without Prejudice	13	6
<b>Total</b>	<b>274</b>	<b>274</b>

The above table does not include the 39 Article 80 projects that came before the ZBA over the specified time period. The Planning Department recommends approval for all Board-approved Article 80 cases and includes the BPDA Board memo for the project in the materials sent to the ZBA. Of the 39 Article 80 projects, the ZBA approved 24, approved with proviso 4, deferred 10, and marked 1 as withdrawn. Below is the trend of Article 80 cases from 2023-2025, which shows a 44% increase of projects from 2023 to 2025:

**Total Number of Article 80 Projects from 2023-2025**

<b>Article 80 Cases</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
Approved	29	48	47
Approved with Proviso	19	19	5
Denied without Prejudice	0	0	1
Denied	0	0	1
Deferred	2	0	19

## BOARD APPROVED

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Withdrawn	2	1	2
<b>Total</b>	52	68	75

During the six-month period, the Planning Department recommended approval for 250 cases and of those 250 cases 67% were approved and 33% were approved with proviso. Furthermore, the Planning Department and the ZBA had the same recommendation and decision for 198 cases out of the 274 final decisions (72% agreement rate). The breakdown of all 321 cases (similarities and differences between the ZBA and Planning Department) can be found below.

### **Total Recommendations and Decisions between the Planning Department and the ZBA**

<i>Planning Department Recommendations</i>	<i>ZBA Decisions</i>	<i>Count</i>
Approved (Total: 185)	<b>Approved</b>	<b>146</b>
	Approved with Proviso	17
	Denied	1
	Denied without Prejudice	1
	Deferred	18
	Withdrawn	2
Approved with Proviso (Total: 92)	Approved	36
	<b>Approved with Proviso</b>	<b>45</b>
	Denied	0
	Denied without Prejudice	1
	Deferred	9
	Withdrawn	1
Denied (Total: 20)	Approved	4
	Approved with Proviso	3
	<b>Denied</b>	<b>1</b>
	Denied without Prejudice	2
	<b>Deferred</b>	<b>9</b>
	Withdrawn	1
Denied without Prejudice (Total: 20)	Approved	6
	Approved with Proviso	5
	Denied	0
	<b>Denied without Prejudice</b>	<b>2</b>
	<b>Deferred</b>	<b>7</b>

	Withdrawn	0
Deferred (Total: 4)	Approved	0
	Approved with Proviso	0
	Denied	0
	Denied without Prejudice	0
	<b>Deferred</b>	<b>4</b>
	Withdrawn	0

The trend of when the Planning Department recommends “Denial” or “Denial without Prejudice” and the applicant and the ZBA is more likely to defer the project continues from the last report.

**OTHER ZBA TRENDS**

<b>Zoning Districts</b>	<b>Conditional Uses Permit Only</b>	<b>Permits that Include Variance Permit</b>	<b>Total Cases without Deferrals or Withdrawn</b>
Allston/Brighton	0	14	14
Audubon Circle	1	1	2
Bay Village	1	0	1
Boston Proper	5	8	13
Bulfinch Triangle	2	1	3
Charlestown	1	10	11
Chinatown	2	1	3
Dorchester	4	38	42
East Boston	2	17	19
Fenway	2	2	4
Government Center/Markets	2	0	2
Greater Mattapan	0	7	7
Harbor Park: Fort Point Waterfront	0	1	1
Hyde Park	1	20	21
Jamaica Plain	4	17	21
Mission Hill	1	5	6

North End	1	2	3
Roslindale	0	24	24
Roxbury	6	18	24
South Boston	2	21	23
South End	6	7	13
West Roxbury	0	13	13

The top five violations mentioned in all the cases were: (1) FAR Excessive, (2) Side Yard Insufficient, (3) Rear Yard Insufficient, (4) Parking or Loading Insufficient, and (5) Lot Area Insufficient.

### **CONCLUSION**

As noted in earlier reports, we continue to strive to make significant changes to Boston’s zoning code through zoning reform. We hope that through this reform the Code will better reflect the current built conditions of Boston and allow more important projects to our residents be built as-of-right. Future reports will continue to feature preliminary data from other rezoning and modernization efforts as we continue to track our progress towards reducing reliance on the Zoning Board of Appeal.

### **TWO YEARS IN REVIEW: NEW EAST BOSTON ZONING**

This section reviews as-of-right permitting activity in East Boston following the Boston Zoning Commission’s adoption of updated neighborhood zoning on April 24, 2024. The analysis examines projects submitted between May 1, 2024, and May 1, 2026, to establish an early implementation baseline for the updated zoning. It summarizes activity by project type and permit status, highlighting how proponents are using the new zoning for new construction, commercial reuse, residential adaptation, and improvements to existing buildings.

### **SUMMARY OF ACTIVITY**

A total of 81 as-of-right project filings were identified during the two-year period.

