



# Downtown Zoning Text Amendment

*Zoning for housing, jobs, and business growth Downtown*

Public Meeting | April 9, 2024

# Zoom Controls to Listen to Interpreters

**(EN)** Look for the interpretation icon (**globe**) at the bottom of your screen and select the language you want to hear.

**(简体中文)** 查找屏幕底部的翻译图标(地球仪), 然后选择您想听到的语言。

**(繁體中文)** 查找屏幕底部的翻譯圖標(地球儀), 然後選擇您想听到的語言。

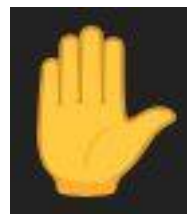


# Zoom Meeting Info + Tips

- **Zoom controls are available at the bottom of your screen.** Clicking on these symbols activates different features.
- **Use raise hand function** (dial **\*9** if joining by phone) **and wait to be called upon to unmute** (dial **\*6** if joining by phone) before asking your question or providing comment.
- Please ask questions in the **chat** along the way! (We will also have a discussion period at the end)



Mute/unmute



Raise hand to get in line to ask a question or provide comment



Turn video on/off



Turn on captions

# Virtual Meeting Guidelines

## Meeting Recording

This event will be recorded and posted on the PLAN: Downtown project webpage at <https://bit.ly/PLAN-Downtown> for those who are unable to attend the zoom event live.

It is possible that participants may be recording the meeting with their phone cameras or other devices. If you do not wish to be recorded during the meeting, please turn off your microphone and camera.

If your camera and microphone are off, you can still participate through the text chat feature at the end of the presentation.

## Virtual Meeting Etiquette

We want to make sure that what we cover is accessible to everyone so you can all share your informed feedback.

We want to ensure that this conversation is a pleasant experience for all, and that all community members/ stakeholders are comfortable sharing their comments, questions, and feedback.

Please be respectful and mindful of each other's time when asking questions/providing comments, so that all attendees can participate in the meeting.

# Agenda

1. PLAN: Downtown Recommendations
2. How does the development process work downtown today?
3. *Pause for Questions and Comments (5 min)*
4. Draft Zoning Amendment: *Skyline Districts*
5. *Pause for Questions and Comments (10 min)*
6. Draft Zoning Map Boundaries
7. Next Steps
8. *Questions and Comments (20 min)*

**Andrew Nahmias**, Zoning Reform, Senior Planner II

**Alexa Pinard**, Assistant Deputy Director of Design Review

**Jack Halverson**, Zoning Reform Planner II

**Kathleen Onufer**, Deputy Director of Zoning



View the Draft Text Amendment at  
<https://bit.ly/PLAN-Downtown>

# Zoning is just one tool to support growth Downtown

PLAN: Downtown identified policies and opportunities for Downtown to build on its position as a major job and transportation hub.

**Zoning supports initiatives and growth already underway**, enabling new and vital housing opportunities, businesses, and job growth that the City and greater region need to thrive.

## SPACE Grant Program

**SPACE GRANT**  
giving dreams the space to grow

AfroBeats Dance Boston	Exodus Bagels Gourmet Kreyol	Oasis Vegan Veggie Parlor
Ally's Boxing Bootcamp	(Im)possible Shows, LLC	Pink Carrot
A Salon	In the Cut Barbershop	Pyramid Lounge
The Biz Barbershop	Jadu	Romper Room Family Childcare
Boards by Mo		Russ & Mimi's
Boston Casting, Inc.	Lisboa Cafe and Mini-Market	Ruthie's Juice Caf
Boston Flower Co.	Little Crafters Child Care Center	Salvaged Ro
Boxaroo	Little Steps Family Care	Selam R
Leaf		
ewing		



Flourish & Foundry

## New retail, businesses, and housing



Completion of Winthrop Center



Temple Pl bars & restaurants

## Office to Residential Conversion Program



281 Franklin St. (approved 3/14/24)

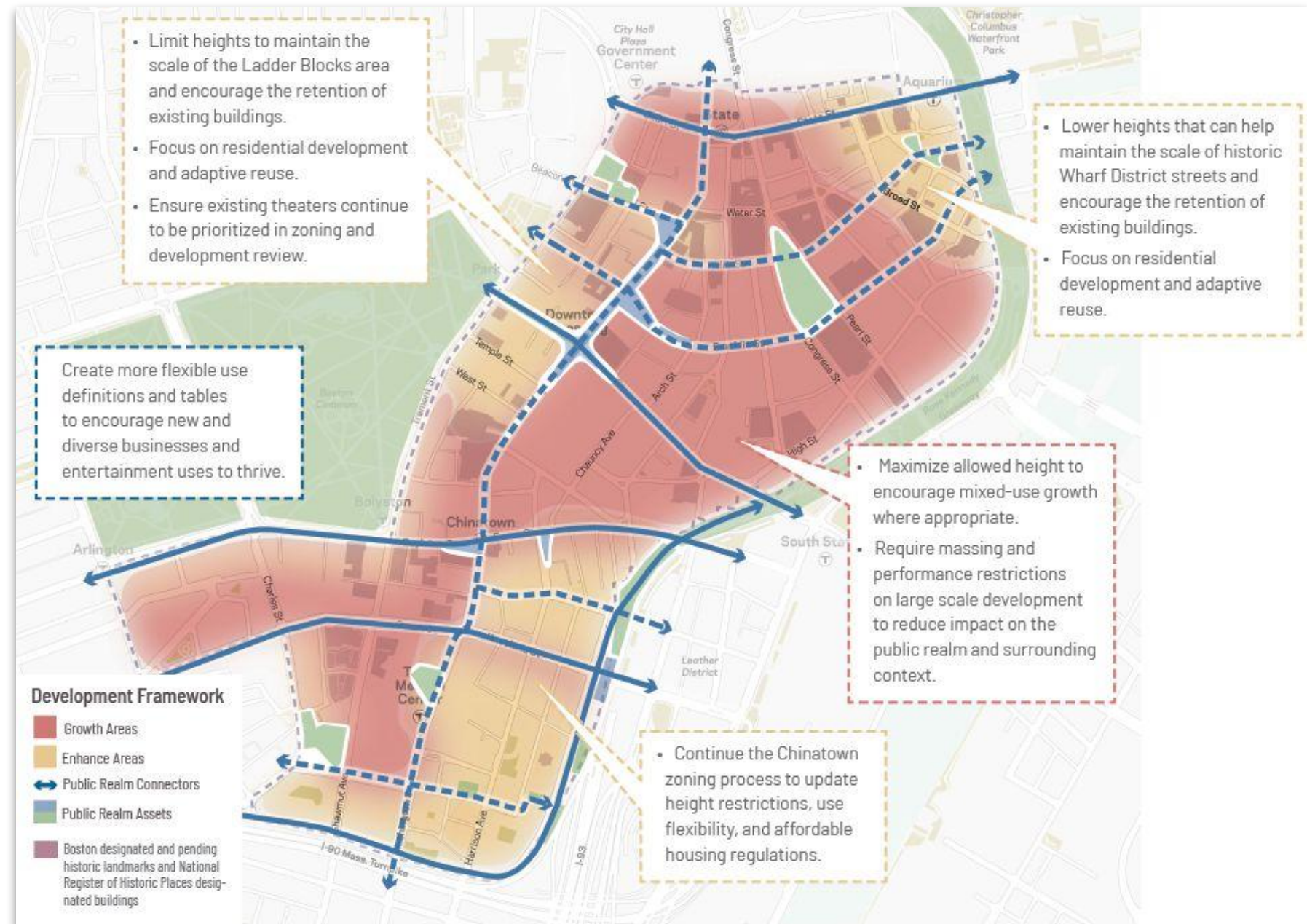


85 Devonshire St (under review)

# Goals for Updating Downtown Zoning

Based on the recommendations of PLAN: Downtown, the **draft zoning text amendment** creates new zoning districts (*Skyline Districts*) that:

- **Modernize land use regulations and reduce barriers** to encourage new and diverse businesses and entertainment uses to thrive.
- **Unlock new opportunities for housing and mixed-use growth** by enabling more density in appropriate areas.
- Introduce use sizes and dimensional regulations that help **activate ground floors, maintain the scale of key historic areas, and enhance the public realm.**

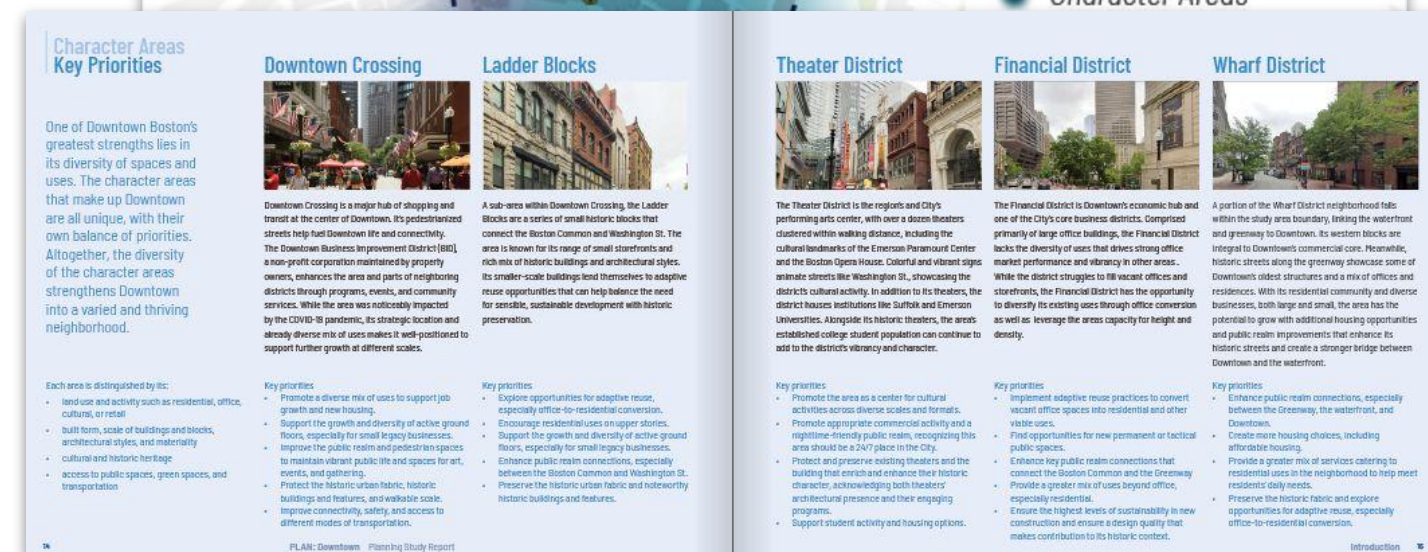
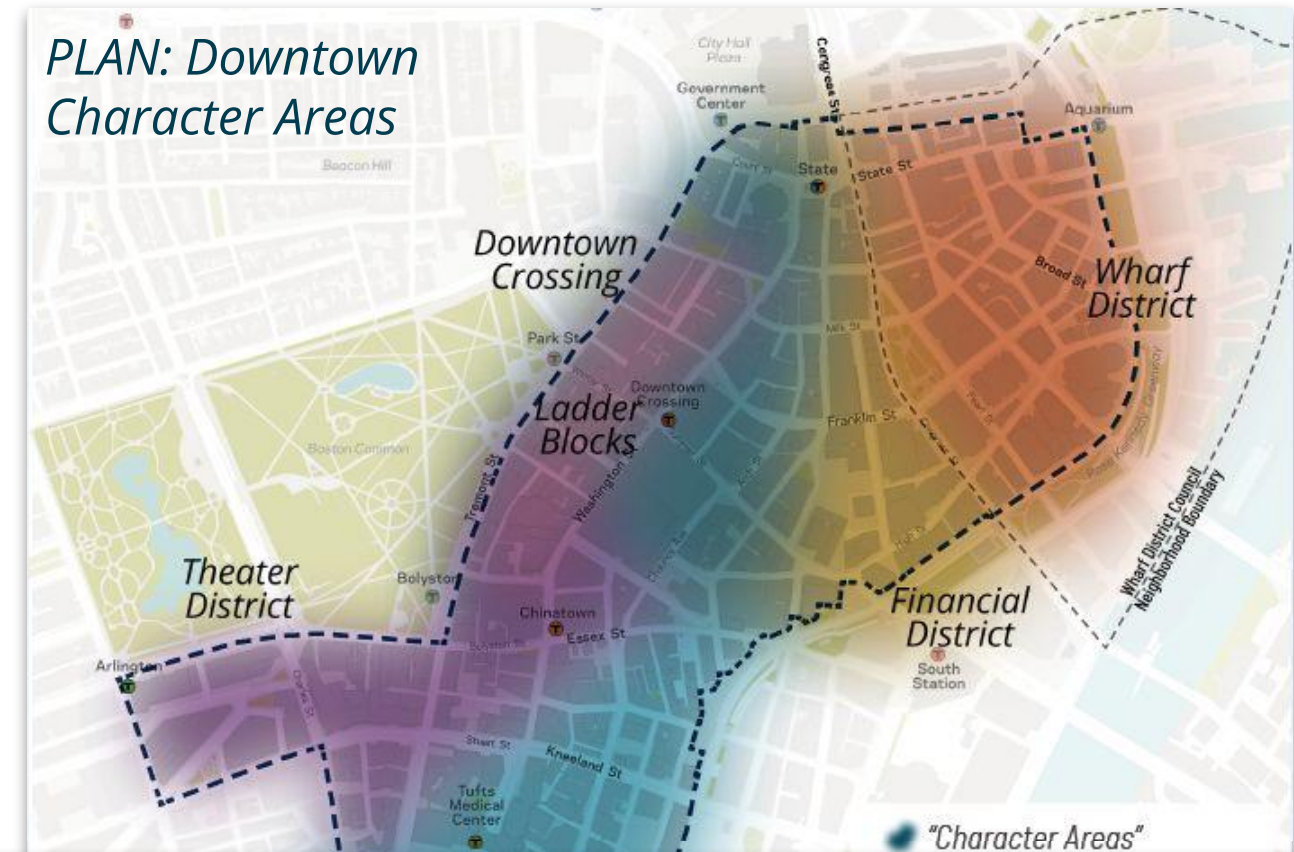


