

Squares + Streets Zoning Districts:

Responses to Public Comment Letter Submissions

This document contains individual responses to public comment letters regarding the Squares + Streets draft zoning text amendment that were submitted via email or mail outside of the online public comment form. The original letters themselves are attached in the same order following this matrix of responses. This document was revised on 02.14.2024 to fix broken webpage links as well as improve the formatting and readability of comments and responses.

Date	Name	Organization	Response
1/12/2024	Carlos Aramayo	UNITE HERE Local 26	Thank you for your comment letter. In response to your comments, the zoning text amendment was revised to add an additional threshold on “small hotels” which is measured by number of rooms to better measure the most significant impacts of hotels. The 50,000 square footage threshold is also maintained in the revised version to ensure that hotels over 50,000 sq ft are required to pay Development Impact Project (aka linkage) fees (https://www.bostonplans.org/projects/standards/linkage). Thank you for your guidance on revising this component of the amendment.
1/16/2024	Kevin M. Carragee	N/A	<p>Thank you for your comprehensive and thoughtful letter outlining your concerns and recommendations regarding the Squares and Streets initiative. We greatly appreciate your commitment to ensuring fair and equitable housing opportunities, disability rights, and community engagement in the City of Boston's development plans. We understand and share your desire for a thorough and inclusive public comment period for initiatives as significant as Squares and Streets. The Squares and Streets zoning initiative had a six month community engagement process and the BPDA board has been moved from February to March to allow for staff to meaningfully respond and incorporate comments.</p> <p>Regarding specific engagement requirements and accountability measures, we recognize the necessity of clear guidelines to ensure transparency and responsiveness to community needs. We encourage you and for community members to review the engagement template (https://www.bostonplans.org/getattachment/6b3dddaf-cfa3-4aa4-b638-808c061e4426) that sets a standard of expectations for community engagement throughout the planning process (we expect Fields Corner and Codman Square to start their planning processes this spring). Additionally, we appreciate your emphasis on affordable family housing, disability rights, and anti-displacement measures within the Squares and Streets initiative. These are critical components that must be addressed comprehensively to promote inclusivity and equity across our neighborhoods. We look forward to working with you in the planning process to further incorporate these goals in the plan.</p>
1/16/2024	Susan Pranger	N/A	Please see our response to your second submitted letter.
1/17/2024	Ruth Whitney	N/A	<p>Thank you for your comments and for expressing your concerns about community engagement in this process. Please stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way. Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be voted on. Boston Zoning Commission meetings are public hearings, so public comments can be shared live during those sessions, as well.</p> <p>Additionally, BPDA staff and the Planning Advisory Council are also presently working on an anti-displacement strategy with attention to residential, commercial, and arts and culture displacement concerns. The City does have programs that work towards alleviating anti-displacement issues, but those programs have not been packaged as an anti-displacement toolkit in the past. This process will be an opportunity to better package and identify needs within those existing City resources for anti-displacement. The same is true for environmental protections. There are multiple ongoing citywide efforts to that effect, and Squares and Streets</p>

			will be subject to those protections much like all other districts across Boston, including the City's tree ordinance and the upcoming work by the BPDA's Zoning Reform team on updating Zero Net Carbon zoning (Article 37).
1/18/2024	Lyndia Downie	Pine Street Inn, Inc (PSI)	<p>Thank you for this letter. The BPDA recognizes the extraordinary work of Pine Street Inn and are proud to have organizations like yours working to address these civic issues.</p> <p>We have amended the language around lodging houses to now allow them in S1-S5. We would also like to note that we have renamed the use previously called "group housing" to be called "supportive housing," which is allowed in all Squares + Streets districts.</p> <p>Additionally -- and though this is not directly in response to your letter -- with respect to Temporary Shelter Facilities, after continued discussion with BPHC, we have modified the name of this use to instead be "Shelter Facility," to remove any ambiguity that these uses might be confused with emergency shelters relative to the right to shelter. We do not currently envision these Shelter Facilities as uses in Squares + Streets areas.</p>
1/18/2024	Müge Ündemir	Preservation of Affordable Housing, Inc. (POAH)	<p>Thank you for writing this letter on behalf of POAH and for sharing your perspective on this project as an affordable housing developer. It is important and helpful to understand the ways that the Squares + Streets zoning districts support the creation of affordable multifamily housing by easing the pathways towards their development.</p> <p>On your comment about coordination with the fire code, we have made sure to vet the consistency of the proposed zoning with the Inspectional Services Department as it relates to building, fire, and accessibility codes. Specific to your comment on access, fire code does request a 20-foot width of access to residential buildings and that 20-foot access can include public right-of-ways and not solely driveways. Many existing buildings in main streets and squares have 20-foot right-of-ways in front of them that would accommodate this regulation and that right-of-way would continue to fulfill that regulation in developments built within Squares + Streets zoning districts. Most of the places where we see S+S districts will be areas where there's enough frontage that the road should be able to serve as the access lane and we can get away with a smaller curb cut that's really just for parking access. In situations where the building is behind another building or the lot is so big that the road itself can't govern as the access lane, then, as you say, fire code might require a larger lane and/or curb cut.</p>
1/19/2024	Kara Elliott-Ortega	Mayor's Office of Arts and Culture (MOAC)	<p>Thank you for your letter and MONICA's engagement in helping draft improved zoning. Based on your feedback, we believe we've addressed each of these items. We've added a new extra small entertainment and live event use, so that this use can clearly be evident as a principal use and not just an accessory use. Cafes are considered restaurants; accessory live entertainment is allowed in all districts except S0, where it is conditional, subject to the requirements of the licensing process beyond zoning. We've also clarified the drafting of adult entertainment to emphasize that it emphasizes sexual conduct and is not open to persons under 18 years old by reason of age, to ensure that arts and culture uses featuring nudity are not mis-interpreted as adult entertainment uses. While our edits to Article 11 are, at this time, limited to adding the new S+S districts to those subject to regulations on signage, we are planning a more comprehensive look at Article 11 over the coming year, led by BPDA Urban Design staff and in concert with ISD; we welcome your assistance in that process. We have removed reference to noise in the definitions of both arts studios and makerspace. We have amended the definition of retail stores to include art galleries - this means they would be allowed in S1-S5 districts, and conditional for S0. Arts studios would similarly be allowed in S1-S5, but forbidden in S0; since this district is meant to be predominantly residential, we think the allowances for Artist Live-Work is the most appropriate for S0. Finally, we have clarified that outdoor amenity space includes spaces like outdoor dining or outdoor performance spaces that can serve tenants, customers, and the public.</p>
1/23/2024	Jeri Hamlen	N/A	<p>Thank you for your comments and for expressing your concerns about community engagement in this process. Please stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way. Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end</p>

			of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be voted on. Boston Zoning Commission meetings are public hearings, so public testimony can be shared live during those sessions, as well.
1/23/2024	Joanne Massaro	N/A	Thank you for your letter. The BPDA has released a set of locations where Squares + Streets could be located. Squares + Streets is not, as a general rule, looking at areas that have undergone recent rezoning, such as Charlestown. The goal of our Small Area Plans is to ensure that we take a neighborhood-centric view when applying these broad district concepts to a specific area.
1/23/2024	Jeanne DuBois	Southwest Boston Community Development Corporation (SWBCDC)	<p>Thank you for your comments and for expressing your concerns about community engagement in this process. Please stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way. Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be voted on. Boston Zoning Commission meetings are public hearings, so public testimony can be shared live during those sessions, as well.</p> <p>Squares + Streets districts will not rezone all of Hyde Park, nor even all of the study areas for Cleary or Roslindale Square. Instead, we will use the Small Area Plan process to locate selected areas where some zoning can be replaced with these new S+S zones. In all other areas, the existing Hyde Park (or Roslindale, respectively) neighborhood districts will remain in effect.</p>
1/25/2024	Craig Martin	N/A	<p>Thank you for your comments and for expressing your concerns about community engagement in this process. Please stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way. Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be voted on. Boston Zoning Commission meetings are public hearings, so public testimony can be shared live during those sessions, as well.</p> <p>We look forward to beginning the Cleary Square small area plan, so you can continue to be involved as we work through the details of what makes the most sense from a zoning perspective. As noted in our conversations, the plan primer should be considered a useful starting point for the planning process, not a final product.</p>
1/25/2024	Gwynne Morgan and William J. Golden	N/A	Thank you for your comment letter. In addition to revisions made based on public comments that were received, the Zoning Reform Team made revisions on the land use and dimensional components of the proposed Squares + Streets Zoning Text Amendment based on feedback from over a dozen City departments and commissions to ensure the proposed zoning was aligned with existing strategies and ongoing and potential city initiatives and needs for Squares

			<p>+ Streets areas. These departments included: Mayor’s Office of Housing (MOH), Office of Economic Opportunity and Inclusion (OEI), Mayor’s Office of Arts and Culture (MOAC), Boston Transportation Department (BTD), Inspectional Services Department (ISD), Licensing Board, Mayor’s Office of Nightlife Economy, Operations Cabinet, Parks and Recreation Department, Environment Department, Mayor’s Office of Food Justice (OFJ), Office of Green Infrastructure, Boston Public Health Commission (BPHC), Age Strong Commission, and Disabilities Commission.</p> <p>As part of the launch of the Squares + Streets initiative, BPDA Planning staff held various intercept surveys and gave presentations at local neighborhood organizations to share information about the initiative. More information about the first phase of engagement that occurred in Fall and Winter of 2023 can be found at www.bostonplans.org/squares titled “Phase 1 Fall 2023 Engagement Summary.” In West Roxbury, this included intercept surveys at Roche Bros. and the West Roxbury Boston Public Library branch on Centre Street as well as presentations to the West Roxbury Neighborhood Council (Tues, Oct 24) and the Highland Neighborhood Civic Association (Mon, Dec 11, 2023). The presentation for HNCA was one week after the release of the draft zoning text amendment (Dec 5) and included time for residents to ask questions about the zoning text amendment and provide information about virtual office hours that were open for all Boston residents to attend from December 5 thru January 25. Please stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal engagement that you are naming and will help apply these broader ideas in a more specific way. Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April. Information about office hours to ask additional questions about the zoning text amendment can be found at www.bostonplans.org/zoning4squares under “Office Hours.”</p> <p>To your comments on the Squares + Streets zoning districts, the Squares + Streets zoning districts are a set of zoning options that will be mapped within local areas as part of the aforementioned Small Area Plan processes. These zoning districts represent multiple different maximum heights, building lot coverage, land use allowances and intensities, and requirements for open space and active uses. The Small Area Plans process will work closely with the community to take a closer look at each Squares + Streets area, analyzing spatial characteristics, current land uses, open space, and transit access, among other criteria, to determine which districts get mapped in that area.</p> <p>To your comment about parking, while properties within Squares + Streets Districts will not require a minimum amount of parking, they may be allowed to build it if they identify that as a need. Constructing parking can be expensive and limit feasibility for affordable housing, and can take up additional space on a site that could otherwise be used for permeable open space and amenities for residents. The Small Area Plans will also be an opportunity to work on parking strategies for an entire area by working with our colleagues in the Transportation Department and Public Works Department to review curbside parking regulations within the public right-of-way.</p> <p>To your comment about affordable housing, this new zoning will support many kinds of housing development, including affordable housing development through inclusionary zoning requirements (which more information can be found about at https://www.bostonplans.org/projects/standards/inclusionary-development-policy) and clear zoning pathways for mixed-income and all-affordable housing development. To your comment about displacement risk for small businesses, the Small Area Plans will include engagement with small business owners on their needs and recommendations and the Office of Economic Opportunity and Inclusion (OEI) will be one of our City department partners in this process. Additionally, BPDA staff and the Planning Advisory Council are also presently working on an anti-displacement strategy with attention to residential, commercial, and arts and culture displacement concerns. The City does have programs that work towards alleviating anti-displacement issues, but those programs have not been packaged as an anti-displacement toolkit in the past. This process will be an opportunity to better package and identify needs within those existing City resources for anti-displacement.</p>
1/25/2024	Judy Ulman	N/A	Thank you for your comments and for expressing your concerns about community engagement in this process. Please stay involved with our Small Area Plans, which are intended to provide

			<p>precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way. Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be voted on. Boston Zoning Commission meetings are public hearings, so public testimony can be shared live during those sessions, as well.</p>
1/25/2024	Sandra Serkess	N/A	<p>Thank you for submitting your comments. Please stay involved with our Small Area Plans, which are intended to provide hyperlocal involvement and will help apply the broader ideas of the Squares + Streets initiative in a more specific way. We recognize the necessity of clear guidelines to ensure transparency and responsiveness to community needs and understand your concerns about this. We encourage you and for community members to review the engagement template (https://www.bostonplans.org/getattachment/6b3dddaf-cfa3-4aa4-b638-808c061e4426) that sets a standard of expectations for community engagement throughout the planning process.</p>
1/25/2024	Susan Pranger	N/A	<p>As noted in the February 6, 2024 public meeting, the BPDA is publicizing and noting the changes that you have raised concerns about as insufficiently clear. We have made many revisions to language and definitions since the last public meeting, and those changes have been annotated in the latest draft. We have modified the definition of lodging house, as noted by you and other commenters.</p> <p>Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be voted on. Boston Zoning Commission meetings are public hearings, so public testimony can be shared live during those sessions, as well.</p> <p>We believe we have addressed most of the questions you have posted in this letter as well as your previous letter through multiple in-person meetings, but also recognize that you are still primarily still concerned about the language around existing nonconformities. As best as we understand it, your concern is centered around a potential situation where allowing pre-existing side and rear existing nonconformities to be extended would allow a large addition as-of-right, even though this as-of-right change would not be allowed to violate any other zoning condition. While we think the original language addressed this, given the plan to restructure and re-write dimensional definitions and their organization in the code in the coming year, we're no longer proposing to allow the extension of existing side and rear yard nonconformities.</p> <p>We have more detailed comments as annotations to the PDF in the set of original letters following this matrix of responses.</p>
1/26/2024	Carol Streiff	N/A	<p>Thank you for your letter and for your comments on the broader zoning reform process. In many other American cities, comprehensive rewrites of the zoning code are generally 5-7 year processes. Many cities have undertaken such a process only to have it fail. We have undertaken an iterative process because of the urgency of many of the challenges the City faces, including the housing and climate crises, and our deep understanding that the status quo of our zoning is untenable. The first two areas that are undergoing Squares + Streets Small Area Plans are</p>

			<p>Roslindale Square (https://www.bostonplans.org/planning/planning-initiatives/roslindale-square) and Cleary Square (https://www.bostonplans.org/planning/planning-initiatives/cleary-square); these Squares + Streets zoning districts are proposed to be mapped in Mattapan to help implement PLAN: Mattapan (https://www.bostonplans.org/planning/planning-initiatives/plan-mattapan). Thank you for engaging in the process.</p>
1/26/2024	Andrew Donovan	N/A	<p>Thank you for your comment letter and for sharing your thoughts on the status of the City's Zoning Code and its implementation. The Squares + Streets initiative is one of multiple citywide zoning reform initiatives to better standardize and make predictable the development guidelines in the City. While Squares + Streets focuses on promoting mixed-use development on main streets and neighborhood squares, we encourage you to stay involved and up-to-date on future zoning reform efforts on the BPDA's Zoning Initiatives page at https://www.bostonplans.org/zoning/zoning-initiatives. These upcoming initiatives include citywide zoning for accessory dwelling units (ADUs) in residential areas, Zero Net Carbon zoning, and comprehensive updates to parking regulations within the zoning code with a focus on greening parking design and standards.</p>
1/26/2024	Tamara C. Small	NAIOP Massachusetts, The Commercial Real Estate Development Association	<p>The BPDA thanks NAIOP for its consideration of this amendment.</p> <p>While we agree that in the short term, the zoning code gets longer with these changes, we assess that an incremental approach is still the most viable path for comprehensive zoning reform. We do intend that these simplified structures become the final single end product remaining in the zoning code over time, but do not plan on saving all changes for one single wholesale rewrite.</p> <p>As noted in other responses to letters, we have shifted our projected date for presentation to the BPDA board to March 2024. We have received well over 200 comments to date, dozens of submitted letters like yours, and had dozens of hours of well-attended office hours with one-on-one discussions with constituents. We are confident that we have received substantial public input, and that it has shaped this amendment for the better.</p> <p>With respect to retail space, we recognize that mandatory retail can be a challenge. We have enabled it optionally in S0, and have worked carefully to try to ensure that areas where commercial space is required will be surrounded by sufficient residential density to create meaningful new customer bases. We will be rolling out these efforts in Cleary Square and Roslindale Square first, as has been publicly announced, and look forward to your and other stakeholders help in making these processes more predictable for the public at large and better for business owners, employees, and customers alike.</p>
1/28/2024	Jonathan and Ginny Gass	Bellevue Hill Improvement Association, Inc. (BHIA)	<p>As noted in the BODY's response to your online comment with identical text:</p> <p>The zoning districts were based on 5 years of data of recent development here in our gem, the City of Boston, as well as the building code of Massachusetts. These text amendments will go to the BPDA Board, who can vote to petition the Zoning Commission. The Zoning Commission, established by the 1957 law establishing a zoning code for Boston, then can vote to adopt the amendments. They would then be mapped, and thus made effective in any neighborhood of the city, as a result of a planning process, including community engagement as well as a second legal process. Thank you for your comment.</p>
1/28/2024	Kathleen "Kathy" McCabe	Longfellow Area Neighborhood Association (LANA)	<p>Thank you for your comments and for expressing your concerns about community engagement in this process. Please stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way. Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be voted on. Boston Zoning</p>

			<p>Commission meetings are public hearings, so public testimony can be shared live during those sessions, as well.</p> <p>Both during and after this process, Roslindale's neighborhood zoning will remain in effect. What will change after the Small Area Plan is that, in areas where the planning process has concluded that these new zones would be appropriate, the BPDA will draft an updated zoning map for consideration that, in these selected areas, uses S+S districts instead of the Roslindale neighborhood zones. This will not be area-wide, and we encourage you to stay involved in the process to help shape how and where this happens.</p>
1/29/2024	Jesse Kanson-Benनाव	Abundant Housing MA (AHMA)	<p>Thank you for your comment letter and for the context you shared on Boston's housing needs. Squares + Streets is one of several efforts within the City of Boston to meet these needs, and we encourage your membership and communities you serve to stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way</p>
1/29/2024	Michael McCord	Boston Green Action (BGA)	<p>Thank you for your comment and for your review of our Fall 2023 engagement summary as it relates to climate resiliency goals. The goals you listed are both important and relevant to address during the engagement processes that will occur in the Small Area Plans as they are launched this year. Please stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way. Additionally, Squares + Streets zoning districts will need to follow broader citywide regulations created both through citywide zoning and policies implemented by other City departments, including the City's tree ordinance and the upcoming work by the BPDA's Zoning Reform team on updating Zero Net Carbon zoning (Article 37), to name a few ongoing plans and initiatives related to the goals you stated. While Squares + Streets focuses on promoting mixed-use development on main streets and neighborhood squares, we encourage you to stay involved and up-to-date on future zoning reform efforts on the BPDA's Zoning Initiatives page at https://www.bostonplans.org/zoning/zoning-initiatives to continue sharing insights during various zoning processes where the integration of climate resilience goals would support a comprehensive application of those goals citywide.</p>
1/29/2024	Jenn Cartee	Dorchester Growing Together (DGT)	<p>Thank you for your letter. We have modified our draft amendment to incorporate most of the recommendations you make here, with one notable exception. As you may have noted during the February 6, 2024 public meeting, we continue to allow standalone parking structures and lots in S2-S5. As part of a broader move to reconsider parking in the City of Boston, we want to disincentive the construction of new parking facilities while not unreasonably removing it all together when it might still be needed.</p> <ol style="list-style-type: none"> 1) The conditional requirement puts a major control on new facilities, and the expectation is that anyone wanting to build a garage or lot needs to make a case for it. 2) The zones where a garage is conditional still have an active use requirement, so one can't just occupy ground floor parking space were it to be approved. 3) Any large enough project contemplating the need for a standalone garage would likely go through Article 80 and would have to comply with BTM parking guidelines and design review as well. 4) With no parking minimums, the likelihood of needing garages and lots is reduced. 5) Were it to be fully forbidden, then in a scenario where a development insisted on its importance, we might be creating a new regular situation for variances, which zoning reform is also trying to avoid; so conditional but controlled seems the preferred balance, given all the considerations.
1/29/2024	Tim Horn	Fenway Civic Association (FCA)	<p>Thank you for your letter. The BPDA has released a set of locations where Squares + Streets could be located, and Fenway is not on that list. Squares + Streets is not, as a general rule, looking at areas that have undergone recent rezoning, or which contain the levels of pre-existing density you note are present in Fenway.</p>
1/29/2024	Rick Yoder and Lisa Beatman	Mount Hope Canterbury Neighborhood Association (MHCNA)	<p>Thank you for your comment letter and additional comments submitted via the public comment form. Specific to the Squares + Streets initiative, we encourage you and community members to review the engagement template (https://www.bostonplans.org/getattachment/6b3dddaf-cfa3-4aa4-b638-808c061e4426) that sets a standard of expectations for community engagement throughout the planning process. As part of that template and the Small Area Plans processes, the BPDA Comprehensive Planning team intends to reach residents, business owners, and frequent visitors to the square and pursue diverse engagement approaches to meet these various groups where they are understanding different venues and engagement styles will be more accessible than others. On</p>

			<p>your comments regarding individual development projects, we encourage you and community members to stay involved and aware of the Article 80 Modernization process (https://www.bostonplans.org/projects/improving-development-review-process-article-80) happening now to make improvements to community engagement and development review operations.</p>
1/30/2024	Gene Radwin	N/A	<p>Thank you for your comments and for expressing your concerns about community engagement in this process. Please stay involved with our Small Area Plans, which are intended to provide precisely that hyperlocal involvement and will help apply these broader ideas in a more specific way. Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be put up for adoption. Boston Zoning Commission meetings are public hearings, so public testimony can be shared live during those sessions, as well.</p>
1/30/2024	Matthew Lawlor	WalkUp Roslindale (WUR)	<p>Thank you for your letter and comments on both the Squares + Streets zoning and engagement throughout the whole initiative. Please stay involved in the Roslindale Square Small Area Plan process as it kicks off on February 24. The Small Area Plans process will take a closer look at each Squares + Streets area, analyzing spatial characteristics, current land uses, open space, and transit access among other criteria while also listening to community needs through engagement. We also encourage you and community members to review the engagement template (https://www.bostonplans.org/getattachment/6b3dddaf-cfa3-4aa4-b638-808c061e4426) that sets a standard of expectations for community engagement throughout the planning process to engage a variety of stakeholders.</p> <p>To your comment about limiting conditional uses: one of the reasons we've relied on conditional uses in the draft is because we think it allows us to offer greater flexibility, with a sound legal basis. Where we have put a conditional use, it is either because we think the appropriateness of the use depends on the context (subject to the conditional use criteria), or because it represents a scale that would be a Development Impact Project subject to linkage (which requires zoning relief alongside an evaluation of those impacts). We're going to continue to monitor how conditional use permits are considered by the ZBA under this zoning as part of keeping this zoning up to date.</p> <p>To your comment on displacement: BPDA staff and the Planning Advisory Council are also presently working on an anti-displacement strategy with attention to residential, commercial, and arts and culture displacement concerns. The City does have programs that work towards alleviating anti-displacement issues, but those programs have not been packaged as an anti-displacement toolkit in the past. This process will be an opportunity to better package and identify needs within those existing City resources for anti-displacement.</p> <p>The Squares + Streets zoning does take both existing conditions and future zoning needs into account with an effort to reduce non-conformities of existing buildings with new dimensional regulations and modernized land use regulations. Additionally, the S5 has been included as an additional option in the draft Squares + Streets zoning amendment to provide greater flexibility in zoning that helps in meeting housing needs.</p>
1/31/2024	Brian Putnam	N/A	<p>Thank you for your letter. Neighborhood Design Overlay Districts remain unchanged by Squares + Streets. We do not intend on rezoning every single parcel in the study area of Cleary Square. We encourage you to stay involved in the Small Area Plan process as it begins, so you can continue to provide input on how you would like to see these districts in the square.</p>
2/2/2024	Thomas Nally	A Better City (ABC)	<p>Thank you for your letter. We appreciate your observations around the goals of Squares + Streets. As you note, this is an initial step, and the BPDA plans to roll out a number of additional zoning reform steps this year to further achieve many of the broader concerns you speak to.</p>

2/2/2024	Sofia E. Owen	Alternatives for Community & Environment (ACE)	<p>Thank you for your comprehensive and thoughtful letter outlining your concerns and recommendations regarding the Squares and Streets initiative. We greatly appreciate your commitment to ensuring fair and equitable housing opportunities, disability rights, and community engagement in the City of Boston's development plans. We understand and share your desire for a thorough and inclusive public comment period for initiatives as significant as Squares and Streets. The Squares and Streets zoning initiative had a six-month community engagement process and the BPDA board has been moved from February to March to allow for staff to meaningfully respond and incorporate comments.</p> <p>Regarding specific engagement requirements and accountability measures, we recognize the necessity of clear guidelines to ensure transparency and responsiveness to community needs. We encourage you and for community members to review the engagement template that sets a standard of expectations for community engagement throughout the planning process and we expect Fields Corner and Codman Square to start their planning processes this spring. Additionally, we appreciate your emphasis on affordable family housing, disability rights, and anti-displacement measures within the Squares and Streets initiative. These are critical components that must be addressed comprehensively to promote inclusivity and equity across our neighborhoods. We look forward to working with you in the planning process to further incorporate these goals in the plan.</p>
2/2/2024	Margaret F. Turner	City of Boston's Affirmatively Furthering Fair Housing Community Advisory Committee (AFFH CAC)	<p>The Boston Planning & Development Agency (BPDA) appreciates your dedication to ensuring that our city's zoning and planning process align with the principles of fair housing. Over the next 6-9 months, community engagement in the Small Area Plans will help to shape plans recommending capital projects, city programs and community initiatives geared towards shaping neighborhood growth and improvement. These plans will also establish guidelines for developers, including considerations for community benefits, when proposing projects in the future. The zoning recommendations emerging from this process will enable new uses and additional development, subject to the parameters of the new zoning. Any proposed projects, whether within the newly rezoned areas or not, will adhere to the AFFH policy outlined in the zoning code for Article 80 Large Projects. Furthermore, all development projects with 7 or more units will be required to comply with the new Inclusionary Zoning policy, irrespective of their zoning district. The BPDA looks forward to continuing to work with the AFFH monitoring committee to further the goals of the report mentioned in your comment letter.</p>
2/2/2024	CJAB Steering Committee	Coalition for a Just Allston-Brighton (CJAB)	<p>Thank you for your comment letter and support of this initiative. The BPDA has worked with the Mayor's Office of Arts and Culture to incorporate the suggestions made by that office into the draft zoning text amendment to better align the zoning with citywide goals of supporting Boston's arts and culture ecosystem.</p> <p>To your comment on displacement, BPDA staff and the Planning Advisory Council are also presently working on an anti-displacement strategy with attention to residential, commercial, and arts and culture displacement concerns. The City does have programs that work towards alleviating anti-displacement issues, but those programs have not been packaged as an anti-displacement toolkit in the past. This process will be an opportunity to better package and identify needs within those existing City resources for anti-displacement.</p> <p>We encourage you and Allston-Brighton residents to stay involved in planning processes happening in the Allston-Brighton neighborhood: https://www.bostonplans.org/planning/planning-initiatives/planning-in-allston-brighton.</p>
2/2/2024	Councilor Gabriela Coletta	Boston City Council, District 1	<p>Thank you for your letter and your work with the Mayor's Office of Arts & Culture to address both the preservation of existing cultural spaces and creation of needed new cultural spaces. We believe the Squares + Streets effort to modernize the zoning code will advance this effort, particularly by creating a set of zoning districts where appropriate cultural spaces are allowed to thrive. Please see our detailed response to MAC's letter for specific changes; the BPDA looks forward to working with you and MOAC on further advancing improved regulations for cultural space across other types of zoning districts in the future.</p>
2/2/2024	Councilor John FitzGerald	Boston City Council, District 3	<p>The BPDA thanks the councilor for his letter. As noted at the February 6, 2024 public meeting on the draft amendment, the BPDA is pushing back presentation of these changes to the BPDA board until March 2024. This will both allow the BPDA to respond to the most recent set of comments that have been submitted and also allow the BPDA to continue to work with the public to better understand the Squares and Streets process and get involved in the upcoming Small Area Plans.</p>

2/2/2024	Armani White	Coalition for a Truly Affordable Boston (CTAB)	<p>Thank you for your thoughtful comment letter and your dedication to advancing housing goals in the City of Boston. We share your commitment to increasing housing availability, including affordable options. While we understand concerns regarding potential tradeoffs in the development process, it's important to note that the city is actively streamlining affordable housing development across Boston. This includes prioritizing the review of projects with 60% or more affordable units, ensuring a more efficient process without compromising community engagement.</p> <p>Regarding inclusionary zoning, we believe it's just one tool among many for creating affordable housing. As part of the small area planning process, we're identifying public parcels for potential disposition to facilitate affordable housing development. Concerning parking, the new zoning proposal doesn't include parking minimums, but developers are still able to propose parking spaces as needed. All projects, however, must adhere to ADA requirements.</p> <p>Eliminating parking minimums provides both small-scale developers and property owners with the same flexibility enjoyed by larger developers. This approach encourages a broader range of development scales, potentially enhancing affordability and accessibility across the city.</p>
2/2/2024	Joseph Impellizeri	Highland Neighborhood Civic Association (HNCA) Development Committee	<p>Thank you for your letter. The revised zoning text amendment was released on Monday, February 12 and is available on the Squares + Streets Zoning Districts page (https://www.bostonplans.org/zoning/zoning-initiatives/squares-streets-zoning-districts). Additionally, the BPDA has moved the proposal of this zoning text amendment to the BPDA Board from February to March to make time to answer questions from community members through office hours throughout the next several weeks about the proposed zoning. This will also shift the projected date when the presentation of this zoning text amendment happens to the Boston Zoning Commission from March to April.</p> <p>While revisions to the draft zoning amendment are based on comments received up to the end of the public comment period on February 2, the BPDA will continue to collect public comments submitted after February 2 and share those comments biweekly up until the proposal of this zoning text amendment to the Boston Zoning Commission. All public comments received both during and after the public comment period will also be shared with the Boston Zoning Commission for the hearing date where this amendment will be voted on. Boston Zoning Commission meetings are public hearings, so public testimony of up to 2 minutes per individual can be shared live during those sessions, as well.</p> <p>To your comment on the S0 and S1 zoning districts, S0 is meant to provide a transitional zoning district between higher and lower density areas while S0 has a similar scale with the addition of small scale commercial activity. S0 and S1 include more substantial yard requirements than other Squares + Streets zoning districts to help ensure there is space for plantings and to better fit in with their potential context adjacent to less active and more residential areas. The mapping process for all of the Squares + Streets districts will take into account the existing building and land conditions of areas (such as elevation) and will include input from the BODY's Urban Design department to determine fit into existing contexts.</p> <p>To your comment on transportation, the City of Boston now has their own dedicated seat on the Board of the MBTA, so we are excited for this additional avenue to help advance transportation improvements envisioned in our plans. Focus on the importance of the commuter rail and improvements will be important in the Small Area Plan processes.</p> <p>To your comment on parking, we are working on a larger effort to address parking dimensions and design standards across the code (with our colleagues in BTD and ISD). The Small Area Plans will also be an opportunity to work on parking strategies for an entire area by working with our colleagues in the Transportation Department and Public Works Department to review curbside parking regulations within the public right-of-way. Parking strategies will be made with attention to the local transportation trends and needs of each small area.</p> <p>To your comment on green space, the Squares + Streets districts aim to balance the allowed density in each district with yard requirements and outdoor amenity space requirements that encourage green and permeable areas on lots that are developed. We have tried to balance the need for green space and space for trees with the fact that existing squares (and the historic buildings in them) are areas with higher building lot coverage. We anticipate that other zoning</p>

			<p>districts, meant for other areas of the City, will include lower lot coverage with a strong emphasis on trees on private property.</p> <p>To your comment on housing units, as planners, it is our mission to value all Boston residents, regardless of their housing tenure. Many of the kinds of developments that could be built within Squares + Streets zoning districts would trigger the Article 80 Small Project Review process (buildings with more than 14 units) and that process will include community processes which are important opportunities to name the need for larger unit sizes to accommodate a range of household sizes and types. The scale of possible developments within these zoning districts increases the feasibility of development projects that can accommodate units of that size while existing zoning limitations often skew development towards smaller units that serve a smaller range of household types.</p> <p>To your comment on preservation of the commercial district, BPDA staff and the Planning Advisory Council are also presently working on an anti-displacement strategy with attention to residential, commercial, and arts and culture displacement concerns. The City does have programs that work towards alleviating anti-displacement issues, but those programs have not been packaged as an anti-displacement toolkit in the past. This process will be an opportunity to better package and identify needs within those existing City resources for anti-displacement. The Small Area Plan processes will be important opportunities to learn the more local experiences and needs of commercial occupants to better identify resources that can support their presence within these districts.</p>
2/2/2024	Jennifer Uhrhane	N/A	<p>Thank you for your letter. As noted at the February 6, 2024 public meeting on the draft amendment, the BPDA is pushing back presentation of these changes to the BPDA board until March 2024. This will both allow the BPDA to digest the most recent set of comments that have been submitted and also allow the BPDA to continue to work with the public to better understand the Squares and Streets process and get involved in the upcoming Small Area Plans.</p> <p>In the coming months, we will continue to roll out additional Squares + Streets locations beyond the four announced so far, and encourage you to both stay involved as the process continues.</p> <p>We have removed mention of noise from our arts and makerspace definitions to accommodate the power tools you note, and oil paints and art production will not produce the fumes rising to the level of the nuisance prohibited here.</p> <p>We are following citywide guidance for cannabis establishments in commercial areas. Related to parking, we agree that standalone parking lots are not a preferred use. This is why they remain conditional at best, while accessory parking (with housing above) and an active ground floor is a strongly preferred outcome.</p>
2/5/2024	Bill Walczak	Columbia-Savin Hill Civic Association (SCHCA)	<p>Thank you for your letter. We have met with the authors from Jamaica Plain multiple times and believe that the language as now clarified in our updated draft addresses those concerns. The BPDA does not believe that these new districts are representative of density in the Seaport, and encourages you to stay involved in Small Area Plans processes to help shape how these efforts will look in the areas where Squares + Streets are happening. We hope that improving housing production and walkability will play a role in increasing access to transit, and the City will continue to work with the MBTA to think about how best to serve our residents and workers.</p>

UNITEHERE! LOCAL 26

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January 12, 2024

James Arthur Jemison II, Director
Boston Planning & Development Agency
Boston City Hall, 9th Floor
Boston, Massachusetts 02201

Dear Director Jemison,

On behalf of our 12,000 members in the Boston-area hospitality industry, we write in support of the Squares and Streets initiative. This innovative and collaborative approach to neighborhood zoning is a model for how to make zoning tangible, democratic and functional to populations traditionally excluded from such conversations.