**Table A. As-of-Right Submitted Filings by Permit Type in East Boston**

Permit-Specific Type	Submitted Requests
New Construction	21
Change of Commercial Use	16
Exterior Renovation	10
Extension of Living Space	6
Additional Footprint	6
ADUs	6
Additional Units	4
Roof Structure	4
Confirm Occupancy	3
Accessibility Improvements	3
Commercial to Residential Conversion	2
<b>Total</b>	<b>81</b>

As shown in Table A, submitted filings were distributed across a broad range of project types. New Construction and Change of Commercial Use were the largest categories, indicating interest in both new development and the reuse of existing commercial spaces.

Other requests, including exterior renovations, ADUs, additional units, extensions of living space, additional footprint, accessibility improvements, occupancy

confirmations, and roof structures, point to continued investment in East Boston’s existing building stock. Rather than showing activity concentrated in a single project type, the data suggests that the updated zoning is being used for both larger development proposals and incremental changes to homes, businesses, and existing buildings throughout the neighborhood.

**PERMITS ISSUED**

Of the 81 submitted filings, 58 advanced to permit issuance during the analysis period; the remaining 23 are still pending some other component of building code, fire code, stormwater, or other permitting review at this time.

**Table B. As-of-Right Issued Permits by Permit Type in East Boston**

As-of-Right Permit-Specific Type	Issued Permits
Change of Commercial Use	12
New Construction	8
Additions / ADUs	7
All Other Types	31
<b>Total</b>	<b>58</b>

For issued permits, several related residential expansion and adaptation categories are summarized together as “Additions / ADUs” to distinguish smaller-scale housing changes from new construction. “All Other Types” includes issued permits outside the largest specific categories, including smaller alterations, improvements, occupancy-related changes, and other building modifications.

Issued permits show which types of requests moved from the permitting pipeline into approved activity during the two-year period. Change of Commercial Use was

the largest specific category, with 12 permits, followed by New Construction with 8 permits and Additions / ADUs with 7.

The remaining 31 permits were distributed across other permit types, reflecting a broader set of smaller-scale alterations, improvements, and occupancy-related changes. This suggests that much of the issued activity involved modifications to existing properties and points to continued reinvestment in East Boston's existing building stock.

These issued permits should be read as an early measure of implementation, not as a final outcome for every submitted request. Some projects submitted during the review period may still be under review, revised, withdrawn, or issued after May 1, 2026. Within the period studied, however, the data shows that the updated zoning is already producing issued permits across commercial, residential, and building-improvement categories.

### **NEIGHBORHOOD-SERVING COMMERCIAL ACTIVITY**

Commercial use changes provide one of the clearest early signals of how existing spaces are adapting under the updated zoning. Issued permits include day care facilities, coffee shops, personal care and grooming services, and ground-floor retail or commercial office space.

Examples include:

- Little Steps Child Care Center at 282 Bremen Street, East Boston
- Avanti Hair Fashions at 318 Chelsea Street, East Boston
- Caffè dello Sport Eastie at 937 Saratoga Street, East Boston
- New ground-floor commercial/office space at 301 Border Street

These examples show commercial activity tied to daily neighborhood needs. Rather than pointing to a single type of commercial demand, the issued permits reflect a range of local services, including child care, food and beverage, office or workspace uses, and personal care.

### **HOUSING PRODUCTION AND RESIDENTIAL ADAPTATION**

Residential permit activity shows two related but distinct forms of housing change: new production and adaptation of existing properties.

New construction projects include five triple-deckers, one double triple-decker, one 12-unit multifamily residential building, and one 170-unit Article 80 mixed-use development with ground-floor commercial space.

Additional residential permits show housing being created through reuse, conversion, and expansion. These include three ADU construction projects, one single-family to three-family rebuild, one three-family to four-family conversion with an ADU, and two renovation and vertical addition projects.

Together, these permits show that residential activity is occurring through multiple pathways, including infill construction, ADUs, conversions, vertical additions, multifamily development, and mixed-use projects. This range suggests that the updated zoning is supporting both new housing production and the adaptation of existing properties to accommodate additional homes.

## **CONCLUSION**

The first two years of as-of-right permitting show that East Boston's updated zoning is being used for both new development and reinvestment in existing properties. The data points to three early implementation trends.

First, new construction remains an important part of the permitting pipeline, with the largest number of submitted requests and a range of issued residential projects.

Second, commercial use changes represent the largest specific category of issued permits, suggesting that existing commercial spaces are actively adapting under the updated zoning.

Third, a substantial share of issued permits involve smaller-scale alterations, improvements, occupancy-related changes, and residential adaptations. While less visible than larger development proposals, these projects indicate continued reinvestment in East Boston's existing building stock.

Together, these findings establish an early baseline for future evaluation. Continued tracking should focus on how submitted requests move through review, whether commercial reuse remains prominent, how housing activity changes by project scale, and how issued permits align with the broader goals of the updated zoning.