**PLAN: Downtown (adopted December 2023)  
Zoning Recommendations**

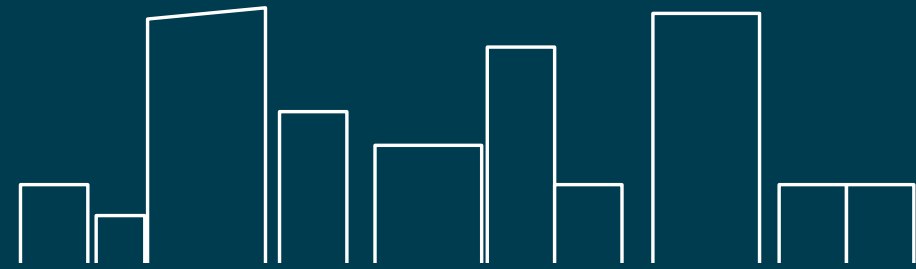
# Downtown Historic Character Study & PLAN: Downtown Amendment

In tandem with the zoning process, a **Downtown Historic Character Study** will inform preservation priorities and development review within the area. The study will:

- Expand on PLAN: Downtown's initial **historic analysis with the assistance of Boston Landmarks Commission.**
- Create a **new chapter to PLAN: Downtown's Design Guidelines and guide to navigating existing survey information**
- Serve as a tool in creating **more predictable guidance for development to navigate and enhance Downtown's historic fabric** where the significance of historic sites often goes unnoticed until they are at risk from new development.







# What shapes downtown development today?

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# Key Regulations and Standards that Impact Development Downtown

*Covered in this text amendment:*

## Zoning

- Dictates allowed land use, shape, and density of development

## Article 80

- Review process for certain development proposals
- Enforces design review

## State and other restrictions

- Height regulations that supersede City regulations set by State Shadow Law and the Federal Aviation Administration (FAA) and Massport
- Energy, accessibility, and building codes

## Downtown Design Guidelines

- Approved as a part of PLAN: Downtown
- Provides framework for design review and ensures private development aligns with PLAN: Downtown
- Enforced at the project level through Article 80 review
- Will be expanded on through the Historic Character Study

## Historic Preservation

- Downtown is home to many historic areas and structures
- Landmark status protects designated sites and Boston Landmarks Commission helps administer design review
- Building surveys provide insight into the historic significance of sites, even if they are not designated

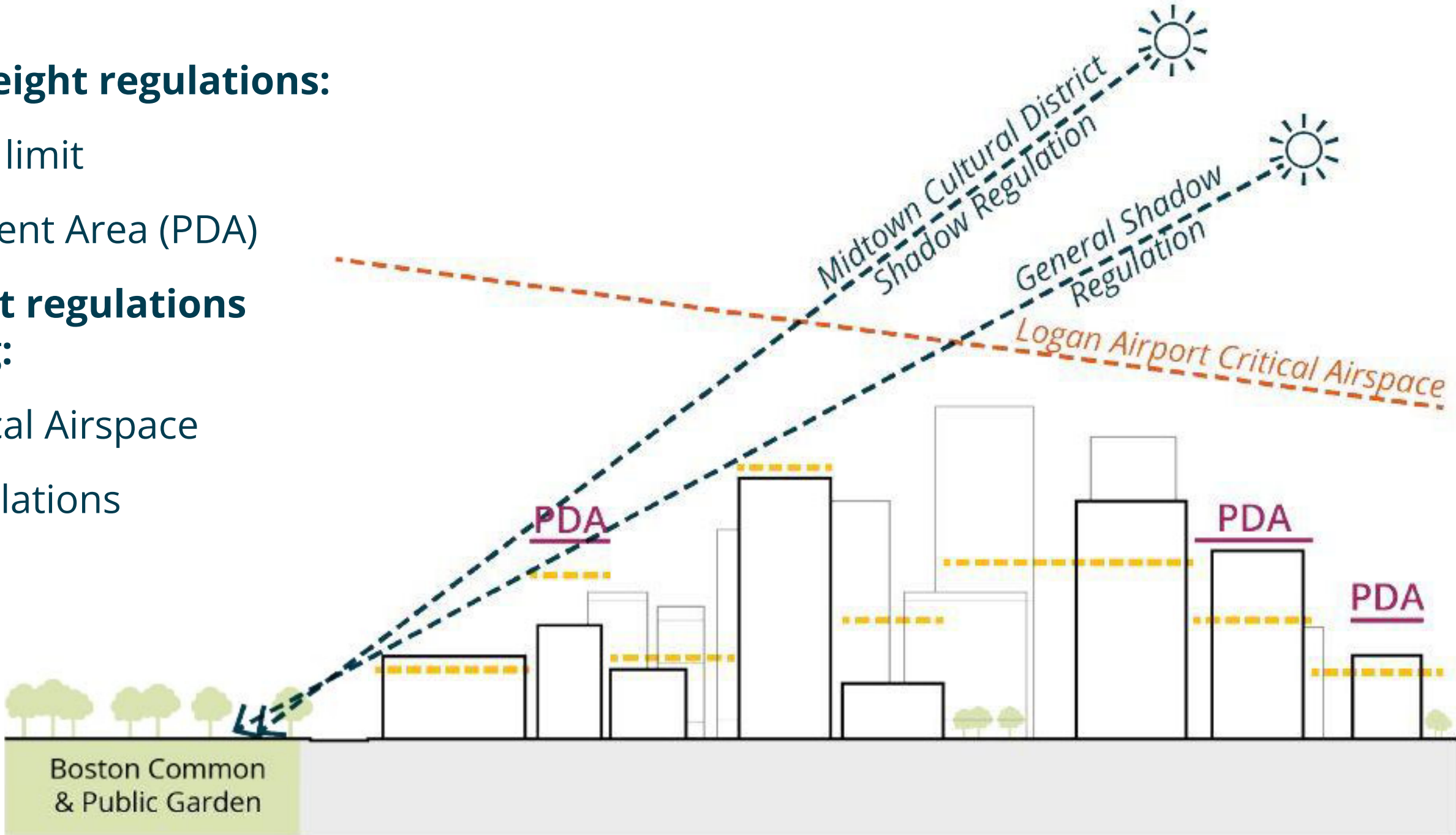
# More than 20 different City zoning height limits exist today, some dating back to the 1950's

## Existing City zoning height regulations:

- Base zoning height limit
- Planned Development Area (PDA)

## State and other height regulations supersede City zoning:

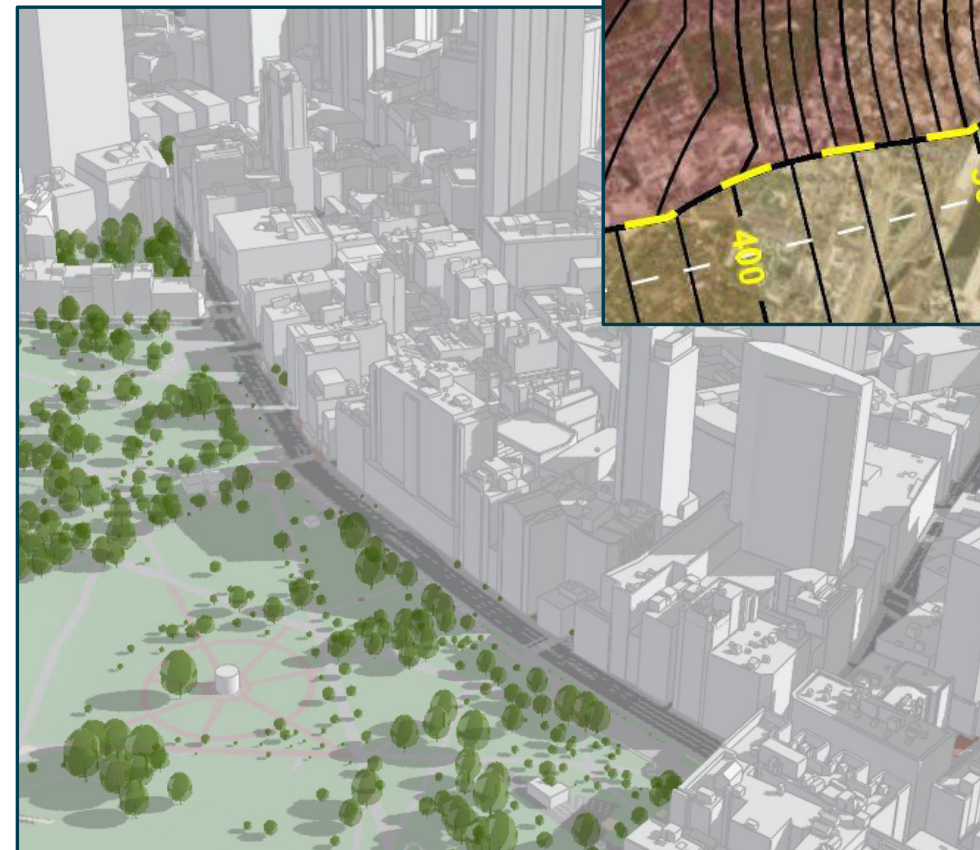
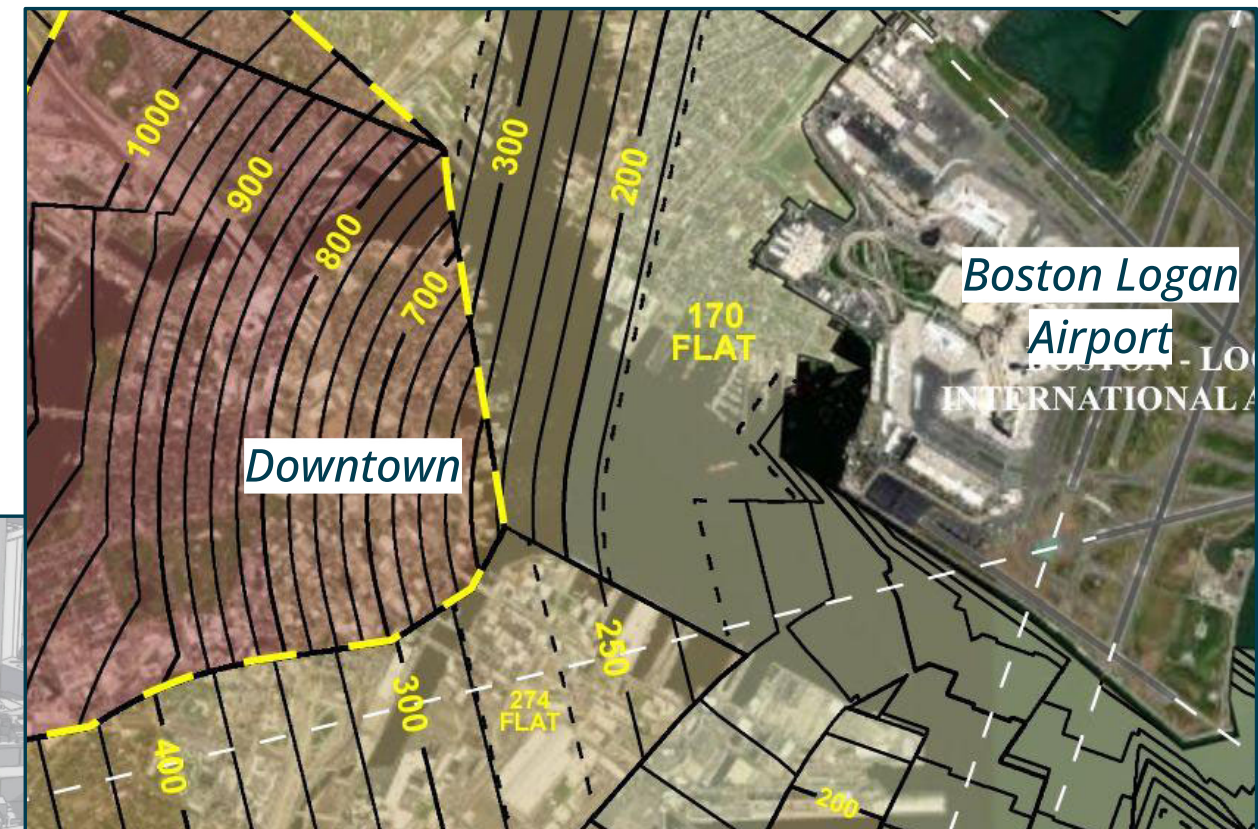
- Logan Airport Critical Airspace
- State Shadow Regulations