In recent years we have seen an explosion in hotels with compact rooms. The Moxy, Yotel and citizenM brands are now well established here in Boston and we have seen a slew of others proposed. We raise this as a consideration because of the potential impact a small (less than 50k sq ft) hotel could have on a given neighborhood. With a smaller hotel room footprint, a hotel can nearly double its room count, and therefore its trip generation, among other things that impact neighborhoods.

Our suggestion would be to either (a.) make small hotels conditional in S3, S4 and if possible S5 so each hotel proposal can be vetted based on its room count and other neighborhood impacts or (b.) change the definition of "small hotel" from "50k sq ft or less" to "50 rooms or less" so there is a more accurate representation of the number of guest rooms and therefore representation of the impact on the neighborhood.

We thank you for this opportunity to comment on this dynamic initiative. Please do not hesitate to reach out to my General Agent Jaimie McNeil at jaimie@local26.org if you have any questions.

Sincerely,



Carlos Aramayo, President
UNITE HERE Local 26



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

letter on squares on squares and streets proposal

Kevin M. Carragee <kcarragee@suffolk.edu>

Wed, Jan 17, 2024 at 12:36 PM

To: "squaresandstreets@boston.gov" <squaresandstreets@boston.gov>

Cc: Liz Breadon <liz.breadon@boston.gov>

16 January 2024

Mr. Abdul-Razak Zachariah
Boston Planning and Development Agency

Dear Mr. Zachariah:

The email indicates my strong support for the Squares and Streets initiative.

Several reasons explain my support for this proposed policy:

- Squares and Streets provides an opportunity to achieve two important outcomes: revitalize important commercial districts across the city of Boston; and create much needed housing during a severe housing crisis.
- Given the connection between Squares and Streets and broader and much needed reforms in zoning, Squares and Streets will create greater predictability in evaluating proposed development in Boston's commercial districts, reducing the time needed to permit projects. This reduction in time will reduce the costs of projects.
- Squares and Streets properly reflects a mixed-use approach to city planning, an approach that can help revitalize Boston's commercial districts, producing better retail mixes, creating additional jobs, and, by producing more housing, increasing the number of customers for businesses in these districts.

I recommend that the following issues related to Squares and Streets receive attention:

- The BPDA needs to enhance its communication efforts to inform Boston residents concerning the need for comprehensive zoning reform and how Squares and Streets relates to zoning reform. There needs to be a comprehensive communication plan to mobilize public support for broad zoning reform and for Squares and Streets.
- I encourage to BPDA to seek out opportunities to create higher density mixed use projects in some commercial districts that are particularly well served by public transportation. At present, the Squares and Streets proposal does not fully seize this opportunity. I advance this recommendation given the severity of the housing crisis in Boston.

- The BPDA should collaborate with the BTD and the MBTA to improve public transportation serving Squares and Streets districts. Given more development in these districts and an increase in the number of residents in these districts, there is a compelling need for enhanced public transportation.

In conclusion, I hope my comments are helpful.

Cordially,

Kevin M. Carragee
[58 Cresthill Road](#)
[Brighton, MA 02135](#)

cc. Councilor Liz Breadon

Date: January 16, 2024

To: BPDA planning

From: Susan Pranger

Re: Comments on “Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023”

The following comments are a follow up to the ESNA meeting with BPDA Streets and Squares staff on December 12, 2023, and my subsequent discussion at BPDA office hours on January 4, 2024. The following comments were initially prepared by me, and subsequently reviewed by additional members of the community. These comments both identify inconsistencies in language that should be resolved, but also include substantive comments. Additional comments and recommendations on the content/substance of the changes proposed by BPDA, and on changes made by BPDA subsequent to the 12/5/23 draft, will follow.

GENERAL COMMENTS:

Although Squares and Streets is a reasonable approach to more quickly implement changes to encourage housing and transit oriented development, there are several significant flaws in the language that must be addressed in the zoning language:

- In spite of the general introduction to the contrary, **there ARE several significant changes and new definitions that would affect existing zoning outside of future Squares and Streets**, specifically nonconforming additions, parking, loading zones, trash enclosures, and the definition of “ground floor”.
- Proposed language (definitions and narratives) is unnecessarily vague and inconsistent.
- The proposed five zones, S0 to S4, do not adequately cover all potential conditions. In particular, they do not encourage preservation of existing cultural or historic assets, and do not consistently promote active uses.
- Language should allow for existing zoning types to be used within the Squares and Streets boundaries where S0-S5 are not appropriate or adequate.

BPDA staff have indicated that related issues of housing affordability and stability, and for business stability, especially for minority, small and legacy businesses are being addressed separately. If so, it is critical that discussion of these strategies occur concurrent with this zoning approval process, and that protections are in place prior to approval of any S zoning, since the issues are inextricably related. For example, many legacy business rely on parking for established customers that are no longer local.

DETAILED COMMENTS:

Page 1-2 - The page numbers on the Contents list do not agree with the page numbers in the document.

Pages 3-4 -“Squares and Street Amendment Summary”

- The summary states that “none of these changes have any immediate effect on any existing zoning districts”. **THIS IS NOT TRUE.** The changes to these articles apply to all zones, and some of the changes are substantive and significant, but are not identified in this summary.
 - Article 2 – definition of ground floor – These definitions apply to all zones. As written, the language could refer to an above ground floor that does NOT face the street.
 - Article 13 – Nonconformity – The language appears to allow, as of right, additions that do not meet dimensional requirements, as long as they line up with existing non-conformities. (see discussion of Article 13 Page 4 of 8 below).
 - Article 23 – parking – Proposed changes limit curb cuts and prohibit parking in ALL front yards.
 - Article 24 – loading zone – This potentially reduces the number of required loading zones in all zones.
 - Page 16 only notes that new Use Table A is added, however the existing Use Table (now B) is also modified to delete S, LM, WM and WS.

Date: January 16, 2024

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Page 5-8 – “Squares and Streets Dimensional Standards Reference Guide”

- It is not clear if the lot regulations and definitions in this Guide are included as clarifications or actually will be included in the zoning amendment. For example, the definitions of “Permeable area of Lot”, “Stepback”, and “blank wall of façade” are not included in the revisions listed for either Article 2 or Article 26.
- B. Permeable Area – “rate and quantity equal or greater than natural ground cover” is vague and ill defined. Furthermore “permeable asphalt and pavers” while better than impermeable, are not necessarily as permeable as natural ground cover. Specific numerical, measurable criteria should be included.
- E. Ground floor active uses – The summary refers to “ground floor that fronts a public street”. However, the definition of a ground floor and first floor in the proposed revised Article 2 does NOT specifically reference the public street, and could be interpreted as defining a level that is above ground at the rear, and not visible on the public street, making the level facing the public street, floor two. The definition of “ground floor” (page 15) should be more specific if “G” is going to be used throughout the document, as it currently is.
- G. “Outdoor amenity space” and “Illustrated Amenity Types” – reference to ground floor is vague; clarify ground floor at public face from other ground floor/grade levels.

Page 9-13 (labeled page 1-4) Article 26

- The discrepancy in this section between the page number listed in the Content and the page number on the bottom of the pages is confusing.
- The use of S-0, rather than beginning with S-1, is confusing.
- Shifting existing Table A to become B is unnecessarily cumbersome, unless it is your intent to eventually eliminate Table A in the future?
- Section 26-1 Purpose includes “encourage...rehabilitation of historic buildings” but there is no language, and no proposed S zone that would encourage reuse of existing buildings. Upzoning to 7 stories will disincentivize reuse of historic buildings that are usually lower. **There is no proposed S zone that would require ground floor active use except those that allow 7 stories, which could inadvertently encourage demolition and replacement of smaller existing structures where active ground floor uses are desired. S1 and S2 should require active ground floor use, and make first floor residential conditional.**
- Section 26-2.A – The narrative descriptions on page 10 (page 1) that describe the 5 S zones are **confusing and misleading**; they do not use consistent language or criteria, and do not correspond to the descriptions in Tables A and B (page 12-13/3-4) .
 - S-1 (4,000 sf) is described as “small to moderate floorplate”, S-2 (8,000 sf) does not mention floorplate size, and S-3 (15,000 sf) is described as a “small scale building”.
 - S-2 says “dwelling units are prohibited along the ground floor on the primary street frontage” but table A allows it if the front yard is greater than 4 feet, and there is no requirement for active ground uses.
 - S-2 (5 stories) and S-4 (7 stories) are both called “mid-rise” while S-3 (7 stories) is called “taller mid-rise”.
 - The following table illustrates some of the inconsistencies between types, and between the descriptions in the Narrative and the corresponding Table.

Date: January 16, 2024

To: BPDA planning

From: Susan Pranger

Re: Comments on “Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023”

	USE		SIZE		HEIGHT	
	Narrative 26-2.A (Page 10 /Page 1 of draft)	Article 26 - Table A ...Uses (Page 12/3)	Narrative 26-2.A	Article 26 - Table B ... Dimensions (Pages 12- 13/3-4)	Narrative 26-2.A	Table B Stories
S-0	primarily residential	same		4,000		4
S-1	mixed use, majority residential; G: residential + small scale storefront/office	same	small to moderate floor plate	8,000		4
S-2	mixed use, Dwelling prohibited on ground floor primary frontage (but no requirement for active use)	ground fl dwelling allowed w/min 4' yard		15,000	mid-rise	5
S-3	mixed use, requires active ground floor use (no mention of ground floor dwellings)	ground fl dwelling prohibited on primary lot frontage	small scale building	20,000	taller mid rise	7
S-4	mixed use, requires active ground floor use, Dwelling prohibited on ground floor primary frontage	ground fl dwelling prohibited on primary lot frontage		25,000	mid rise	7

- Additional comments on the content of Table A and B
 - Table A – the rationale for limiting the number of units in S0 to 14 is not clear.
 - Table B- S4 – where no permeable area is required, there should be a requirement for alternative ground water recharge.
 - Table B – Rear yards abutting Residential zoning should be consistently set at 20 feet.
 - Table B – Stepback of the 5th floor should apply to zone S2, 5 story buildings, and should be 10 feet. As required in Plan JP/Rox, the stepback for building abutting 1-2 family buildings should be at the 4th floor.
 - Table B requires no outdoor amenity space for zones S0 and S1; it is also not clear whether the required “Outdoor Amenity Space” for S2, 3 and 4 can be private or public, balconies, decks or ground floor. As written, S0 and S1 setbacks could be used for parking, and might not provide any usable open space. Required amenity could be all balconies with no public open space whatsoever.
 - Table B “Blank wall of façade (max)” is unclear. S0 and S1 have no requirements. It is not clear is the maximum 15’ is each section or cumulative for an elevation. (i.e. can you have multiple 15’ sections separated by a 1’ window slot?)
 - Table B “Multiple Buildings allowed per lot” – the rationale is not clear. Since none of the categories define the size of the lot, why are the number of buildings restricted on projects with smaller buildings? Shouldn’t this relate to the size of the property?

Date: January 16, 2024

To: BPDA planning

From: Susan Pranger

Re: Comments on “Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023”

Page 14- 19- “Regulations applicable to all squares and streets districts – to be updated in other article”.

- This title implies that it is ONLY applicable to S districts, but the following articles are not labeled as specific to S&S, so it appears that these changes to Article 2, 3, 6, 11, 13, 18, 19, and 23 would apply to all zoning districts.
- Article 2- (Definitions?) Page 15-16
 - Each of these definitions would apply to all zoning districts. It is not clear that there are any existing references to outdoor amenity space, primary lot frontage, but certainly there are references to ground and first floor, and to party wall in the building code.
 - Ground floor and the first floor now have the same definition “the lowest story of which sixty-five percent (65%) or more of the height is above grade.” Is that the intent? Of greater concern is that this definition does not recognize that there are conditions where the grade is lower at the rear of a building, such that the lowest floor meeting this criteria might only face the rear of the building, and not face the street at all. This is important because all the active use requirements refer to the ground floor with the intent that they should face the primary street frontage. Either the definition of ground floor needs to add “facing the primary lot frontage”* or all the references to active use at ground floor need to change to “the lowest floor facing the primary lot frontage”. (*This change may require a review of other existing references in the building and zoning code to first or ground floor, i.e. calculating building height?)
- Article 3 – Establishment of Zoning districts - Page 16 (see also pages 81-89)
 - Although not referenced on the page 16 summary, this amendment deletes several zones from Article 3. Please clarify or confirm that all these changes only move Neighborhood districts from Article 3 to Article 8, and that none of the deleted zones (S (single family), LM (light manufacturing), WM (waterfront manufacturing) and WS (waterfront services) still exist in other parts of the city. This also affects Article 6, Use Table B (previously A) which is modified to delete S, LM, WM and WS.
- Article 6 Conditional Uses - Page 16 (see also pages 91-93)
 - Please confirm that the language has only moved and has not changed.
 - See note about Table B (previously Table a) above.
 - See additional comments below.
- Articles 8 Regulation of Uses – page 16 and New Use Tables pages 20-72.
 - Page 16 only notes that new Use Table A is added, however the existing Use Table (now B) is also modified to delete S, LM, WM and WS. Confirm that none of the deleted zones are still in use.
 - See additional comments on Article 8 (pages 20-72) below.
- Article 10 – Accessory uses is deleted. Was this article obsolete, or is it recreated/amended somewhere else?
- Article 11 – Signs - page 17 (and 95-101)
 - Confirm that the only change is to add new zones S0-S4.
- Article 13 Dimensional Requirements – page 17 (see also pages 103-104)
 - As noted above, this modification is NOT limited to Squares and Street zones and has substantial potential impact on other zones, as written.
 - Page 17 does not show the language deleted by the amendment. The deleted language is “any enlargement itself conforms to such dimension requirements”.

Date: January 16, 2024

To: BPDA planning

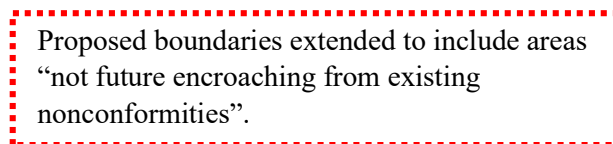
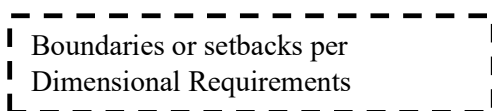
From: Susan Pranger

Re: Comments on "Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023"

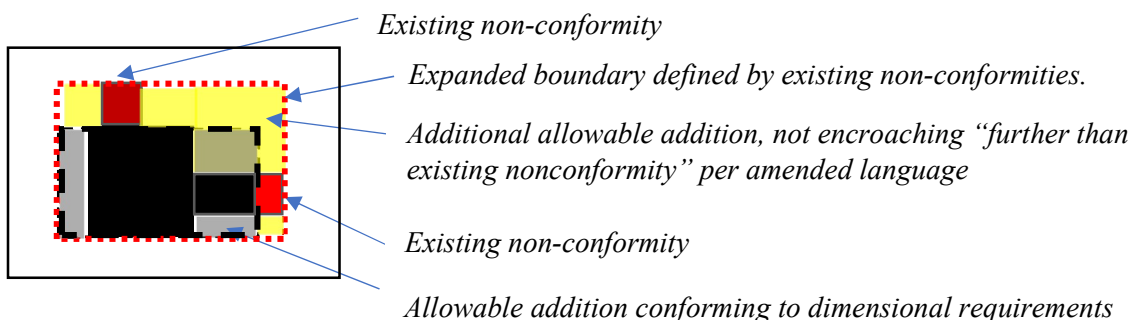
- BPDA staff at "office hours" 1/4/24, indicated that additions would still need to meet dimensional requirements, but that is NOT what this amendment says. Together, the deleted language and the added language appears to allow additions (enlargements) that do NOT meet dimensional requirements, as long as horizontal extensions "follow in line with the existing **nonconforming** buildings, without **further** encroaching from the existing nonconformity into a required side yard or rear yard...or front yard." This could allow, as of right, substantial additions disproportionate to the existing nonconformities. (see my illustration below) Worst case scenario, additional footprint could be added under (a.i), and then extended up at a later date under (b.ii).

The following diagrams illustrate the potential impact of the proposed changes to Article 13:

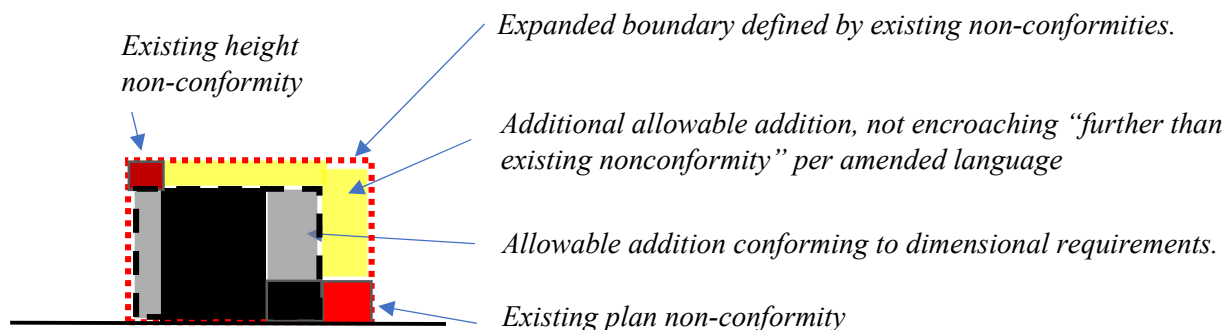
KEY:



The following diagram illustrates the potential impact of the proposed amendment (a) (i) on the site plan:



The following diagram illustrates the potential impact of the proposed amendment (b) (ii) on height. The amendment allows an extension in height of the existing footprint, whether conforming or non-conforming, to be extended the GREATER of the allowable or existing non-conforming height.



Date: January 16, 2024

To: BPDA planning

From: Susan Pranger

Re: Comments on “Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023”

- Article 18 – Front Yard – page 17 (and page 105-107) – no comments
- Article 19 – Side Yard – Page 17 (and page 108-111) – no comments
- Article 20– Rear Yard – add reference to Squares and Streets, similar to language in Article 18 and 19.
- Article 22 – Yard regulations – Page 112-114)
 - As noted above, this modification is NOT limited to Squares and Street zones.
 - Note that these changes were omitted from the summary on page 14 and 15.
 - Article 22.6 adds new language that requires trash and recycling areas to be “fully enclosed within a building or located in the side or rear yards” regarding location of service areas. It also allows (but does not require) enclosures or fences up to 8 feet in height. (It is not clear if this was relocated from another section.)
- Article 23 – Off Street Parking (pages 17-18)
 - 23-6 is specific to Squares and Streets, but **new language added to 23-9 and 23-11 is not limited to Squares and Streets.**
 - It is not clear what language is existing and what is new in the proposed 23-9 language. (*See existing language at the end of this memo.*)
 - 23-9 (a) limits curb cuts to 12 feet wide for parking facilities with fewer than 50 cars. This might have the inadvertent effect of causing backups of traffic where cars must enter and exit using the same lane.
 - 23-9 (b) prohibits parking within the front yard of a lot. Since this is not limited to Squares and Streets, wouldn't it prohibit all parking in the front of any commercial use as well?
 - 23-9(e) There should be an exception to permit performance of brief emergency servicing of vehicles, such as: changing burned out lamps or bulbs; changing or inflating a flat tire; jump starting or replacing a battery; access when a key is lost.
 - Note that 23-11 adds requirements for accessible spaces for off street parking with more than 15 spaces, in compliance with Architectural Access Board requirements.
- Article 24 – Off Street Loading (page 19, pages 115-118)
 - As noted above, this modification is NOT limited to Squares and Street zones.
 - Requirements for a specific number of loading bays for projects with gross square footage over 50,000 sf (currently 0 to 4, based on use and size) will instead be determined by Article 80 review. (Note that procedures for Article 80 review are under review and may themselves be changing.)
- Article 80 - page 19
 - This adds “new Article 8 uses, but details are not clear.
- Article 89 - page 19
 - This adds Squares and Streets districts, but the details are unclear.

Date: January 16, 2024

To: BPDA planning

From: Susan Pranger

Re: Comments on “Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023”

Page 20 Article 8 New Use Table (pages 20-72)

- Consider adding an alphabetical index of uses, including vernacular terminology, to reference use categories, to make it easier for the public to use the tables.
- It is not clear where short term rentals like Airbnb and Verbo would fall.
- Section 8-1 -page 21- Shouldn't “Squares and Streets” be added to the second paragraph?
- Section 8-2 -page 21-
 - In paragraph 3a. “incident” is a noun. Change to “incidental”?
 - Paragraph 3b, states that no accessory use “other than off street parking” may occupy side or front yards, but Section 23-9 (see page 77) which applies to “All off-street parking facilities” proposes added language that “Parking is not allowed within the front yard of a lot.”
- Section 8-3 Use Regulations – Table A and Definitions (pages 20-37)
 - Page 22 - Suggest that you add a key status “A-G/C = Allowed only on basement or ground floor; conditional on upper stories” to be used as noted below.
 - “Open Space/Private open space” is listed as conditional for all S zones. Does this refer to Private open space related to a building, or as the primary use?
 - “Residential/Lodging” is conditional in S3 and only Allowed in S4. This excludes a type of housing (single room occupancy/SRO) for a certain economic class, including the working poor, and should be at least conditional in all uses. (see definition on page 29)
 - “Active Uses/Grocery store-small” should be C-G in S0.
 - “Active Uses/Retail store-small” should be C-G in S0.
 - “Commercial Uses/Office-Small” is listed as “A-G” on S1 and S2, consider making it conditional on upper floors.
 - “Commercial Uses/Check Cashier” Forbidden in all S zones. Forbidding this might be considered classist, since many low income persons rely on these services. It should be C-G in all categories.
 - “Higher Education Uses/ School, Trade or Professional” is listed as “A-G” on S2 and S3, consider making it conditional on upper floors.
 - “Health Care Uses/Clinic” is listed as “A-G” on S1 and S2, consider making it conditional on upper floors.
 - “Transportation/Motor Vehicle Rental” is listed as “F”, forbidden, in all S zones. Shouldn't it at least be conditional where parking is also allowed or conditional, to allow rentals? (Not everyone is a Zipcar member.) If we discourage car ownership, there should be options to rent cars.
 - “Transportation/Standalone parking” is forbidden in S0-S2, and only conditional in S3 and S4, 7 story buildings. Why not conditional in S2 and S3?
 - “Transportation/Gasoline Stations, Vehicular Services” – these might be appropriate at the periphery of streets and zones that are bisected by roads that serve through traffic or abutting neighborhoods. Consider making C/G for S1-S2.
 - Industrial/Light Manufacturing or Trade – Why conditional in S4? What is the logic to include only in largest buildings?
- Section 8-3 Use Regulations – Table B and Definitions (pages 37-72)
 - These changes apply to ALL zones EXCEPT Squares and Streets.
 - Please confirm that none of the deleted zones (S (single family), LM (light manufacturing), WM (waterfront manufacturing) and WS (waterfront services) still exist in other parts of the city.

Date: January 16, 2024

To: BPDA planning

From: Susan Pranger

Re: Comments on “Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023”

For reference:

Existing language of 23-9:

<https://www.bostonplans.org/getattachment/1b7a1ee6-5c80-4b42-a384-01a4aa4da4a0>

SECTION 23-9. Design. All off-street parking facilities provided to comply with this Article shall meet the following specifications:

- (a) Such facilities shall have car spaces to the number specified by this Article, maneuvering areas and appropriate means of vehicular access to a street, and shall be so designed as not to constitute a nuisance or a hazard or unreasonable impediment to traffic; and all lighting shall be so arranged as to shine downward and away from streets and residences.
- (b) Such facilities, whether open or enclosed in a structure, shall be so graded, surfaced, drained and maintained as to prevent water and dust therefrom going upon any street or another lot.
- (c) Such facilities shall not be used for automobile sales, dead storage, or repair work, dismantling or servicing of any kind.
- (d) Each car space shall be located entirely on the lot and shall be no less than eight and one half feet in width and twenty feet in length, exclusive of maneuvering areas and access drives.



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Feedback on Squares and Streets

Ruth Whitney <ruth.whitney812@gmail.com>
To: squaresandstreets@boston.gov

Wed, Jan 17, 2024 at 3:12 PM

Dear Abdul-Razak Zachariah,

I would like to share my feedback with you and your team on Squares and Streets. Please add the comments below to the public comments. Please let me know if I have to submit through the form online to add this to the public record.

Thanks so much for your time and attention,
Ruth Whitney
Dorchester Center

—comments on Squares and Streets—

Please slow down Squares and Streets so communities have time to understand this information and engage in a meaningful way.

Major construction in Boston neighborhoods should not be from a standardized template and requires love of people, place and robust dialogue. The best projects, the ones that define our city, like the Emerald Necklace or Zakim Bridge, are unique to place, started with an inspired vision and evolved through community buy-in and broad support.

Community matters. Residents are asked to invest in our city, and we have. And we love our city and it's neighborhoods. Neighborhoods need some meaningful recourse when developments threaten to displace residents, devalue property or degrade our environment.

Squares and streets seems to eliminate those points of engagement and protections.

This city-wide approach that will have major consequence is also environmentally concerning. It includes no meaningful protections for our tree canopy, which in turn directly impacts multiple layers of community health and resilience.

For a durable and equitable outcome in our neighborhoods, any zoning reforms that guide neighborhood planning must include robust protections for healthy mature trees. As urban residents they are our best defense against the worst impacts of climate change.

Please engage residents by responding to our feedback.

Sharing ideas with engaged residents by listening to our questions, responding with substance, and continuing this meaningful exchange needs to replace information gathering and then informing communities of outcomes.

Please slow down and engage us.

Thank you.

Ruth Whitney
Dorchester Center

—

Please include the above comments in the posted public record.

Sent from my iPhone



WWW.PINESTREETINN.ORG

444 Harrison Avenue
Boston, MA 02118
617.892.9100

January 18, 2024

Arthur Jemison
Chief of Planning and Director
Boston Planning and Development Agency (BPDA)
One City Hall Plaza, 9th Floor
Boston, MA 02201

RE: Squares + Streets Planning and Zoning Initiative

Dear Director Jemison:

Pine Street Inn, Inc. (PSI) is pleased to comment on the BPDA's Squares + Streets Planning and Zoning Initiative. Since its inception in 1969, Pine Street Inn, Inc. (PSI) has served Greater Boston persons experiencing homelessness through various responsive, community-based programs and services. PSI is the largest nonprofit homeless services agency in New England. PSI provides food, clothing, shelter, day and night-time street-based outreach, access to health care (including behavioral health), job training, affordable housing, and other critical resources for over **2,000** individuals each day and night at its **44** locations throughout Metropolitan Boston. Pine Street Inn's mission is to **end homelessness** by making permanent housing a reality for all. To that end, PSI currently operates **960** permanent housing units in Greater Boston.

PSI applauds the BPDA's effort to reform the convoluted and often confusing existing zoning guidance. Pine Street Inn is dedicated to and invested in **creating affordable housing for formerly homeless persons**, typically with income at or below 30% of the Area Median Income (AMI).

Developing permanent supportive housing for persons experiencing homelessness involves:

- a plethora of funding sources,
- significant community process, and
- **long-term commitment** for the nonprofit agencies involved.

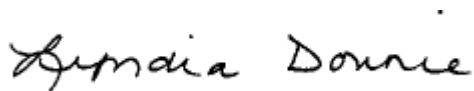
Arthur Jemison
Chief of Planning and Director
Page Two
January 18, 2024

With this in mind, Pine Street Inn would like to encourage **allowing all forms of permanent supportive housing, including Lodging Houses, in all Squares + Streets districts** (S0, S1, S2, S3, and S4). PSI currently operates permanent housing with supports, including Lodging Houses in several Boston neighborhoods, and works hard to be a part of the community, and integrate our residents into the local neighborhood fabric. Pine Street Inn prides itself on being a **good neighbor**, offering community meeting space, and encouraging tenants to volunteer for local neighborhood events and activities. Affordable permanent supportive housing offers an **important and workable solution to homelessness** for our most vulnerable citizens, and should be welcomed as an allowed use throughout the City.

Similarly, Temporary Shelter Facilities are forbidden in all Squares + Streets districts. This has the unfortunate effect of not providing **warming and service centers for unsheltered persons** experiencing homelessness, who will congregate in squares and on the residential streets at night if there are not **easily accessible places** to rest and receive services targeted for **movement towards permanent supportive housing**. Pine Street Inn requests that the BPDA consider the benefits of these facilities for both unsheltered persons experiencing homelessness and the residents and businesses located in the Squares + Streets districts, and **allow Temporary Shelter Facilities in all Squares + Streets Zoning districts**.

Thank you for the opportunity to comment on the BPDA's Squares + Streets Planning and Zoning Initiative. Pine Street Inn appreciates the knowledgeable staff, essential services, and informed guidance provided by BPDA staff and pleased to continue to **work in partnership** with the BPDA to **develop affordable housing and end homelessness**.

Sincerely,



Lyndia Downie
President and Executive Director



January 18, 2024

Zoning Reform Team
Boston Planning & Development Agency
One City Hall, Ninth Floor
Boston, Massachusetts 02201

Re: BPDA Squares + Streets Draft Zoning Text Amendment.

On behalf of Preservation of Affordable Housing, Inc. (POAH), thank you for the opportunity to comment on the Boston Planning and Development Agency (BPDA)'s Squares + Streets Draft Zoning Text Amendment (the "Draft").

POAH commends the BPDA for its work in the Draft to streamline zoning requirements for neighborhood projects, which once implemented will provide more predictability for desperately-needed affordable housing development projects in Boston – speeding up the development process and reducing per-unit costs.

POAH is a Boston-based nonprofit housing developer whose mission is to preserve, create and sustain affordable, healthy homes that support economic security, racial equity and access to opportunity for all. POAH provides affordable rental homes for more than 20,000 low-income Americans across 11 states and D.C., including seniors, families with children, and persons with disabilities.

Across the City of Boston, POAH has built or renovated nearly 900 affordable rental homes for families and seniors – at communities in the South End, the West End, Roxbury, Mattapan, and Kenmore Square. With the support and partnership of the City of Boston, POAH is now working hard to create new affordable housing at Columbia Crossing in Dorchester and through the redevelopment of the West End Library site.

POAH's comments derive from our perspective as a developer of affordable multifamily rental housing, and our experience with the zoning process in Boston and in other cities where we work. All too often, affordable multifamily development projects cannot be built as-of-right under base zoning, and the process of securing necessary variances can add years to the development process – and those delays translate to costs and uncertainty which can kill good affordable housing proposals.

That is why we support the Draft and encourage BPDA to implement it expeditiously – because it provides a clear, streamlined path for zoning approvals for affordable housing developments in locations within the City's neighborhoods ("Active Main Streets" and "Active Squares") where they are appropriate.

In particular, we support the Draft's proposed density regulations in the proposed "Active Main Streets" and "Active Squares" districts, which would permit moderately scaled affordable multifamily housing developments



in areas where that level of density is appropriate and supportable. We likewise support the removal of parking minimums in those districts, which provides housing developers better flexibility to tailor each project's parking plan to its location (including transit access) and resident population, instead of prescriptively defining parking requirements (which are often a significant cost driver).

In the interest of clarity, we are hopeful that the Draft's new district designations will replace the current zoning district designations (neighborhood shopping, local commercial, community commercial, etc.). Maintenance of both sets of district designations within the same overall zoning code would be confusing for all concerned.

In the same vein, we anticipate that the final code changes will need to be carefully coordinated with the fire code to ensure consistent, predictable requirements for new projects. For example – the Draft stipulates that access for parking facilities shall not exceed 12 feet in width for parking facilities with fewer than 50 spaces, while the current fire code requests 20-foot width to access residential buildings.

Thank you for the opportunity to share POAH's perspective as the BPDA moves ahead with this important undertaking. Please don't hesitate to contact me at mundemir@poah.org or 617.391.9484 if you have questions or would like to discuss POAH's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Müge Ündemir", is written over a horizontal line.

Müge Ündemir
Senior Project Manager
Preservation of Affordable Housing (POAH)

To:
Abdul-Razak Zachariah
Planner
Boston Planning & Development Agency

Re: Squares + Streets Draft Zoning Text Amendment

Dear Abdul,

We thank the BPDA and the Squares + Streets team for their continued work on modernizing Boston's Zoning Code. We also appreciate the opportunities the BPDA has provided for City of Boston staff to review and discuss the proposed zoning amendments. Our office has considered these amendments in great detail and offer our comments with knowledge that they will require continued conversation. Our hope is that this letter will serve as a documentation of the comments our offices have discussed and provide transparency to the arts and culture community of Boston.

Boston Creates - our 10-year cultural planning initiative - revealed a deep and widespread need for affordable cultural spaces for people to gather, create, collaborate, and participate in the arts - especially arts that reflect their culture in their own neighborhoods. The plan aligns public and private resources to strengthen cultural vitality over the long-term. Our goal is to weave arts and culture into the fabric of everyday life.

Space to create and share work is vital for Boston's arts and creative ecosystem. Our regional cultural space ecosystem is under strain - development pressures, Covid-19 impacts and historic under-investment in the sector have resulted in a fragmented and insecure landscape of workspace for the arts and wider creative industries.

Boston has lost numerous creative workspaces and cultural venues over the last decade. Other cultural spaces are under threat today. Over 100,000 sq.ft of cultural production space (studios, rehearsal spaces) have been lost in the last 5-7 years, along with numerous live music venues, gathering spaces and specialist retail - all identified as cultural assets in our [placekeeping report](#). While this report and these numbers center on Allston-Brighton, they are indicative of trends across the city and region.

