

DEVELOPMENT REVIEW MODERNIZATION ZONING AMENDMENTS SUMMARY

July 2025

SUMMARY

After two years of research, engagement, and analysis, the Planning Department is implementing a set of Early Actions to improve Boston's Article 80 Development Review process. The zoning amendments described below support these Early Actions by addressing the following key themes. The full text for each zoning Article impacted by these changes is available for review on the Planning Department's [website](#).

1. Update BCDC Thresholds and Procedures (Article 81)
2. Support Conversions, Reinvestment, and Sustainability Upgrades (Article 80)
3. Modernize Communication Methods (Article 80)
4. Harmonize the Code with Existing Process (Article 80)
5. Improve Citywide Coordination (Article 80)
6. Remove Contradictions and Improve Usability (Articles 2, 28, and 80)

1. UPDATE BCDC THRESHOLDS AND PROCEDURES

Purpose: These changes allow BCDC Commissioners to focus their expertise on the projects that are most significant to the urban fabric of the city and better integrate BCDC feedback into the broader review process. The increase in the square footage threshold will likely result in a faster processing time for housing projects, thereby reducing carrying costs for developers and enabling faster delivery of these projects.

Specific changes:

1. **Affirm the Commission's advisory role:** BCDC recommendations will be redirected from the Mayor to the Planning Department, the department that oversees Design Review.
2. **Increase the review threshold:** There are two 'triggers' that subject a project to the Commission's review: a compulsory trigger, based on the project's



size, and a discretionary trigger, used to designate a 'Project of Special Significance.' The Planning Department will increase the compulsory threshold from 100,000 to 200,000 gross square feet, and make minor adjustments to the description of 'Project of Special Significance.'

3. **(Non-Zoning Change) Updated bylaws:** These zoning changes will be paired with changes to BCDC bylaws. Among other changes, the proposed bylaws update public feedback procedures. Public feedback will be consolidated into a shared repository of written comments posted publicly to the BCDC website. Live public testimony will be limited to when it is most impactful during initial project introductions. (For additional information on other, non-zoning changes to BCDC, please refer to page 10 of the [Early Actions Supplement](#) to the Action Plan.)

2. SUPPORT CONVERSIONS, SUSTAINABILITY UPGRADES, AND REINVESTMENT IN EXISTING BUILDINGS

Purpose: This set of edits to both Large Project Review and Institutional Master Plan Review will make it easier for building owners to upgrade and rehabilitate their buildings; for example, making it easier for downtown offices to renovate existing buildings, or institutions to make green energy upgrades to aging facilities.

Specific changes:

1. **Update “Substantial Rehabilitation” procedures:** “Substantial Rehabilitation” applies to projects that propose renovations or repairs of 100,000 square feet or more to an existing building, and that cost 50% or more of the assessed value of that building. Today, a full review is always required, even if all rehabilitation work is interior to the building. For these projects, this zoning update requires that the project notify the Planning Department of the proposed changes and allows the Department to require additional review and public feedback, as necessary.
2. **Clarify Linkage applicability:** This change clarifies the applicability standards for Linkage for projects constructing, expanding, or establishing new uses. It also clarifies how Linkage applies to future changes of use in projects that have already paid. A Linkage-eligible project that changes their use within 15 years of the initial approval is exempt from paying Linkage again as long as the rates for both uses are the same. For a change of use



with a higher Linkage rate, the project only pays the difference in rates. After 15 years, the project must pay the full rate again.

3. **Increase the threshold for some Institutional renovations:** Update threshold for interior alterations for non-High Impact Subuses from 50,000 to 100,000 square feet. High Impact Subuses include things like dorms, athletic facilities, and power plants and are regulated separately from this change.

3. MODERNIZE COMMUNICATION METHODS

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

Specific changes:

1. **Encode digital communication:** Replace print noticing and physical copy distribution requirements with website updates and publicly accessible emails notifications. There is no change to Language Access requirements or public hearing noticing requirements. The Planning Department retains the requirement to keep a physical print copy of all material available upon request.

4. HARMONIZE THE CODE WITH EXISTING PROCESS

Purpose: Letters of Intent ("LOI") and Notice of Project Change ("NPC") are two commonly used documents that are not named in the zoning itself. This can lead to confusion since the zoning text does not currently include everything a proponent needs to submit to the City to complete their review.

Specific changes:

1. **Incorporate the "Notice of Project Change" document into zoning:** Introduce to the zoning text today's "Notice of Project Change" filing document and incorporate additional policy guidance adopted by the BPDA Board in March 2024.
2. **Incorporate the "Letter of Intent" to Large Project Review procedures:** Add text to describe the "Letter of Intent" submission requirement (established by Executive Order in October 2000) into Large Project Review procedures.



5. IMPROVE CITYWIDE COORDINATION

Purpose: This change is an important step in improving the end-to-end permitting process. It improves the consistency of Article 80 review by updating the code to match new City procedures for collaboration between the Planning Department and the Transportation Department.

Specific changes:

1. **Clarify Transportation Access Plan Agreement (TAPA) procedures:** Assign primary responsibility for reviewing and approving TAPAs to the Planning Department.

6. REMOVE CONTRADICTIONS AND IMPROVE USABILITY

Purpose: Article 80, like the zoning code overall, is lengthy and difficult to use. Some procedures are located in subsections that are difficult to find, and some document names are outdated. This can be confusing to users of the code, who may not know where to look to find what they are looking for. These edits move some procedures to new sections of the code, and update document names and process steps to make the code easier for the public to use.

Specific changes:

1. **Transfer some design review procedures to a separate zoning article:** Procedures for reviewing projects in CPS (Conservation Preservation Subdistricts) and GPOD (Greenbelt Protection Overlay Districts) apply to projects regardless of their size. This text amendment moves existing procedures to a new location that collects them in one place.
2. **Simplify document names and consolidate procedures:** The zoning text uses outdated definitions that do not match the way these terms are used today. These edits change document names and procedural steps to more accurately describe their purpose.



PROJECT BACKGROUND

Over the last two years, the Planning Department has been engaged in the “[Article 80 Modernization](#)” project to study, evaluate, and recommend improvements to the development review process and Article 80 of the Boston Zoning Code. In September 2024, the Planning Department released the “[Article 80 Modernization Draft Action Plan](#).” The Draft Action Plan summarized engagement results, peer city analyses, and other research that helped generate a set of recommendations to achieve Effective Engagement, Consistent Standards, and Coordinated Review.

A 90-day public comment period followed the release of the Draft Action Plan. The Planning Department received many detailed comment letters from both stakeholder organizations and community members as well as several hundred responses to an online survey.

Several recommendations from the Action Plan generated broad support. These changes are the focus for short-term implementation. All stakeholder groups supported internal Planning Department procedural improvements to create more consistent and transparent feedback. They also supported improved collaboration with other City departments and Commissions (including BCDC). Many comments also emphasized the opportunity to better integrate Planning priorities and goals into decision-making.