# State and Logan Critical Airspace Height Regulations Supersede City Zoning

- **The Federal Aviation Administration (FAA) and Massport** have critical airspace maps and a process to determine heights that protect Logan Airport's flight corridors.
- **State Shadow Law** prohibits new shadows on the Boston Common and the Public Garden during specific hours. **Projects must be tested** to ensure the height and massing of the proposed project complies.

*Critical Airspace Map depicting building height limits. Massport and the FAA also review individual buildings.*



**Boston Common Shadow Law** (Ch. 362, 1990) and **Public Garden Shadow Law** (Ch. 384, 1993) specify when new shadows cannot be cast. Projects must be tested for compliance.

# Energy, Accessibility, and Building Codes All Have an Impact on Building Form

- **International Building Code (IBC):** Determines the way specific materials can be constructed to maximize structural safety, fire safety, and building access.

Standards like the Fire Separation Distance determine the composition of a building's exterior wall construction, restrictions on openings, allowable building area, and distance between buildings.

- **Energy Code (Stretch Code):** Ensures new buildings are designed and constructed with energy efficiency.
- **Massachusetts Access Board (521 CMR)/ADA/Fair Housing**



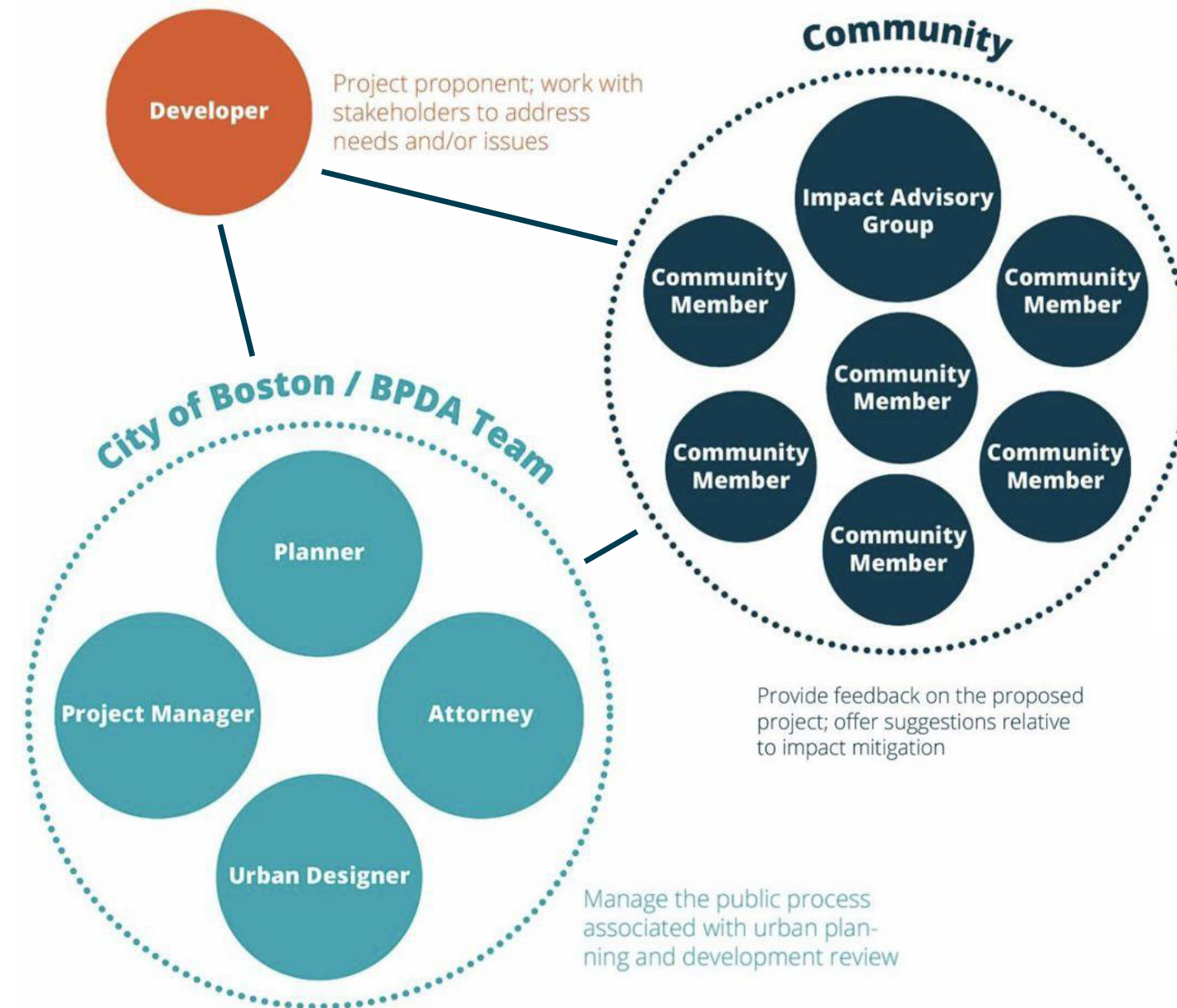
# The Article 80 Process Reviews Project Impacts and Determines Mitigation

**Article 80** (a chapter of the Boston Zoning Code) provides specific requirements for the review of certain development projects and their impact.

## Key components for projects Downtown:

- **Design review** is required to enforce design guidelines and individual site design.
- **Wind testing** may be required for any project over 150' in height, or any at least twice as tall as any adjacent building.

*The ongoing Article 80 Modernization project is developing improvements to the process to make it more transparent, inclusive, and predictable.*



# Design Guidelines Set Character, Quality, and Design Standards For Development

The **PLAN: Downtown Design Guidelines** provide direction for **design review** for City staff, as well as developers and community members, to ensure private development respects and enhances Downtown's unique and historic urban fabric. Sets standards for:

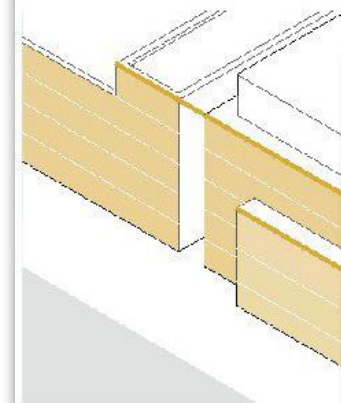
- Scale, Massing, & Articulation
- Active Ground Floors & Loading
- Public Realm and View Corridors
- Climate Resilience & Sustainable Development

*The Downtown Historic Character Study will add a new chapter to the Design Guidelines on historic context.*

## 1.2 Building Massing

Shape buildings to respect the scale of the surrounding context and mitigate impacts on nearby buildings and the public realm.

- Reference and respond to the height, massing, and important architectural lines of abutting buildings. Particular attention should be paid to the base or first 5 to 6 stories of abutting buildings in the Ladder Blocks, Wharf District, and Chinatown.
- Align new development with the predominant setback along the street to maintain continuous street edges and active streetscapes. Exceptions may include courtyards or forecourts that do not significantly disrupt a continuous street edge. Upper story facades should not protrude beyond street alignment.

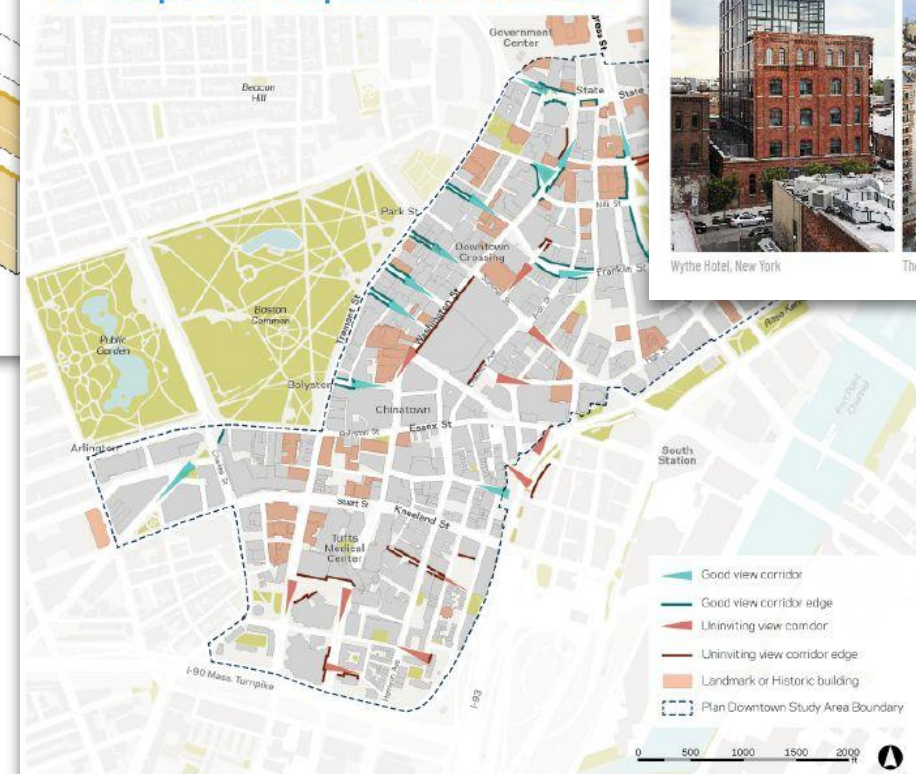


## 1.3 Towers

Towers should provide visual interest at various scales and mitigate height using set-backs, stepbacks, and other massing changes and architectural elements.

- Test impacts on the local environment at the design stage and ensure tall buildings minimize impacts such as wind levels at the street level.
- Introduce setbacks, floor plate reduction and back-to-back lightwells to maximize access to light and air to adjacent buildings and the public realm.
- Utilize materials that have impact from a distance while also providing, scale, pattern, and jointing up close, particularly on the ground floor and base of the building.
- Mechanical penthouses should be treated as integral elements to the overall design, concealed as much as possible within the typical facade treatment.