This space instability is limiting all other aspects of MOAC's work. Our goal is to see **no net loss of cultural space** in Boston. This means that any cultural space that is under threat needs to be secured or re-provided and that new cultural space should be created to make up for past spaces lost. Boston is well positioned to act on this goal through the Squares + Streets planning processes. Changes to Boston's Zoning Code can and should codify

anti-displacement protections for arts and culture uses, more widely allow arts and culture uses, and more generally support access to arts and culture by all.

1. Our office supports and advocates allowing arts studios and arts-related uses across all Squares + Streets Districts.

As proposed in the amendments, arts studios are a forbidden use in the S0 district. MOAC advocates that arts studios be allowed on the ground floor of the S0 district. The role of the arts in all aspects of life in Boston is reinforced via equitable access to arts and culture in every community, its public institutions, and public places. Allowing arts studios and other arts-related uses across all commercial districts is integral to maintaining equitable access to art in everyday life.

2. How do outdoor commercial spaces such as outdoor event space, performance areas, seating (including dining), staging, etc. relate to “Outdoor amenity space” as described in Item G of the Dimensional Standards Reference Guide?

Excluding these spaces and other, similar outdoor commercial spaces, from the definition of “Outdoor amenity space” may pose a barrier to the inclusion of arts and culture uses in high-traffic and accessible areas. Our office recognizes the benefits of art and culture in everyday lives and supports zoning that is permissive of a wide range of arts and culture uses in every neighborhood including those that may choose to or require the use of outdoor space.

3. Article 11 should be further amended to clarify and codify distinctions between signage, advertisement, and public art. In addition, for those projects that meet the criteria of Article 80 and include public art, administrative review and approval by the Mayor’s Office of Arts and Culture should be included.

Clarifying the distinctions between signage, advertisement, and public art would allow MOAC to better guide community-initiated public art projects across the city. In addition, MOAC is often approached by development teams that have made commitments to public art in the Article 80 process. However, MOAC does not currently have the regulatory authority to review public art on private property and the current processes are unclear both for the proponent and our office. The inclusion of administrative review in the Code for such instances would greatly benefit the outcomes of public art on private property, codify certain standards, and document a clear process for MOAC, the BPDA, and developers.

Our office is available to assist in drafting and refining language for Article 11. We ask that the BPDA Design Review team also be involved in constructing amendments to this article.

4. The Mayor's Office of Arts and Culture strongly requests that a fifth categorization of entertainment/event venues be provided to include spaces with a maximum capacity of 250 people.

Currently, there are only 3 small-format venues in the City that our office is aware of and this type and size of space is integral to supporting local talent. Given the economics of booking and producing live entertainment, appropriately matching venue size and entertainer/expected audience size is paramount.

While our office supports venues of all sizes, MOAC has witnessed a rapid decline in available music venues that offer valuable opportunities for our local artists to perform and showcase their work. MOAC seeks to help facilitate the opening of new music venues with maximum capacities of 150-250 people. MOAC recognizes that the venues of this size are included in the Accessory Uses. However, it is a priority of this office to elevate the needs of the music community and strongly encourages the inclusion of this category in the primary use table. We also strongly recommend that venues of this size be made allowable in the S0-S4 districts.

5. MOAC seeks clarity on how cafes are considered by the proposed amendment and how live entertainment in restaurant, cafe, and bar spaces will be addressed.

As the amendments are written, it is unclear where cafes would fall within the Code. Would cafes be considered a part of "restaurant" as described in the proposed amendments?

Similar to what is described in item 4 above, cafes, restaurants, and bars are valuable venues for artists and entertainers to present their work. MOAC advocates that live entertainment, with appropriate licenses, be allowed in all restaurants, cafes, and bars across the Squares + Streets districts.

6. The definitions of "makerspace" and "arts studios" include language that links noise to nuisance. MOAC strongly encourages the Squares + Streets team to reconsider the language used in these definitions, eliminating the link between noise and nuisance.

Noise is a natural byproduct of most activities, even those outside of the arts and culture uses. In certain instances, such as in performance arts, sounds are not only a normal outcome, they are expected and required.

As written, the reference to nuisance is subjective and arbitrary. The City of Boston's noise ordinance already provides clear parameters for the emission of sounds across a number of use types. The Zoning Code should not further limit normal and expected outputs from arts and culture uses. MOAC suggests eliminating noise and/or nuisance references in these definitions

7. MOAC suggests including the “sale of” art in the definition of museums and galleries.

Boston is home to many commercial galleries that not only display art and creative work but also participate in the sale of art. The City’s definitions should reflect the various types and operations of galleries within Boston.

8. MOAC is concerned with the broad definition for “adult entertainment” within the Code and recommends that the term be more narrowly defined so as not to impact art galleries, museums, performance spaces and other arts and cultural organizations or culturally relevant practices.

Our office supports access to the arts for everyone. We value the diversity that exists in artistic expression and seek to maintain access to produce and enjoy that range. This includes nude and semi-nude works of art, artistic gender expressions, and other such displays.

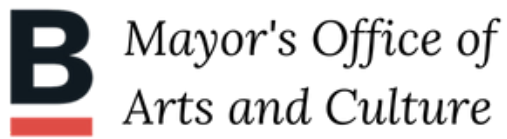
Specifically, we can imagine a scenario in which a commercial gallery has on display works for sale that depict nudity or partial nudity. As written, the definition for “adult entertainment” could be construed to forbid these galleries or otherwise inadvertently restrict the display and sale of artistic work.

MOAC does not view itself as the authority on the bright-line between artistic expression and “adult entertainment,” but our office seeks a definition that protects the arts and culture community. We also caution that any definition of “adult entertainment” should not prohibit other artistic expressions. For instance, the artistic expression of gender is a culturally relevant practice in the LGBTQ+ community.

MOAC recommends the use of a definition that lists the specific enterprises that are intended to be encompassed under “adult entertainment.” Examples that our office has referred to include The Code of the City of Austin, Texas Section 25-2-801 and Minneapolis Code of Ordinances Section 549.340. Below we believe that the City of Vancouver has succinctly and explicitly defined “adult entertainment.”

“Facilities including adult motion picture theaters; adult video/book stores; and topless, bottomless, and nude dance halls which include materials and activities characterized or distinguished by an emphasis on matters depicting specified sexual activities or anatomical areas.”

- Vancouver Municipal Code 20.160.020(C)(3)



Our office appreciates the work the BPDA team has put into these zoning amendments. Together, our offices can ensure a stable and secure future for the arts and culture ecosystem. We look forward to working with you to address these needs through zoning and additional planning conversations.

Sincerely,



Kara Elliott-Ortega
Chief of Arts and Culture



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Zoning code extension period

Jeri Hamlen <mmhamlen@gmail.com>
To: squaresandstreets@boston.gov

Tue, Jan 23, 2024 at 5:18 PM

To the BPDA:

I am in full support of expanding the existing housing stock in the city of Boston, and agree that density clustered around public transit hubs makes sense.

However, when a community is not sufficiently involved in a project from the beginning, it often becomes a contentious project filled with delays. The proposed amendment language does not reflect community concerns. The BPDA has an opportunity to create a much more inclusive process and I urge you to slow things down and work to deeply engage the community. Why not start the planning process and let the zoning language evolve in parallel?

Thank you for your consideration of this matter; again, **please extend the comment period deadline.**

Jeri Hamlen
[250 Beacon St. Boston](https://www.boston.gov)
mmhamlen@gmail.com
www.mothersoutfront.org
www.margeryhamlen.com



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Comments on Squares + Streets

Joanne Massaro <joannemassaro17@gmail.com>
To: abdul-razak.zachariah@boston.gov

Tue, Jan 23, 2024 at 5:06 PM

Abdul,

Thank you for the opportunity to provide comments on the Squares + Streets (S+S) initiative. My comments are focused on a broad view rather than the details of the proposed zoning amendments.

While I live in the North End now, I had been a member of the Advisory Group for Plan: Charlestown where I lived for 40 years. My concerns about the S+S arise from thinking about how it would be applied there if it were to be applied there, specifically around Thompson Square and Main Street.

As Plan: Charlestown neared the finish line, the community had a number of unaddressed issues. After much back and forth, the BPDA conceded on one point: the maximum height of the Bunker Hill Mall on Main Street would be left at 40 feet. If S+S were to be applied there, the maximum height might almost double, making the commitment to Charlestown a moot victory. How would Charlestown be protected in that instance?

I understand the purpose of S+S is to provide uniformity and consistency across all the city's neighborhoods. My concern is exactly that- the loss of neighborhood-level considerations. Although the proposed process would engage communities in making decisions about which subdistrict is applied where, the tool box is limited by design. So if there isn't a good fit, there doesn't appear to be any recourse. To push the metaphor, the tool box is filled with blunt instruments.

Boston is a city of neighborhoods. While it may be in the interest of the City's agenda to attempt with S+S to treat them all the same, there is risk. If we don't consider how these uniform standards will affect each of them, and allow modifications as warranted, we may destroy what makes our city unique.

I also question if this initiative will be considered for all neighborhoods, e.g. the North End, Beacon Hill, Back Bay or even the South End. Who will decide? Which neighborhoods will be left alone? Where's the equity in that?

Thank you again for allowing me to share my thoughts.
Joanne Massaro

Sent from my iPhone



Southwest Boston Community Development Corporation
Building Communities, Building Partnerships
in Hyde Park and Roslindale

January 23, 2024

Chief Arthur Jemison
BPDA
1 City Hall Square
Boston, MA 02201-2013

Dear Mayor Wu and Chief Jemison:

INFO RE: Southwest Boston CDC's (SWBCDC) concerns, re Squares and Streets

I am the Executive Director of the SWBCDC, and many of our staff and board of directors have expressed concern that the Squares + Streets zoning proposal is moving too fast. We need more time to understand its implications for Hyde Park and Roslindale. Please keep the comment period open for at least six months to allow our communities to vet and comment on the proposal in a deliberative fashion.

By any measure, there is a lot to consider in this zoning proposal. The sequence of having form-based zoning approved by the Zoning Commission first, then going to each neighborhood and asking for their input on a preset menu of options before neighborhoods have had a chance to fully analyze and weigh in on what the BPDA is referring to as Districts S-0 through S-4 is very different than how Hyde Park and Roslindale's zoning code was updated in 2011 and 2007 respectively. At that time a series of public education and input meetings were held prior to updating the zoning code. Additionally, a sixth zone has been proposed, and no one in the community has seen this addition. How can the community react to what is not available?

From that very public process came a vision, a strategy, and a series of recommendations that not only updated the base zoning code but articulated our collective aspirations for both neighborhoods and to see where there may be an opportunity to translate those visions into the built environment.

I hope you and the planning team get a chance to read both Strategic Plans and refer to them as we go forward.

At this point we are unclear how SQs + STs will supplant Articles 67 (Roslindale) and 69 (Hyde Park) or exactly where the SQs & STs boundaries are. The BPDA planning documents say the planning footprint will be 1/3 of a mile from the squares, but it is not precise. And if 1/3 of a mile radius is the footprint, you have reached deeply into residential streets around Cleary and Roslindale Squares and the form-based zoning will not work on a residential street with mostly one to three family homes.

Over the past several years, we have bought 8 buildings with 68 homes for low-middle income residents. We want to ensure that this plan adequately protects housing for these neighbors from displacement.

Another concern is not requiring any off-street parking. It is hard to imagine a 3-5 story apt building where there would not be a sizable parking need. The "shared parking" suggestion in SQ & STs literature appears to be a partial solution but should be fully vetted before assuming it will work.

So, we need time to understand the implications of this proposal, compare it to what we have now and weigh in on possible changes. We ask for the benefit of a public process before the vote to finalize the amended code, where trust is built and our best ideas can be incorporated into future zoning for Roslindale and Hyde Park.

Sincerely,

Jeanne Dubois
Executive Director
Southwest Boston CDC.

CC: Mayor Wu

Craig Martin
8 Colchester St.
Hyde Park, Ma 02136

January 25, 2024

Mr. Abdul-Razak Zachariah
BPDA - 9th fl.
One City Hall Square

RE: Squares and Streets

To Mr. Abdul-Razak Zachariah:

As of this date, 01/25/24, we at the Hyde Park Neighborhood Association (HPNA) have been informed by BPDA that the revised draft of the Squares and Streets proposal is awaiting publication and yet BPDA is still forging full steam ahead to get this to the Zoning Commission for approval. This is an example of utter disrespect towards the citizenry of Hyde Park and the residents of Boston in whole. This is a most serious proposal before us and we have not yet digested the 118 page first draft published on 12/05/23. I attended a recent BPDA virtual meeting and heard your team proudly presenting a sixth category, S-5, to this proposal and hear yesterday that there's been a change of mind so this will not be in the revised draft. There's a sense of chaos here and better judgement would ensure that this process is slowed down until there's confidence that all interested parties are fully informed.

Reviewing the Cleary Square Plan Primer, published this month (Jan. 2024), there is evidence of contradictions and some sloppy analysis. On p.7 " a possible demand for additional retail space" is stated but S-0 thru S-4 do not promise any such additions as any "active" uses may occupy such space and in fact the above zoning options provide opportunity to rid the Squares of existing retail. BPDA has a recent history of this behavior when they pushed through a proposal in the heart of Logan Square which will exterminate three attractive stores. Also on p. 7, there is a table of consumer spending in Cleary Square but the source of data is MasterCard so the figures in the table do not display purchases made by cash, EBT cards, or other sources of spending.

On p.8 a statement in bold print " Over 75 % of households either have one or fewer cars, including 22 % that have no car at all." This does not correlate with the adjoining table which shows 37 % with 1 vehicle and 22 % with no vehicle which sums up to 59 % and not 75 % . Nonetheless, if 22 % have no car that means that 78 % do see a need for at least one vehicle which makes one ponder why BPDA believes all new residents in the transformed Cleary Square will not find a need for a vehicle and so no parking spaces will be provided. There is no basis for this rationale.

Also on p.8, there is a statement that "between 2020 and 2022, there were 102 traffic crashes requiring emergency response". What's the definition of emergency response as it seems unlikely

that there were 102 ambulance runs to the hospital as traffic is too clogged up for most of the day to produce high speed collisions. No sources for this information were provided by BPDA in this report.

On p.9 is a glaring example of contradiction. "The Urban Heat Island Index is higher in areas with limited vegetation and dense development." Yet the zoning options in the BPDA proposal illustrate density but no plans for serious vegetation.

Also on p.9, the section entitled "Zoning Context" states that "Cleary Square itself is primarily zoned for commercial uses". We then read that "in Cleary Square, most parcels are not conforming with zoning as built (only 4.3% are conforming." This conformity refers to lot size, unit count, and FAR. This is not true in the NS-2 (neighborhood shopping) district which includes Logan and Cleary Squares where almost all the parcels do conform and are eligible for significant expansion as-of-right.

Yours,

A handwritten signature in cursive script that reads "Craig Martin". The signature is written in black ink and is positioned above the printed name.

Craig Martin

ATTN: Mayor Michelle WU; BPDA executive Jemison; Ruthzee Louijeune, president Boston City Council; Erin Murphy, at-large city councilor; and Ben Weber, city council, district 6

FROM; Gwynne Morgan & William J. Golden, 45 year+ residents, 52 Richwood Street, West Roxbury

RE: Accelerated & poorly conceived Squares & Streets zoning plan

1/25/2024

Where to begin? This City zoning overhaul is so poorly conceived and rushed that it appears to have been written by a contractors' guild. Certainly the contractors (not the homeowners, renters and business owners) would be the only entities to benefit from S & S.

Consider the rushed nature of the introduction of the 115 page zoning proposal released when residents and businesses were celebrating the December holidays and elected officials had shortened office hours, and vacations, and so were not available to explain—or even understand --the lengthy and confusing S & S proposal.

Once residents and business owners began to focus and ask questions in January, some alarming insights became clear:

- S & S would permit multifamily housing of five stories (60') or even seven stories in each neighborhood, compared to the 35' allowed in West Roxbury and elsewhere;
- There would be NO requirement that any of these new buildings have on-site parking. Remember that right now the MBTA and commuter rail are barely running. Shouldn't that problem be fixed before more users of public transportation are added?
- While the City introduced S&S to address the housing crisis, the S & S proposal does not produce more truly affordable housing. 80 percent of the S & S proposed units will be at market rate. In West Roxbury where we've seen three hideous Soviet-style condo buildings rise along Centre Street, condo units have been advertised at \$750+
- Small businesses will undoubtedly be hurt by the S & S proposal as they will be displaced by absentee landlords hastening to take advantage of this development bonanza. They will no doubt also lose customers as their clientele compete to find parking spaces.

All this is made more concerning because none of us know where these squares would be in our neighborhood and whether our gardens or display windows will be overshadowed by a seven-story condo tower.

About 35 years ago, we spent a year of our lives and several thousand dollars to make sure our planned family room—on the footprint of our 1920 house—complied with West Roxbury's firm zoning regulations. We were glad to do so because we valued West Roxbury's mix of housing, the varied retail and restaurants on the main street, and the effort of zoning to protect this balance. With the S&S proposal, the City would wipe this all away without resident, business, or representative buy-in.

The City might do well to remember the history of "Taxation Without Representation."



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

our comments on squares and streets

Judy Ulman <judy.ulman@comcast.net>
To: squaresandstreets@boston.gov

Thu, Jan 25, 2024 at 3:52 AM

Dear S and S

Please say that we are asking that the BPDA slow down the timeline for 6 months because our quality of life will be affected by this proposed Squares and Streets zoning legislation. Here are a few reasons you can use along with your own.

The following comments are our comments as well as what is printed below.

SLOW DOWN we cannot comprehend all these changes so quickly.

This is a frightening process and one that dismisses peoples concerns and anxiety.

We need answers to our concerns before any of these changes take place. As a resident of Boston, I am appalled at the disregard for small business owners and residents.

Our freedom is being taken away by S&S who think they own our streets and businesses. I

S&S really does not produce truly affordable housing.

No parking spaces. Residents and business customers will begin to park on surrounding residential streets destroying the privacy of families living on these streets and causing safety issues for seniors, residents, and children playing on streets.

There is no consideration for safety. Nor for health.

BPDA is just plowing ahead with these changes just to cross these items off their list.

The residents of the city of Boston don't want to be pushed around like they do not live here.

We have a right to speak our minds to protect what we worked so hard for, our homes, and our lives.

If buildings are zoned as tall as 7 stories air quality will be compromised. Lighting will be diminished.

And our quality of life will be lost as we know it.

Why is S&S ignoring City Councilors, State Representatives and State Senators and leaving them out?

We voted for them to take care of us and support us.

We need them more than ever now.

- • Small business owners and renters have no protections against displacement
- • The community engagement process for zoning our neighborhoods ("small area plans") is unknown
- • The S+S zoning text is over 115 pages long and contains inconsistencies and errors.
- • Questions raised at the BPDA zoom meetings and office hours are not completely answered. Answers may be cursory and leave many residents confused and concerned.

- • Our elected officials – City Councilors, State Representatives and State Senators -- have been left out of the process.
- • The S+S new zoning was released, and meetings held when residents were celebrating the December holidays and elected officials were on break and not available.
- • S+S does not produce more truly affordable housing. The affordability formula is unchanged from any other prices on the market. (17% of units at average of 60% AMI, 3% vouchers). 80% of the S+S units will be market rate.
- • No minimum parking requirement in any S+S zoned area will leave our residents and business customers scrambling for spaces
- • We don't know whether buildings in our Roslindale Square and other neighborhood squares will be zoned as tall as 7 stories.

Judy Ulman
W.Rox Resident



Contact Us Submission: # 6634 // Zoning

sandraserkess17@gmail.com <sandraserkess17@gmail.com>
To: BRAWebContent@boston.gov, PlanningZoningQs@boston.gov

Thu, Jan 25, 2024 at 11:31 AM

CommentsSubmissionFormID: 6634

Form inserted: 1/25/2024 11:31:13 AM

Form updated: 1/25/2024 11:31:13 AM

Document Name: Contact Us

Document Name Path: /About Us/Contact Us

Origin Page Url: /about-us/contact-us

First Name: Sandra

Last Name: Serkess

Organization: West Roxbury Historical Society, Presidents dient

Email: sandraserkess17@gmail.com

Street Address: [21 Rutledge St](#)

Address Line 2:

City: West Roxbury

Subject: PlanningZoningQs@boston.gov:Zoning

State: MA

Phone: (617) 325-5722

Zip: 02132

Comments: I think the process for Squares and Streets is unfair.

Security Code:

Date: January 16, 2024, revised 1/25/2024

To: BPDA planning

Comments on “Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023”

These comments identify inconsistencies in language that should be resolved, but also include substantive comments. Comments are divided into four parts.

- The following general and detailed comments drafted 1/16/23 and revised 1/25/2024
- Attachment 1: Comments on Article 26, Squares and Streets. dated 1/25/2024
- Attachment 2: Comments on the Article 8, New Use Table, dated 1/25/2024
- Attachment 3: Comments on Article 8, Use Table (annotated) dated 1/25/2024 (BPDA pages 23-28)

Submitted by Susan Pranger, Carolyn Royce, Alan Benenfeld and Marie A. Turley

GENERAL COMMENTS:

Although Squares and Streets is a reasonable approach to more quickly implement changes to encourage housing and transit oriented development, there are several significant flaws in the language that must be addressed in the zoning amendment. The complexity and vagueness of the document has combined to make this document inaccessible to most residents, who have not had sufficient time, experience with zoning, and resources to understand the potential impact of the proposed changes.

1. Changes that impact other zoning districts:

In spite of the general BPDA introduction to the contrary, **there ARE several significant changes and new definitions that would affect existing zoning outside of future Squares and Streets**, specifically nonconforming additions, parking, loading zones, trash enclosures, and the definition of “ground floor”.

- The BPDA has acknowledged that these changes apply to base zoning areas, and will apply to future Squares and Streets, but only changes in Article 2 would apply to the Neighborhood districts as they currently exist. However, since the goal is to eventually apply these changes across the city, it is important to acknowledge that these changes could have future implications beyond Squares and Streets.
- BPDA has indicated that the changes are “not substantive” because they reflect current policies. Of particular concern is the change to the definition of “non-conforming additions”. However, regular approval of variances for non-conforming additions does not mean that they should not be discussed before being codified by zonng.

2. Unclear language

The proposed language (definitions and narratives) is unnecessarily vague and inconsistent.

3. Insufficient zoning options

The proposed five districts, S0 to S4, do not adequately cover all potential conditions. In particular, they do not encourage preservation of existing cultural or historic assets, and do not consistently promote active uses.

4. Insufficient Context

BPDA staff have indicated that related issues of housing affordability and stability, and for business stability, especially for minority, small and legacy businesses, are being addressed separately. If so, it is critical that discussion of these strategies occur concurrent with the review and approval of the zoning amendment, and that protections are in place prior to approval of any S zoning, since the issues are inextricably related. Climate resiliency, including use of fossil fuels, energy efficiency, water management, and tree canopy, should also be addressed in or concurrent with planning for Squares and Streets. A comprehensive parking strategy is required to address the needs of legacy businesses, who rely on parking for established customers

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To: BPDA planning

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that are no longer local, and successful new businesses that attract customers for whom public transit is not an option.

5. Affordability

There also needs to be a discussion about allowing housing options for those in need of truly affordable housing to include shelters, lodging houses, supportive housing and group homes in Squares and Streets via revisions to the proposed Use Tables and other comprehensive strategies.

6. **Insufficient time to review the proposed S5 District: Placemaker Square** This information was issued 1/23/24, which has not provided adequate time for review and consideration by 1/28/24. The substantial height has potential for considerable impact on adjacent areas, especially adjacent residential zones.

DETAILED COMMENTS:

(Page numbers below review to the page numbers on the BPDA draft amendment dated 12/5/23)

Page 1-2 - The page numbers on the Contents list do not agree with the page numbers in the document.

Pages 3-4 – “Squares + Street Amendment Summary”

- **The BPDA summary states that “none of these changes have any immediate effect on any existing zoning districts”. THIS IS NOT TRUE. The changes to these articles apply to all base zones; Article 2 applies to neighborhood zones. Some of the changes are substantive and significant but are not identified in the BPDA summary.**
- **Article 2 – definition of ground floor** – These definitions apply to all zones. As written, the language could refer to an above ground floor that does NOT face the street.
- The following changes apparently do not currently apply to neighborhood districts, but could in the future.
 - **Article 13** – Nonconformity – The language appears to allow, as of right, additions that do not meet dimensional requirements, as long as they line up with existing non-conformities. (see discussion of Article 13 below).
 - **Article 23** – parking – Proposed changes limit curb cuts and prohibit parking in ALL front yards.
 - **Article 24** – loading zone – This potentially reduces the number of required loading zones in all zones.
 - **Page 16** only notes that new Use Table A is added, however the existing Use Table (now B) is also modified to delete S, LM, WM and WS.
- This summary document does not provide any details on the substance of Article 26. (See Attachment 1 for our comments on Article 26 content.)

Page 5-8 – “Squares and Streets Dimensional Standards Reference Guide”

- It is not clear if the lot regulations and definitions in this Guide are included as clarifications or actually will be included in the zoning amendment. For example, the definitions of “Permeable area of Lot”, “Stepback”, and “blank wall of façade” are not included in the revisions listed for either Article 2 or Article 26.
- “B. Permeable Area” – “rate and quantity equal to or greater than natural ground cover” is vague and ill defined. Furthermore “permeable asphalt and pavers” while better than impermeable, are not necessarily as permeable as natural ground cover. Specific numerical, measurable criteria should be included.

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- “E. Ground floor active uses” – The summary refers to “ground floor that fronts a public street”. However, the definition of a ground floor (which is the same as the first floor) in the proposed revised Article 2 does NOT specifically reference the public street, and could be interpreted as defining the ground level as a level that is above ground at the rear, and not visible on the public street. This would make the level facing the public street, floor two. The definition of “ground floor” page 15) should be more specific if “G” is going to be used throughout the document, as it currently is.
- “G. Outdoor amenity space” and “Illustrated Amenity Types” – reference to ground floor is vague; clarify ground floor at public face from other ground floor/grade levels.

Page 9-13 (labeled page 1-4) Article 26 - Squares and Streets

- See Attachment 1: Comments on Article 26, Squares and Streets. dated 1/25/24 for detailed comments.

Page 14- 19- “Summary of Changes to other Articles”

- **The title of page 15 “Regulations applicable to all Squares and Streets Districts – to be updated in other articles”** implies that these changes are ONLY applicable to S districts, but the following articles are not labeled as specific to S&S, so it appears that these changes to Article 2, 3, 6, 11, 13, 18, 19, and 23 would apply to all zoning districts. (BPDA subsequently noted that only Article 2 refers to all zoning districts. Articles 3, 6, 11, 13, 18, 19, and 23 will apply to the base zones and Squares and Streets, but not to Neighborhood districts as they are currently defined.)
- **Article 2-** (Definitions?) Page 15-16
 - Each of these definitions would apply to all zoning districts. It is not clear that there are any existing references to outdoor amenity space, primary lot frontage, but certainly there are references to ground and first floor, and to party wall in the building code.
 - **Ground floor and the first floor now have the same definition:** “the lowest story of which sixty-five percent (65%) or more of the height is above grade.” **Is that the intent?** Of greater concern is that this definition does not recognize that there are conditions where the grade is lower at the rear of a building, such that the lowest floor meeting this criteria might only face the rear of the building, and not face the street at all. This is important because all the active use requirements refer to the ground floor with the intent that they should face the primary street frontage. Either the definition of ground floor needs to add “facing the primary lot frontage”* or all the references to active use at ground floor need to change to “the lowest floor facing the primary lot frontage”. **(*This** change may require a review of other existing references in the building and zoning code to first or ground floor, i.e. calculating building height?)
- **Article 3** – Establishment of Zoning districts - Page 16 (see also pages 81-89)
 - Although not referenced on the page 16 summary, this amendment deletes several zones from Article 3. Please clarify or confirm that all these changes only move Neighborhood districts from Article 3 to Article 8, and that none of the deleted zones (S (single family), LM (light manufacturing), WM (waterfront manufacturing) and WS (waterfront services) still exist in other parts of the city. This also affects Article 6, Use Table B (previously A) which is modified to delete S, LM, WM and WS.

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Comments on “Compiled Draft Text Amendment for Squares and Streets, Last revised; December 5, 2023”

- **Article 6** Conditional Uses - Page 16 (see also pages 91-93)
 - Please confirm that the language has only moved and has not changed.
 - See note about Table B (previously Table A) above.
 - See additional comments below.

- **Articles 8** Regulation of Uses – page 16 and New Use Tables pages 20-72.
 - Page 16 only notes that new Use Table A is added, however the existing Use Table (now B) is also modified to delete S, LM, WM and WS. Confirm that none of the deleted zones are still in use.
 - See additional comments in Attachment 2: Comments on the Article 8, New Use Table, dated 1/25/24

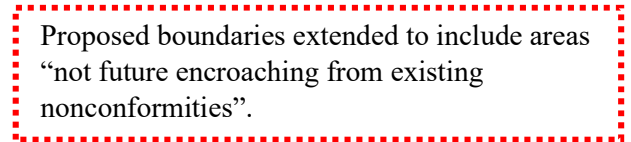
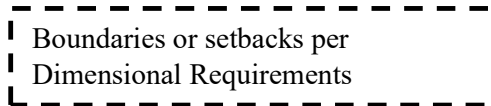
- **Article 10** – Accessory uses – Page 16
 - This article is deleted. Is it obsolete, or is it recreated and/or amended somewhere else?

- **Article 11** – Signs - page 17 (and 95-101)
 - Confirm that the only change is to add new districts S0-S4.

- **Article 13 Dimensional Requirements – page 17 (see also pages 103-104)**
 - As noted above, this modification is NOT limited to Squares and Street districts and has substantial potential impact on other zones, as written.
 - The BPDA has acknowledged that these changes apply to base zoning areas and to future Squares and Streets, but stated that it would not apply to the Neighborhood districts as they currently exist. However, since the goal is to eventually apply these changes across the city, it is important to acknowledge that these changes could have future implications to Neighborhood districts, as those areas are rezoned to a simpler city wide code.
 - **The proposed changes to Article 13 non-conformities would allow new additions as of right to extend into the required rear and side yard setback as long as they did not extend beyond (further than) the existing non conformities and met “other dimensional requirements.** The existing footprint could be extended vertically to the allowed maximum or the existing (nonconforming) height.
 - The other "dimensional requirements" listed in 13-1 include minimum lot area per dwelling unit, minimum lot width, minimum usable open space per dwelling unit, minimum setback distance of parapet from any lot line, and maximum percent of rear yard occupied by accessory buildings. Although not listed in 13-1, FAR is also included as a requirement in Article 13.
 - This could allow substantial additions disproportionate to the existing nonconformities in both current base code areas, and in the future if this code is expanded to include neighborhood districts. (see illustration below) Worst case scenario, additional footprint could be added under the second paragraph in Section 13-3 of Article 13, bullet a.i, and then extended upwards at a later date under bullet b.ii.

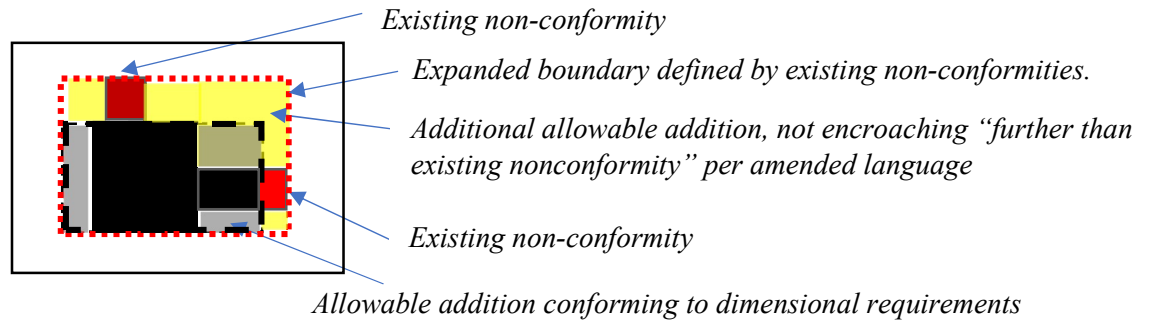
DIAGRAMS TO ILLUSTRATE THE CHANGES TO ARTICLE 13:

KEY:



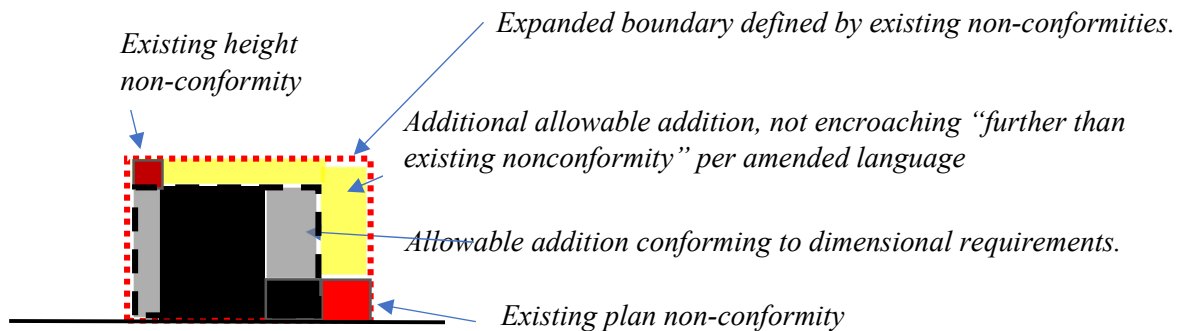
SITE PLAN:

The following diagram illustrates the potential impact of the proposed amendment (a) (i) on the site plan:



ELEVATION:

The following diagram illustrates the potential impact of the proposed amendment (b) (ii) on height. The amendment allows an extension in height of the existing footprint, whether conforming or non-conforming, to be extended the **GREATER** of the allowable or existing non-conforming height.



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- Article 18 – Front Yard – page 17 (and page 105-107) – no comments
- Article 19 – Side Yard – Page 17 (and page 108-111) – no comments
- **Article 20** – Rear Yard – add reference to Squares and Streets, similar to language in Article 18 and 19.

- **Article 22** – Yard regulations – Page 112-114)
 - As noted above, this modification is NOT limited to Squares and Street districts.
 - Note that these changes were omitted from the summary on page 14 and 15.
 - Article 22.6 adds new language that requires trash and recycling areas to be “fully enclosed within a building or located in the side or rear yards” regarding location of service areas. It also allows (but does not require) enclosures or fences up to 8 feet in height. (It is not clear if this was relocated from another section.)