## 3.5 Shape and respect view corridors

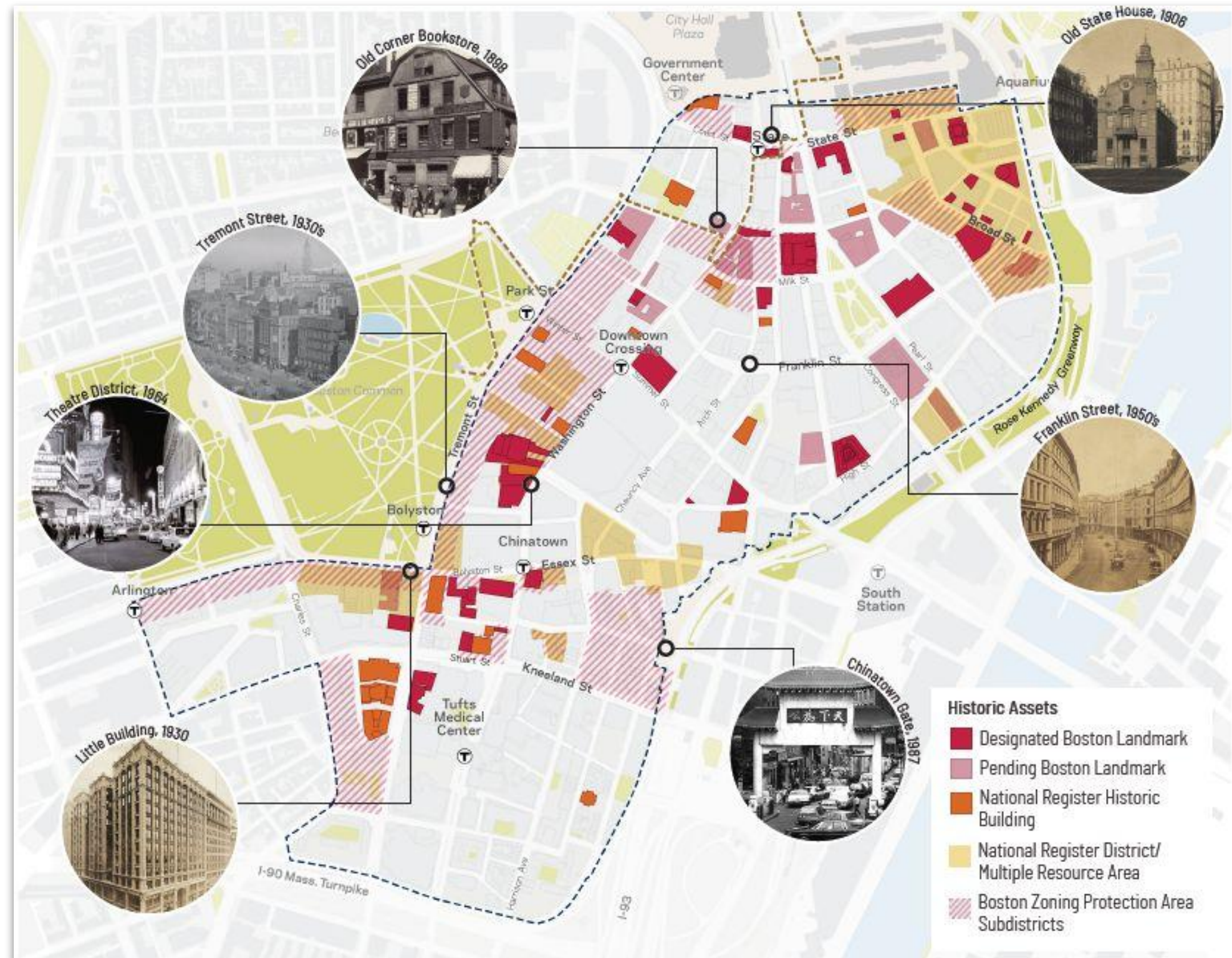


# Historic Preservation

**Boston Landmark** status protects designated sites from physical changes that might compromise its integrity.

**Boston Landmarks Commission** administers design review for individual designated and pending Landmarks.

Under zoning a “Historic Building” is a *“building listed in the Massachusetts Cultural Resource Information System (MACRIS) or the Massachusetts State Register of Historic Places, or that is categorized for or pending future landmarking by the Boston Landmarks Commission.”*



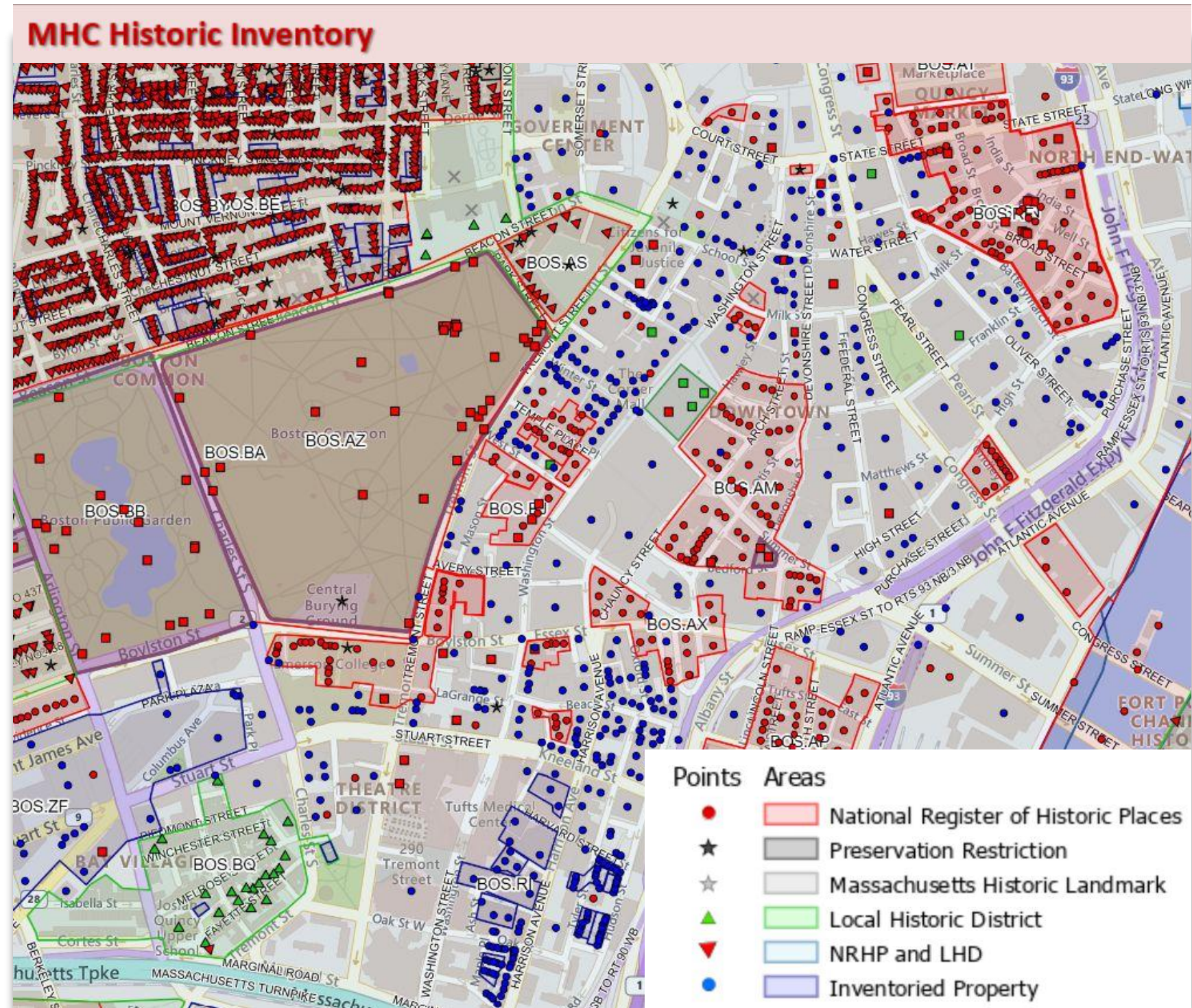


# Downtown's Inventory of *Historic Buildings*

Downtown has an extensive **building inventory** that provides insight into the history, significance, and character of older buildings, even if there are not designated landmarks.

**The majority of buildings Downtown are inventoried** in the Massachusetts Cultural Resource Information System (MACRIS), but surveys are often difficult to access and navigate.

*The Downtown Historic Character Study will create a new guide to help designers, developers, and community members navigate existing survey information*



# Pause for Questions & Comments

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*Please raise your hand to make a comment or ask a question, or type it into the chat.*

# Downtown Zoning Text Amendment

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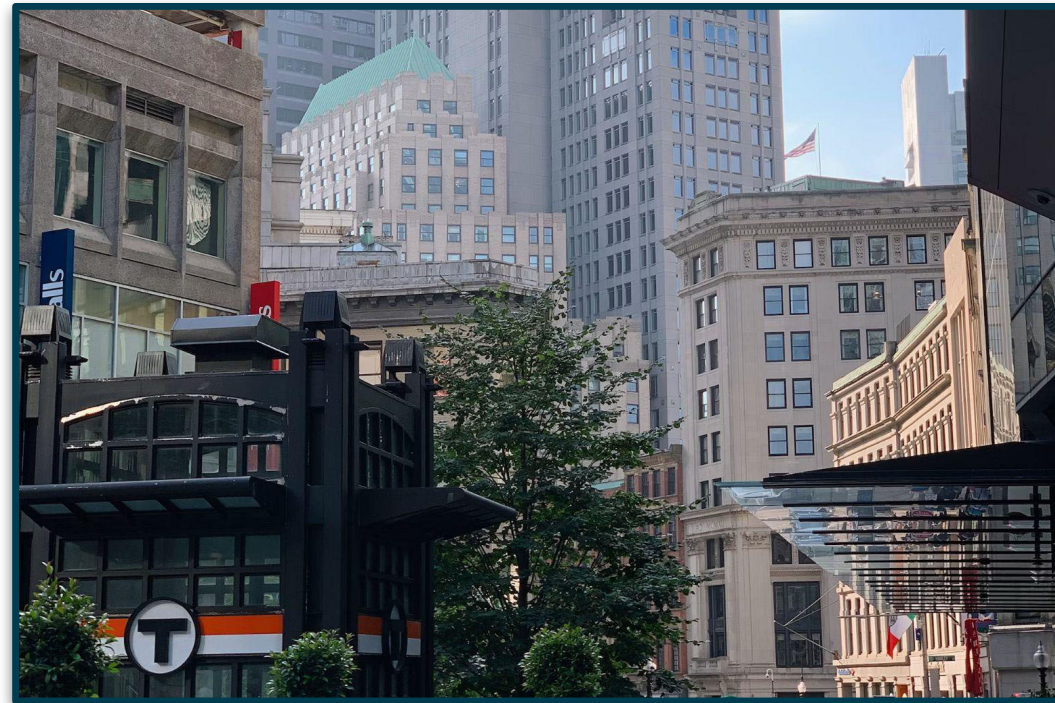
*Creating new Zoning Districts to enable growth*

# A New *Skyline Districts* for Downtown

**Skyline Districts** enable job growth, new housing, entertainment and cultural destinations, and a vibrant mix of uses while encouraging the preservation of historic areas.

The Skyline District contains two sub-districts:

- ***Sky-District***
- ***Sky-Low District***



**Sky-District** is characterized by the city's most significant job, housing, and entertainment density and accommodates future growth near major transportation assets.

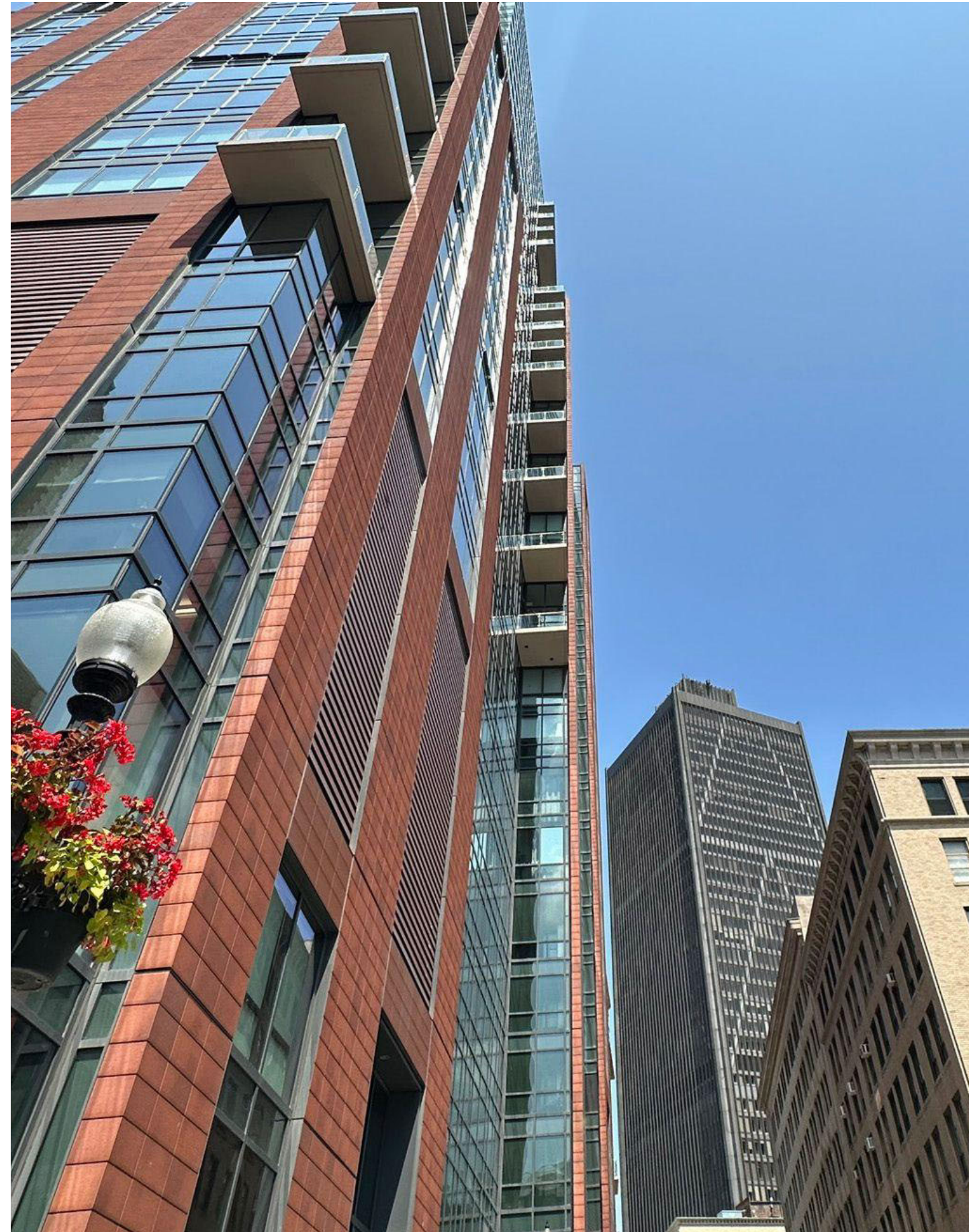


**Sky-Low District** are areas of cohesive historic buildings dating to prior eras of downtown. ***Historic Overlays*** within this district set smaller height and form regulations specific to the scale of the historic area.

## *Skyline Districts*

# Focus on Maximizing Residential Growth

- **Residential allowed** across both districts subject to inclusionary zoning
- **Large office and hotel (over 50,000 sf) are conditional**, so they can be properly evaluated under Boston's Development Impact Project Exactions policy (linkage)
- **Restrictions for Research Laboratory uses:** forbidden in Sky-Low District and conditional in Sky District.
- **Elimination of PDA eligible areas** to provide one set of rules



City Wide

# Modernizing Land Uses

Each land **use** is delegated as **allowed, conditional, or forbidden** in each district of the City in a **use table**

- **Conditional** means it requires a conditional use permit, based on set criteria, from the Zoning Board of Appeal

In our **recently updated use table**, some uses are regulated differently depending on their **size**.

**ARTICLE 8  
REGULATION OF USES**

**Section 8-1. Uses Regulated by Districts.**

In each district the use of land and structures is hereby regulated as provided in the following sections.

Unless otherwise specified in this Code, no land or structure shall be designed to be used, in whole or in part, except in a manner otherwise provided in regulations pertaining to special districts, waterfront district, waterfront corridor district, waterfront or the Harborpark District.

**Section 8-2. General Use Provisions**

1. **Allowed Uses.** In any applicable district, land or structure shall be used for any use which is allowed and designated "A," "A-G | C," "A-G | F" or "C-G | F" in Table B of Article 8.

2. **Conditional Uses.** In any applicable district, land or structure shall be used for any use which is conditional and designated "C\*" in Table B of Article 8, upon receipt of a conditional use permit from the Zoning Board of Appeal. The conditions required for receiving such permit can be found in the regulations pertaining to such use. Use is dependent upon maintaining the character and appearance of the neighborhood.

3. **Forbidden Uses.** In any applicable district, no land or structure shall be used for any use which is forbidden and designated "F" in Table B of Article 8. A structure is allowed as a nonconforming use under the provisions of Section 8-3.

4. **Uses Subject to Other Regulations.** Allowed and conditional uses, provisions for off-street parking and loading zones, and other sections of this code. Uses designated in Table B of Article 8 as "C\*," "C-G | F\*," or "C-G | F\*" are subject to any applicable Use Regulations in the corresponding district article.

5. **Accessory Uses.** The following provisions apply to accessory uses:

a) **General Accessory Use Provisions.** Any use which is accessory to a principal use shall be permitted on the same lot as a lawful principal use(s).

Unless otherwise designated as a distinct and independent use, any use which is accessory to a principal use(s) shall be permitted as an accessory use customarily incidental to the principal use(s). Any allowed use is also permitted as a conditional use.

When an accessory use is designated as a conditional use, it shall be designated as a conditional use of the principal use(s).

(i) "A" it is allowed in any applicable district.

(ii) "C\*" it is conditional in any applicable district.

	Squares + Streets (S)					
	S0	S1	S2	S3	S4	S5
Lodging House	F	C	C*	C*	A*	A*
Mobile Home Establishment	F	F	F	F	F	F
Shelter Facility	F	F	F	F	F	F
Supportive Housing	A*	A	A*	A*	A*	A*
<b>ACTIVE USES</b>						
Community Center	C	A	A	A	A	A
Grocery Store - Small	C	A	A	A	A	A
Grocery Store - Large	F	F	C	C	A	A
Entertainment/Events - Extra Small	C-G   F	A-G   F	A-G   F	A-G   C	A	A
Entertainment/Events - Small	F	C-G   F	A-G   F	A-G   C	A	A
Entertainment/Events - Medium	F	F	C-G   F	A-G   C	A	A
Entertainment/Events - Large	F	F	F	C	C	C
Entertainment/Events - Extra Large	F	F	F	F	F	F
Makerspace	F	A	A	A	A	A
Museum	F	A	A	A	A	A
Restaurant - Small	C-G   F	A-G   F	A-G   F	A	A	A
Restaurant - Large	F	C-G   F	A	A	A	A

**Updated Article 8**  
*Approved by BPDA board March 14, 2024*  
*pending zoning commission approval*  
*April 17*

(Update 34) Created: 2023-06-22 13:59:41 (EST)

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# Land Use Modernization Process

1. Established an **inventory** of all uses throughout the neighborhood articles:  
**remove obsolete** uses
2. Wrote **new definitions** for uses, grouping uses with **similar impacts** together
  - a. Including **size thresholds** and **form and performance standards** where applicable
  - b. Align use definitions to other salient **regulatory requirements** (building code, licensing)
  - c. Align use definitions to **policy goals**
  - d. Ensure ISD has **clear interpretation**



City departments vetted, informed, and revised draft language for uses:

- Disabilities Commission
- Age Strong Commission
- Office of Housing
- Office of Green Infrastructure
- Office of Arts and Culture
- Office of Economic Opportunity and Inclusion
- Boston Transportation Department
- Operations Cabinet
- Office of Food Justice
- Environment Department
- Parks and Recreation Department
- Boston Public Health Commission
- ISD Permit Leadership & Staff
- License Board

*Skyline Districts*

# Updating Downtown's Land Use Regulations

Zoning districts Downtown have different use definitions and regulations. Many of those uses, especially ground floor uses, are out of date and create an extra hurdle for new businesses.

**200+ Allowed Uses &  
112 Ground Floor  
Uses and YET...**

**Uses like yoga studios  
are still forbidden**

## Examples of Existing Use Regulations:

### **Allowed *Ground Floor Uses:***

- Carpet, rug, linoleum, or other floor covering stores
- Fishing tackle or equipment sales, or rental establishments
- Lamp shops
- Millinery shops

### **Conditional**

- Take-out (like ice cream)

### **Forbidden *Ground Floor Uses:***

- Gym
- Escape room
- Yoga studio
- Brewery/Distillery
- ...

“A simple business, like a yoga studio, shouldn’t have to climb mountains or navigate layers of bureaucracy to open a studio in downtown Boston. Current code makes it unnecessarily cumbersome and off-putting to do something so basic.”  
—Downtown resident to Boston Globe



# Updating Downtown's Land Use Regulations

Allowed *Ground Floor Uses*:

- Carpet, rug, linoleum, or other floor covering stores
- Fishing tackle or equipment sales, or rental establishments
- Lamp shops
- Millinery shops

*Uses under the new Article 8*

**Retail**  
(Allowed)

Conditional

- Take-out (like ice cream)

**Restaurant**  
(Allowed)

Forbidden *Ground Floor Uses*:

- Escape room
- Gym
- Yoga studio
- Brewery/Distillery

**Indoor Recreation**  
(Allowed)

**Service Establishment**  
(Allowed)

**Food & Beverage (Allowed)**  
Must include a minimum area of accessory or associated Restaurant or Retail use

## *Skyline Districts - Uses and Dimensional Requirements*

# Ensuring “Active” Ground Floor Uses

**Skyline Districts set requirements for the location, width, and depth of Active Uses for buildings with wide primary frontages.**

Civic Uses, Open Space Uses, Shelter Facilities, and affordable housing developments are not required to have active uses on the ground floor.



### Active Uses

- Community Center
- Grocery Store
- Entertainment/Events
- Makerspace
- Museum
- Restaurant
- Retail Cannabis Establishment
- Retail Store
- Indoor Recreation
- Service Establishment
- Social Club

## Skyline Districts - Uses

# Enabling More Retail & Businesses Downtown

New zoning groups different retail uses under one definition for "Retail Store", but **separates retail by size.**

RETAIL	SKY-LOW	SKY	
Retail Store - Small	A	A	(<2,500 sf)
Retail Store - Medium	A	A	(2,501-10,000 sf)
Retail Store - Large	A	A	(10,001 - 49,999 sf))
Retail Store - Extra Large	C	C	(≥50,000 sf)

Maintains Linkage

### Small - Medium

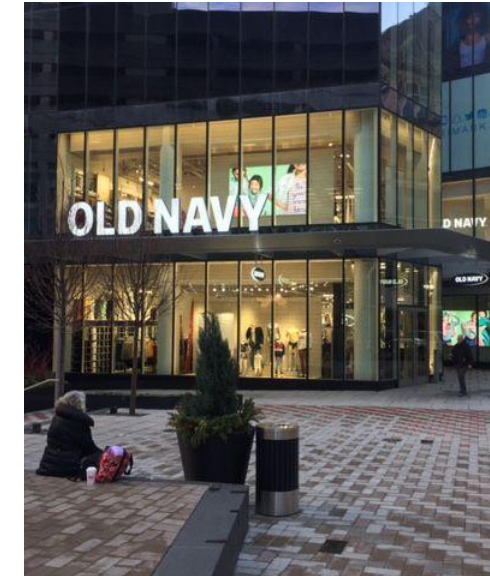


Flourish and Foundry



Snipes ~10,000 sf

### Large



Old Navy - 30,000 sf

### Extra Large



Primark - 77,000 sf



Target, Fenway - 150,000 sf

*Skyline Districts - Uses*

# Maintaining the scale of Entertainment and Event Venues

**Capacity thresholds** are used to ensure Entertainment/Events are an appropriate scale Downtown.

ENTERTAINMENT/EVENTS	SKY-LOW	SKY
Entertainment/Events - Extra Small	A	A
Entertainment/Events - Small	A	A
Entertainment/Events - Medium	A	A
Entertainment/Events - Large	C	A
Entertainment/Events - Extra Large	F	C