- **Article 23** – Off Street Parking (pages 17-18)
 - 23-6 is specific to Squares and Streets, but **new language added to 23-9 and 23-11 is not limited to Squares and Streets.**
 - It is not clear what language is existing and what is new in the proposed 23-9 language. In fact, only the proposed bullets “a” and “b” are new; the original bullets “a” through “d” are simply renumbered as “c” through “f”.
 - 23-9 (a) limits curb cuts to 12 feet wide for parking facilities with fewer than 50 cars. This might have the inadvertent effect of causing backups of traffic where cars must enter and exit using the same lane.
 - 23-9 (b) prohibits parking within the front yard of a lot. Since this is not limited to Squares and Streets, wouldn’t it prohibit all parking in the front of any commercial use as well?
 - 23-9(e) prohibits “servicing of any kind.” There should be an exception to permit performance of brief emergency servicing of vehicles, such as: changing burned out lamps or bulbs; changing or inflating a flat tire; jump starting or replacing a battery; access when a key is lost.
 - Note that 23-11 adds requirements for accessible spaces for off street parking with more than 15 spaces, in compliance with Architectural Access Board requirements.

- **Article 24** – Off Street Loading (page 19, pages 115-118)
 - As noted above, this modification is NOT limited to Squares and Street districts.
 - Requirements for a specific number of loading bays for projects with gross square footage over 50,000 sf (currently 0 to 4, based on use and size) will instead be determined by Article 80 review. (Note that procedures for Article 80 review are under review and may themselves be changing.)

- **Article 80** and Article 89 - page 19
 - Article 80 adds “new Article 8 uses, but details are not clear.
 - Article 89 adds Squares and Streets districts, but the details are unclear.

Page 20 Article 8 New Use Table

Refer to Attachment 3: Article 8, Use Table (annotated), dated 1/25/24 (BPDA pages 23-28)

Attachment 1: Comments on Article 26, Squares and Streets. dated 1/25/2024

General comments on Article 26 (BPDA pages 9 to 13):

- The discrepancy in this section between the page numbers listed in the “Contents” (9-13) and the page numbers on the bottom of the pages (9, 1, 2, 3, 4) is confusing.
- The use of S-0 to identify the districts, rather than beginning with S-1, is confusing.
- **Shifting** existing Table A to become B is unnecessarily cumbersome, unless it is your intent to eventually eliminate the existing table (now Table B) in the future?
- **Section 26-1 Purpose and Applicability**
 - The stated purpose includes “encourage...rehabilitation of historic buildings” but there is no language, and no proposed S district that would encourage reuse of existing buildings. Upzoning to 7 stories will disincentivize reuse of historic buildings that are usually lower.
 - There is no proposed S district that would require ground floor active use except those that allow 7 stories, which could inadvertently encourage demolition and replacement of smaller existing structures where active ground floor uses are desired.
 - **Tying height and density to requirements for active ground floor use is unnecessarily limiting to the planning and mapping options.** Some districts might have large areas available for height and density, but not necessarily need continuous ground floor activity. Similarly, some areas may be inappropriate for height, but have existing and desire new ground floor use. This flexibility could be added to the planning and mapping process by making the requirement for an active ground use a subcategory “A” (or some other letter) for “Active” for each of the districts. For example, S1A would restrict height to 4 stories and require active ground floor use. S3 would allow for a 7 story residential building without an active ground floor use, but S3A would require active ground floor uses. This would require relatively minor revisions to the existing draft amendment.
 - **Language should allow for existing zoning types to be used within the Squares and Streets boundaries where S0-S5 are not appropriate or adequate.**
- **Section 26-2 Establishment of Squares and Streets Districts**
 - 26.2.A.1 The rationale for limiting the number of units in S0 to 14 is not clear.
 - Most of the definitions included in the summary document on pages 5-8 are not (but should be) repeated in the Article 26 amendment language.
 - The narrative descriptions on page 10 (page 1) that describe the 5 S districts are **confusing and misleading**; they do not use consistent language or criteria, and do not correspond to the descriptions in Tables A and B (page 12-13/3-4) .
 - S-1 (4,000 sf) is described as “small to moderate floorplate”, S-2 (8,000 sf) does not mention floorplate size, and S-3 (15,000 sf) is described as a “small scale building”.
 - S-2 says “dwelling units are prohibited along the ground floor on the primary street frontage” but table A allows it if the front yard is greater than 4 feet, and there is no requirement for active ground uses.
 - S-2 (5 stories) and S-4 (7 stories) are both called “mid-rise” while S-3 (7 stories) is called “taller mid-rise”.
 - The following table illustrates some of the inconsistencies between types, and between the descriptions in the Narrative and the corresponding Table.

Attachment 1: Comments on Article 26, Squares and Streets. dated 1/25/2024

	USE		SIZE		HEIGHT	
	Narrative 26-2.A (Page 10 /Page 1 of draft)	Article 26 - Table A ...Uses (Page 12/3)	Narrative 26-2.A	Article 26 - Table B ... Dimensions (Pages 12- 13/3-4)	Narrative 26-2.A	Table B Stories
S-0	primarily residential	same		4,000		4
S-1	mixed use, majority residential; G: residential + small scale storefront/office	same	small to moderate floor plate	8,000		4
S-2	mixed use, Dwelling prohibited on ground floor primary frontage (but no requirement for active use)	ground fl dwelling allowed w/min 4' yard		15,000	mid-rise	5
S-3	mixed use, requires active ground floor use (no mention of ground floor dwellings)	ground fl dwelling prohibited on primary lot frontage	small scale building	20,000	taller mid rise	7
S-4	mixed use, requires active ground floor use, Dwelling prohibited on ground floor primary frontage	ground fl dwelling prohibited on primary lot frontage		25,000	mid rise	7

- **Proposed S5 District: Placemaker Square (document undated, posted 1/23/24)**
 - This information was issued 1/23/24, which has not provided adequate time for review and consideration by 1/28/24. Additional comments may follow.
 - The substantial height has potential for considerable impact on adjacent areas, especially adjacent residential zones.
 - Comments regarding S4 would generally also apply to S5.
 - The setback requirements for the newly proposed S5 district are not clear. Stepbacks are important to mitigating the impact of taller structures on abutting lower height residential districts.
 - Stepbacks should also be considered on the street face to reduce a canyon affect.
 - How does this scale and height respect the scale of existing neighborhoods?
 - Would designation of a specific location as S5 be equivalent to spot-zoning?

- **Additional comments on the content of Article 26 Table B**
 - **Where** no permeable area is required, there should be a requirement for alternative ground water recharge.
 - **All** rear yards abutting Residential zoning should be consistently set at 20 feet.

Attachment 1: Comments on Article 26, Squares and Streets. dated 1/25/2024

- **Stepback** of the 5th floor should apply to all districts abutting residential zones (currently omitted from district S2, which allow 5 stories.) The minimum stepback should be increased to 10 feet.
- As **required** in Plan JP/Rox, the stepback for buildings abutting 1-2 family residential zones should be at the 4th floor, not the 5th floor in all abutting districts, including S0 and S1.
- **Why** is no outdoor amenity space required for districts S0 and S1? As written, S0 and S1 setbacks could be used for parking, and might not provide any usable open space. (This should be also noted on the Figure 1 diagram on BPDA page 2 (11).
- **It is not** clear whether the required “Outdoor Amenity Space” (which includes balconies and decks) can be exclusively private. There appears to be no requirement for public amenity space, and the only incentive is the Outdoor Amenity Space calculation.
- **The** definition of “Blank wall of façade (max)” is unclear. S0 and S1 have no requirements. It is not clear if the maximum 15’ refers to each section of blank wall or is the cumulative total for an elevation. (i.e. can you have multiple 15’ sections separated by a 1’ window slot?)
- **“Multiple** Buildings allowed per lot” – the rationale is not clear. Why are the number of buildings not allowed in districts with smaller buildings, but allowed in districts with larger buildings, both without consideration of the lot size? Shouldn’t this relate to the size of the property?
- **None of the districts** specify (but should specify) a planted green buffer and a fence barrier between the S district and adjacent residential zone.
- **There** are discrepancies between the descriptions in the 12/5/23 draft and the 1/10/24 presentation regarding the rear yard dimensional requirements for S3 and S4 districts. Does this indicate an error, or a revision?

Attachment 2: Comments on the Article 8, New Use Table, dated 1/25/2024

Article 8 (New Use Table) (pages 20-72)

(Article 8, Sections 8-1 through 8-3, Use Table A, Table A Definitions, Table B, and Section 8-4)

General comments on Article 8, Regulation of Uses:

- **Consider** adding an alphabetical index or indexes of uses, including vernacular terminology, to reference use categories, to make it easier for the public to use the tables.
- **It is not clear** where short term rentals like Airbnb and Verbo would fall.
- **Section 8-1** -page 21- Shouldn't "Squares and Streets" be added to the second paragraph?
- **Section 8-2** -page 21- 22.
 - In paragraph 3a. "**incident**" is a noun. Change to "incidental".
 - **Paragraph 3b**, states that no accessory use "other than off street parking" may occupy side or front yards, but Section 23-9 (see page 77) which applies to "All off-street parking facilities" proposes added language that "Parking is not allowed within the front yard of a lot."
- **Section 8-3** Use Regulations – Table A and Definitions (pages 20-37)
 - Page 22 - Suggest that you add a key status "A-G/C = Allowed only on basement or ground floor; conditional on upper stories" to be used as noted below.
- **Section 8-3** Use Regulations – Table B and Definitions (pages 37-72)
 - These changes apply to ALL zones EXCEPT Squares and Streets.
 - **Please** confirm that none of the deleted zones (S (single family), LM (light manufacturing), WM (waterfront manufacturing) and WS (waterfront services) still exist in other parts of the city.

Detailed Comments on Table A: Use Regulations (pages 22-28)

See "Attachment 3: Comments on "Article 8, Use Table" (annotated) dated 1/25/24" for specific recommended changes (BPDA pages 23-28).

- **Open Space Uses**
 - "**Open Space/Private open space**" is listed as conditional for all S zones. Does this refer to Private open space related to a building, or as the primary use?
 - **If S0** is primarily residential, and small scale, it should be allowed to have private space exclusively for its residents.
- **Residential Uses**
 - **Add** a category for other types of small scale Live-Work such as home crafts, carpentry, tailoring, dressmaking, 3-D printing and other similar production activities.
 - **Lodging** is conditional in S3 and only allowed in S4. This excludes a type of housing (single room occupancy/SRO) for a certain economic class, including the working poor, and should be "A", allowed, in all districts. (see definition on page 29)
 - **Although** most are moving to a "housing first" model, shelters remain necessary and should be allowed in all districts. If they can't go here, where can they go?
- **Active Uses**
 - Grocery store-small should be C-G in S0.
 - Grocery store-large should be C-G in S2, and C in S3 (not the other way around).

Attachment 2: Comments on the Article 8, New Use Table, dated 1/25/2024

- Entertainment- small is for up to 500 persons, and should be conditional in S1 and S2.
- Makerspace should be expanded to allow more work and community opportunities. Make it conditional on the Ground floor of S0, and on the upper floors of S1 to S3.
- Museum or Art Gallery could be conditional on ground floor for S0.
- Retail store-small should be C-G in S0.
- Service establishments – Service establishments should be treated similar to retail, except could be more appropriate on upper floors than retail. Make small conditional on ground floor of S0 and conditional on upper floors of S1-S3. Add Medium category and treat Medium and Large Service similar to comparably sized retail but add conditional on upper floors. (Think of hair salons on upper floors of Newbury Street.) See annotated chart.
- **Commercial Uses**
 - Art Studios should be conditional on ground floor of S0.
 - Check Cashier is forbidden in all S districts. Forbidding this might be considered classist, since many low income persons rely on these services. It should be C-G in all categories.
 - Hotel – Small – add conditional in S1.
 - Hotel – Large – make conditional in S3
 - Office-Small is listed as “A-G” on S1 and S2 which makes it forbidden on upper floors. Consider making it conditional on upper floors to provide some work opportunities in areas that are not appropriate for 7 stories.
 - Office -Large –Allow opportunity for large office in lower height districts. Make “Office Large” Conditional in S2 to provide work opportunities in areas that are not appropriate for 7 stories.
- **Higher Education Uses**
 - School, Trade or Professional” is listed as “A-G” on S2 and S3, consider making it conditional on upper floors.
-
- **Health Care Uses**
 - Clinic” is listed as “A-G” on S1 and S2, consider making it conditional on upper floors.
 - Consider hospital use as Conditional for S3.
-
- **Transportation**
 - Gas stations are necessary services and might be appropriate at the periphery of districts that are bisected by roads that serve through-traffic or abutting neighborhoods. Consider making gas stations conditional - C/G in all districts. Gas stations can be incorporated at ground level into large buildings, and not necessarily replace them.
 - Motor Vehicle Rental is listed as “F”, forbidden, in all S zones. Shouldn't it at least be conditional where parking is also allowed or conditional, to allow rentals? (Not everyone is a Zipcar member.) If we discourage car ownership, there should be options to rent cars.
 - “Standalone parking garage” is forbidden in S0-S3, and only conditional in S4 apparently to acknowledge the need for parking in high density areas. It is not clear what would be considered stand alone, vs an accessory use, since there is no limit on the size of parking as an accessory use. If this is intended to provide parking garages to serve an area, why limit it to S4? Why not conditional in S0 to S3?

Attachment 2: Comments on the Article 8, New Use Table, dated 1/25/2024

- “Standalone parking lot” Why consider standalone lots only where high density buildings are appropriate? Why not make it conditional in lower height zones understanding that they would service adjacent high density areas?
- Vehicular services are required. Consider conditional rather than excluding it along all commercial streets. They can be incorporated into larger buildings.
- **Industrial and Storage**
 - Food and Beverage Production – make this conditional in S1-S3, OR create a new category of small to allow smaller operations such as catering and small scale startups or test kitchens.
 - Light Manufacturing or Trade – make this conditional in S1-S3, OR create a new category of small to allow smaller operations and services such as furniture repair, residential plumbing, appliance repair and other blue collar services that residents need.
- **Accessory uses**
 - The italicized compliance note preceding the section title should be placed after the title; otherwise it appears to be part of the preceding section. Also, there is no section 8.2 b, but there is an 8.2.3 b.
 - Accessory Personnel Quarters – make S0 conditional.
 - Accessory Research Laboratory: there is no explanation of this category in Table A Definitions page 37.
 - Accessory Smoking: We do not understand the circumstances for this category unless it’s to bring back smoking rooms. instead of C, S3 and S4 should be F.

Detailed Comments on Table A Definitions

- **As noted above, consider adding additional categories and definitions:**
 - Live work
 - Medium Service Establishment (redefine Small and Large, the categories and associated square footage should be parallel to those for Retail Store (ie: small, medium, large, and extra large).
 - Small and Large Food and Beverage production
 - Small and large light manufacturing
- **Additional clarifications of definitions (see comments on table for additional comments)**

Categories: “Active uses” include uses that would normally fall under other categories, such as commercial. Is this intended to define what categories meet the S& S definition of “active”? It seems like the definition of the use should be separate from a list of uses considered “active”. It also makes it harder to find the definitions, if you don’t already know they fall under “active” instead of “commercial” etc.

 - Group Living: the definition should include the phrase ‘supportive housing’.
 - Lodging House: Does this mean no more “than” 30 day lease terms? and does this preclude renewability of leases for successive 30 day periods?
 - Service establishments – add shoe repair.

Attachment 2: Comments on the Article 8, New Use Table, dated 1/25/2024

- Makerspace: does ‘communal setting’ preclude a residential setting?
- Self-Storage: the written definition is ambiguous. Is it the ‘goods’ that are made available to the public, or the storage unit, per se, and not its contents that are made available to the public?
- Storage of Fuel or Minerals: the definition should explicitly state ‘salt’ - an important consideration in winter.
- Urban Agriculture: there should be some definition given here, even if it’s necessary to refer to another article.
- Warehouse or Distribution Center: somewhat ambiguous as to whether it includes ‘only’ wholesale businesses. May be better to say it ‘includes both wholesale and retail warehousing.’
- Clinic – add health center, ambulatory surgery center.
- Accessory Car Share: does this embrace bicycles and scooters?
- Accessory Electric Vehicle Charging: typo in next to last sentence — “changing” should be “charging”.
- Accessory Entertainment/Event: insert ‘to’ = ..incidental to the main use.
- As written, it says ‘such use may receive....’ but it would be more accurate to say ‘such use may require...’
- Accessory Home Occupation: nice to see some “is a house a home?” humor whether or not intentional. Perhaps clarify that the occupation being compensated is a legal occupation.
- Accessory Keeping of Animals: Clarify scope and intent.
- does Article 89 cover the regulation of the conditions for keeping these animals?
- Accessory Research Labs: a definition for this category is missing.
- Accessory Smoking: in addition to an earlier comment, not clear why this category is not subject to the provisions of Section 8-2.3.

Attachment 3: Comments on Article 8, Use Table (annotated) dated 1/25/24 (BPDA pages 23-28)

	Squares + Streets (S)				
	S0	S1	S2	S3	S4
OPEN SPACE USES					
Cemetery	F	F	F	F	F
Private Open Space	A - C	C	C	C	C
Publicly Accessible Open Space	A	A	A	A	A
CIVIC USES					
Municipal Use	A	A	A	A	A
Place of Worship	A	A	A	A	A
School, K through 12	A	A	A	A	A
RESIDENTIAL USES					
Artists' Live-Work <i>Add line for other types of live work</i>	A	A	A	A	A
Fraternity or Sorority	F	F	F	F	F
Group Living - Small	A	A	A	A	A
Group Living - Large	A	A	A	A	A
Household Living - 1-4 units	A	A	A	A	C
Household Living - 5-8 units	A	A	A	A	A
Household Living - 9-14 units	A	A	A	A	A
Household Living - 15+ units	F	A	A	A	A
Lodging House	A - F	A - F	A - F	A - C	A

	Squares + Streets (S)				
	S0	S1	S2	S3	S4
Mobile Home Establishment	F	F	F	F	F
Student Housing	F	F	F	C	C
Temporary Shelter Facility	F - A	F - A	F - A	F - A	F - A
ACTIVE USES					
Child Care/Adult Day Health Center	A	A	A	A	A
Community Center	C	A	A	A	A
Grocery Store - Small	C -G	A	A	A	A
Grocery Store - Large	F	F	C -G	C -G	A
Entertainment/Events - Small	F	C -A-G	C -A-G	A-G	A
Entertainment/Events - Medium	F	F	C-G	A-G	A
Entertainment/Events - Large	F	F	F	C	C
Entertainment/Events - Extra Large	F	F	F	F	F
Makerspace	C-G - F	A-G /C	A-G /C	A-G /C	A
Museum or Art Gallery	C-G F	A-G	A-G	A	A
Restaurant - Small	C-G	A-G	A-G	A	A
Restaurant - Large	F	C-G	A-G	A	A
Retail Cannabis Establishment	F	C-G	C-G	C-G	C
Retail Store - Small	C-G - F	A-G	A-G	A-G	A

	Squares + Streets (S)				
	S0	S1	S2	S3	S4
Retail Store - Medium	F	C-G	A-G	A-G	A
Retail Store - Large	F	F	C-G	A-G	A
Retail Store - Extra Large	F	F	F	F	C
Indoor Recreation	F	F	F	A-G	A
Service Establishment - Small <2500 sf	C-G F	A -G/C	A -G/C	A	A
Service Establishment - Large >10,000	F	F	C	A	A
Social Club	C	A	A	A	A
Service Establishment - Medium <10,000	C-G	C-G	A-G/C	A-G/C	A
COMMERCIAL USES					
Adult Entertainment	F	F	F	F	F
Arts Studios	C-G F	A-G	A	A	A
Bank	F	C-G	C-G	C	C
Check Cashier	C-G F	C-G F	C-G F	C-G F	C-G F
Drive-in	F	F	F	F	F
Funeral Home	F	C	C	C	C
Hotel - Small	F	F C	C	A	A
Hotel - Large	F	F	F	F C	C
Office - Small	F	A-G /C	A-G /C	A	A
Office - Large	F	F	C F	C	C
Research Laboratory	F	F	F	F	F

	Squares + Streets (S)				
	S0	S1	S2	S3	S4
HIGHER EDUCATION USES					
College or University Use	F	F	C	C	C
School, Trade or Professional	F	F	A-G /C	A-G/c	A
HEALTH CARE USES					
Clinic	F	A-G /c	A-G /c	A	A
Hospital Use	F	F	F	F c	C
Nursing or Convalescent Home Use	C	C	C	A	A
TRANSPORTATION USES					
Airport-Related Remote Parking Facility	F	F	F	F	F
Gasoline Station	F C/G	F C/G	F C/G	F C/G	F C/G
Major Transportation Facility	F	C	C	C	C
Motor Vehicle Rentals	F	F C	F C	F C	F C
Motor Vehicle Sales	F	F	F	F	F
Standalone Parking Garage	F C	F C*	F C*??	F C* ??	C*
Standalone Parking Lot	F	F C*	F C*	C*	C*
Vehicular Services	F	F C-G	F C-G	F C	F C

	Squares + Streets (S)				
	S0	S1	S2	S3	S4
INDUSTRIAL AND STORAGE USES					
Crematory	F	F	F	F	F
Food and Beverage Production or split into small/C and large/F	F	F C ?	F C ?	F C ?	A*
General Industrial	F	F	F	F	F
Light Manufacturing or Trade Establishment or split into small/C and large/F	F	F C ?	F C ?	F C ?	C
Non-retail Cannabis Establishment	F	F	F	F	F
Restricted Industrial	F	F	F	F	F
Self-Storage	F	F -C	F -C	F -C	F -C
Storage of Fuel or Minerals	F	F	F	F	F
Storage of Supplies and Scrap	F	F	F	F	F
Urban Agriculture	See Article 89	See Article 89	See Article 89	See Article 89	See Article 89
Warehouse or Distribution Center	F	F	F	F	F
Accessory uses must comply with the provisions of Section 8-2.b	--- move below "ACCESSORY USE title				
ACCESSORY USES					
Accessory ATM	A	A	A	A	A
Accessory Car Share	A	A	A	A	A
Accessory Drive-Through	F	F	F	F	F
Accessory Dwelling Unit (Detached)	C	C	F	F	F
Accessory Dwelling Unit (non-Detached)	C	C	F	F	F
Accessory Electrical Vehicle Charging	A	A	A	A	A

	Squares + Streets (S)				
	S0	S1	S2	S3	S4
Accessory Entertainment/Events	C	A	A	A	A
Accessory Family Day Care Home	A	A	A	A	A
Accessory Helicopter Landing Facility	F	F	F	F	F
Accessory Home Occupation	A	A	A	A	A
Accessory Keeping of Animals	C	C	C	C	C
Accessory Keeping of Laboratory Animals	F	F	F	F	C
Accessory Office	F A	A	A	A	A
Accessory Parking	A	A	A	A	A
Accessory Personnel Quarters	F C	C	C	C	C
Accessory Research Laboratory	F	F	F	F	C
Accessory Smoking	F	F	F	C F	C F
Shared Parking	A	A	A	A	A

Table A Definitions See Attachment 2 for comments on Definitions.

The following definitions and size categories shall apply only for Districts in Table A of this Article 8. For the purposes of determining size categories, total square footage shall mean the total area dedicated to a use including storage, mechanicals, and all other occupied and non-occupied space.

OPEN SPACE USES

Cemetery. A facility used for the interment of human remains.

Private Open Space. Open space in private ownership dedicated to or appropriated for active or passive recreational use or to the conservation of natural resources and which is not accessible to the general public because of exclusive membership requirements, fees (excluding nominal parking or entrance fees), or physical barriers (excluding those needed for safety), including but not limited to private sports fields and complexes such as golf courses.

Publicly Accessible Open Space. Open space in public or private ownership dedicated to or appropriated for active or passive recreational use or to the conservation of natural resources and which is intended and designed to be accessible to the general public including having no exclusive membership requirements, fees (excluding nominal parking or entrance fees), or physical barriers (excluding those needed for safety), including but not limited to the waterway areas, beaches, reservations, parks, and playgrounds.



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Comment on Squares and Streets Zoning Code Amendment

Carol Streiff <roxburyvoices@gmail.com>

Fri, Jan 26, 2024 at 1:49 PM

To: squaresandstreets@boston.gov

Dear Mr. Zacariah:

I am sending this Comment via email b/c I was not able to get the Public Comment Form to continue past my choice of language. I hope you can check on this — perhaps it was only my lack of skills, but if not, I urge you to make the necessary repair as soon as possible.

My comments on Squares and Streets:

There should be no further action on this proposal until such time as a comprehensive city-wide plan for ALL zoning changes is designed and presented to the public for review and comment.

Thus far we have had zoning change dribbling out, one-by-one, with no city-wide context and no accessible way to compare these changes with existing zoning. The process has been confusing and time-consuming for residents and businesses that want to engage in a meaningful way with the city's reform of an outdated zoning system.

We have had changes to affordable housing, new ADU requirements, a change to park/green space to allow a private entity to purchase rights to a public stadium, a new "business center concept" in "Squares and Streets", and finally this week, a proposal to increase substantially mayoral authority over the BPDA. There have been omissions: no comprehensive parking plan, inadequate protections for climate resiliency, housing that is truly affordable, failure to consider the requirements of small businesses, especially minority. There have been unclear and obfuscating statements from BPDA and zoning staff. Nobody seems to know which neighborhoods will receive the "Sq/St" treatment. We have had PLANS for some but no indication as to whether this concept will be carried to other neighborhoods. How can anyone evaluate "Squares and Streets" in isolation from potential PLANS? For that matter, how can we evaluate any zoning change if we don't have a complete picture of the proposals currently in the works — proposals that we fairly certain will be coming?

One of the chief complaints about Boston's zoning process is that changes are being made to the code continually to accommodate a particular development. The City is now doing the same thing: asking us to comment on yet another change that will impact a few particular sites.

What we need is **PLAN: Boston** that will include all recent, present and planned changes to zoning, development review (Article 80), and the structure and responsibilities of the BPDA and other agencies involved in planning and development. A city such as Boston, with its thousands of involved citizens and committed staff and access to locally available expertise, should be able to create such a comprehensive master plan. I look forward to seeing it.

Carol Streiff



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Squares and Streets, ZBA

Andrew Donovan <donovanelectric@gmail.com>
To: squaresandstreets@boston.gov

Fri, Jan 26, 2024 at 3:06 PM

Hi Folks,

I attended a hearing a few weeks back.
Thank you for holding it. I submitted a positive comment in the chat.
I'd like to follow up with a formal public response.
It is a letter to the Editor of the Dorchester Reporter that they replied
would be published in next week's edition.

Thank you very much for your considerations,
Andy Donovan
[11 Fox Point Road](#)
[Savin Hill, Dorchester, MA 02125](#)

To the Editor,

The proposed Squares and Streets upgrade to the Zoning Code;
allowing for greater graduated densities in the primary corridors and intersections throughout the City is a much
needed, welcome and overdue addition.

With this amendment, the Code becomes solidified, with the new heights,
FARs, setbacks, and allowable building envelopes now quantified by rules that
will be known and adhered to by owners, builders, and architects alike.

What's good in the new Code serves to highlight the antiquated and ineffectual zoning process left in place covering
the remaining ~94 percent of our City. 350 towns and cities in the Commonwealth have a viable Zoning Code
and process. Boston doesn't .

As citizens, we are entitled to have legitimate Zoning requirements
that will be respected and followed in order to retain the existing pleasant characters' of our communities. Zoning
variances were created to ameliorate individual little hardships that can be created on a lot or house that predated the
Code.

Nowadays, builders and architects come before our local Civic planning
committee with proposals that are deficient in 6 or 7 separate requirements.
They laugh when they refer to the Zoning Code requirements as mere recommendations from the City.

The ZBA just recently approved a hideous buildout that required so many variances , the list of them filled a page.
That's what we are supposed to have a Code to protect us from. The proposed development was turned down
unanimously by our local civic board, yet the ZBA gavelled their approval to that, as if in an unending chain of ill
considered approvals ,one after another.

The folks at the ZBA are very busy, perhaps too busy, to give adequate consideration to the unending number of variance requests within the entire City. I'm sure they are very good hardworking people, but human nature is what it is.

Either they don't care because they don't have to ;
or perhaps the old saw, "they won't see it from their house".

We need decentralized control such that the residents of our neighborhoods have a say in what is allowed to be built if the proposal violates our Code. A residential neighborhood should be allowed to have one and two family homes that blend in with their surroundings.

The Squares and Streets initiative is good. Now let's roll up our sleeves and fix the rest of it.

Thank you,
Andy Donovan



January 26, 2024

Arthur Jemison, Chief of Planning
Boston Planning and Development Agency
City of Boston
Boston, MA 02201

Re: NAIOP comments on Proposed Zoning Amendments Advancing Squares + Streets

Dear Chief Jemison,

NAIOP Massachusetts, The Commercial Real Estate Development Association, is grateful for the opportunity to offer comment in response to the proposed zoning amendment creating new regulations for Squares + Streets Districts. NAIOP strongly supports Mayor Wu's vision for creating a clear, predictable and concise zoning code for the City of Boston. It is critical that all of the City's constituents understand the permitting process.

NAIOP offers the below comments and requests for clarification in the hopes that the Boston Planning and Development Agency (BPDA) and the City can advance a clear vision for the City's zoning code in this first, critical step.

- I. Though the intent of the frameworks is laudable, NAIOP is concerned that by creating entirely new use structures complete with their own definitions, the BPDA is unintentionally making the zoning code even more cumbersome – in contrast to its and the City's shared goals. NAIOP suggests that instead of moving forward in pieces, the City should instead commit to a comprehensive review of the code to align and harmonize as many provisions as possible. While this will take more time and require feedback from all interested parties, NAIOP believes a comprehensive review and amendment will better achieve the City's goals of a clear, predictable and concise zoning code.

If the BPDA is committed to the current effort, NAIOP strongly urges the City to re-release a draft for consideration and comment, and hold multiple, accessible working sessions for all interested parties – including property owners, design professionals, neighborhood representatives, elected officials, representatives of the Inspectional Services Department and the BPDA, and other City agencies to ensure that the final proposal is practical, feasible, and advances the City's goals. In this regard, we note that the release of the initial draft during the holiday season with comment period during the month of January may not have afforded optimum opportunity for meaningful comment.

- II. NAIOP is generally concerned with the perceived presumptions surrounding retail space throughout the proposal. Associating and linking retail needs with a project size does not align with the ways retail tenants think about space. Retailers looking for space desire foot traffic, visibility and locations specific to their customer base – regardless of the amount of apartment units or commercial space above the space.

NAIOP is concerned that the City's emphasis on mandatory retail will result in empty storefronts – harming the vitality of neighborhoods. Additionally, mandatory retail can result in fewer housing units – which are more likely to be quickly activated and contribute to a community base. In recent transactions for buildings with ground floor retail, NAIOP is now regularly seeing buyers place a \$0 value on the retail space as there is an assumption in the Boston market that many of these storefronts will simply remain vacant.

NAIOP urges the City to consider allowing more flexibility in the consideration of including retail. This will give both the public and property owners the opportunity to evaluate and envision the types of space that will enrich the surrounding community.

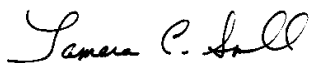
Additionally, many ground floor uses remain conditional or forbidden. We are concerned that housing production will be obstructed or slowed while a project's commercial uses seek zoning relief that may be critical to bringing an economically viable project forward, or uses that the community may desire in a mixed-use project.

- III. To ensure maximum flexibility for the City, NAIOP urges the BPDA to strike Section 26.2(B) in its entirety. NAIOP believes that the use of PDAs, where appropriate, ensures that development of complex and innovative projects can continue to drive the creation of needed residential housing and thriving businesses.
- IV. Understanding the City's commitment to these proposed changes, NAIOP urges the BPDA to develop a pilot project for one or two areas where this proposal can be tested to see how it works in practice – and evaluate whether or not the proposed changes do in fact foster more “as of right” development and housing production before codifying the proposals into zoning, particularly given the recently increased inclusionary housing requirements and other headwinds that persist in preventing new construction, such as high construction costs and interest rates. If development and housing production do not increase post-adoption of the pilot project, the BDPA can study adjustments to the zoning to make sure it is achieving the desired result of increasing as of right projects and, importantly, housing projects.

NAIOP Massachusetts represents the interests of companies involved with the development, ownership, management, and financing of commercial properties. NAIOP has over 1,800 members who are involved with office, research & development, lab, industrial, mixed use, multifamily, retail and institutional space.

Thank you for your consideration of our comments. Please contact me if you have any questions or if additional information is needed.

Sincerely,



Tamara C. Small

Chief Executive Officer

NAIOP Massachusetts, The Commercial Real Estate Development Association

CC: Lisa Herrington, General Counsel, Boston Planning and Development Agency



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Squares and Streets

'Bellevue Hill Improvement Association, Inc.' via Squares and Streets

Sun, Jan 28, 2024 at
10:37 PM

<squaresandstreets@boston.gov>

Reply-To: "Bellevue Hill Improvement Association, Inc." <bgass89620@aol.com>

To: "squaresandstreets@boston.gov" <squaresandstreets@boston.gov>

Cc: MacGregor Bill <bill.macgregor@mahouse.gov>, "Rush Mike (SEN)" <mike.rush@masenate.gov>, "benjamin.weber@boston.gov" <benjamin.weber@boston.gov>, "erin.murphy@boston.gov" <erin.murphy@boston.gov>, "julia.mejia@boston.gov" <julia.mejia@boston.gov>, "tania.anderson@boston.gov" <tania.anderson@boston.gov>, "enrique.pepen@boston.gov" <enrique.pepen@boston.gov>, "sharon.durkan@boston.gov" <sharon.durkan@boston.gov>, "liz.breadon@boston.gov" <liz.breadon@boston.gov>, "brian.worrell@boston.gov" <brian.worrell@boston.gov>, "john.fitzgerald@boston.gov" <john.fitzgerald@boston.gov>, "edward.flynn@boston.gov" <edward.flynn@boston.gov>, "gabriela.coletta@boston.gov" <gabriela.coletta@boston.gov>, "henry.santana@boston.gov" <henry.santana@boston.gov>, "ruthzee.louijeune@boston.gov" <ruthzee.louijeune@boston.gov>

Good morning,

Boston is a gem of a city. Let's keep it that way!