*Capacity:*  
 (<250)  
 (251-500)  
 (501-2,000)  
 (2,001-9,999)  
 (≥10,000)

**Small**



*Brighton Music Hall - 476 people*

**Medium**



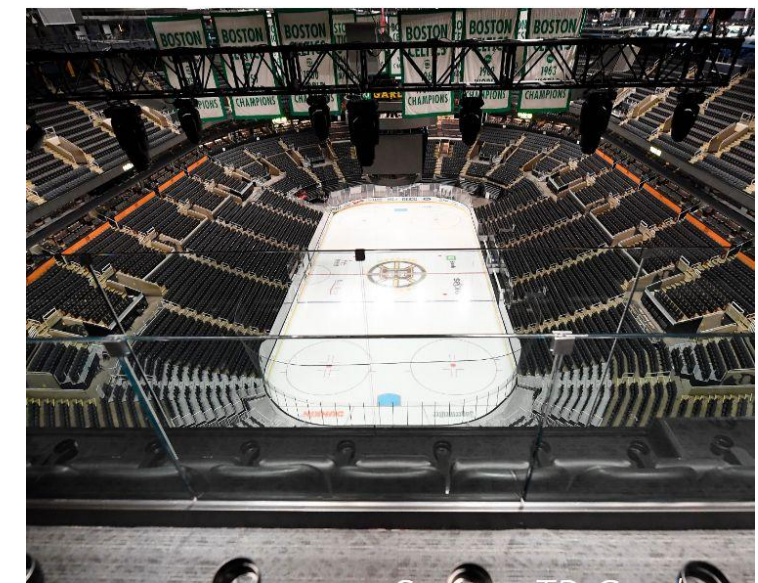
*Emerson Colonial - 1,700 people*

**Large**



*Boston Opera House - 2,600 people*

**Extra Large**



*TD Garden - 19,580 people*

## *Skyline Districts*

# Activating and Enhancing the Public Realm

- Reduce large blocks, prevent assemblage of large parcels, and create **more public realm space** by limiting floorplate size and building lot coverage
- Require **Ground Floor Outdoor Amenity Space** for large lots to create more public space
- Create a more vibrant streetscape by **limiting the amount of “blank wall”** on the ground floor



## *Skyline Districts*

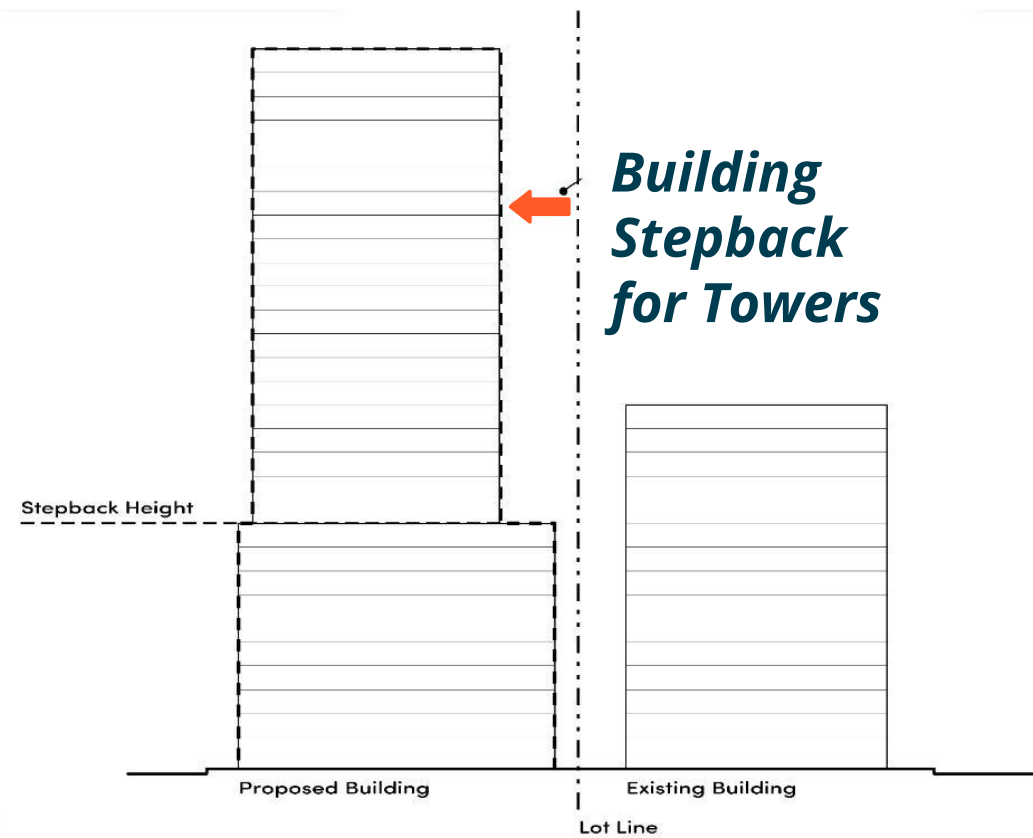
# Respecting the Existing Built Context

- Continue restrictions on the change of use and occupancy of existing **theatre structures**
- Introducing a smaller threshold (20,000 sf) for design review

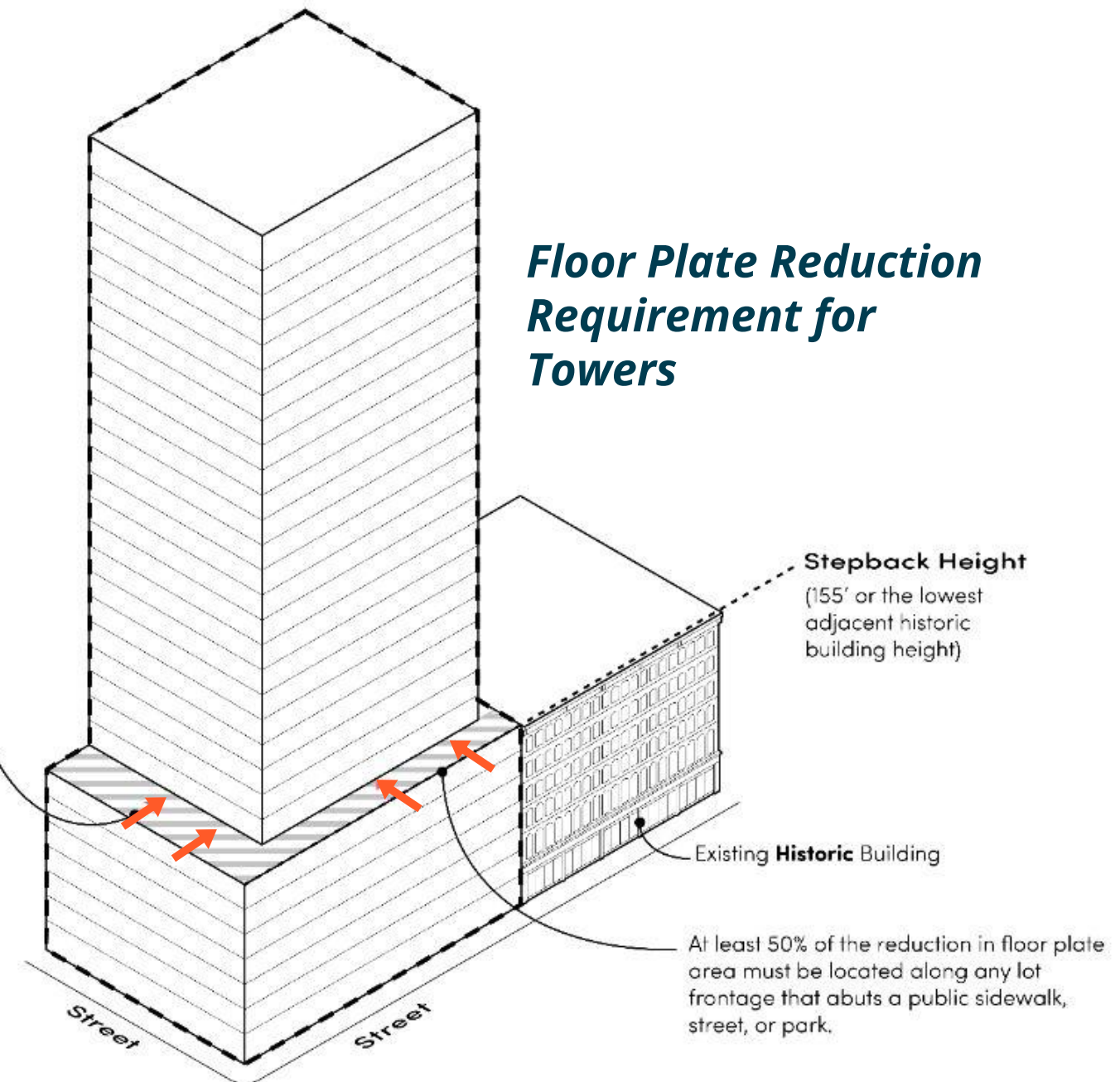


# Form-Based Regulations for Towers

Upper story **building setbacks and floorplate reduction** for towers require distance between tall buildings and ensure buildings respond to the height of neighboring historic buildings and reduce wind impacts.



Floor plates above the Stepback Height must be reduced by 15% minimum for buildings with at least 50% residential use, and 20% for all other buildings.



# What are we keeping and advancing from existing zoning and planning?

## ***Advancing through zoning reform:***

- Modernization of uses
- Preserving key mitigation policies (Development Impact Project Extractions/Linkage) for large scale-projects
- Form-based zoning approach, focusing on ground floor uses, responding to the existing context, and creating additional public realm
- Protections on theater structures (moving into Article 85)
- Elimination of PDA eligible areas

## ***Maintaining existing:***

- Functions of Article 80 - Development Review and Approval
- Environmental impact analysis and performance standards for wind as evaluated through Article 80
- Green buildings regulations (Article 37)
- Demolition review (Article 85)
- Inclusionary zoning (Article 79)
- Overlay Districts including:
  - Greenway Overlay District (Article 49A)
  - Groundwater Conservation Overlay District



# Pause for Questions & Comments

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*Please raise your hand to make a comment or ask a question, or type it into the chat.*

# Updating Downtown's Zoning Boundaries

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*Aligning district boundaries with existing  
and planned for growth*