The proposed rezoning amendment draft, Squares and Streets, is a shadow looming over Boston neighborhoods. The idea is symbolic in that the so-called "planning experts" have decided to throw out a zoning code which has worked reasonably well and replace it with federal zoning codes which are only optimal for large cities.

Boston is small, unlike Los Angeles or Miami, both cities from which Squares and Streets has been borrowed. Each of our neighborhoods has its own special character and as such each Square should be respected for its flavor.

Neighborhood residents and business owners have been disrespected by the Wu administration with a total lack of community engagement. The speed with which the City has conducted the overwhelming multitude of ZOOM meetings is comparable to the speed with which it wants to replace one zoning code with a poorly conceived set of non-specific plans. These quick in-and-out meetings have cast a symbolic shadow the City's neighborhoods.

We would like to see the Zoning Commission involve each neighborhood in the rezoning effort and then submit a referendum for vote by neighborhood residents. This simply means slowing down the process and creating neighborhood input. Let's keep Boston the gem of the Massachusetts!

Thank you.

Jonathan and Ginny Gass
Members of the Bellevue Hill Improvement Association, Inc.
West Roxbury, MA 02132



Longfellow Area Neighborhood Association

January 28, 2024

The Honorable Michelle Wu
Mayor, City of Boston
Boston City Hall
Boston, MA 02201

Mr. Arthur Jemison, Chief Planner
Boston Planning & Development Agency
Boston City Hall, 9th floor
Boston, MA 02201

RE: Squares & Streets Proposed Zoning

Dear Mayor Wu and Mr. Jemison:

The Longfellow Area Neighborhood Association (LANA) is offering the following comments and questions regarding the initial regulatory framework for the Streets and Squares initiatives, particularly as it relates to Roslindale.

LANA Background: LANA's origins are rooted in advocacy for housing in our neighborhood, beginning with the development of 44 units of affordable senior housing at the former Longfellow School. Since 2020, we have been working to foster the development of four units of affordable home ownership at 104 Walter Street through a neighborhood-initiated project involving a robust community planning and advocacy process. That parcel was acquired by BPDA in December 2020, and Habitat for Humanity was designated as the developer in August 2021. We are hoping that the issuing of permits for this project is imminent. Over the years, LANA has generally supported new thoughtfully designed infill housing development in our neighborhood.

LANA recognizes that there is a housing crisis and LANA has taken affirmative steps to facilitate new and affordable housing in our neighborhood based on good planning with community engagement.

We reached out and invited BPDA representatives to our bimonthly meeting on November 11, 2023, to talk about the Squares & Streets (SQ&ST) initiative offering your staff as much time as they wanted. We publicized Streets and Square in advance and have subsequently encouraged residents to learn more about this City initiative. The SQ&ST presentation was a very high-level, broadly focused presentation with few specifics. At no time during the presentation and discussion did anyone from BPDA alert us to the prospective draft regulations that propose major changes in dimensional, density, and use requirements that could directly govern uses within the LANA service area.

Comments and Questions About the Squares & Streets Initiative:

1. More Discussion and Vetting of the Regulatory Framework is needed.

The proposed regulatory framework to govern zoning which will impact commercial districts and corridors along with nearby residential areas throughout the City of Boston has not been sufficiently presented, explained, or vetted. There needs to be more time for a more fully informed discussion so that residents and property owners can be informed of the specifics of the regulatory framework and offer comments. A sixty-day comment period for the proposed transformational zoning regulations with no apparent prior planning nor substantive community engagement is simply inadequate.

- The current sixty-day comment period included the holiday season where residents focus on family and holidays, not the nuances of a major new zoning framework.
- There has been only one substantive public meeting sponsored by BPDA since the release of the draft regulations in Roslindale, and that was a day-time meeting at 2 pm in the afternoon for one-hour with Director Jemison on January 8th. This is insufficient.
- Zoning is a plan implementation tool. BPDA and the City have drafted the regulations before planning. There has been no community or public discussion which typically occurs during a planning process that informs and foreshadows the actual draft regulations. Consequently, the existing 60-day comment period is inadequate. Unfortunately, it appears that the City and BPDA in an effort to make more development as of right, appears to be repeating the historical shortcomings of the BPDA (and BRA) of limiting meaningful community engagement and planning in an effort to promote development. One of the reasons that there is so much extensive community discussion and “delay” attributed to neighborhood consultation is that BPDA and the City have not planned and have not done the hard work and taken the time to plan in advance and have the sometimes difficult conversations to foster good plans and development. It appears BPDA and the City are repeating past mistakes in the rush to get things done, but not done right. SQ&ST is an important initiative and needs to be done well and right. Please take the time to do it right with meaningful and authentic community engagement.

LANA urges you and the BPDA to extend the comment period for at minimum another 90 days and to engage in more substantive discussions regarding the regulatory framework.

2. What is the meaning and intent of the Roslindale map?

The primer for the Roslindale Square pilot of SQ&ST includes a map with a one-third mile radius from Adams Park in the center of Roslindale Village. Could you please explain what the purpose of the map of Roslindale Square area with the one-third mile radius? Here are some related questions:

- Will the SQ&ST zoning regulations as drafted be applied to the entire area depicted or just a portion?

- The Roslindale map does not show corridors extending from Roslindale Village. Will corridors, such as Washington Street, Cummins Highway, and Belgrade be part of the discussion of the Roslindale SQ&ST pilot?
- Why a one-third mile radius? Typical planning conventions related to transit planning use one-quarter and one-half mile walksheds.
- LANA has a small commercial node on the southeasterly side of South Street from Walter and South to South and Robert Streets. Will this area be included? Why or why not?
- Most of the LANA service area included in the radius (and most of the residential areas within the radius south and east of Roslindale Square) consists of 1-, 2-, and 3-family homes, almost all of which feature pitched roofs which top out at approximately 35 feet or less. The draft zoning implies most of these residential areas would be rezoned as S-0 with a height of 50 feet for a flat-roofed building and a minimum 3-foot side-yard setback, Will the residential neighborhoods within the radius be rezoned as S-0 with that new height and side-yard setback minimum?

3. Will the SQ&ST Zoning regulations replace existing zoning or be an overlay district providing an owner the option of using the underlying zoning or the SQ&ST zoning?

4. Will the changes in the Use Tables on pages 37-72 of the proposed SQ&ST zoning effect Roslindale and specifically the LANA area?

The zoning nomenclature in the proposed SQ&ST Use Tables references R and H residential zones. In the LANA area as noted on Map 10A, the residential zones include: 2F-5000; 1F-6000; and CPS. Will these zones in the Roslindale Neighborhood Subdistrict be affected by the proposed SQ&ST zoning language and Use Tables? Please detail.

- Is the single-family zone – 1F-6000 – being eliminated? In the future, will existing homeowners be able to seek variances to build an addition while retaining a single-family use in this zone?

5. Protect Sight Lines and Visibility for Safety.

The LANA and Roslindale area have curving streets with changing elevations creating challenges for visibility and drivers. Section 18.3 pertaining to Traffic Visibility Across Corners on page 107 of the proposed SQ&ST zoning regulations allows the minimal standards to foster better visibility and sight lines to make it safer for pedestrians, bicyclists, and motor vehicles to cross streets and turn do not apply to mixed use districts in SQ&ST. This is a mistake. Relaxation of the constraints on planting and building structures over 2-1/2 feet above the curb line at corners should be evaluated on a case-by-case basis, and not be eliminated unilaterally.

The Honorable Michelle Wu, Mayor of Boston and Mr. Arthur Jemison, Chief of Planning
RE: Squares & Streets Proposed Zoning
January 28, 2024
Page 4 of 4

6. Quality Design Is Critical & Makes A Difference. Aesthetics Are Important.

There have been in recent years some fairly unsightly development projects in the Roslindale area, typically with poor design and cheap materials. It is important to have a timely, quality design review on proposed new developments, especially for highly visible buildings in Roslindale Square and along corridors. How will residents be assured that there will be good design and aesthetics in the future? The proposed SQ&ST zoning regulations are silent on design, and this appears to be a big omission.

We look forward to hearing your responses to our questions. LANA urges you to extend the comment period for at least another 90 days to enable time for greater understanding, questions, discussions, and comments. In the spirit of this suggestion and goal, LANA is willing to sponsor a special meeting on Monday, February 12th at 7 pm to learn more about the specifics of Streets and Squares as to Roslindale. We hope you and BPDA staff will be able to come.

With warm regards,

LONGFELLOW AREA NEIGHBORHOOD ASSOCIATION



By: Kathleen "Kathy" McCabe
President

cc: Councilor Enrique Pepen
Councilor Ben Weber
City Council President Ruthzee Louijeune
City Councilor Julia Mejia
City Councilor Erin Murphy
City Councilor Henry Santana
State Senator Mike Rush
State Representative William MacGregor
Chief Brianna Millor
Dianna Bronchuk



ABUNDANT
HOUSING
MASSACHUSETTS

PO Box 301399
Jamaica Plain, MA 02130

Massachusetts Is For Everyone

January 29, 2024

Hon. Michelle Wu
Mayor, City of Boston

Mr. Arthur Jemison
Chief of Planning/Director of BPDA
City of Boston

Dear Mayor Wu and Chief Jemison:

We feel obligated to comment on a counterproductive letter sent recently to Mayor Michelle Wu by a group of neighborhood association leaders. In it, they admonish the Mayor for allowing “continued off-kilter real estate development,” characterize city officials administering development reform efforts as “the city autocracy,” and suggest that the Mayor’s new “Squares+Streets” zoning initiative favors “bureaucratic centralized authoritarian rulemaking.”

Their statement concludes with a tone of electoral menace, suggesting that “stormy skies” now greet the Mayor halfway through her first term, and that only by following the authors’ prescriptions can she expect past supporters to “feel great” about voting for her again.

We at Abundant Housing Massachusetts (AHMA) envision a future where housing is plentiful for people of all incomes; where we stop the relentlessly increasing housing costs that drive de facto segregation in our neighborhoods; and where land-use policy facilitates the creation of safe, walkable, and low-carbon communities. The sentiments expressed by Boston renters’ direct experiences speaks to the urgency of this that can’t afford to wait longer. The sentiments expressed by these leaders run sharply counter to all of these goals and express a pessimism about tackling our city’s housing crisis which we do not share.

We do agree with the letter’s authors that real estate development in Boston has been “off-kilter,” but for starkly different reasons than the ones they offer. From 2010 to 2019, the City of Boston approved 45.8 housing units per 1,000 residents. This rate of housing approvals put Boston just above the rate of Columbus, Ohio, whose metropolitan area’s population is less than half of Greater Boston’s.¹ Worse, Boston’s rate of housing approvals has been decelerating recently, with 18,790 units approved in total between 2018 and 2022—a 6.5% decrease in production relative to the prior five-year period.² That Boston’s housing production has chronically undershot demand is evidenced by the city’s acute housing shortage today. As of 2022, the city’s rental vacancy stood at 3.4% while homeowner vacancy hit 1.2% citywide.³ This paradigm of scarcity has fueled a pitiless bidding war in the Boston housing market. Over

¹Citizens Budget Commission staff analysis of data from U.S. Department of Housing and Urban Development, State of the Cities Data Systems: Building Permits Database (accessed July 8, 2020), <https://socds.huduser.gov/permits/>; and U.S. Census Bureau, 2006-2010 American Community Survey 5-Year Estimates.

² The Boston Foundation, “The Greater Boston Housing Report Card 2023,” *The Boston Foundation*, retrieved January 21, 2024 at: <https://www.tbf.org/-/media/tbf/reports-and-covers/2023/gbhrc2023-full-report.pdf>

³ The City of Boston, “Boston Housing Conditions & Real Estate Trends Report 2022,” *The City of Boston*, 5.



50% of the city's renters paid more than 30% of their income to landlords in 2022. Meanwhile, the transition to homeownership has become impossible for all but the wealthiest Bostonians.⁴ Critically, the brunt of the cost of this situation has been borne by those with the least, with poorer households paying out greater percentages of their income at higher rates.⁵

It is therefore disappointing to read where these neighborhood leaders focus their ire. They attack the Mayor's "Squares+Streets" initiative—a measured attempt to increase zoning flexibility in select areas served by transit—as “centralized authoritarian rulemaking.” They unfairly label City staff advancing “Squares+Streets” through a robust Phase I of community engagement—including 24 pop-up events, 2 youth engagement workshops, 29 community planning meetings and 4 public zoning meetings—as comprising part of a “city autocracy.” They complain in one breath that Boston's affordable housing program is underproducing units, then, in another, confusingly lambaste the commercial development needed to finance it. They even object to the Mayor's efforts to streamline the permitting processes that both affordable and market housing projects must navigate.

At some level we see this letter from these neighborhood association leaders as typical of the misguided attitudes and obstructionist tactics that have contributed to our housing crisis for so long. The authors offer no objective principles for evaluating neighborhood change in the City of Boston, nor any principled alternatives to the Mayor's plans. Instead, they unfortunately cast the deliberate attempts of a duly elected mayor to respond to the housing shortage as illegitimate and wrongheaded.

By placing the prerogatives of neighborhood incumbents above the causes and human consequences of our housing crisis, the authors—like too many before them—propose to continue sacrificing the housing stability of Boston's citizens to perpetuate a failing status quo that too often grants them personal vetoes over change. A world in which these kinds of attitudes continue to stifle change is one in which the housing shortage grinds on unabated and Boston becomes even more unaffordable.

AHMA and its members stand unapologetically for increased housing production for residents of all income levels. We applaud the Mayor's efforts to legalize ADUs citywide and we support the “Squares+Streets” initiative as a constructive first step in increasing zoning flexibility across the city. Most importantly, we reject the attempts of any group to prop up a failed status quo at Boston residents' expense given the scale of the housing crisis we face.

Sincerely,



Jesse Kanson-Benanav

Executive Director, Abundant Housing MA (AHMA)

On behalf of: AHMA Board of Directors, AHMA Boston Committee, WalkUp Roslindale, Dorchester Growing Together, Boston Artist Impact, and JP YIMBY

⁴ Fujiwara, Daigo, Ostriker, Rebecca, “Beyond the Gilded Gate: A Boston Globe Spotlight Report on the Massachusetts Housing Crisis,” *The Boston Globe*, October 13, 2023, retrieved at: https://apps.bostonglobe.com/2023/10/special-projects/spotlight-boston-housing/beyond-the-gilded-gate/?s_campaign=housingproj_footer

⁵ The City of Boston, “Boston Housing Conditions & Real Estate Trends Report 2022,” *The City of Boston*, retrieved at: <https://www.bostonplans.org/getattachment/066b23c5-cab9-4731-a338-f6e57e3ef55f>



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Fwd: Letter Re: Squares and Streets

Arthur Jemison <james.jemison@boston.gov>
To: Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Tue, Jan 30, 2024 at 10:49 AM

----- Forwarded message -----

From: **Michael McCord** <mmccord@learningproject.org>
Date: Mon, Jan 29, 2024 at 4:30 PM
Subject: Letter Re: Squares and Streets
To: Mayor Michelle Wu <mayor@boston.gov>, Chief Arthur Jemison <James.jemison@boston.gov>

January 29, 2024

Hon. Michelle Wu

Mayor

City of Boston

Mr. Arthur Jemison

Chief of Planning/Director of BPDA

City of Boston

Dear Mayor Wu and Chief Jemison:

Boston Green Action is a group of citizens who work to take actions consistent with just, inclusive, and equitable solutions aimed at reducing and eliminating the terrible consequences of Global Warming. These consequences range from floods of biblical proportions even in areas not heretofore identified as flood zones, to unmanageable massive community-destroying fires, and life-threatening combinations of heat and humidity in “unprecedented” but increasingly frequent climate “events.” We approach this work with concerns for the future of Boston (indeed, concerns for our planet) and with a strong sense of urgency. We are also optimistic about the capacity of regular citizens—and their representatives in government—to rise to great challenges—Global Warming being the most daunting and consequential of all.

The BGA is pleased, then, to note that the Fall 2023 report on the “Squares and Streets” addresses the goal to: *“Identify discrete design interventions to expand tree coverage; mitigate heat, prepare for an electric future and otherwise advance climate resilience.”* While this is an important and powerful statement, we respectfully suggest that it should be expanded and strengthened by adding several other important ‘design intervention’ strategies, and by using the word “institute” instead of “prepare for” in describing the goal of electrification. Our recommended version of this goal statement is:

Identify discrete design interventions to facilitate the elimination of carbon fuels from the building and transportation sectors; to consider the installation of a geothermal network in the planned area and the installation of solar; to encourage and facilitate pedestrian movement and to enhance pedestrian safety; to encourage and facilitate

bike usage and safety; to support use of EV's and other electric mobility modes of transport with suitable charger installations; to expand tree coverage; to mitigate heat; to use permeable paving to avoid run-off into sewers and to recharge water into the ground; to institute electrification of heating, cooling, and food preparation systems in homes, businesses and restaurants; and to otherwise advance both climate resilience and the achievement of the Commonwealth's 2050 emission reduction goals.

We believe that this expanded enumeration of specific approaches to Green House Reduction *and* to Climate Resilience (and others will no doubt be able add to this list presently and certainly in years ahead as our knowledge and technologies improve) will substantially enrich the "Squares and Streets" document. It will, also, serve as a reminder to planners in the future that many small steps do, indeed, add up to major strides in the direction of advancing any goal.

Thank you for considering these comments which have been approved by a Boston Green Action survey of Members.

Very truly yours,

Boston Green Action

Partial List of Members:

G. Lee Humphrey

Valerie Masln

Sam Perry

Nancy Gertner

Pam Steel

Peter Papesch

Gordon Richardson

Jacqueline Royce

Janet Roche

Michael McCord

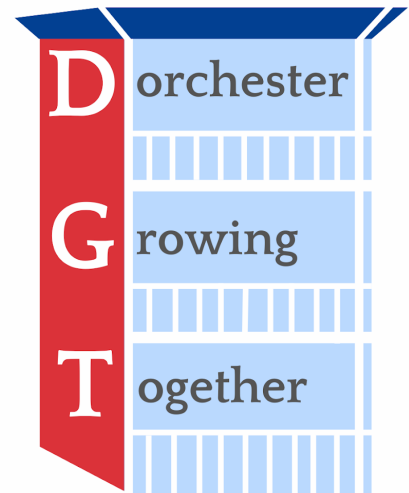
Martyn Roetter

Jenn Cartee
84 Tonawanda St
Dorchester, MA 02124

January 28, 2024

BY ELECTRONIC MAIL ONLY
james.jemison@boston.gov
squaresandstreets@boston.gov

Director James Arthur Jemison II
Boston Planning & Development Agency (BPDA)
1 City Hall Square, #9
Boston, MA 02201



Re: SUPPORT FOR SQUARES + STREETS ZONING AMENDMENT

Dear Director Jemison:

Please accept this comment and support letter on behalf of Dorchester Growing Together with respect to the currently pending Squares + Streets zoning amendment, as well as the larger Squares + Streets implementation in Small Area Plans in commercial corridors and neighborhood centers throughout the City.

At the broadest level, we appreciate the need for this new “toolbox” of six Squares + Streets districts and an updated use table which can be deployed to modernize zoning, eliminating most permitting by variance in these areas. That will help both non-profit and market rate developers build more homes, retail and service business spaces, offices, and other public amenities. Squares + Streets zoning also promises to bring investments in the area's public spaces like parks and playgrounds, small business and economic vitality supports, transportation improvements, etc. Such a comprehensive update is key to Boston’s continued stability and growth.

We note the hard work of BPDA staff throughout the Phase I engagement, starting in September, who created dozens of opportunities for the public to learn about, engage with, and provide feedback on the zoning updates that will create the S0-S5 districts and updated use table. There has been more than enough public engagement around these technical code updates and we hope to see quick approval by the BPDA Board in February and the Zoning Commission in March.

What follows are narrow points of feedback on individual elements of the pending zoning amendment:

- Placemaker Squares (S5) is the densest option for mapping Squares + Streets Small Area Plans. That district type will enable greater density of housing and other uses where appropriate to create vibrant, active neighborhood centers. S5 districts are a crucial tool for planning and should be included in the final set of floating zones adopted. We applaud their re-introduction.
- The elimination of parking minimums, and promised investment in multi-modal active transit infrastructure and public transit in all Squares + Streets districts, is an important holistic reform that will reduce the cost of housing, support the City's long term commitments to investing in transit and active transportation, and mitigate the impacts of climate change. As long as neighborhoods are car-dependent, parking concerns may never go away, but we support housing policy that doesn't deepen a false choice between density and transportation.
- Conversely, standalone parking structures should not be allowed as new construction in any Squares + Streets district, not even as a conditional use (currently S4 and S5). Allowing their continued proliferation would be a denial of the reality of the climate crisis and in opposition to our commitment to be a Green City (100% reduction in emissions by 2050). This use table update is an opportunity to make a hard break from car-only private infrastructure. No new parking garage should be allowed anywhere in the City without the creation of abundant housing or commercial spaces on the same site. This is doubly true for Squares + Streets districts, which are by-definition walkable and transit-oriented.
- The land use modernization component is important. Updating and simplifying the categories for various residential and commercial property use will streamline permitting and support the creation of dynamic streetscapes and neighborhoods across all of Boston. In response to specific requests for feedback we offer the following comments
 - Small retail should be conditionally allowed on S0 parcels broadly speaking, and not just restricted to corner lots. These varied storefronts not only create a dynamic streetscape, but provide natural incubator space for small businesses that might otherwise be uneconomic to launch or sustain.
 - Similarly, just like small restaurants and entertainment/event venues, art galleries and makerspaces should be conditionally allowed in S0, based on the particular proposal and specifics of the parcel in question.
 - Thought should be given to how the "front yard" in S0 and S1 is defined and whether there might be some way to include in the code pre-emptive permission to use that space to support small businesses,

without additional permitting. Beyond outdoor seating, things like grocery stalls, retail racks, outdoor classes, etc. If additional occupancy of adjacent sidewalk could be conditionally favored in some way, that would be even better (permit required, but culture of yes if ADA compliant, as opposed to presumptive no small business owners have faced for generations).

- Social Clubs (like fraternal organizations) not regularly open to the public should not count as “active use” within the updated use table, but being allowed on the first floor in S0 seems consistent with other S0 uses.
- It makes sense that you removed the ground-floor-only limitation for: grocery stores, makerspaces, museums or art galleries, large restaurants, large retail stores, and art studios in all districts and from medium retail stores in S3. We think that flexibility will incentivize many valuable, dynamic uses in the right context.
- We support the creation of a medium hotel designation, as suggested during one of the public meetings, to reflect the recent expansion of the industry in the area of micro hotels, which fit in a wider context than the large hotels as defined, but may not work where a small hotel may fit in seamlessly. This is especially important if we want to divert demand away from short-term rentals that might otherwise be used for longer term housing.
- We understand that the City is developing an overall anti-displacement strategy that will be used in Small Area Plans. We think a well-designed articulation of anti-displacement goals and mitigations will be invaluable for Small Area Plans to achieve both stabilization and growth. Any anti-displacement plan, whatever its short term mitigations, must remain cognizant of the fact that the most effective long-term anti-displacement strategy is the creation of abundant housing throughout the City at all price points. The Squares + Streets zoning amendment represents predictable zoning that will incentivize the creation of the homes we so desperately need after decades of artificially constrained supply. We look forward to engaging with the articulated strategy once it is available for discussion.
- It remains unclear exactly how the Small Area Plans will be created after this zoning amendment passes. While community engagement is essential, local feedback cannot be the driving criteria for where S0 through S5 are mapped during the Squares + Streets process. Every neighborhood in Boston must allow for greater density. If we want to equitably address the current housing crisis, loud opposition from wealthy homeowners in one neighborhood should not be allowed to shift even higher density to other areas of the City. Objective criteria should be used, including proximity to existing business corridors and

transit access. The existing built conditions should be the absolute floor, even if they are non-conforming under current exclusionary zoning.

- Exact mapping methodology aside, the outreach model used in Phase I was a significant improvement over the historic practice of public engagement, because you actively sought out public realm users and stakeholders where they were. Too often the perspective of those who have the capacity to attend awkwardly scheduled public or civic association meetings, or who are incentivized to comment by the fervent nature of their support or opposition, dominate the conversation. Your efforts here counterbalanced that and are essential to replicate and expand on, as a matter of equity. A supermajority of Boston residents are broadly fine with or even solidly hope for growth and change, but they do not have the capacity (work, family, other commitments), information access (how meetings advertised, how accessible they are, whether the stakes are conveyed), or incentive (they are fine with it, not passionate) to show up in a time-limited meeting to say so. The asynchronous outreach, translation availability, extended comment period, pop-up events, office hours, and tabling in the community and at transit stops during Phase I were a huge step toward balancing the feedback you get to be more representative of the City's residents as a whole.
- Additionally, we appreciate the BPDA's continued use of zoom for all official public meetings. The proliferation of virtual meetings has been a boon for participation in all areas of civic life and it is now clear that it is an essential tool for maximizing accessibility (real time translation, moderation tools to maintain civility, archived recording available to watch later, and more).

To be clear, Dorchester Growing Together and our members strongly support not just the proposed zoning amendment, but the Squares + Streets initiative as a whole. We know it will take years to fully deploy this new mapping iteratively throughout all of Boston, so we were excited to learn that two Dorchester neighborhoods, Codman Square and Fields Corner, will be among the first to participate in Small Area Planning. We stand ready to be one of your Dorchester engagement partners and know many in the community will be excited to come together to collaborate on setting the framework for what comes next.

Modernization of our exceedingly complex, exclusionary zoning code is long overdue. Creating a robust housing supply, sufficient to meet the demand created by our economic growth, while minimizing displacement, in walkable, sustainable neighborhoods, requires it. Thank you for all you and the BPDA as a whole are doing to realize that vision.

Sincerely,



on behalf of Dorchester Growing Together's Steering Committee

cc: Mayor Michelle Wu
Councilor Brian Worrell, District 3
Councilor John FitzGerald, District 4
City Council President Ruthzee Louijeune, At-Large
Councilor Julia Mejia, At-Large
Councilor Erin Murphy, At-Large
Councilor Henry Santana, At-Large
State Representative Brandy Fluker Oakley
State Representative Russell Holmes
State Representative Dan Hunt
State Representative Christopher Worrell
State Senator Nick Collins
State Senator Liz Miranda

Dorchester Growing Together (DGT) is a neighborhood based civic organization founded in 2018 to advocate for building abundant housing at all price points throughout Dorchester, to alleviate the housing crisis and preserve our welcoming diverse community. We at this time have a membership list of over 190 local residents, many of whom care deeply about development issues, but find their local civic associations unrepresentative and sometimes reflexively and toxically opposed to any changes in the neighborhood. DGT is a member organization of Abundant Housing Massachusetts (<https://abundanthousingma.org/>), a statewide pro-housing network. Other Boston AHMA member organizations include JP YIMBY & WalkUP Roslindale.

January 29, 2024



Abdul-Razak Zachariah
Boston Planning and Development Agency
One City Hall, 9th Floor
Boston, MA 02201

Re: Squares + Streets Zoning Initiative

Dear Abdul-Razak,

Fenway Civic Association (“FCA”) is the Fenway's only volunteer organization that accepts no public or developer funds. Our mission is to promote a safe and vital neighborhood that serves the interest of our residents. We are writing to submit our comments on the BPDAs Squares + Streets (S+S) Zoning initiative and to request the Fenway be exempted from this initiative and overlay.

From discussions with our district representatives, the goals of S+S include developing standards and guidelines that enhance main streets and squares across city neighborhoods and spur development in these locations. The process establishes 5 districts, which ultimately will be added to overlays on zoning maps. We have viewed the S+S page and understand that several areas have been identified for this initiative and that they do not currently include the Fenway.

The Fenway was comprehensively rezoned in the early 2000’s and while two decades old, that update provided significant development opportunities through increased height and FAR, establishment of PDAs, designation of gateway districts where additional height was deemed appropriate, and assessment of needs across cultural, institutional, commercial, and residential uses to arrive at allowable uses for parcels aligned with our geographically small but use-diverse neighborhood. That zoning was most recently updated last year, with increased height and other adjustments made to accommodate further development in the West Fenway. The combination of our rezoning and recent upzoning by the BPDA has resulted in a neighborhood saturated in density and height far behind thresholds being framed in S+S. We do not feel that S+S is aligned with development needs or zoning in the Fenway and ask that we be removed from consideration for its inclusion.

We are happy to discuss our concerns with you and your team. Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Horn".

Timothy Horn
President, Fenway Civic Association

cc. City Councilor Sharon Durkan
City Councilor Tania Fernandes Anderson
Maggie Van Scoy, Mayor’s Office of Neighborhood Services



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Fwd: Neighborhood Review Improves Development Proposals

1 message

Arthur Jemison <james.jemison@boston.gov>

Tue, Feb 6, 2024 at 1:07 PM

To: Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

----- Forwarded message -----

From: Rick Yoder <yoderelectric@yahoo.com>

Date: Mon, Jan 29, 2024 at 3:50 PM

Subject: Neighborhood Review Improves Development Proposals

To: Michelle Wu <mayor@boston.gov>, Arthur Jemison <james.jemison@boston.gov>

Cc: Mohammed Missouri <mohammed.missouri@boston.gov>, Brianna Millor <brianna.millor@boston.gov>, kristiana.lachiusa@boston.gov <kristiana.lachiusa@boston.gov>, Planning at the BPDA <kenya.p.beaman@boston.gov>, Brian Worrell <brian.worrell@boston.gov>, Lisa Beatman <lisabeatman@yahoo.com>

Dear Mayor Wu and Chief Jemison,

Our ten years of organizational neighborhood advocacy has demonstrated to us that full local neighborhood participation in the review and critiquing of development proposals leads to significantly improved projects, including remediation of some historical harms, for the neighborhood, residents, businesses, the city and often the developer.

Residents have local knowledge of these development sites that is not always known or fully appreciated by city officials or development teams. Sometimes the developer does know, but would rather that knowledge not be shared.

In the past, developers wanted support from neighborhood groups so as to enable a speedy pass through BPDA, ZBA PIC, BCDC or Conservation Commission hearing. That was the bargaining chip. With the Squares and Streets initiative and other proposed changes to Article 80, it is unclear how neighboring residents and others will have an effective opportunity to correct design errors in these proposals. The BPDA staff is spread thin and can not know or see everything.

Three cases of recently approved development projects improved by input from those most impacted.

1. **289 Walk Hill St. (at American Legion and Walk Hill St.)**

Developer proposed: 4 and 5 story 136 unit building towering over Canterbury Brook, the mature trees on its banks and the nearest homes and school. Site plans did not identify the brook. No real community benefits to the immediate neighborhood. No solution to future additional rush hour congestion on Canterbury St. and intersections. Claimed to have no responsibility for the 180' frontage along ALH, including sidewalk snow removal.

Residents successfully advocated for: 106 units, 3-4 stories, 19' front street offset and 10' side offset with beautiful plantings including shade trees. ALH sidewalk and fence reconstruction, maintenance and snow removal along ALH sidewalk. Community benefits: \$50k for pedestrian safety/traffic-calming in the adjacent neighborhood. Developer agreed to a conservation easement and restoration of Canterbury Brook and its river banks with a public viewing patio off Walk Hill St. BTM found that the developer's "assumptions made regarding the existing site-generated traffic volumes did not match with **the community's observations**", therefore had them take additional traffic counts, which led to improvements in signal timing at the high-crash ALH/Walk Hill intersection.

Project under construction, Canterbury Brook in process of restoration. A new addition to our neighborhood that

existing and new residents can be proud of.

2. Scrub-a-Dub

565 ALH Renovation

Developer proposed: Remodeling the interior but also maintaining an illegal 130' asphalt curb cut, no clear sidewalk, two two-way dangerous driveways, very near a school zone intersection.

Residents successfully advocated for: two regulation-width narrower driveways and curb cuts, white concrete at-grade sidewalk, and a long, beautifully landscaped island between the two curb cuts, buffering pedestrians from the car wash activities and noise.

Pedestrian safety and street view are now greatly improved. Project completed.

3. 602 Canterbury St. (next to Scrub a Dub)

Developer proposed: Paving over Canterbury Brook for egress onto ALH with a 14 unit building with parking. He denied the previous decades of site usage as an auto junk yard with toxic auto parts and fluids throughout the site and immediately adjacent to the brook. He claimed that the site was all paved.

Residents successfully advocated for: Residents appealed to EEOP Chief, who stated that the city does not pave over open brooks. Residents testified at the ZBA and Conservation Commission with photographic evidence of the existing conditions. ZBA denied the proposal and told the developer to work with the community. The Con. Com required the developer to test the site's ground for pollutants and to rehabilitate Canterbury Brook and its riverfront.

Project under construction.

Summary:

Involvement by those who will be impacted most by each development is essential, and must be baked into all current and future city policies and procedures regarding land disposition. Article 80 reform, rezoning initiatives, and the like must only go forward if they incorporate and enforce much more robust engagement and input from the immediate and nearby residents and the civic groups that bring them together. The city must change from using a process-oriented checklist of "community engagement" activities, to an improvement and results-oriented model that respects its constituents.

Sincerely,

Rick Yoder and Lisa Beatman

Co-Leaders of Mount Hope Canterbury Neighborhood Association

yoderelectric@yahoo.com

617-953-8633

lisabeatman@yahoo.com

617-306-1283

Rick Yoder

617 953 8633

yoderelectric@yahoo.com

Roslindale, MA



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Fwd: Tap the brakes on Squares + Streets

Arthur Jemison <james.jemison@boston.gov>
To: Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Tue, Feb 6, 2024 at 1:08 PM

----- Forwarded message -----

From: **Gene Radwin** <gradwin1@gmail.com>
Date: Tue, Jan 30, 2024 at 7:39 PM
Subject: Fwd: Tap the brakes on Squares + Streets
To: james.jemison@boston.gov <james.jemison@boston.gov>

Please pardon me for not using your correct email address when I initially sent the attached message to you and Mayor Wu.

Regards,

Gene Radwin

----- Forwarded message -----

From: **Gene Radwin** <gradwin1@gmail.com>
Date: Tue, Jan 30, 2024 at 4:20 PM
Subject: Tap the brakes on Squares + Streets
To: <Mayor.Wu@boston.gov>, <james.jemison@boston.com>
Cc: <Julia.Mejia@boston.gov>, <Enrique.Pepen@boston.gov>, <Brian.Worrell@boston.gov>, <Sharon.Durkan@boston.gov>, <Ruthzee.Louijeune@boston.gov>, mohammed.missouri@boston.gov <mohammed.missouri@boston.gov>, Your RoslindaleCoalitionCord <roslindalecoalitioncord@gmail.com>

Dear Mayor Wu and Chief Jemison

Thank you both so much for attending the January 29th meeting at the Hyde Park Municipal Building.

As you know, an overflow crowd from across Boston's neighborhoods attended in person as did several city councilors. Seventy or so additional residents tuned in remotely via Zoom, and more would have zoomed in but admission was limited.

It was remarkable that such a large group of residents could be brought together on very short notice and on a cold wintry night. What propelled attendance was the opportunity to share concerns about the city's rezoning initiatives with the two of you

Both the meeting organizers and attendees expressed concern that the city's new zoning initiatives – specifically "Squares + Streets" [S²] – are moving too quickly. Instead of the city's rapid deployment, there was a call to move at the "speed of trust" and, specifically, a call for a six-month hiatus to allow for more community engagement and feedback.

You responded that such a delay was unnecessary because each Squares + Street implementation would include its own 6-to-9 month planning period. From your perspective, this period would enable local residents to participate and to decide which aspects of the S² playbook should be implemented in their communities.

Your responses, however, overlook a major problem. That is, the city's Squares + Street playbook is incomplete. The existing "playbook" is like a board game that only consists of playing pieces (e.g., predefined building formats) and broad, worthy goals (more and more affordable housing, climate resilience). What is lacking is a detailed set of rules that identifies who gets to play, how play is to proceed, who decides disputes, what constitutes success, and so on.

Without establishing such "rules of engagement" at the very outset, the city's new rezoning efforts

- threaten to be chaotic and inconsistent from neighborhood to neighborhood,
- enable loudest voices to have too much sway,
- overlook the impact of displacement on residents and local businesses,
- allow "victory" (or failure) to be declared without having any metrics against which outcomes can be measured.

You were right in pointing out the many deficiencies of the existing zoning codes. Unfortunately, your efforts to establish new zoning codes may end up just as muddled as the existing ones. Why? Because there are no defined processes to engage the community. Because there are no guidelines for community decision-making. Because there are no clear, measurable goals to be achieved.

Thus, it is not surprising that residents across the city are calling for a six-month moratorium. The delay in implementing Squares + Streets is needed so that city residents and elected officials can help the administration make critical decisions:

- Who gets seats at each community's planning table? Residents in S² districts? Residents from other parts of a neighborhood? Business owners? Property owners? Renters? Neighborhood groups?
- What outreach efforts are required to build trust? What outreach goals need to be attained for a community planning group to be truly representative?
- Do all planning group participants have an equal say or should some participants be given greater sway?
- Who runs planning group sessions? How do moderators establish trust? How frequently are sessions held? Are sessions open to the community? Are minutes kept and made public?
- How do planning groups come to decisions? Majority rule? 60% approval?
- How much discretion do local planning groups have? Can they modify Squares + Streets approved building formats? Can participants decide that an S5 format should be 160 feet high? Can a group decide that parking should be required? Can a group decide that 30% of a building's units need to be affordable at 60% AMI?
- What are the guidelines/mechanisms to ensure the planning group decisions are consistent with local infrastructures --power grids? sewage systems? emergency access requirements?
- How are planning groups to account for the potential impact of S² plans on other development initiatives in a neighborhood?

- What role do various city agencies have in regard to planning group proposals? Do such agencies (and which agencies) need to be part of planning meetings? Do such agencies have authority to modify or overrule community proposals?
- What milestones should planning groups be aiming for – e.g., in two months a draft plan needs to be ready for larger community review? What happens if milestones aren't met?
- What measurable goals should planning groups have to achieve – e.g, increase housing units by X%? And what is to happen if such goals are not achieved?

The answer to these and similar “rules of engagement” issues need to be incorporated into the city’s rezoning initiatives. It should not be up to each individual city neighborhood to decide how the process should proceed, who should be involved, how decisions are made, and how outcomes are measured. Squares + Streets now offers consistency in its building blocks. Squares + Streets needs consistency in its community processes and clarity in its goals.

Regards,

Gene Radwin

Roslindale



A Call to Action to Make Roszie the Most Walkable Neighborhood in Boston

January 24, 2024

BY ELECTRONIC MAIL ONLY

james.jemison@boston.gov

squaresandstreets@boston.gov

James Arthur Jemison II

Chief of Planning and Director of the Boston Planning & Development Agency (BPDA)

City of Boston

Re: Squares + Streets Planning and Zoning Initiative

Dear Chief Jemison:

Please accept this comment and support letter on behalf of WalkUP Roslindale with respect to the Squares + Streets planning and zoning initiative currently underway by the BPDA. Squares + Streets is a new planning and zoning initiative furthering key updates to the city's current zoning to focus on more housing, public space, arts and culture, and transit in our neighborhood centers like Roslindale Square and along main streets.

WalkUP Roslindale strongly supports this initiative and appreciates the BPDA undertaking this ambitious and exciting endeavor to enhance Roslindale Square and other neighborhood centers around our city. We especially extend our gratitude to the BPDA staff who have already held numerous community meetings, drop-in sessions, and opportunities for feedback throughout the first phase of this process as the floating zones are first adopted into the zoning code, to be mapped later upon the conclusion of subsequent small area planning processes.

We are excited by the intent of the Squares + Streets initiative to facilitate critically needed new housing growth and to strategically increase population density which will help support our small businesses and improve walkability in key neighborhood centers. For nearly a decade now, WalkUP Roslindale has supported new housing in our neighborhood, organized for better public transit, and advocated for enhanced street safety and walkability to support our neighborhood's small businesses and community residents. We believe the Squares + Streets initiative is very much in line with this mission and these actions of WalkUP Roslindale and are excited to support its progress. In particular, we applaud the removal of unnecessary and counterproductive parking minimums



January 24, 2024 - Page 2

through the proposed zoning and the capacity for enhanced building heights adopted through to-be-undertaken small area plans - two specific elements that will facilitate new housing growth and improved walkability.

While broadly supportive of the Squares + Streets initiative, WalkUP Roslindale strongly encourages the BPDA to further consider the following recommendations:

- **Utilize Objective Criteria.** BPDA staff must use objective criteria to map out the small area plans for Roslindale Square and other neighborhood centers. These criteria should include, but not necessarily be limited to: proximity to transit (both rail and bus), walkability, existing conditions, and anticipation of growth. It is crucial that easily understandable and transparent criteria are utilized to plan and zone these small plan areas to create the conditions for future growth and enhanced density and walkability.
- **Limit Conditional Uses.** We recommend that the BPDA reduce the number of conditional uses imposed throughout the new, proposed zoning. While conditional uses have a place in some situations, the proposed zoning can and should go further to make many of these conditional uses allowed by right. We know from experience in Roslindale that conditional uses can bog down applicants and small business owners in unnecessary bureaucracy that delay new housing and new businesses and raise the associated costs.
- **Use Existing Conditions as the Floor.** In Roslindale, the vast majority of lots are existing non-conforming. That is to say, the lots were initially developed with small lot sizes, minimal setbacks, and similar characteristics, but made retroactively nonconforming by later downzoning. This situation means almost any development, whether new construction or simple exterior renovations, will require zoning variances. At a minimum, the new zoning should restore existing lots to legal status and remove the requirement of variances to do basic work and simple additions to them.
- **Keep S-5 Placemaker Squares.** We understand and applaud the BPDA for returning the S-5 (Placemaker Squares) districts to the Squares + Streets options for small area plans after they were previously removed. The S-5 districts enable the greatest density of housing and uses where appropriate to create vibrant, active neighborhood centers. We wish to reiterate that the S-5 districts are a crucial tool for planning and should be included in the final set of floating zones adopted.
- **Address Displacement.** Displacement is inevitably most prevalent when the status quo is maintained. If no new residential or commercial space is built, steadily increasing demand for both guarantees that residents (renters, aspiring homeowners, and business owners) will be priced out. That said, changes that increase permissible commercial and residential density will result in new construction and potentially higher rents if anti-displacement measures are not considered from the outset. We encourage the BPDA to proactively plan for this in small



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plan areas under the new zoning and create incentives for existing property owners to keep rents reasonable through property tax abatements and other measures, such as providing current commercial tenants the right of first refusal to return to the space at issue.

- **Engage All Stakeholders.** As an organization of neighborhood residents and local business owners, we firmly believe in public feedback and input into planning and zoning decision-making. At the same time, we know that no one group, including our own, can speak for an entire neighborhood, never mind an entire city. We have been impressed by the outreach conducted by BPDA staff to date and urge its continuation as the process moves forward from adopting the proposed set of floating zones to undertaking the small area plans. It is crucial that staff continue to actively reach out to stakeholders where they are. It is well documented that evening meetings are difficult for individuals with small children, evening jobs, and other life commitments to attend, for example. We hope to continue to see opportunities for feedback at pop up events, the Roslindale Farmers' Markets, on transit platforms and bus stops, and at community activities where people naturally congregate and deserve an opportunity to be heard.

In closing, we wish to reiterate our deep support and appreciation for the Squares + Streets initiative. We believe a thoughtful neighborhood and citywide rezoning is long overdue in Roslindale and Boston, respectively. Starting with the Squares + Streets planning and zoning, we hope that the city can finally and fully enable the density, walkability, and investment we need in our neighborhood centers to enhance the vibrancy of our communities, to provide intrinsic support for local businesses, and to tackle the critical need for more housing so evident in our Roslindale neighborhood and across our entire city.

Sincerely,

WalkUP Roslindale Board of Directors

Cc:	Michelle Wu, Mayor	Henry Santana, City Councilor At-Large
	Enrique Pepén, City Councilor, District 5	Erin Murphy, City Councilor At-Large
	Ben Weber, City Councilor, District 6	Bill MacGregor, State Representative
	Ruthzee Louijeune, City Council President	Rob Consalvo, State Representative
	Julia Mejia, City Councilor At-Large	Michael Rush, State Senator

About WalkUP Roslindale

WalkUP Roslindale, which takes its name from the international movement to foster "[Walkable Urban Places](#)," is a collaborative group of residents and business owners dedicated to making Roslindale the most walkable neighborhood in Boston. We advocate for a dynamic, livable streetscape and we support positive changes to our public and private built environment that strengthen walkability and other forms of active mobility as means toward better personal and public



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health, safety, social capital, economic development, and environmental sustainability. We are led by a board of directors of about twenty individuals and have nearly 1,000 additional supporters. More information about WalkUP Roslindale and our initiatives can be found at www.walkuproslindale.org.

January 31, 2024

To: Boston's Squares and Streets Team

Comments on zoning code amendments and a question.

My name is Brian Putnam I live on Mount Neponset in my house at 36 Maple St in Hyde Park. Mount Neponset is a designed 1870 residential neighborhood with a unique curvy designed oval street pattern that runs along the top of the hill surrounded by the commercial streets on the flat lands below. Most of the houses on Oak and Maple streets of very similar design and were probably built by the same builder just after the Civil war. The street pattern and large lots were designed to accommodate horses and carriages, a few carriage houses remain. This is recognized by the zoning code as the Mount Neponset Neighborhood Design Overlay District.

My concern is that Mount Neponset is geographically in the middle of Cleary Square Plan as described in primer of January 2024 and none of the S zoning types and allowed uses preserve the character of the neighborhood. The large lot sizes and just the nice feel of being up on the hill will be attractive to developers. The character of the neighborhood will be drastically changed by development. Can you explain how this will not happen?

Sincerely

Brian Putnam



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Comments on Squares and Streets from A Better City

Tom Nally <tnally@abettercity.org>

Fri, Feb 2, 2024 at 9:00 AM

To: Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

A Better City appreciates the City's effort directed toward new approaches to planning such as the Squares and Streets Initiative. The session with our members held on January 23 was helpful as we prepared comments on what was presented to us. The following comments represent our initial thoughts on the program as it stands today. We look forward to future updates as the principles of this effort are applied to examples in the squares and streets across the city and as lessons learned help the approach evolve to be applied to additional planning processes.

The following are our comments:

1. The Squares and Streets Initiative is a good first step leading into a more comprehensive city-wide reform of the Boston Zoning Code. Beginning with the first two locations at Cleary Square and Roslindale Square, followed by Fields Corner and Codman Square, lessons learned from the range of pilot situations will help to identify approaches that can be generalized city-wide.
2. Focusing on squares at major crossroads and transportation nodes will have the greatest impact on adjacent neighborhoods because the squares are the centers of vitality and activity, future growth, and opportunity for mixed use development that can reinforce both the commercial and residential components of the neighborhoods. Resources directed in these locations can leverage the greatest amount of benefit for the area.
3. The compressed timeline of six to nine months for planning and identification of actions that can be achieved within 10 years helps to establish momentum for change while focusing attention of everyone involved in the planning process.
4. Identifying the six zoning district types and describing and illustrating the characteristics of each goes a long way in demystifying the different scales and attributes of each type. This model for forms and uses is part of the transition from zoning based on Floor Area Ratio toward more understandable and predictable Form Based Zoning to shape density and siting.
5. The decision to include the sixth district, "Placemaker," is a good response to comments because well sited larger building can provide a more identifiable landmark to punctuate the adjacent square to make the square more visible in the surrounding fabric as a piece of good urban design, while also offering more capacity to increase the amount of housing at key locations.
6. Use of a simpler use table that groups uses in categories and reduces the number of uses from 250 to 90 is a step in the right direction toward making zoning easier to understand. A Better City recommends that the uses be consistent across articles, zoning, and ordinances and/or be made easily translatable to other building policies.
7. The definition of active ground floors that goes beyond commercial uses to include visible active uses such as maker spaces, recreation, community centers, and similar uses addresses the goal of adding vitality to the more transparent, visible street fronts, along with the requirement for limiting ground floor bank wall facades.
8. Requirements for outdoor amenity space and permeable areas are particularly important for relating users of the buildings to nature and the outdoors.

Thank you for this opportunity to share our thoughts.

Thomas Nally

Thomas J. Nally

Senior Advisor

[14 Beacon Street, Suite 402](#)

[Boston, MA 02108](#)

Cell: [617-816-4703](#)

[Blog](#) | [Facebook](#) | [Twitter](#) | [Vimeo](#)





February 2, 2024

Abdul-Razak Zachariah
Boston Planning & Development Agency
One City Hall, Ninth Floor
Boston, MA 02201

RE: Request to Extend Public Engagement Period for Proposed Squares and Streets Initiative

Dear Mr. Zachariah,

Alternatives for Community and Environment (ACE)¹ has serious concerns regarding both the process undertaken by the City to involve and inform the community on the BPDA's Squares and Streets Zoning Initiative ("Initiative" or "Squares and Streets") and the substance of the Initiative itself. ACE requests that the BPDA extends the drafting, public comment, and revision period to ensure adequate opportunity for community engagement. ACE also requests substantive edits to incorporate better language around fair and affordable housing, disability rights, opportunities for homeownership, and the public engagement process. Finally, ACE demands an end to urban renewal and the omission of urban renewal language from Squares and Streets.

I. Summary of Demands

The BPDA must make significant changes to the language of the plan to provide for a meaningful public comment period, and incorporate fair and affordable housing, disability rights, opportunities for homeownership, and accountability into Squares and Streets. We demand that:

1. The BPDA must immediately pause the fast-tracked Squares and Streets initiative to allow for a lengthier public comment and revisions period that is deliberative, inclusive, and thoughtful. BPDA and the City should allow time for residents to continue making their concerns known, revisions to be made, publicized, and opened to feedback.
2. Specific public engagement requirements be added to the draft zoning text, including accountability and enforcement measures.
3. On-going projects be halted until impacted communities have been given the ability to meaningfully express their needs in a sufficient manner.
4. Affordable family housing provisions be added to Squares and Streets and existing single-family dwellings must be protected.
5. The BPDA address how Squares and Streets will improve access to homeownership.
6. A Fair Housing audit be conducted and affordable housing language be added to the Squares and Streets text to ensure that residents are not displaced as property values rise.
7. Anti-displacement measures be added to protect existing rent-burdened residents.

¹ ACE builds the power of communities of color and low-income communities in Massachusetts to eradicate environmental racism and classism; create healthy, sustainable communities; and achieve environmental justice.

2201 Washington Street, Suite 302· Roxbury, MA 02119

Tel 617-442-3343 · Fax 617-442-2425 · www.ace-ej.org

8. Disability justice experts be consulted to ensure accessibility.
9. Urban renewal language be removed from the zoning code.

II. The Drafting, Public Comment, and Revision Period for Squares and Streets Should be Extended.

We applaud the Wu administration and the BPDA for taking steps to overhaul zoning and planning in the City and look forward to engaging with the process as it moves forward. We appreciate that the comment period was extended from January 28 to February 2. However, even with this extension, a further extension is warranted to ensure opportunities for true community engagement. This Initiative will shape the very foundation of our City's built and natural environments in the coming decades and should not be rushed. Residents were only given notice of the Initiative in the Fall, and there has been inadequate communication from the BPDA and the City since the initial Fall Engagement period. Only one meeting was held to solicit citywide draft zoning recommendations prior to the draft's release² and only three public meetings were scheduled throughout the comment period to discuss the draft zoning amendment.³ The first of these meetings fell a mere six hours after the 118-page draft amendment was provided to the public, denying residents and other interested parties adequate time to prepare questions and comments. The third meeting will take place next week, after the public comment period ends. Additionally, most of the public comment period fell during the holiday season, when many people take time away to rest and focus on family. This timeline in no way allows for honest, robust community engagement or deliberative analysis.

There are many questions relating to the implementation of Squares and Streets that remain unanswered:

- How will access to homeownership be improved through this Initiative?
- How, specifically, will the BPDA and the City prevent displacement and promote housing affordability in implementing this program?
- Why are climate issues such as tree canopy preservation and community green spaces not addressed?
- What exactly will community engagement look like when planning a Squares and Streets project?
- Who decides whether or not to apply an overlay district to a neighborhood, and by what process?
- How will the timelines be enforced, and how realistic is a 6-9 month timeline for projects of this scale?
- How will the omission of single- or two-family homes impact these homeowners when a Squares and Streets District overlaps with their existing location?

The public comment period has been too rushed to properly assess these questions. The Administration is sending the message that the problems with the zoning code can be remedied in

² This meeting occurred on Monday, November 13th.

³ The dates of these meetings are: Tuesday, December 5th; Wednesday, January 10th; and Tuesday, February 6th.

a few months. To build a sustainable civic consensus, the process must be more deliberative, inclusive and thoughtful.

a. Public Engagement Must Be Clear, Cooperative, and Accessible.

The summary materials released to the public for the purpose of education are insufficient. The six-page overview of Squares and Streets uses technical jargon⁴ that is not clear without additional explanation. This overview consists predominantly of definitions without context or substance: pages 3-6 outline lot regulations and building form but leave out key information such as which types of residences will be permitted and built, how traffic and parking will be impacted, and how projects will be prioritized.⁵ There is no mention of the community engagement process.

The 66-slide updated public meeting presentation is clearer and more informative, but residents were not given the opportunity to digest this information, ask questions, and share comments prior to a public hearing. ACE would like to see clear, informative community engagement such as this presentation continue in a slower, more deliberate process. BPDA and the City need to give time for residents to continue making their concerns known, time for revisions to be made and publicized, and time for those revisions to receive feedback.

Meaningful engagement requires more than giving residents notice of an opportunity to comment on a proposed policy. It means presenting information in words residents understand, written or interpreted in languages that they speak, and providing them with an opportunity to ask questions and give feedback that has an impact on the proposed outcome.⁶ It also requires creating resources that are communicated using popular education methods that center our most impacted residents, and creating processes that are tailored to the participation of those most impacted. That the BPDA has not sufficiently engaged with the community throughout the process of drafting this zoning text does not bode well for their community engagement in Squares and Streets projects themselves.

We recognize that meaningful engagement of residents takes time and resources. We recommend that the BPDA staff connect with the Environment Department team that oversaw the development of the Building Emissions Reduction and Disclosure Ordinance (BERDO 2.0) and with the Affirmatively Furthering Fair Housing Community Advisory Committee (AFFH CAC) for suggestions on how to meaningfully engage with frontline and community-based organizations and residents in impacted neighborhoods.

The BPDA states that Squares and Streets zoning options “can be mapped onto appropriate areas of the City **only after** community engagement processes and analysis of local contexts”⁷ but

⁴ Some examples of this language include “Small Area Plan,” “Building Floorplate,” “bioswales,” and “nonconformity regulations.”

⁵ Boston Planning and Development Agency, *Squares and Streets Amendment Summary*, (2023), <https://www.bostonplans.org/getattachment/0a541a57-8db6-40f7-9d5d-ee9dae1e9d18>.

⁶ “With a more standardized, streamlined, and transparent process, community members would know what to expect from developers and how to meaningfully engage in the process; residents would be equipped to hold city officials and developers accountable; and developers and businesses would benefit from predictability and a clear understanding of process, including expected project benefits.” ABOLISH BPDA WHITE PAPER at 13.

⁷ Boston Planning & Development Agency, *Squares + Streets Zoning Districts*, “Overview” (emphasis in original) <https://www.bostonplans.org/zoning/zoning-initiatives/squares-streets-zoning-districts>.

does not provide concrete guidelines for what this engagement will look like.⁸ Instead, the Initiative relies on existing language in Article 6 which provides no guidance on what a public notice and comment period entails.⁹ As it stands, BPDA has no meaningful accountability mechanisms and is not responsive to residents of Boston or the legislators they elect.¹⁰ While BPDA is legally mandated to conduct notice and comment periods on all its individual project reviews,¹¹ it does not publish or meaningfully engage with public comments.¹² Nothing in Squares and Streets suggests this will change as these zones are implemented.

The historical lack of accountability has led the BPDA to conduct business in a fashion that caters to the wealthy and well-connected without concern for the vast majority of Bostonians.¹³ In her 2019 report on the BPDA, then-Councilor Wu argued that BPDA's complete lack of accountability to Bostonians and their legislators allows the BPDA to employ an "ad hoc, black-box approach to economic development [which] corrodes public trust and undermines the City's ability to deliver on a long-term vision."¹⁴ The drafting and public engagement process for Squares and Streets supports this argument. The Fall Engagement period only reached an estimated 1700 to 2400 individuals¹⁵ across the city and gathered only 764 survey responses.¹⁶ In a city of over 4.3 million people, this is remarkably insufficient.¹⁷ Additionally, in their community presentation, BPDA highlights that focus groups in the Fall Engagement period consisted of designers, small-scale developers, affordable housing developers, and the Mayors Youth Council. While these stakeholders, especially youth voices, are important, they are hardly representative of the communities that Squares and Streets is intended to target. The focus on developers over actual community members reflects a long history of top-down development by the BPDA. This approach, devoid of transparency, prevents a coherent, equitable approach to zoning.

b. In-Progress Squares and Streets Projects Rely on Insufficient Public Engagement

Currently, at least three Squares and Streets projects are in progress¹⁸ and another two are planned,¹⁹ despite the fact that this zoning initiative is not yet approved and only a miniscule percentage of the population living and working in target neighborhoods has been surveyed regarding community priorities for the proposed sites. Community members have asked the BPDA

⁸ Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dced5>.

⁹ Boston Zoning Code, Article 6.

¹⁰ ABOLISH BPDA WHITE PAPER at 10.

¹¹ Boston Redevelopment Authority, Article 80.

¹² ABOLISH BPDA WHITE PAPER at 11.

¹³ See, e.g., Yawu Miller, "A \$50k bribe is small change in Boston's real estate boom," The Bay State Banner, September 9, 2019, <https://www.baystatebanner.com/2019/09/09/a-50k-bribe-is-small-change-in-bostons-real-estate-boom/>.

¹⁴ ABOLISH BPDA WHITE PAPER at 13.

¹⁵ This number is derived from the 1490 "estimated interactions" from popup events, plus the estimated 260 participants in community meetings. The range depends on whether the "estimated interactions" from pop-up events includes survey respondents.

¹⁶ Boston Planning & Development Agency, *Squares + Streets Phase 1 Engagement Summary: Fall 2023*, (2023), <https://www.bostonplans.org/getattachment/ee0f67e2-7da3-4613-a258-9d6c1b0f3280>.

¹⁷ This means only 0.017% of the population was surveyed.

¹⁸ PLAN: Mattapan, Cleary Square, and Roslindale Square.

¹⁹ Fields Corner and Codman Square.

to slow this process down and engage more meaningfully with the community, an ask that the BPDA claims to have heard.²⁰ Following the Fall Engagement period, BPDA committed to direct, deep engagement with community members, particularly those most vulnerable to displacement such as renters and working families.²¹ BPDA also acknowledged that community members are concerned over a lack of engagement before Squares and Streets projects begin.²² Despite acknowledging these concerns, BPDA has continued the fast-tracked projects, neglecting community engagement.

The first two projects BPDA has planned for Squares and Streets are Roslindale Square and Cleary Square. At the time of the Squares and Streets Fall Engagement Survey, only 140 residents from Roslindale were surveyed, from a total population of 29,586. In Hyde Park, only 45 of 34,172 residents were surveyed before the Cleary Square project was initiated. Despite surveying less than half of a percent of the population of these neighborhoods,²³ the BPDA is using this survey data to draft Squares and Streets projects impacting tens of thousands of residents.²⁴ Supposedly, these projects will have further public engagement, but at this time no public meetings have been scheduled. It is unclear how and when, if ever, the BPDA will engage the community before initiating zoning changes in these neighborhoods.

The Phase 2 Squares and Streets projects in Dorchester's Fields Corner and Codman Square aren't on the BPDA website at all, providing even less notice to those communities. The only indication that these areas have been flagged for Squares and Streets is on slide 17 of the BPDA's updated public meeting presentation from January 10th. The presentation does not clearly indicate why these areas have been flagged, when the projects will enter the planning stage,²⁵ or what public engagement will look like for these projects. Why is the BPDA planning these projects when there has been no meaningful engagement to indicate they are necessary? Why is the BPDA planning these projects when Squares and Streets isn't yet approved?

The BPDA must slow down the Squares and Streets Zoning Initiative so residents can understand the details and potential impact to the neighborhoods and fully engage in the process. We specifically request that the Squares and Streets fast-track process be paused to allow the Administration to put more staff time and resources into grassroots community education and engagement. Specific engagement requirements must be added to the draft zoning text, including accountability and enforcement measures for the BPDA, should they fail to meet these requirements. Finally, on-going projects must be halted until communities have been given the ability to meaningfully express their priorities and feedback. This feedback should be responded to in writing and presented orally at a public meeting, enabling interested parties to see what recommendations were adopted and if they were not, to understand why.

²⁰ Boston Planning & Development Agency, *Squares + Streets Phase 1 Engagement Summary: Fall 2023*, pp. 35, 38 (2023), <https://www.bostonplans.org/getattachment/ee0f67e2-7da3-4613-a258-9d6c1b0f3280>.

²¹ *Id.*

²² *Id.*

²³ The percentage of residents surveyed was 0.47% in Roslindale and 0.13% in Hyde Park.

²⁴ See City of Boston & Boston Planning & Development Agency, *Cleary Square Plan Primer* (2024), <https://www.bostonplans.org/getattachment/8a3cb4eb-cc92-437f-a6cf-38c7e92f0c8f>; City of Boston & Boston Planning & Development Agency, *Roslindale Square Plan Primer* (2024), <https://www.bostonplans.org/getattachment/89b31529-0686-4687-814f-3a12a5cd4ee0>.

²⁵ Aside from a vague statement: "The two second phase locations will begin in early spring 2024."

III. The Following Changes Should be Made to Squares and Streets

The substance of the Initiative itself raises further questions of accessibility and equity. The draft text of Squares and Streets does not clearly demonstrate improved opportunities for homeownership, anti-displacement efforts, affordable housing measures, and accommodations or accessibility measures for disabled community members. The BPDA must provide a plan addressing these issues of equity and fair housing.

a. Opportunities and Support for Family Housing and Homeownership Need Greater Emphasis.

As part of Squares and Streets, the BPDA is eliminating the single-family district class from the zoning code, leaving only “general” and “apartment” residential districts.²⁶ It is unclear what this change to section 3-1 of the zoning code will mean for homeownership or family-sized housing across the city. The BPDA must clarify what the omission of single-family districts will entail, how family-size housing will be incorporated into Squares and Streets, and what measures will be taken to support and promote homeownership. We are in support of improving Boston’s existing housing stock and clustering density around public transit, but not at the expense of low-income households and households of color. Developers notoriously avoid any significant family-sized housing, which discriminates not only against families with children, and multi-generational families with disabled or elderly members, but also households of color.²⁷ Failing to provide family-sized housing is tantamount to discrimination, but recent development projects including those in the Seaport, Suffolk Downs, and Dorchester Bay City all had troublingly small proposals for family-sized housing. Families make up the core of our city and children should be able to lay down roots in the neighborhoods where they grew up. Squares and Streets has the unique opportunity to support access to family housing and homeownership throughout the city, but currently falls short.

b. Fair and Affordable Housing Language Should Be Explicit and Tailored to the Needs of Impacted Communities.

We are pleased that Squares and Streets intends to provide greater access to affordable housing.²⁸ However, the draft language does not contain any language supporting the BPDA’s claim to residents that Squares and Streets will improve the availability of affordable housing.²⁹ Nowhere in the “Residential Uses” is affordable housing mentioned.³⁰ Gentrification occurs when

²⁶ Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, p. 81, (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dccc5>.

²⁷ City of Boston, *Assessment of Fair Housing*, p. 155 (2022), <http://charleshamiltonhouston.org/wp-content/uploads/2021/09/City-of-Boston-Assessment-of-Fair-Housing.pdf> (Households of color are disproportionately forced out of the city due to lack of available, affordable family-sized housing).

²⁸ According to the community engagement powerpoint, Boston Planning & Development Agency, *Squares + Streets Update on Draft Zoning Text Amendment*, slide 19; 21 (2024), <https://www.bostonplans.org/getattachment/c6b999e7-dd57-432e-acde-18d02cb13e02>.

²⁹ “Affordable” only appears twice in the 118 page plan – both with respect to the off-street parking requirements, or lack thereof for affordable residential housing. Other language pertaining to affordable housing, such as “rent-burdened,” “subsidized,” “Section 8 housing,” or even “cost” do not appear in the plan at all. Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, p. 74, (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dccc5>.

³⁰ Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, “Table A: Use Regulations,” p. 23 (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dccc5>.

sociocultural and economic factors “draw” people of a higher economic status to an area.³¹ Displacement often underlies apparent “improvements” to a community’s economy, amenities, and aesthetic, and many of the neighborhoods proposed for initial Squares and Streets projects are already among the city’s most gentrified.³² Racial and ethnic minorities and low-income families are forced out of these neighborhoods as more affluent whites move in, drawn by the aesthetic and environmental benefits.³³ If Squares and Streets is to meaningfully serve the communities it intends to transform, the BPDA must include language addressing affordable housing and affirming the City’s compliance with the obligation to affirmatively further fair housing. Without this language, it is likely that many existing residents will be displaced, unable to afford the increased cost of living in a newly “improved” location, an extension of gentrification.

The Initiative can and should also incorporate language that addresses the needs of existing, rent-burdened residents. Those who are already struggling to remain in their neighborhoods due to high rental rates, proportionate to their income, are even more at risk of displacement from this Initiative. Renters are particularly vulnerable to gentrification, since their housing costs vary year-to-year and are subject to the flux of the market and the whim of their landlords.³⁴ Low-cost and affordable rental units become scarce as a neighborhood gentrifies, contributing to the displacement of community members.³⁵ Even when developers dedicate new affordable housing units, the vast majority of units remain at market price while the few designated-affordable units go to a lottery system serving a massive populace without special consideration being given to existing residents.³⁶ There must be a plan to prevent the displacement of existing rent-burdened residents before Squares and Streets is finalized. A fair housing audit should happen before there is any kind of BPDA or zoning commission vote on this Initiative, and the Initiative should be reviewed by an independent fair housing expert.

³¹ Jason Richardson, Bruce Mitchell & Jad Edlebi, *Gentrification and Disinvestment 2020*, 12 (2020), <https://ncrc.org/gentrification20/>.

³² Deanna Pan, *Boston is the third most ‘intensely gentrified’ city in the United States, study says - The Boston Globe*, BOSTON GLOBE, Jul. 10, 2020, <https://www.bostonglobe.com/2020/07/10/metro/boston-is-third-most-intensely-gentrified-city-united-states-study-says>.

³³ Gentrification In Boston: See Areas Most Affected, BOSTON, MA PATCH (2019), <https://patch.com/massachusetts/boston/gentrification-boston-see-areas-most-affected>; Chelsea Chen, *Environmental Justice in Urban Development: The Problem of Green Gentrification*, ENVIRONMENTAL LAW INSTITUTE’S VIBRANT ENVIRONMENT, <https://www.eli.org/vibrant-environment-blog/environmental-justice-urban-development-problem-green-gentrification>.

³⁴ See: Report: Boston Is 3rd “Most Intensely Gentrified City” In America, (2020), <https://www.cbsnews.com/boston/news/boston-gentrification-study-cities-report/> (“A 2019 study identified Roxbury as one of the Boston neighborhoods most vulnerable to gentrification, as 81% of residents there are renters.”).

³⁵ Jason Richardson, Bruce Mitchell & Jad Edlebi, *Gentrification and Disinvestment 2020*, 21 (2020), <https://ncrc.org/gentrification20/>.

³⁶ Madison Mercado, *Boston remains highly gentrified despite housing efforts*, THE DAILY FREE PRESS, Feb. 18, 2021, <https://dailyfreepress.com/2021/02/18/boston-remains-highly-gentrified-despite-housing-efforts>. (Interviewing Nick Juravich, assistant professor of history and labor studies at the University of Massachusetts Boston, Mercado reports that, in 2020, Boston permitted the creation of 1,023 new units of affordable housing, to be distributed via a lottery system, while the majority of new housing units will be sold at market-price. Juravich explains that, although these affordable housing programs exist, they don’t do nearly enough to address housing inequity and affordability in rapidly gentrifying neighborhoods).

c. Disability Rights Must Be Incorporated When Considering Transit Options and Car Infrastructure.

This proposal needs to be reviewed carefully by experts on disability access. The Americans with Disabilities Act (ADA) is only mentioned in one place in Squares and Streets – to require at least one electric charging station for accessible spaces where accessible parking is required.³⁷ Aside from this, accessibility for disabled people is only mentioned in the context of the required minimum number of accessible spaces, pursuant to the Massachusetts Architectural Access Board.³⁸ There are no accessibility requirements for housing itself, nor are “accessible open spaces” explicitly required to be accessible to disabled people.