# Existing Zoning

## Zoning Districts:

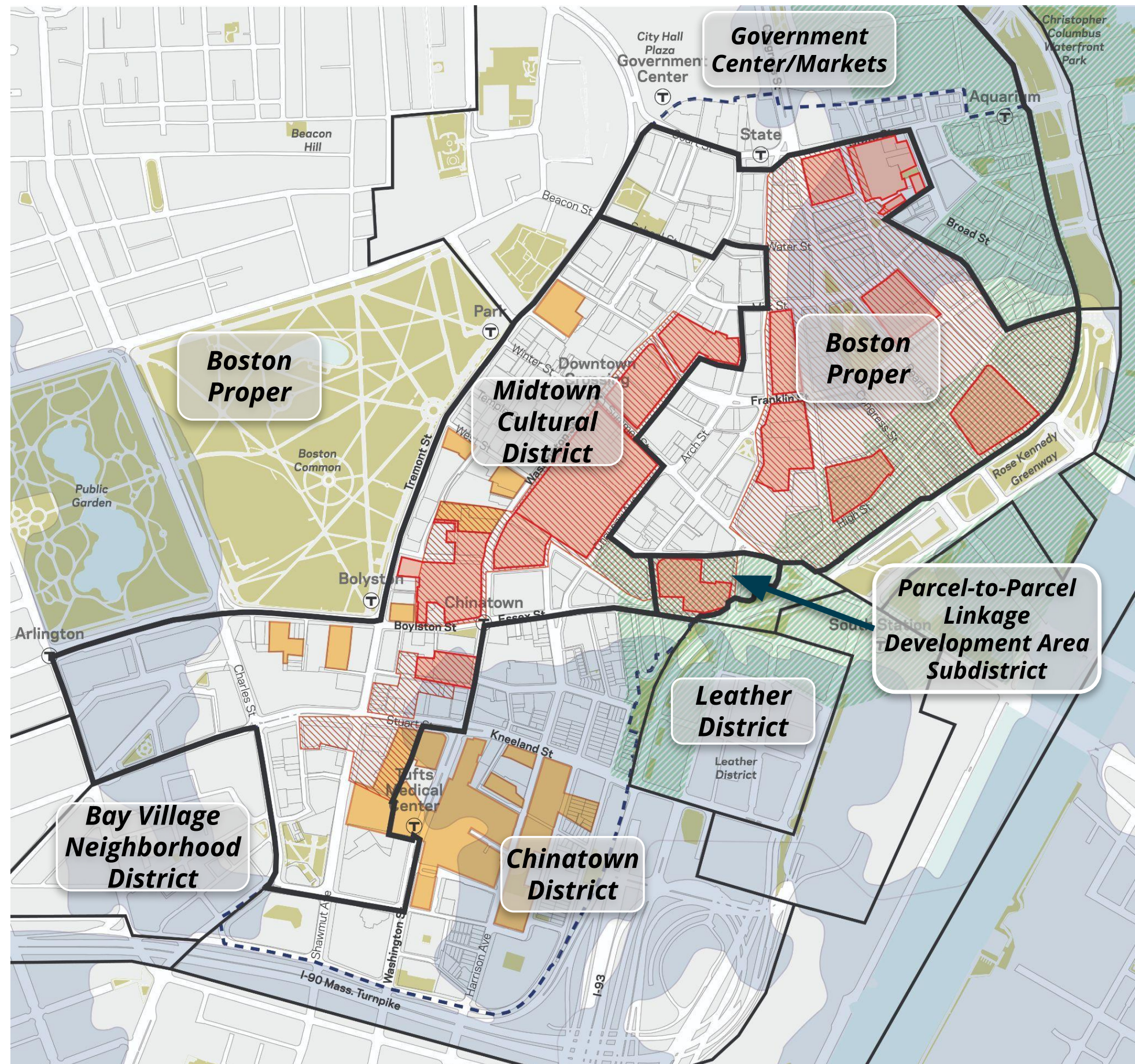
- Midtown Cultural District (Article 38)
- South Station Economic Development Area (Article 40) (*Parcel-to-Parcel Linkage Development Area Subdistrict*)
- Government Center/Markets (Article 45)
- Bay Village Neighborhood (Article 63)
- Chinatown (Article 43) (*boundary changes to be determined with ongoing Chinatown Rezoning Process*)

## Overlays and existing plans staying in place:

-  14 existing PDAs
-  Institutional Master Plans
-  Greenway Overlay District
-  Coastal Flood Resilience Overlay District (CFROD)

## Removing:

-  Existing Planned Development Area (PDA) eligible areas

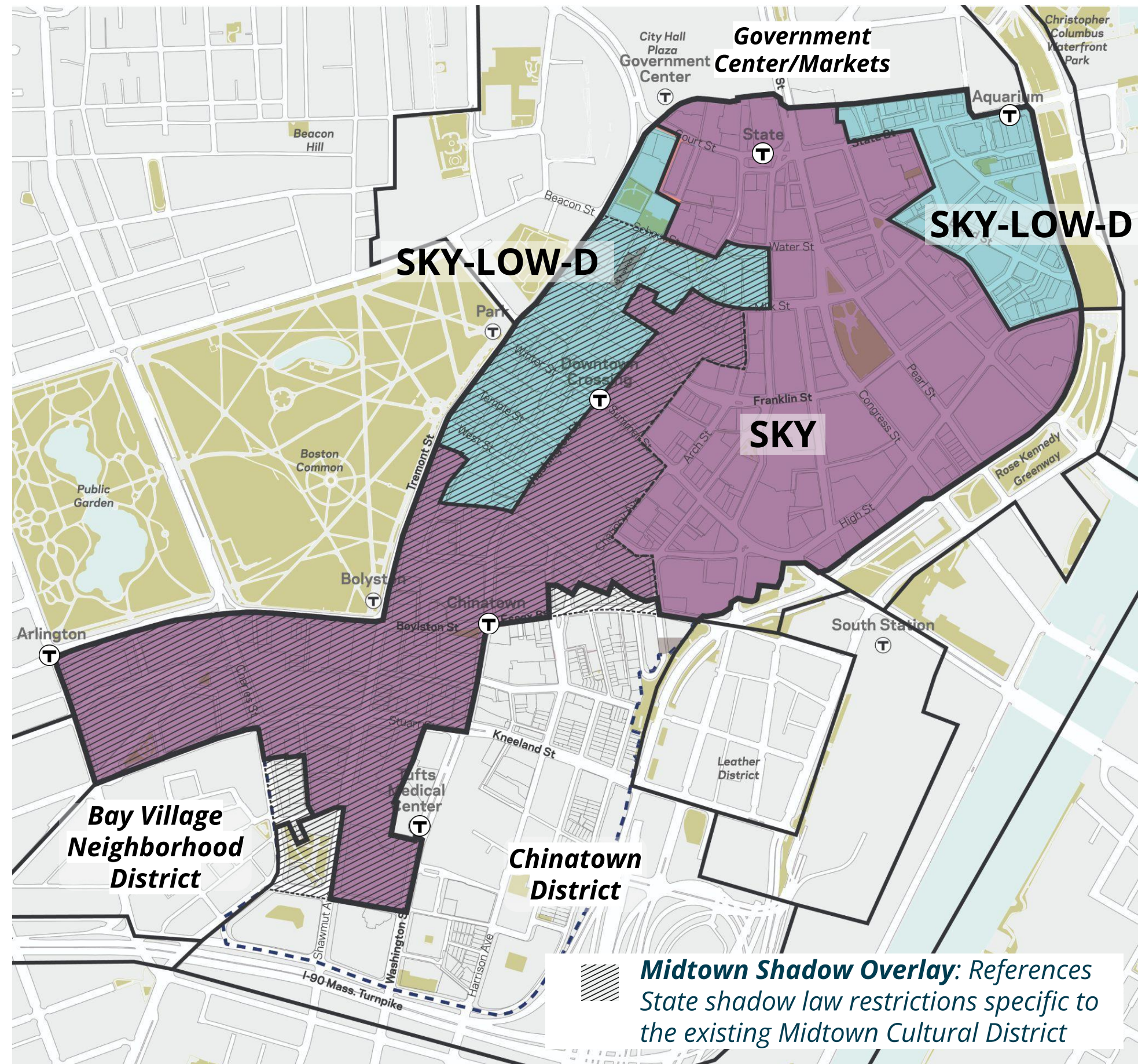
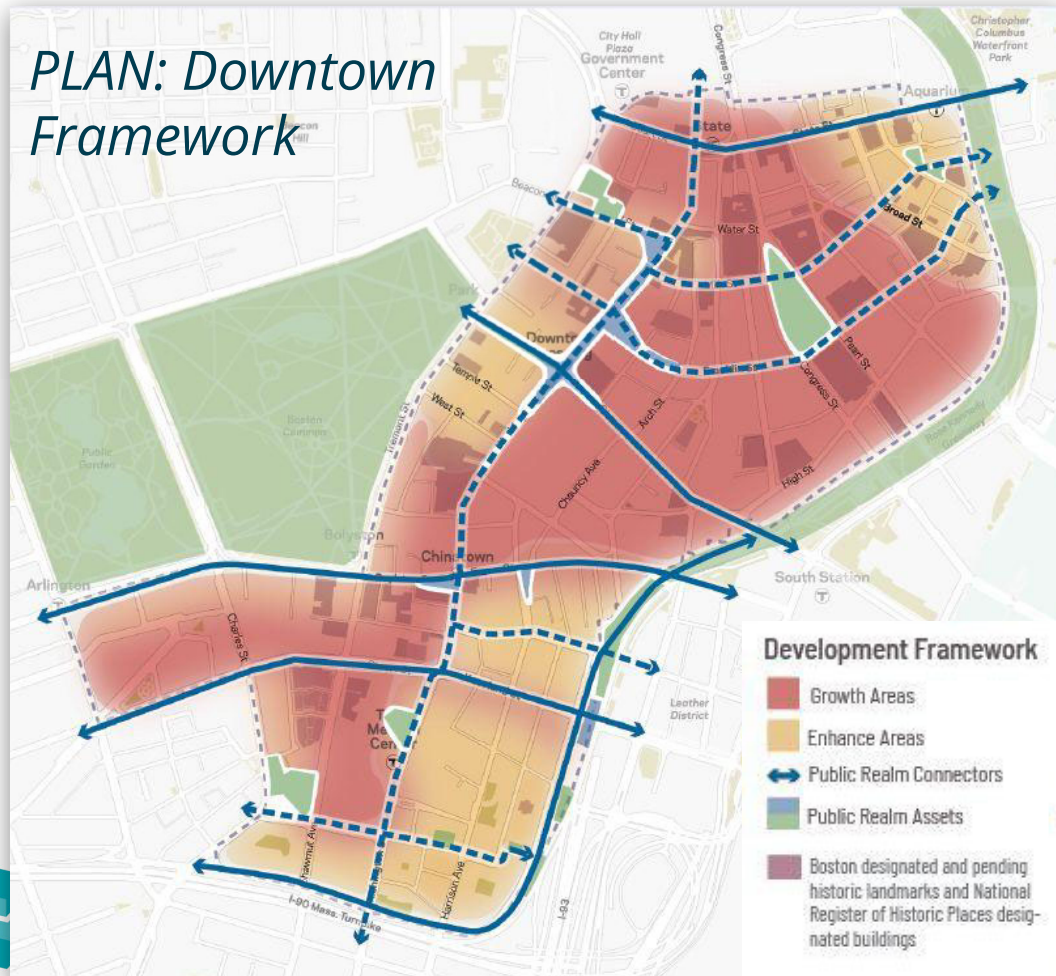


# Updated Zoning Boundaries Skyline Districts

Skyline sub-districts:

- SKY**
- SKY-LOW-D** (*SKY-LOW with Downtown Historic Overlay*)