Even parking accessibility falls short. The plan currently does not require off-street parking for affordable housing developments,³⁹ although over a quarter of disabled people are in poverty (13.5% more frequently than able-bodied people) and just over 3% take mass transit to work.⁴⁰ Those with mobility disabilities, especially, will require on-site parking. Allowing developers to avoid this for affordable housing developments will be exclusionary to people with disabilities. The BPDA must consult with disability experts to amend this on-site parking requirement for affordable housing developments.

The BPDA’s exclusion of temporary shelter facilities in all Squares and Streets zones will further harm disabled people. Disabled people are disproportionately likely to experience homelessness, and some numbers suggest that nearly a quarter of those experiencing homelessness are disabled.⁴¹ Those experiencing homelessness deserve access to community resources and public amenities and should not be ignored by developers. By excluding temporary shelter facilities from Squares and Streets zones, the BPDA is introducing an exclusionary policy that harms the most vulnerable community members, a large number of whom are likely disabled.

At this time, Squares and Streets is inexplicably silent on issues of disability rights and equitable access. The lack of language surrounding accessibility and actively exclusionary policies must be addressed. We urge the BPDA to engage disability rights experts and disabled community members to ensure that it will not result in their displacement.

IV. Urban Renewal Language Has No Place in New Zoning Initiatives.

Boston’s history of racist redlining practices, discriminatory destruction in the name of “urban renewal,” and ad hoc zoning practices have resulted in a city in which many residents, particularly residents of color, immigrants, and people with limited English proficiency, cannot afford to live

³⁷ Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, p. 36 (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dccc5>.

³⁸ Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, p. 78 (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dccc5>.

³⁹ Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, p. 74 (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dccc5>.

⁴⁰ Rehabilitation Research and Training Center on Disability Statistics and Demographics, *Annual Report on People with Disabilities in America: 2023*, p. 17; 20 (2023), <https://disabilitycompendium.org/sites/default/files/user-uploads/Accessible-Annual%20Report%20---%202023%20---%20Accessible.pdf>.

⁴¹ Erin Vinoski Thomas & Chloe Verduyck, *Homelessness Among Individuals with Disabilities: Influential Factors and Scalable Solutions*, NACCHO VOICE, <https://www.naccho.org/blog/articles/homelessness-among-individuals-with-disabilities-influential-factors-and-scalable-solutions>.

and enjoy.⁴² The Boston Planning and Development Agency (“BPDA”), through the use of its vast powers granted through the federal urban renewal program and strengthened through decades of municipal delegation, was responsible for many of the decisions that led to this lopsided state of affairs.⁴³ Squares and Streets currently presents as an extension of urban renewal. It leaves untouched the language on urban renewal in zoning code section 3-1A and associated sections.⁴⁴ Additionally, throughout the allowed uses in Squares and Streets, exceptions are carved out to ensure urban renewal remains untouched.⁴⁵ If Squares and Streets is to help communities, rather than destroy them, it must eliminate urban renewal language from the zoning code.

Conclusion

For all of the reasons laid out above, ACE respectfully requests that further implementation of Squares and Streets be paused and the public comment period extended to ensure that the people who live, work, play, and pray, in the neighborhoods targeted by the Initiative can be meaningfully engaged in the process. We appreciate the opportunity to provide comments and look forward to further engagement with the BPDA and the Wu administration. Any responses may be directed to Sofia Owen, Senior Attorney and Director of Environmental Justice Legal Services at Alternatives for Community & Environment, at sofia@ace-ej.org.

Signed,



Sofia E. Owen, Esq.
Director, Environmental Justice Legal Services
Alternatives for Community & Environment (ACE)

⁴² See generally James Jennings, *Fair Housing and Zoning as Anti-Gentrification: The Case of Boston, Massachusetts*, 30 JOURNAL OF AFFORDABLE HOUSING 93 (2021).

⁴³ Mayor Michelle Wu detailed the BPDA’s inappropriately vast power and lack of accountability in a 2019 report. MICHELLE WU, *FIXING BOSTON’S BROKEN DEVELOPMENT PROCESS: WHY AND HOW TO ABOLISH THE BPDA* (2019) [hereinafter *ABOLISH BPDA WHITE PAPER*], <https://assets.ctfassets.net/1hf11j69ure4/4jCdriPnG0tb9gpBvNjqUj/34da92377c5112083e0c998e844589f7/abolish-bpda.pdf>.

⁴⁴ Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, p. 85, (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dced5>.

⁴⁵ See Boston Planning & Development Agency, *Compiled Draft Text Amendment for Squares + Streets*, “Use Item No. 22,” p. 45; “Section 8-4,” p. 72, (2023), <https://www.bostonplans.org/getattachment/e0edcdb4-1866-46ec-8fc8-e3d565dced5>.

February 2, 2024

James Jemison, Chief of Planning
Aimee Chambers, Director of Planning
Abdul-Razak Zachariah, Planner 1, Zoning Reform Team
Boston Planning & Development Agency
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**RE: Boston's Affirmatively Furthering Fair Housing Community Advisory Committee
Comments on draft Boston Planning & Development Agency (BPDA) Squares & Streets
Zoning Proposal**

Dear Mr. Jemison, Ms. Chambers, and Mr. Zachariah:

Please accept these comments regarding BPDA's Squares & Streets Zoning Proposal on behalf of the City of Boston's Affirmatively Furthering Fair Housing Community Advisory Committee (AFFH CAC).

**I. History of Affirmatively Furthering Fair Housing in Boston
and Role of the AFFH CAC**

The City of Boston created the AFFH CAC in 2017, in order to comply with the Obama Administration's groundbreaking "Affirmatively Furthering Fair Housing" Rule (AFFH Rule).¹ The AFFH Rule was the first comprehensive implementation of requirements in the 1968 Fair Housing Act and other federal laws² designed to ensure that state and local governments, which are required to sign annual certifications that they are affirmatively furthering fair housing,³ are *in fact* truly affirmatively furthering fair housing.

¹ See Federal Register Volume 80, No. 136, pg. 42272 (July 16, 2015).

² See Section 808 of Title VIII of the *Civil Rights Act of 1968*, 42 U.S.C. § 3608; Sections 104(b)(2) and 106(d)(7)(B) of the *Housing and Community Development Act*, 42 U.S.C. §§ 5304(b)(2)-(3), 5306(d)(7)(B); Section 105(b)(15) of the *Cranston-Gonzalez National Affordable Housing Act*, 42 U.S.C. § 12705(b)(15); see also 24 C.F.R. § 91.425(a)(1)(i), 24 C.F.R. § 570.601(a)(2).

³ Sections 104(b)(2) and 106(d)(7)(B) of the *Housing and Community Development Act*, 42 U.S.C. §§ 5304(b)(2)-(3), 5306(d)(7)(B); Section 105(b)(15) of the *Cranston-Gonzalez National Affordable Housing Act*, 42 U.S.C. § 12705(b)(15); see also 24 C.F.R. § 91.425(a)(1)(i), 24 C.F.R. § 570.601(a)(2). Other recipients of federal housing funds, such as housing authorities, are also required to certify annually that they are affirmatively furthering fair housing.

After nearly five years of effort, in January, 2022, the City of Boston, with the assistance of the AFFH CAC, released Boston's final Assessment of Fair Housing (AFH).⁴ On January 20, 2022, newly elected Mayor Wu signed an Executive Order (AFFH Order) affirming the Mayor's "commitment to affirmatively further fair housing throughout the City of Boston," and accepting the Assessment of Fair Housing.

In her Executive Order, Mayor Wu acknowledged and emphasized that

A majority of Boston residents are members of groups which have been historically subject to unlawful discrimination; *and...*

Many Boston residents belonging to such groups are economically disadvantaged and highly concentrated in communities of color and lower income neighborhoods; *and...*

Racial, economic and social inequities persist across many issue areas including, but not limited to, housing, education, employment, health... access to City services...⁵

Mayor Wu went on to declare that:

The only way to affirmatively further fair housing is to *embed* the principals of freedom of choice, equal access, diversity, and inclusion in the areas of urban planning, housing development, and zoning so that location does not determine anyone's quality of life or ability to prosper, *and...*⁶

The City of Boston takes responsibility for identifying discriminatory barriers in Boston's housing market and reinventing existing policies, programs and practices to overcome such barriers and provide the necessary resources to implement all the goals stated in the Assessment of Fair Housing.⁷

Mayor Wu's AFFH Order requires BPDA, among other relevant City departments, to

Apply a fair housing analysis to policies, practices, attitudes, and culture, and implement the changes necessary to be consistent with our fair housing laws, regulations and case law;

⁴ In 2020, the Trump administration eliminated the Obama Administration's AFH requirement. To its great credit, the City of Boston chose to continue the important work of developing the AFH, with the assistance of the AFFH CAC. The Biden administration has proposed a new rule also requiring a searching "affirmatively furthering fair housing analysis" by state and local governments, and grantees of federal housing funds, but the Biden administration has not yet issued a new final rule. *See* Federal Register Vol. 88, No. 27, pg. 8516 (February 9, 2023).

⁵ Executive Order of Mayor Michelle Wu, January 20, 2022, pg. 1, Whereas Clauses 1-3.

⁶ Emphasis added

⁷ *Id.*, Mayor Wu Executive Order, pg. 1. Whereas Clauses 4, 6.

Use a fair housing analysis to review current and proposed policies, programs, initiatives, practices and budget allocations to prevent decisionmaking that adversely impacts protected class members;

Use this fair housing approach to help surface unintended consequences of proposed actions, identify opportunities for improvement, and identify how actions may advance fair housing principles and improve outcomes for all protected class members.

Support progress toward attaining fair housing goals as a fundamental part of the evaluation of departmental performance and mission.⁸

While the AFFH CAC respects the tremendous effort of BPDA staff in designing the Squares & Streets proposal, the AFFH CAC is deeply concerned that the proposal falls short of Mayor Wu's vision in the AFFH Executive Order, as well as the requirements of the Assessment of Fair Housing, and federal fair housing laws. Issues that are recognized as critically important in the Assessment of Fair Housing seem to be treated as an afterthought, or are simply not referred to at all in the proposal. Fair housing protections and aspirations are overlooked, rather than embedded in the proposal, as Mayor Wu envisioned.

In order to ensure that the new proposal is consistent with Boston's Assessment of Fair Housing, the AFFH CAC urges the BPDA to implement its recommendations below.

II. BPDA Should Not Seek Approval of the Squares & Streets Proposal From the BPDA Board or Zoning Commission Without Seeking an Independent Comprehensive Fair Housing Review As Provided in Goal 7.1 of the Assessment of Fair Housing

To inform development of Boston's fair housing Goals, the Assessment of Fair Housing includes extensive research and analysis of Boston's demographics, barriers to fair housing, and history of racism and segregation by James Jennings, Ph.D., Professor Emeritus of Urban and Environmental Policy and Planning at Tufts University. Dr. Jennings also describes the extensive community outreach and engagement undertaken by the AFFH CAC and the City of Boston to obtain community input in development of the Goals. After describing this process, the Assessment of Fair Housing (AFH) goes on to list fourteen Goals necessary to affirmatively fair housing in Boston.

Goal 7, titled "Use Zoning as a Fair Housing Tool," is the Goal that applies directly to the BPDA's Squares & Streets proposal. Goal 7 recognizes that

Zoning can be an impediment to affirmatively furthering fair housing... and has been used as a tool to exclude people of color, especially those who are Black, from housing options in cities and suburbs...Zoning can also be an important and positive tool for

⁸ Mayor Wu Executive Order, Article III, ¶¶ 5-7.

affirmatively furthering fair housing. The actions outlined [in this Goal] are aimed at assuring that zoning and zoning processes are used in a positive way, so as to create more inclusive and welcoming neighborhoods.⁹

While removing barriers to the development of multifamily housing is a precondition to affordable housing development, allowing unrestricted luxury, market-rate development--the most lucrative for private developers--without other reforms, may do nothing to address the needs of moderate and low-income Massachusetts residents who need access to affordable housing..., including members of protected classes. **In fact, by using up scarce land and making it unavailable for affordable development, and by triggering displacement and gentrification in many areas where affordable rental housing may already exist, allowing the unrestricted development of multifamily housing can easily defeat the goal of affordable development and inclusion.**¹⁰

It is the AFFH CAC's understanding that the Squares & Streets proposal is designed to facilitate and speed up development in potentially seventy areas in Boston that include residential and commercial properties by creating standard, as-of-right zoning. But the proposal includes no discussion whatsoever on who will be able to live in the new housing, and about its impact on the existing, though rapidly vanishing, areas of still-affordable housing in Boston's neighborhoods, or any other fair housing issues and concerns.

In addition to calling for implementation of Boston's AFFH amendments to Article 80 of the Zoning Code, Goal 7.1 calls for Boston to seek an independent fair housing expert to perform a comprehensive review of BPDA's policies and procedures, and to help shape Boston's policies going forward:

BPDA should also hire an independent staff person or **consultant who is an expert in fair housing to do a comprehensive review of its [BPDA's] policies and procedures to identify areas in which change is needed to not only meet the City's obligations under federal, state and local law, but to truly provide equal opportunity regardless of protected class status.** The City will establish a working group to work with and oversee this review of policies and procedures including staff from BPDA, OGHE, Office of Resiliency, BHA and representatives from community, fair housing, affordable housing and other groups.

AFH, Goal 7.1, pg. 172.

BPDA hired multiple experts to guide its current proposals for "modernizing" Boston's zoning, but no fair housing experts, as called for in Goal 7.1. In order to ensure that changes to Boston's zoning truly affirmatively furthers fair housing, the AFFH CAC submits that BPDA must hire an independent fair housing expert to assist in zoning planning and changes.

⁹ AFH, pg. 171.

¹⁰ *Id.*

There are a number of fair housing experts which could be considered to perform this important work in Boston, such as the Poverty & Race Research Action Council in Washington, D.C., (PRRAC) prrac.org, or Government Alliance for Race & Equity (GARE) racialequityalliance.org, and PolicyLink, policylink.org. BPDA and/or the City of Boston should immediately seek out such experts to ensure that the transformative construction boom likely to result from the Squares & Streets proposed as-of-right zoning does not defeat Boston's affirmatively furthering fair housing goals.

III. The Squares & Streets Proposal Raises Red Flag Fair Housing Concerns That Must Be Addressed, Along With Other Concerns That Would Be Identified in an Independent Comprehensive Fair Housing Review

Aside from the need for a comprehensive fair housing expert review, the Squares & Streets proposal raises alarms about several immediate, critically important fair housing concerns. By creating as-of-right zoning for developers, Squares & Streets is designed to result in rapid new construction throughout the Squares & Streets areas, reconfiguring existing housing and commercial spaces, but with little or no controls over the type of housing created. As designed, Squares & Streets provides no assurance that the housing created will be suitable for or serve protected classes, or that it will further the goals of equity for protected classes, or decrease segregation, homelessness, and housing instability in Boston.

As described, Squares & Streets is not affirmatively furthering fair housing. Among some of the most pressing concerns, Squares & Streets does not ensure the production of needed housing for (1) families with children and multigenerational families who are significantly more likely to be households of color in Boston; (2) mobility impaired disabled persons who need off-street or otherwise dedicated parking; and (2) low-income singles, particularly singles of color, who need safe rooming house units. Although these issues are some of the most visible gaps in the proposal, they are not by any means the only concerns. They highlight the need for an independent, comprehensive expert fair housing review.

A. Squares & Streets Does Not Ensure that a Significant Number of Badly-Needed Family-Sized Housing Units Will Be Created for Families with Children and Multigenerational Families that are More Likely to be Households of Color

The Squares & Streets zoning proposal leaves decision-making about unit bedroom sizes completely to the developer. While we understand that this may have been a standard practice in Boston zoning historically, it is an oversight in the City's duty to affirmatively further fair housing.

There is an urgent need for family-sized units in Boston, in particular, among households of color. In the twenty community meetings and 480 surveys the AFFH CAC used, among other tools, to collect community input in the AFH, one of the most frequently mentioned issues was "lack of family size housing," and "lack of suitable units (disabled, family and elderly)." When

asked what the City of Boston could do to address racial and ethnic segregation in housing?" responses included "[b]uilding more family-friendly housing in all neighborhoods."¹¹

The City of Boston's 2022 *Boston Housing Conditions & Real Estate Trends Report* confirms that Boston renter households of color are much more likely to need family-sized rental units, especially larger family-sized units, than white renters. Sixty percent of three-person renter households in Boston are families of color, and eighty-six percent of five-person renter households are families of color.¹² But only a tiny 8 percent of rental units produced in Boston in a recent four-year period were larger, three-bedroom units, as detailed in Boston's 2022 Report.¹³ The lion's share of rental units constructed in the same period, 62%, were the smallest units--studio or one-bedroom apartments--which are more likely to be occupied by white households, without children, than households of color.¹⁴

Recent development proposals (Suffolk Downs and Dorchester Bay City, among others) indicate a pattern among developers to create many smaller units, one bedrooms and studios, rather than family-sized housing. This is so even in situations like Suffolk Downs, where the developer was creating 7,000 units, enough to house the equivalent of an entire small town in Massachusetts. Since Boston's inclusionary development program only yields affordable housing as a percentage of the sized units developers choose to create, leaving the decision-making about unit sizes completely up to developers is not likely to yield affordable units for families with children or families of color, both protected classes. Even families with Section 8 or MRVP vouchers cannot lease up in Boston if there are vanishingly few family-sized units being created.

Before BPDA seeks to impose an as-of-right development zone in 70 or so areas of Boston, consuming hundreds of acres of land, it is critical to ensure that housing for families will be created in these areas. The City of Boston cannot abdicate its responsibility to affirmatively further fair housing, which includes ensuring that suitable housing is being built within the City's boundaries for members of protected classes, like families with children and households of color.

As described by First Circuit Court of Appeals in 1987,

In 1983, the district court after trial found, as factual matters, that Boston has a history of racial discrimination in housing; that Boston suffers from a shortage of low-income family housing; that a higher proportion of black than white families are renters and a higher proportion of black than white renters are families with children (and thus that the housing shortage impacts more heavily on blacks than whites); that Boston's neighborhoods are racially separate; and that "as least in part [as] a result of the lack of safe, desegregated housing in white neighborhoods" black families find it difficult to move out of black areas. *NAACP v. Harris*, 567 F. Supp. 637, 640-41 (D.Mass. 1983).¹⁵

¹¹ Boston Assessment of Fair Housing, pgs. 18-19.

¹² Boston Housing Conditions & Real Estate Trends Report (2022), pg. 25.

¹³ *Id.*, pg. 63.

¹⁴ *Id.*, pg. 25.

¹⁵ *N.A.A.C.P. v. Secretary of Housing and Urban Development*, 817 F.2d 149, 155 (1st Cir. 1987).

Unfortunately, these conditions, described forty years ago, very much still exist in Boston.

As Mayor Wu expressed in her AFFH Executive Order, “the only way to affirmatively further fair housing is to **embed** the principals of [fair housing] ...in the areas of urban planning, housing development, and zoning...”¹⁶ Fair housing is not currently embedded in the draft Squares & Streets proposal. In order to embed fair housing in Boston’s zoning, it is critically important for BPDA and the City of Boston to seek a comprehensive expert fair housing review, prior to seeking approval of the Square & Streets proposal.

B. Squares & Streets Seems To Be Limiting or Omitting Construction of New Rooming Houses, A Critically Important Source of Housing for Low-Income Singles, Especially Persons of Color

The Squares & Streets proposal regarding lodging houses is confusing, and seems to be eliminating development of new rooming house units unless the housing includes social services, or mental or physical health services.¹⁷ From a fair housing perspective, this is a mistake.

It is widely observed that a significant number of precious family-sized units are actually occupied by groups of roommates or elderly single adults living alone, reducing the availability of these larger units for families with children, or multi-generational families.¹⁸ Other singles are left to pay unaffordable rents for studios or one-bedroom units, or to commute long distances to get to jobs in Boston. Many others find themselves living in illegal, unlicensed rooming houses in Boston, often triple-deckers where the landlord rents out every room, including the porches, and reaps huge profits. Illegal rooming houses often do not comply with the safety standards required for licensing, violate the state sanitary code, subject tenants to abusive landlords and unsafe conditions for the most vulnerable tenants.

This phenomenon coincides with a dramatic loss in the number of decent, safe and sanitary licensed rooming houses in Boston in the last few decades.¹⁹ Many lower-income elderly or working adults, or adult students, would happily prefer to live in a well-run, affordable rooming house in Boston as compared to living with roommates, paying unaffordable rents, commuting long distances, or living in an unsafe, abusive illegal rooming house.

¹⁶ Executive Order of Mayor Wu, January 20, 2022, pg. 1. Whereas Clause 4.

¹⁷ See Compiled Draft Text Amendment for Squares & Streets, December 5, 2023, pg. 29. Compare Definition of “Lodging House,” limited to a housing “on a temporary basis (no more [sic] 30 day lease terms),” to Definition of “Group Living,” for “people receiving monthly, annual, or long-term housing accommodation and, physical health, mental health, or social services.”

¹⁸ See, e.g., *Research: Crowded In and Priced Out—Why It’s do Hard to Find a Family-Sized Unit in Greater Boston*, January 31,2020, Metropolitan Area Planning Council, at metrocommon.mapc.org/reports/10.

¹⁹ See, e.g., *Real Estate Boom Threatens Rooming Houses at the Bottom of the Housing Market*, July 1,2019, WGBH News, <https://www.wgbh.org/news/local/2019-07-01/real-estate-boom-threatens-rooming-houses-at-the-bottom-of-the-housing-market>.

Automatically requiring social services or health services in new rooming house units increases the cost of creating and running the rooming house, and reflects a stereotypical view of the population that might benefit from living in a rooming house. Many single adults who would benefit from having an affordable unit in a rooming house are not in need of social services or mental health services—they just need a decent and safe affordable place to live. Given the racial income gap in Boston, the population of low-income single adults who would benefit from well-run rooming house units are more likely to be persons of color. While there is certainly a need for rooming house units that provide mental health care or social services, limiting investment in rooming houses just to this population is failing to provide good housing for low-income Boston singles, especially singles of color, as well as reducing the availability to family-sized units for families who desperately need those units.

C. Squares & Street Appears to be Overlooking Housing Concerns of Importance to People with Disabilities

The Squares & Streets proposal, to our understanding, eliminates any requirement of off-street parking in areas subject to Squares & Streets zoning. While we understand that data exists indicating that off-street parking in certain large buildings in Boston is often not used,²⁰ those data do not indicate that there would be **no** demand for off-street parking in Squares & Street neighborhoods. In a significant number of Squares & Streets candidate areas, a more appropriate study would be examining parking behavior in neighborhoods with smaller buildings where there is very little off-street parking--neighborhoods that are predominantly townhouses, triple-deckers and two-family homes where parking on the street is the norm for tenants. Allowing the creation of larger buildings with more units of tenants and no additional parking in such areas may cause residents to have to seek parking blocks away from their homes.

Aside from the availability of parking for the general population, however, this analysis seems to completely overlook people who are elderly or have mobility or other disabilities, who may need to use cars for transportation. The study of parking behavior in large building parking lots does not consider at all the needs of persons with disabilities, who may need cars for transportation and may not live in a large building with a parking lot. Failing to evaluate the need for parking of people with disabilities shows the urgency of a comprehensive fair housing review.

Squares & Streets is not ready to be voted on by the BPDA Board or Zoning Commission without a careful study of the needs of people with disabilities in these Squares & Streets candidate neighborhoods. This study should be part of a comprehensive fair housing review, and must also **include a dialogue allowing full participation by members of the disability community.**

²⁰ See, e.g., *Perfect Fit Parking Initiative*, July, 2019, Metropolitan Area Planning Council, <https://perfectfitparking.mapc.org/assets/documents/Perfect%20Fit%20Executive%20Summary.pdf>.

Conclusion

The issues raised in this letter are the tip of the ice berg of fair housing concerns raised by the Squares & Streets proposal. A comprehensive fair housing review by an independent fair housing expert organization is essential to uncover and address the many fair housing concerns implicated by this proposal, and Boston's zoning and planning functions in general. The AFFH CDC urges BPDA and the City of Boston to seek independent expert fair housing input before moving forward with any changes in zoning or planning, as explicitly required in Goal 7.1 of the AFH.

Sincerely,

Margaret F. Turner, on behalf of
City of Boston Affirmatively Furthering Fair
Housing Community Advisory Committee

Greater Boston Legal Services, Housing Unit
197 Friend Street
Boston, MA 02114
(617) 371-1234
mturner@gbls.org

COALITION FOR A JUST ALLSTON BRIGHTON

Mr. Abdul-Razak Zachariah
Planner, Zoning Reform Team
One City Hall, Ninth Floor
Boston, Massachusetts 02201

February 2, 2024

Dear Mr. Zachariah,

On behalf of the [Coalition for a Just Allston-Brighton \(CJAB\)](#), a coalition of over 40 civic organizations from Allston-Brighton, other Boston-based groups, and community members with an interest in the future of Allston and Brighton, we thank you for this opportunity to comment on the Streets+Squares Draft Zoning Text Amendment.

The Coalition envisions a healthy, welcoming, and diverse neighborhood where the people of our city can afford to put down roots. We have consistently advocated for better community outreach that minimizes barriers to participation and for a comprehensive approach to planning that seeks to increase housing opportunities for all our residents.

We support the Squares+Streets planning initiative because we believe it is a thoughtful way to achieve these goals if carried out in the spirit that the Mayor and the BPDA are proposing.

We hope that streamlining zoning districts and requirements makes it easier and less expensive to build housing in our neighborhood, including income-restricted housing, so that the cost savings can then be passed on to families and individuals who will in turn help our neighborhood to thrive.

We also believe that the simplified new form-based zoning districts, focused on specific areas, will make our upcoming Allston Brighton planning process easier for our residents and businesses to understand, visualize, and engage in. To that end, we are also **very glad to see that no Planned Development Areas will be allowed in any of the new Squares+Streets zoning districts.**

Because Allston-Brighton has long been home to artists, musicians, and other creative “makers”, we want to ensure that the new zoning districts support opportunities for them to work, live, and thrive. **For that reason, we strongly endorse the Mayor’s Office of Arts and Culture letter regarding Squares+Streets draft zoning text, and urge you to incorporate all their suggested changes and additions.**

Although a major goal of Squares+Streets is to Increase housing production, and the Mayor is committed to equitable, resilient and affordable development, **we do have deep concerns about potential displacement of residents and small businesses.** It will be critical that anti-displacement policies be developed and communicated prior to S+S small area planning processes.

Thank you and the entire Zoning Reform team for your work. We look forward to the Allston Brighton Community Plan process and the opportunity to apply the Squares+Streets zoning districts to many of our main streets.

Regards,
The Coalition for a Just Allston-Brighton Steering Committee
Jo-Ann Barbour
Tony D’Isidoro
Barbara Parmenter
DB Rieff
Maria Rodrigues

Cc:
Liz Breadon, District 9 City Councilor
Ruthzee Louijeune, At Large City Councilor
Julia Mejia, At Large City Councilor
Erin Murphy, At Large City Councilor
Henry Santana, At Large City Councilor



**OFFICE OF BOSTON CITY COUNCILOR
GABRIELA COLETTA**

February 2, 2024

Abdul-Razak Zachariah, Planner
Boston Planning and Development Agency Board
One City Hall Square
Boston, MA 02201

Re: Art and Culture Space in Squares + Streets Draft Zoning Text Amendment

Dear Abdul,

I write to you today to comment on the need for art and culture space in the ongoing Squares + Streets Draft Zoning Text Amendment. I am appreciative of the BPDA's ongoing work to modernize this portion of Boston's Zoning Code. Rezoning for transit-oriented development is much needed across the City of Boston in order to meet current and future affordable housing and workforce demands, and I appreciate your team's continued efforts.

Although parts of my district have already undergone their own planning processes with PLAN: East Boston and PLAN: Charlestown, which included rezoning of our squares and corridors, I remain concerned about the ongoing loss of arts and culture space throughout the City of Boston. Last year, I heard from many of my constituents who were struggling to find music rehearsal space or were actively being evicted from a former arts space.

In 2021, the Mayor's Office of Arts and Culture (MOAC), developed an analysis called Boston Creates that revealed a need for new affordable cultural spaces and facilities, and difficulties in meeting the costs of and maintaining existing spaces and facilities, an acute and increasing lack of affordable housing and work space for Boston artists, and significant imbalances and gaps in funding for Boston artists and arts and culture organizations¹. It is my understanding that MOAC has also expressed a desire to elevate the need for these spaces in their own comment letter, and I

¹ City of Boston. (2021, March 23). Boston Creates Cultural Plan. <https://www.boston.gov/sites/default/files/embed/b/bccp.pdf>

would like to go on record in co-signing their recommendations².

As we envision the impact Square + Streets rezoning will have on Boston's vibrancy, it is imperative that arts and culture be considered as part of the equation. Although many of us relied on the work of artists to get through Covid-19, the pandemic left many artists scarce of resources as performance and showcase spaces shut down, which then prohibited their ability to pay rent for workspace or living space. While development should prioritize the creation of affordable housing, workforce development, and public space, cultural space is also urgently needed due to vast underinvestment in the sector. According to Chief of Arts and Culture Kara Elliott-Ortega, over 100,000 sq.ft of cultural production space, such as studios and rehearsal spaces, have been lost over the last five to seven years, along with numerous live music venues, gathering spaces and specialist retail ³.

The current Squares + Streets planning process offers a unique opportunity to meet the urgent needs of Boston's cultural ecosystem. Codification of arts and culture uses, anti-displacement of artists, allowable uses for arts and culture, and ensuring supplemental funds via mitigation are vital to ensuring that our squares and corridors are truly representative of all Boston has to offer culturally. To that end, I ask that the BPDA include language in this text amendment that requires redevelopments to re-provision any existing arts or cultural space onsite or provide an equal financial contribution for the development of new arts and cultural space.

Over the last year, my office has worked extensively with MOAC to explore immediate opportunities to formalize this policy in Boston's zoning code through the Article 80 modernization process, and implementation in light-industrial areas. Currently, there are no regulatory requirements to provide arts and cultural space outside of what is provided in the South End Neighborhood District (Article 64). I will continue to advocate for arts and culture to be included in Article 80 mitigation assessments; however, it is also essential that redevelopment in the Squares + Streets districts support the retention of arts and cultural space.

I remain appreciative of the work the BPDA team has put into zoning amendments for Squares + Streets. Please consider me a partner in ensuring that the City of Boston is able to provide both artists and residents with abundant and resilient arts and culture spaces. I look forward to working with the BPDA and MOAC collaboratively to ensure we see this vision for our City through.

Sincerely,



² https://docs.google.com/document/d/1IKOxIBPkNPRjX9TmLrKr6lbt_o57k_uFIQsvBC2Vq_w/edit

³ Guerra, C. (2023, March 8). *At public hearing, artists demand more rehearsal space in Boston*. WBUR News. <https://www.wbur.org/news/2023/03/08/boston-city-council-hearing-rehearsal-space-loss>

Gabriela Coletta
Boston City Councilor
District One



JOHN FITZGERALD
Boston City Councilor
District 3

February 2, 2024

Dear Director Jemison, Chief Planner Chambers,

Thank you for the opportunity to comment on the newly put forth Squares and Streets Initiative from the BPDA.

I appreciate the Agency's direction on identifying new places for growth within the City, especially around transit-oriented sites. We need those locations that can take on density for housing while supporting retail on the first floor of Main Street corridors and similar areas within Boston's neighborhoods, and I think this approach can do just that.

However, I do have some concerns about the process. In talking with my constituents, many feel that the process to codify the zoning may be putting the cart before the horse. There could be some serious implications that are unintended by codifying zoning first, and then diving into the longer process of actually choosing the options provided after the fact.

I am no stranger to doing public outreach around planning processes, as evidenced by my work with Imagine Boston 2030 as the sole outreach person for that plan, and I know that it is hard to really get momentum behind planning initiatives such as these no matter how many methods of communication the Agency adopts. With that said however, sometimes these processes have to go off feel, and it is my belief that Squares and Streets has really just reached that tipping point of awareness in the community in recent weeks, and the deadline of February 2, 2024 seems to cut rather short the deeper dive many civic groups and constituents would like to do around what adopting this zoning would actually mean.

I also personally feel that by doing the zoning too quickly, and then having the 6-12 month process around the physical options in the community feels backwards. I worry that with elected and communities not fully understanding the reach and effect the zoning may have, that the process itself could become counter-productive as time moves on. I simply request an extension of the comment period by another month so that folks that wish to understand the implications of the zoning, and the effect it may have on the communities own voice in future projects that are produced through this planning process.

Thank you and I hope you understand as someone who has done the work a long time, I do sincerely appreciate your efforts, but caution against codifying a process that the community does not yet fully comprehend. Thank you.

Sincerely,

John FitzGerald
Boston City Councilor, District 3



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Fwd: Coalition for Truly Affordable Boston Letter on Squares & Streets & Request for Meeting

Arthur Jemison <james.jemison@boston.gov>
To: Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Tue, Feb 6, 2024 at 7:29 PM

----- Forwarded message -----

From: **Kristiana Lachiusa** <kristiana.lachiusa@boston.gov>
Date: Tue, Feb 6, 2024 at 9:20 AM
Subject: Re: Coalition for Truly Affordable Boston Letter on Squares & Streets & Request for Meeting
To: Armani White <armanimwhite@gmail.com>
Cc: <aimee.chambers@boston.gov>, <caitlin.coppinger@boston.gov>, Karina Oliver-Milchman <karina.olivermilchman@boston.gov>, Kathy Brown <kathy@bostontenant.org>, Arthur Jemison <james.jemison@boston.gov>

Thank you Armani, Kathy and the rest of the coalition for this letter. We will be in touch shortly to find a time to meet.

On Fri, Feb 2, 2024 at 5:34 PM Armani White <armanimwhite@gmail.com> wrote:

Dear Boston Planning and Development Agency Chief Arthur Jemison,

Thank you for the tremendous work you have done to advance affordable housing and equity in the City of Boston since taking office, including your updates to the Inclusionary Development Policy and Linkage, making accessory dwelling units easier to build, and investing in first-time homebuyers. We have been awaiting the type of transformation you have committed to—creating a more economically equitable, resilient, and affordable Boston and abolishing the BPDA.

Despite these admirable efforts, the Coalition for a Truly Affordable Boston (CTAB) has multiple concerns regarding the city's planning and development initiatives. These concerns relate to the ongoing transformation of the BPDA and the status of initiatives intended to advance affordable housing, affirmatively further fair housing, and the need for greater anti-displacement protections as part of the citywide rezoning. **We request a meeting to work toward solutions to these issues.**

The CTAB coalition consists of over 20 community organizations representing hundreds of Bostonians. Many of us have been working to improve housing justice in Boston for decades and have long felt that the BPDA, formerly the BRA, stood in the way of advancing affordable housing.

In our efforts to advance truly affordable housing in Boston, members of our coalition have been strong, active participants in the mayor's initiatives, most recently as members of the Technical Advisory Committee (TAC) to shape the mayor's IDP study.

While we are hopeful and optimistic about the intended transformation, we have concerns about its process and content so far. Our concerns relate to the following:

Lack of strong affordability, fair housing, and anti-displacement policies

Rezoning processes are underway in multiple neighborhoods that are experiencing high levels of

displacement, including East Boston, Dorchester, Mattapan, and Hyde Park. Because multiple city initiatives on affordability & stability are still incomplete, these rezoning processes are being conducted in the absence of substantive anti-displacement reforms or fair housing zoning reforms that specifically promote affordable housing.

In October 2022, Mayor Wu issued an executive order calling for the BPDA to issue a report within 120 days on potential zoning code changes that would incentivize and accelerate the creation of affordable housing. The recommended solution to fixing our zoning code is a complete overhaul if the goal is to accelerate the creation of affordable housing. The report also less enthusiastically recommends incremental changes to the zoning code and warns of how that pathway could result in the same confusing, inconsistent, and unwieldy zoning code. Currently, squares and streets and citywide zoning reform seem to be a piecemeal approach with no eye towards affordability and fair housing, despite having the goal of incentivizing and accelerating the creation of affordable housing.

Additionally, the City has promised to develop an anti-displacement toolkit this year, but it is not yet complete. The results are high-displacement neighborhoods being rezoned without specific affordability and stability reforms in place. For example, the anti-displacement section of PLAN: East Boston only lists previously-existing policies and programs. The list includes the state's Rental Assistance for Families in Transition (RAFT) program, which recently became more difficult to access, leading to a significant increase in evictions, as reported by the Boston Globe. These are not the deep reforms that were promised. We welcome equitable growth in our neighborhoods, but it is not equitable to delay multiple affordability initiatives while rezoning high-displacement areas.

Lack of transparent process and equitable community input

We are very concerned about the administration's commitment to community processes. Not just in housing, but in general, some examples of which we will refer to later in this document.

The process of change under this administration has been confusing, with little buy-in from the housing justice community. In the 15 months since October 2022, little information has been released on the commitments of the Mayor's executive order, such as a report from the BPDA on potential zoning reforms to incentivize affordable housing production. Additionally, there are no affordable housing advocates or organizational reps on the Article 80 steering committee. These reforms have major implications for zoning, and the rationale of rezoning most of the city before completing this fundamental work is confusing.

Additionally, while we support expediting the building of affordable housing, it cannot be at the expense of a mutually agreed-upon city-residents' community process.

And while we were honored to serve on the IDP TAC, the process was not ideal in terms of community involvement. It was concerning that the administration announced the IDP language while the TAC process was still ongoing, blindsiding our members. It must be different if people are to have faith in the committee process and, thereby, the community process. We hope that that process can be reflected on to learn how to have an improved procedure for community-informed change with Squares and Streets (S&S), Article 80, and other reforms.

Finally, the Squares and Streets initiative, which has been introduced as a step in the process of transforming the city's development process for the better, has also surprised many in our community.

There was little discussion with housing justice advocates about the strategy behind the new S&S zoning amendment. We would like more clarity on the following:

1. Including fair housing in S&S: The January 2022 AFFH Executive Order Mayor Wu says, "The only way to affirmatively further fair housing is to embed the principles of freedom of choice, equal access, diversity, and inclusion in areas of urban planning, housing development, and zoning so that location does not determine anyone's quality of life or ability to prosper." There is nothing in the proposed Squares & Streets that *embeds* or even mentions these principles in Boston's zoning. Why is there no mention or plan for fair housing?
2. When will we have a comprehensive fair housing review, which is outlined in Goal 7 of the City of Boston Assessment of Fair Housing?
3. Knowing that the development process is speeding up to reduce costs, what types of trade-offs are being explored that will increase affordability and create deeper affordability in our efforts towards fair housing and an equitable city?
4. Will the updated inclusionary development policy be the only tool used to stimulate affordable housing development in these new zones?
5. How can community advocates play a role in ensuring there is true community input, including better marketing of the process, and that affordable housing is a focus?
6. There seem to be no requirements for multi-family units. Has there been a study to consider the fair housing implications of not requiring parking or multi-family units?
7. If an accelerated speed of development is allowed with no consideration for affordable housing, anti-displacement measures, or other points we've raised, how is housing justice advanced?

Input from housing justice advocates is extremely important in any major change, especially when the hope is to build more affordable housing and prevent displacement. In the draft S&S zoning, there is only one mention of affordable housing, explaining parking requirements for affordable housing are removed entirely. The public changes to the citywide zoning code include removing requirements for parking overall, which is usually a tool used to require more affordable housing. If these draft documents will be enshrined in February, when will we have time for this type of input and research? We hope that by raising these concerns, you are beginning to see the issue with the process as we see it.

It is through the implementation of policies like AFFH that the City of Boston meets its Fair Housing obligations. While this is not always stated explicitly in the municipal code, this understanding must be the throughline through which all housing policy and development are connected. As such, it is absolutely necessary that development for protected classes-- like families--be clearly included in planning policies. When we have raised concerns at public S&S meetings about fair housing and affordability in the S&S process, no one has been able to identify who will be focused on ensuring any changes affirmatively furthering fair housing. Has the city abandoned its fair housing commitments that are enshrined in the zoning code?

S&S is not the only instance of a proposal that is supposedly beneficial to the community under this administration that has caused uproar from housing justice advocates - we have witnessed this in the changes to New Market District, Dorchester Bay, and Suffolk Downs. In addition, some of our members who also work on other issues such as transportation, workforce development, job access, etc. have expressed concerns about the community process in those areas as well. Plan Newmarket covered areas beyond the Industrial Park, yet there was not significant engagement from residents in

the area. It is important for the administration to ensure these processes are productive, not just boxes to be checked off. Otherwise, you miss the input of the real experts, the people who are being impacted. They have a lot to add if you listen.

We are concerned about the future of our city. We want to be a resource and share our perspective on proposed changes as a coalition of advocates for truly affordable housing in Boston, with the goal of helping to transform this city for the better.

Thank you for your consideration. We are making an urgent request for a meeting to discuss these important issues as soon as possible and welcome any questions you might have in the meantime. Please feel free to contact CTAB Consultant Armani White at 857-222-3233 or CTAB Coordinator Kathy Brown at 617-851-0543, on behalf of the Coalition for Truly Affordable Boston.

Best regards,



The Coalition for Truly Affordable Boston

HIGHLAND NEIGHBORHOOD CIVIC ASSOCIATION

Development Committee

Joseph Impellizeri, Chair

617-840-6358

j.impellizeri@comcast.net

highlandcivic5@gmail.com

2 February 2024

The Honorable Michelle Wu, Mayor
Mr. James Arthur Jemison, Chief of Planning

Dear Mayor Wu and Mr. Jemison,

Thank you for your attendance and presentation at this week's meeting on Squares & Streets in Hyde Park. I very much appreciated our discussion and your time after the meeting. This letter is a follow-up to the issues raised in the meeting and to our discussion.

I am writing on behalf of the Highland Neighborhood Civic Association's Development Committee. We are located in West Roxbury and our Development Committee is focused on real estate development and zoning matters which impact the quality of life of our residential district and the strength and viability of its neighboring commercial district.

The purpose of this letter is to communicate our thoughts on the proposed Zoning Amendment intended to set the legal and zoning framework to enable the City's effort to enable its Streets & Squares initiative.

First, we want to make clear that the Development Committee supports the City's efforts to increase housing and its effort to do this near MBTA transit sites and corridors. We understand that this will involve increased density in our area.

Our primary interest is making sure that the changes being considered incorporate what we think are critical attributes that preserve the quality of life and unique attributes of our neighborhood, and other City neighborhoods, as these changes are undertaken. We want the changes to be constructive to the district and its development. The changes proposed should not cause undue detriment to the district and we encourage these changes be made in a way that they can be successful.

In that spirit we offer the following inputs:

1. **PROCESS – Publish Feedback Updated Amendment.** While we preferred an extended comment period, our main concern is the current process does not have a clear release of an updated revision of the new Amendment, based on community feedback, that the City can see and consider before it is finalized for a vote in March.

Any revision should be made available to the public for review before any final vote so feedback can be provided in advance of the vote by residents, business and property owners, and our elected officials; this may require additional time, but not much and would do a lot to help address public concern. Additionally, it might be helpful for the amendment to provide for some flexibility in the parameters of the Form options to accommodate the inevitable practical issues and considerations that will emerge as the City works through the various S&S districts over the next one to three years.

2. **AMENDMENT FORM FACTORS – Add two smaller scale Form Factors, S0A and S1A.** While we like the idea of standard form factors to enable consistent zoning, we observe that the current proposed forms S0 through S4 (S5?) do not deal with the real issue of districts abutting largely single-family neighborhoods, especially older established neighborhoods, and historic districts. Also, it does not adequately address elevation differentials between these neighborhoods and the areas of development.

HIGHLAND NEIGHBORHOOD CIVIC ASSOCIATION

Development Committee

Joseph Impellizeri, Chair

617-840-6358

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Specifically, we believe S0 and S1 form factors abutting such neighborhoods do not recognize the need for more transition options. Permitted heights of 50 feet in these sections along with minimal rear and side setbacks are very problematic. A 4-story building with 3-foot side setbacks, a large floorplate, and occupancies greater than 14 units will dominate the single-family residential buildings abutting it. In some cases, these residential buildings are at meaningfully higher or lower elevations creating privacy issues for established single family buildings that were built and occupied with the reasonable expectation that their access to light, air, and relative privacy would be preserved.

We propose a “win-win” solution by splitting both S0 and S1 designations into two. For example, an S0A and an S1A would be scaled down to provide a more reasonable transition from very low height/density to higher height/density. If an S0A and an S1A form could be created with height limits of 3-stories (35 feet), larger setbacks, and unit limits, this could help preserve the existing desirable scale attributes of our districts while expanding them.

The current form factors for S0 and S1 could still exist in the planning model as options and be labeled S0B and S1B. This change will provide greater more subtle flexibility for districts in their own eventual local planning. The challenge we highlight here is shared by other districts.

3. **TRANSPORTATION – Designate City Commuter Stops as Zone 1A & Increase Service.** Increasing housing and density in districts like ours will not succeed unless there is a fundamental integration with the MBTA in terms of service and pricing. The Needham commuter rail line runs through our area and is too expensive for many commuters.

All commuter rail stops in the city must be designated as Zone 1A. Also, the limited weekend service will not accommodate carless residents. The bus service needs enhancement as well. Without these changes, adding people WILL add cars; lots of them.

4. **PARKING – Consider “Edge Districts” & WFH Impacts.** Our district is an “Edge District”. By this we mean we are on the edge of the City and major commuter roadways into and out of the City. The reality is that many people live in our district AND work outside the City, commuting by car. They also shop at the nearby commercial centers on Route 1. The planning premise of a hub-and-spoke commuting model where people live in the area and walk to public transportation to go downtown is not necessarily the case. Many people like to live here to have access to the City, its services, and resources but do not work in the City. The work-from-home shift applies here too.

There needs to be more consideration of the need for parking to support higher densification in Edge Districts. If not, the results will be a transformation to the kind of parking and traffic congestion we see today in dense sections of Boston.

5. **GREENSPACE – Can we have some too?** While we have many single-family homes, many lots are small as are their yards; condos and apartments have little to none. The City frequently shows “After Pictures” associated with the S&S initiative often showing large yards for single family homes... not the case here. The S&S initiative does not seem to factor in a holistic consideration of greenspace and open space as part of the densification of housing. All these people, but where will they go to rest and enjoy the neighborhood?

HIGHLAND NEIGHBORHOOD CIVIC ASSOCIATION

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There needs to be some form of ratio requirement or limit to density that is proportional to open and greenspace. Developments should factor in more of this space as part of their floorplate.

6. **HOUSING UNIT CONFIGURATIONS – Transient or Families?** There does not appear to be adequate consideration of the kind of housing development we want to attract. Many condo and apartment units built recently along Centre and Spring Streets cannot accommodate families with children. They seem designed for single professionals and young couples.

There needs to be some form of configuration attributes to the proposed changes or we will not achieve long term residency with a population invested in the City.

7. **COMMERCIAL DISTRICT PRESERVATION – Avoiding “Mallification” of Commercial Districts.** Many of our commercial districts are under stress. The pandemic was a mixed bag for neighborhood business as some failed and others saw their value appreciated by many people working from home. The real challenge is that many, if not most, of these business owners are mom-and-pop or specialty shops/restaurants reflecting their owner/entrepreneur’s creativity. These businesses often do not own their buildings.

We did a survey of Center Street properties from the Holy Name Circle to Richwood Street; there were ~55 properties, more than half of which had absentee landlords (outside of West Roxbury or MA). Many have been owned for a long time and have a low purchase basis.

If not handled properly, many existing commercial landlords will elect to cash out and sell or partner with developers on large multistory housing units in these S&S districts.

Ultimately this will drive up commercial rents in new and remaining existing buildings. The result will be that local small businesses will be driven out to be replaced by national chains. The neighborhoods will lose their charm and uniqueness as we see the same “mallification” that took place in the Faneuil Hall Marketplace spread to our neighborhoods.

Remember, Boston is a City of Neighborhoods, NOT a city with neighborhoods.... That’s what makes it work at the residential level and keeps people in the City.

Respectfully submitted,

Joseph Impellizeri

Joseph Impellizeri

Chair, HNCA Development Committee.



Squares and Streets comments

Jennifer Uhrhane <jenuphoto@gmail.com>

Fri, Feb 2, 2024 at 6:47 PM

To: james.jemison@boston.gov, abdul-razak.zachariah@boston.gov, Mayor's Office <mayor@boston.gov>, tiffany.chu@boston.gov, brianna.millor@boston.gov, "Jamarhl.Crawford@boston.gov" <Jamarhl.Crawford@boston.gov>, benjamin.weber@boston.gov, Erin Murphy <erin.murphy@boston.gov>, julia.mejia@boston.gov, ruthzee.louijeune@boston.gov, henry.santana@boston.gov, BEATA.COLOYAN@boston.gov

Dear Mr. Jemison,

Just like the fast-tracked renovation, expansion and privatization proposal for White Stadium in Franklin Park, there is a lot more for the BPDA to hear from the public about Squares and Streets before the board votes. This "process" is nowhere near ready to conclude and move forward. With such a big impact on so many central parts of our neighborhoods, the rezoning itself and the community deserve the respect of a more fair and thorough review process.

I live in Jamaica Plain. We already have the BPDA-approved Plan: JP/Rox planning document, which had a substantial amount of effective community process/input. Squares and Streets is far more encompassing and complex yet it seems to be on a much faster approval track. In the end, the zoning was never even implemented for JP/Rox. Is Squares and Streets the tool for implementing Plan: JP/Rox's zoning recommendations like it is for Plan: Mattapan?

Changing the zoning code is a big deal and it should not be rushed through. It is definitely needed but this process is feeling less fair than previous BPDA review processes under the previous mayoral administration. Things were supposed to be more fair and less development driven under the current administration but it really isn't feeling like it.

The draft was released barely 2 months ago, before the holidays. There are at least 215 pages of text and accompanying explanatory resource guides that no regular citizen can wade through and truly understand what its impact will be on their life or their block. I am a "veteran" of the community meetings for Plan JP/Rox and was also part of a subcommittee formed by the Stonybrook Neighborhood Association to understand and comment on this JP planning effort, and I can't even make my way through these documents. It is an unreasonable ask for most to grasp what is current, and what is being changed.

Speaking of neighborhood associations, apparently the BPDA did not outreach to neighborhood groups, it waited to be invited! From the Jan 10 public meeting presentation slide:

"Presented the proposed zoning at community meetings **when invited** by hosting neighborhood associations and community groups" (my emphasis). Shame on the BPDA for not directly reaching out to associations, important volunteer groups who put countless hours into advocating on behalf of and informing their neighborhoods about issues just like this. ONS can tell you who they all are if you don't know.

In response to residents asking for more info, only a week ago the BPDA released a list of locations to be impacted. Yet the deadline for comment is today. A week is not enough time for people to realize this may actually affect the square or street they live on, especially because the only way residents would see this information is if they had already been following this issue and signed up for the BPDA's email list. This process is being run completely backwards. The BPDA should be holding community meetings for each location designated in the Small Area Plan, BEFORE not AFTER the BPDA votes on the rezoning. For example, 3 areas of Jamaica Plain are on your list...or possibly 4...because the list is not specific enough for me to know:

- Egleston Square
- Forest Hills
- Hyde Park Ave (WHERE on Hyde Park Ave? It runs through JP, Roslindale, Hyde Park and Readville)
- JP Centre

Apparently there is a Final Public Meeting on Feb 6 incorporating feedback into the rezoning plan, based on what the BPDA receives by today. The BPDA will likely not get any feedback about the Small Area Plans, having released this information too late for any one to analyze (but again, who can analyze because the document is too complex and technical and likely doesn't get specific enough about these locations...?). Further, February 6 can't possibly be enough time, especially over a weekend, for BPDA staff to read and truly understand all of our comments and

concerns sent in by today (Friday) and incorporate them into a final document presentable to the public on Tuesday.

I request that the community process be extended and more outreach done, especially in neighborhoods on that Small Area Plan list. I further request that the BPDA Board Meeting on Feb 15 and the Zoning Commission Meeting on Mar 13 both be rescheduled to accommodate for these important community voices.

As for specific comments, I offer a few regarding the use categories that immediately came to mind:

"Maker space: A facility for artisans, craftsmen [please, CRAFTSPEOPLE!], and small scale manufacturers to work in a communal setting, where the activities produce little to no vibration, noise, fumes, or other nuisances more typical in industrial or manufacturing uses."

I think this definition needs to be reworked as it would eliminate many, many people, such as those who create artwork like paintings with oil-based materials, or furniture makers who use power tools. What you need instead is a less restrictive definition omitting the nuisance type language and instead add requirements that the building designs need to incorporate proper ventilation systems, waste disposal facilities, and sound dampening between/above/below units and on exterior walls.

"Arts Studios: A facility for the creation of physical art or audiovisual content, where the activities produce little to no vibration, noise, fumes, or other nuisances more typical in industrial or manufacturing uses, including but not limited to arts production space and studios, dance and music rehearsal space, or similar use." My same comment as above. And if you play music or dance, you are certainly creating noise and vibration.

"Retail cannabis" Although this is certainly a retail business, all their façades I have seen seem to be totally blank or opaque. I assume there must be some regulation saying that the public should not be allowed to view into their spaces? If this is true it should also be true for liquor stores. My main point though is that a retail use that has a totally dead storefront should not be allowed on a first floor, it is bad streetscape design practice.

"Stand alone parking lots" If there is a way to discourage surface parking lots, I think it would greatly benefit main/square areas. Surface parking is a waste of space and creates heat islands. They all should make use of their airspace by building housing above, ESPECIALLY city-owned properties such as school parking lots.

Thank you for your consideration,
Jennifer Uhrhane

—
47 Rossmore Road
Jamaica Plain, MA 02130
jenuphoto@gmail.com

The Columbia-Savin Hill Civic Association

February 5th, 2024

Arthur Jemison
Boston Planning and Development Agency
City Hall, Boston, MA 02201

Chief Jemison:

The Columbia-Savin Hill Civic Association is committed to supporting Boston's growth, as envisioned by Mayor Wu's goal of reaching a population of 800,000 residents in the near future. To achieve this vision, we have calculated the city will require an additional 50,000 housing units, including a remarkable 10,000 units already planned for Columbia-Savin Hill.

The BPDA's proposed Squares and Streets initiative is an important part of achieving the mayor's objectives. Before we can support the proposed plan, we have identified several significant concerns that must be addressed:

- **The proposed rules contain ambiguities and conflicting language that could be exploited by bad actors.** We recommend a thorough review and collaboration with the Jamaica Plain Neighborhood Association, which has conducted a comprehensive 20-page review of the suggested policies, to eliminate any inconsistencies.
- **Including "non-conforming additions" in the proposed plan would codify questionable past decisions and increase enforcement complexity.** In practice, the zoning code would become even more complex and allow even greater room for gray-space violations. We suggest removing this provision to maintain clarity and fairness.
- **The proposed rules have no explicit mechanism to balance density in planning areas.** While we appreciate the need for density, not every street in a given planning area must be dense. Without modification, Squares and Streets could create multiple, new West Ends. The proposal must have an explicit mechanism or formula to balance zoning types with existing zoning based on an area's infrastructure capacity.
- **The proposal has no mechanism for improving transit.** Transit-oriented development is nothing without improved transit. A constant acknowledgement of the need to improve our subway system and stations does not improve the system. We suggest the proposal include an explicit process for improving transit whenever a Squares and Streets planning area increases density.
- **Squares and Streets does not consider architecture and design.** Over the past few years, we have seen the BPDA and ZBA dismantle the architectural and community of diverse neighborhoods throughout the city with homogenized development. We suggest including an efficient architectural review process within the new Squares and Streets zoning designations.
- **The BPDA has not shared the rest of its vision.** Squares and Streets will exist alongside other programs, including zoning and Article 80 improvements, for which the BPDA has shared only high-level goals. The ambiguity inserts doubt about how Squares and Streets will work in practice. Before approving Squares and Streets, we ask the BPDA to share high-level plans for Article 80, Article 60, zoning regulations, and how these programs will intersect.

We want to support the BPDA with this and other initiatives. Please help us enthusiastically support Squares and Streets by clarifying its rules and formalizing its intentions.

The Columbia-Savin Hill Civic Association



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Fwd: Squares+Streets

Arthur Jemison <james.jemison@boston.gov>

Wed, Feb 7, 2024 at 10:21 AM

To: Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>, Aimee Chambers <aimee.chambers@boston.gov>

----- Forwarded message -----

From: **Bill Walczak** <billwalczak@gmail.com>

Date: Wed, Feb 7, 2024 at 8:09 AM

Subject: Squares+Streets

To: <james.jemison@boston.gov>

Cc: Talia Matarazzo <talia.matarazzo@boston.gov>, naoise.mcdonnell@boston.gov <naoise.mcdonnell@boston.gov>, Michelle Wu <Michelle.Wu@boston.gov>, Lou Mandarini <louis.mandarini@boston.gov>

I realize that the time for official comments on Squares+Streets has passed, but our civic association meets monthly and this needed to be approved by the general membership at our monthly meeting before being sent in. It was approved on February 5. I ask that you accept these comments, though past the deadline.

Bill Walczak, President

The Columbia-Savin Hill Civic Association

February 5th, 2024

Arthur Jemison
Boston Planning and Development Agency
City Hall, Boston, MA 02201

Chief Jemison:

The Columbia-Savin Hill Civic Association is committed to supporting Boston's growth, as envisioned by Mayor Wu's goal of reaching a population of 800,000 residents in the near future. To achieve this vision, we have calculated the city will require an additional 50,000 housing units, including a remarkable 10,000 units already planned in and around Columbia-Savin Hill.

The BPDA's proposed Squares and Streets initiative is an important part of achieving the mayor's objectives. Before we can support the proposed plan, we have identified several significant concerns that must be addressed:

1. **The proposed rules contain ambiguities and conflicting language that could be exploited by developers.** We recommend a thorough review and collaboration with the Jamaica Plain Neighborhood Association, which has conducted a comprehensive 20-page review of the suggested policies, to eliminate any inconsistencies.
2. **Including "non-conforming additions" in the city-wide zoning code would codify questionable past decisions and increase zoning complexity.** In practice, allowing non-conforming additions to set precedent would make zoning and enforcement even more complex. We suggest removing this provision to maintain clarity and fairness.

3. **The proposed rules have no explicit mechanism to balance density in planning areas.** While we appreciate the need for density, not every street in a given planning area must be dense. Without modification, Squares and Streets could create multiple new Seaports, but without appropriate infrastructure. The proposal must have an explicit mechanism or formula to balance new zoning types with existing zoning based on an area's infrastructure capacity.
4. **The proposal has no mechanism for improving transit.** Transit-oriented development is nothing without improved transit. A constant acknowledgement of the need to improve our subway system and stations does not improve the system. We suggest the proposal include an explicit process for tying increased density to concrete transit improvements.
5. **Squares and Streets does not consider architecture and design.** Over the past few years, we have seen the BPDA and ZBA dismantle the diverse architectural styles of neighborhoods throughout the city with homogenized development. We suggest including an efficient architectural review process within the new Squares and Streets process.
6. **The BPDA has not shared the rest of its vision.** Squares and Streets will exist alongside other programs, including zoning and Article 80 improvements, for which the BPDA has shared only high-level goals. The ambiguity inserts doubt about how Squares and Streets will work in practice. Before approving Squares and Streets, we ask the BPDA to share high-level plans for Article 80, historic overlay districts, zoning regulations, and how these programs will intersect.

We are interested in collaborating with the BPDA on this and other initiatives to enable Boston's growth. By amending Squares and Streets and formalizing its intentions, we would support this vision for Boston and its communities.

Bill Walczak, President
The Columbia-Savin Hill Civic Association

617-851-9630
billwalczak@gmail.com

All comments from this point forward were submitted after the public comment period on the Squares + Streets zoning text amendment.



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Planning Comment Submission: Squares + Streets

kentico via Squares and Streets <squaresandstreets@boston.gov>

Sat, Feb 24, 2024 at 12:57 PM

Reply-To: kentico@cityofboston.gov

To: squaresandstreets@boston.gov, BRAWebContent@boston.gov

CommentsSubmissionFormID: 995

Form inserted: 2/24/2024 12:57:17 PM

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Document Name: Squares + Streets

Document Name Path: /Planning/Current Planning Initiatives/Squares + Streets

Origin Page Url: /planning/planning-initiatives/squares-streets

First Name: Cole

Last Name: Rainey-slavick

Organization:

Email: c.raineyslavick@gmail.com

Street Address: [87D Brookside ave.](#)

Address Line 2:

City: Jamaica Plain

State: MA

Phone: (617) 676-5132

Zip: 02130

Comments: I am writing to respond to the changes in the proposed amendment. First and foremost I am really disappointed to see in the recent changes that Garages are now conditional in S3 (from forbidden) and Parking Lots are now conditional in S2 (from forbidden). Parking lots should be forbidden in all S zones. Parking garages should also be made forbidden in S3 again. Both of these changes are in completely the wrong direction. I am also disappointed to not see further restrictions on curb cuts for parking in these areas added. The existing regulations for curb cuts do not do anywhere near enough to ensure pleasant pedestrian environments. There should be restrictions on how many curb cuts for parking are allowed per building and by distance from other curb cuts, and these curb cuts should be limited to side streets. Parking does not produce livable and lively squares, they create dead zones that could be filled with active uses and housing. I am glad to see S5/Placemaker added back to the proposal. There are many locations around the city that would benefit from this designation and it was foolish to drop it because it did not fit in one neighborhood on the edge of the city, Mattapan. I would additionally suggest changing S4 to have a max height of 100 ft. and similarly remove the stories limit all categories as well. As you highlight "where height limits are given in feet, it can be counterproductive to also artificially limit them by number of stories as well." As such removing those counter productive limits could provide more housing in the same footprints. this would eliminate the need to clarify "that both maximum stories and feet requirements must be met," simplifying the code and process. I do not believe the changes to the outdoor space requirements are adequate. they do not do enough to distinguish between open space with a public benefit and exclusively private open spaces. Allowing private outdoor spaces to stand in for public ones is misguided as these do not offer the same community benefits or activity. I am really disappointed to see

in the recent changes that Parking Garages are now conditional in S3 (from forbidden) and Parking Lots are now conditional in S2 (from forbidden). Parking lots should be forbidden in all S zones. Parking garages should also be made forbidden in S3 again. Both of these changes are in completely the wrong direction. I am happy to see you "Removed restriction from grocery store, makerspace, museum, large restaurant, large retail store, and art studio in all districts and from medium retail store in S3" as well as removing the prohibition on small retail in S0 (although I believe it should simply be allowed not conditional as these are supposed to be transition areas to residential not residential areas themselves). I am happy to see Food Pantries now included in "Grocery Store" and Art gallery included as type of retail store. I would encourage you to go even further and allow more uses in more places including cannabis stores. The continued double standard between these and liquor stores is unacceptable. These have additional processes anyway so there is no need to further restrict them even more in zoning.



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Planning Comment Submission: Squares + Streets

kentico via Squares and Streets <squaresandstreets@boston.gov>

Sat, Feb 24, 2024 at 4:32 PM

Reply-To: kentico@cityofboston.gov

To: squaresandstreets@boston.gov, BRAWebContent@boston.gov

CommentsSubmissionFormID: 996

Form inserted: 2/24/2024 4:31:39 PM

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Document Name Path: /Planning/Current Planning Initiatives/Squares + Streets

Origin Page Url: /planning/planning-initiatives/squares-streets

First Name: Cole

Last Name: Rainey-Slavick

Organization:

Email: c.raineyslavick@gmail.com

Street Address: [87D Brookside ave](#)

Address Line 2:

City: Boston

State: MA

Phone: (617) 676-5132

Zip: 02130

Comments: I am concerned to see the statement that "Residents and business owners expressed concerns about the lack of a minimum parking requirement as it could produce congestion." This is completely backwards and misrepresents the opinion of residents as if we unanimously hold misinformed ideas about the relationship between parking and traffic. A lack of parking does not produce congestion. The presence of parking produces congestion. See: <https://www.bloomberg.com/news/articles/2016-01-12/study-the-strongest-evidence-yet-that-abundant-parking-causes-more-driving> there is "compelling evidence that parking provision is a cause of citywide automobile use." In fact there is a direct relationship such that "as parking spots per building area increased in a place, the mode share for driving also increased." The only actual way to reduce congestion is to reduce automobile VMT. You only encourage the opposite by mandating parking, and you can actually take steps to discourage driving and reduce VMT by restricting parking. You should not only get rid of parking minimums but at the same time institute parking maximums. Underpriced parking also produces congestion as it fills up and leads people to circle the block waiting for a free spot to open rather than park in a paid lot. Any parking that does remain should be priced at a rate to ensure this does not happen and reflects the cost of building and maintaining it, as well as the social cost of not dedicating the space to better uses. Most people in Boston walk to our local squares, and the data reflects that. Do not build the city to cater to wealthy suburbanites.



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Planning Comment Submission: Squares + Streets

kentico via Squares and Streets <squaresandstreets@boston.gov>

Sat, Feb 24, 2024 at 5:12 PM

Reply-To: kentico@cityofboston.gov

To: squaresandstreets@boston.gov, BRAWebContent@boston.gov

CommentsSubmissionFormID: 997

Form inserted: 2/24/2024 5:11:44 PM

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Document Name: Squares + Streets

Document Name Path: /Planning/Current Planning Initiatives/Squares + Streets

Origin Page Url: /planning/planning-initiatives/squares-streets

First Name: Cole

Last Name: Rainey-Slavick

Organization:

Email: c.raineyslavick@gmail.com

Street Address: [87D Brookside ave](#)

Address Line 2:

City: Boston

State: MA

Phone: (617) 676-5132

Zip: 02130

Comments: I am concerned about your depiction of "Concerns with managing congestion and existing transportation" you only include two concerns. Despite noting community concern that higher density would mean more congestion, you do not note community concerns about the lack of higher densities in areas where people can meet their everyday needs and access transit. Reading through the community responses there seemed to be more people expressing that concern than the opposite. Why are only the concerns with added density and not with the lack of it mentioned? Increasing density in walkable and transit rich areas is actually a way to reduce regional congestion as fewer people need to drive to meet their basic needs. The only other concern listed in that section is "loss of parking" this is despite acknowledging in a section not even about transportation that "A number of participants wanted to know what opportunities might exist through this project for expanding or improving transportation. This included infrastructure such as bus stops, bike lanes, and transit stations." Why do you dismiss this as not a transportation need? Why do you not recognize these as valid concerns about the lack of non-automobile transit options? Why do you implicitly position the car as the only real means of transportation? If you genuinely are concerned about reducing congestion recognizing the validity of these modes as alternatives to automobility is essential. Also, why do you only mention "accessibility for different groups (e.g. the elderly or those with accessibility challenges)" in the context of parking spots, despite improvements to crosswalks, sidewalks, transit infrastructure, and yes even bike lanes also being deeply relevant to the accessibility needs of both? "For two out of three disabled cyclists, riding a bike is easier than walking, easing joint strain, aiding balance and relieving breathing difficulties." see: <https://www.theguardian.com/cities/2018/jan/02/cambridge-disabled-people-cycling-rolling-walking-stick> Additionally people in the US increasingly

outlive their ability to drive by 7 to 10 years and the AARP is a committed advocate for improvements to walking, biking, and transit infrastructure because it benefits their constituents. Driving, and especially general parking, should not be made synonymous with the elderly or the disabled. Non-handicapped parking spaces have absolutely no guarantee to be available to those groups anyway so it is misguided to evoke these groups in its defense. It is entirely possible to remove general parking while preserving handicapped parking, Cambridge illustrates this very clearly. Car centric spaces benefit no one, even the groups that get cynically evoked by others to justify their perpetuation.



Abdul-Razak Zachariah <abdul-razak.zachariah@boston.gov>

Planning Comment Submission: Squares + Streets

kentico via Squares and Streets <squaresandstreets@boston.gov>

Sat, Feb 24, 2024 at 6:07 PM

Reply-To: kentico@cityofboston.gov

To: squaresandstreets@boston.gov, BRAWebContent@boston.gov

CommentsSubmissionFormID: 998

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Origin Page Url: /planning/planning-initiatives/squares-streets

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Last Name: Rainey-Slavick

Organization:

Email: c.raineyslavick@gmail.com

Street Address: 87D

Address Line 2: [Brookside ave](#)

City: Bosotn

State: MA

Phone: (617) 676-5132

Zip: 02130

Comments: Standalone parking garages should not be allowed in S5/placemaker. Parking garages are not place making and this designation, which allows the highest density and will likely be only applied in limited areas, should be reserved for more beneficial uses than parking.