*PLAN: Downtown Framework*



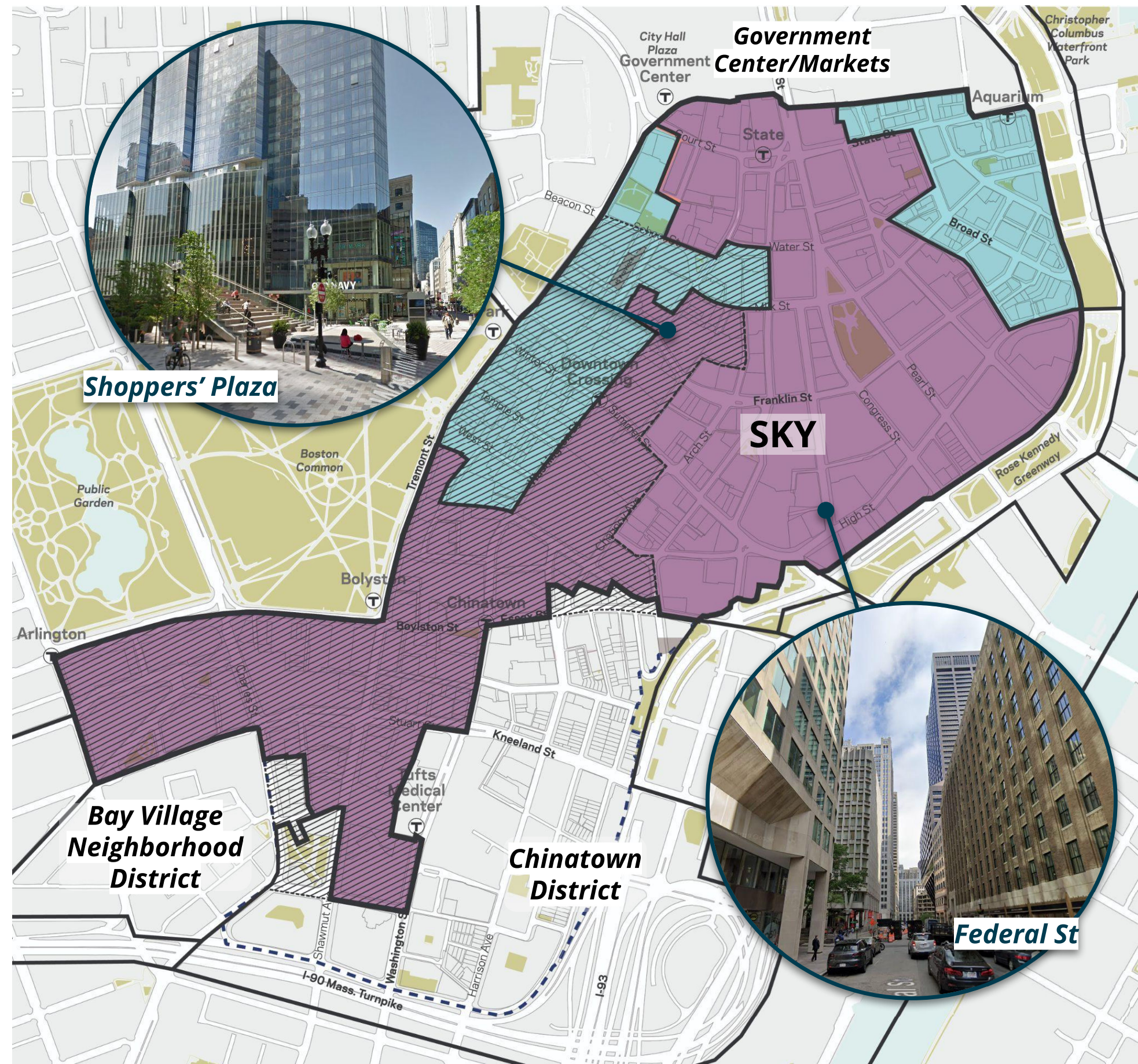
# SKY District

Characterized by the city's most significant job, housing, and entertainment density and accommodates future growth near major transportation assets.

- **Allows larger retail or entertainment/event uses**
- **Larger active use and dimensional requirements** for large sites
- **Height** allowed to limits of State Shadow Law and Critical Airspace, whichever is lower
- **Research laboratories are a conditional use** with floor plate restrictions

## PLAN: Downtown Public Comment:

"There are very few places in the Boston region that have the kind of transportation infrastructure to support very high density residential and commercial developments. We should be doing everything in our power to encourage maximum density here." —Boston resident



# SKY-LOW

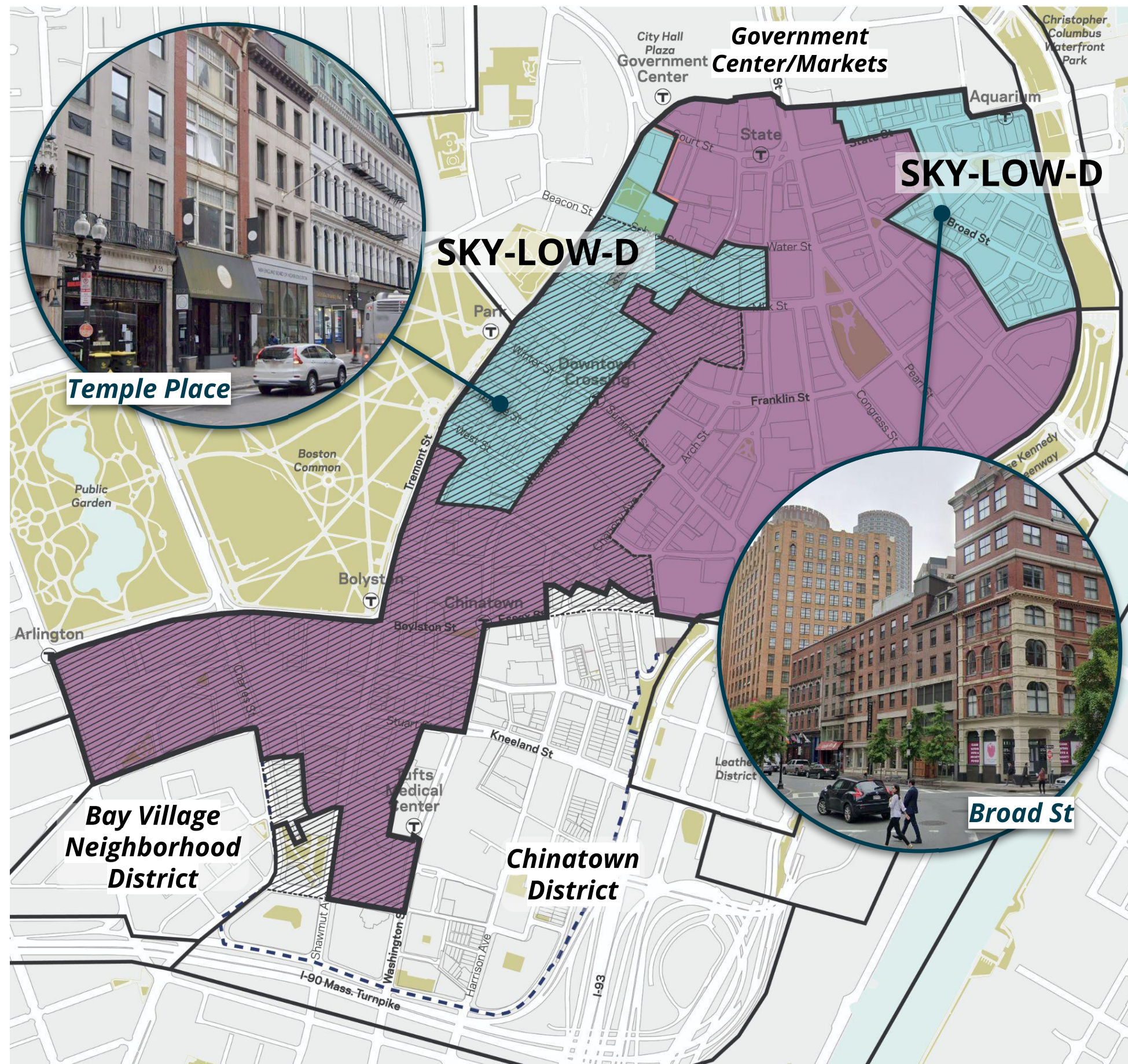
Areas of cohesive historic buildings dating to prior eras of downtown. Smaller use and form regulations help maintain the scale of the area.

- **Stricter limit on large entertainment/uses**
- **Smaller allowed building floor plate** set by Historic Overlay: 20,000 sf max
- Height Downtown Historic Overlay: **155'**
- **Research laboratories are forbidden**

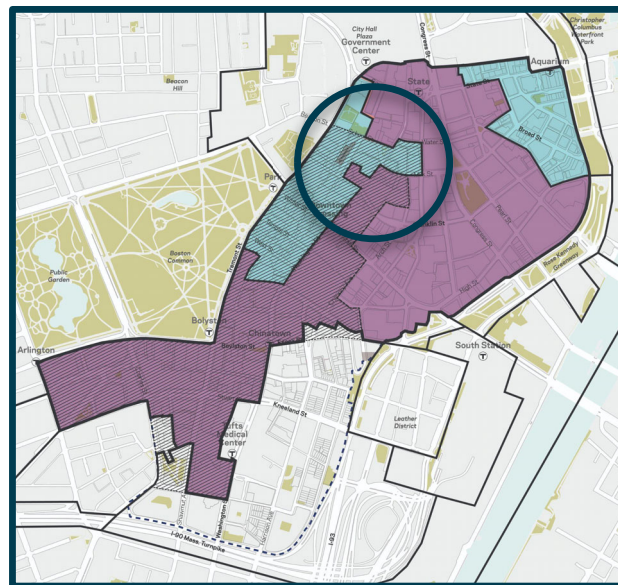
## PLAN: Downtown Public Comment:

"Preserving the integrity of the Ladder Blocks character area is important to the city's historic fabric, its tourism economy, and protection of neighboring historic landmarks."

—Downtown resident



Sky and Sky-Low boundaries respond to areas of cohesive historic buildings like **Reader's Plaza** and vital areas near transit access like **Shopper's Plaza** that can enable housing growth and activate commercial corridors.



# Changes to Other Districts

- A** Moves portions of Government Center/Markets into Sky and Sky-Low Districts
- B** Moves portions of South Station Economic Development Area into SKYLINE
- C** *Boundary with Chinatown to be determined with Chinatown Zoning Process*
- D** Moves Bay Village Protection Area into Bay Village Neighborhood District





# Bay Village Neighborhood District

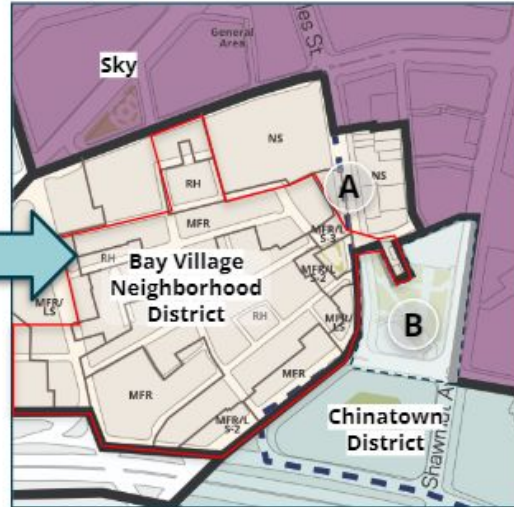
Move portions of the Bay Village Protections District structurally into the Bay Village Neighborhood Article NS Subdistrict.

*Existing*

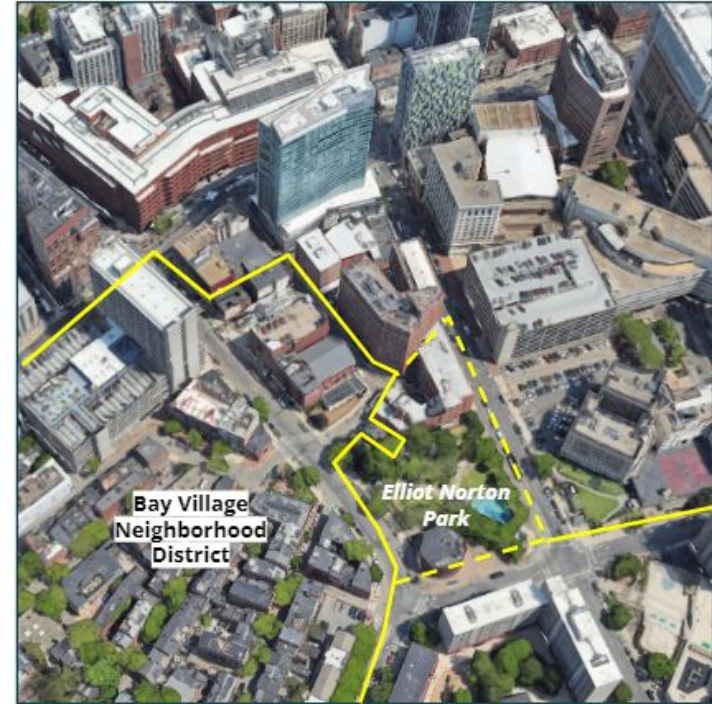


— Bay Village Historic District

*Proposed*



- A. Moved into Bay Village Neighborhood NS
- B. Boundaries to be determined along side Chinatown Zoning Process



# Next Steps



# Release of Draft Zoning Text Amendment

## Primary Changes:

- **NEW Article 31** (establishing new Skyline Districts, dimensional regulations, and use and performance standards)
- **Article 8 - Regulation of Uses** (adding use regulations for Skyline Districts)
- **Map Changes**

## Other edits to preserve functionality:

- **Article 2 - Definitions** (new definitions)
- **Article 3 - Establishment of Zoning Districts** (referencing new Skyline District)
- **Article 11 - Signs** (moving existing sign regulations to Article 11)
- **Article 23 - Off Street Parking** (referencing new Skyline District)
- **Article 85 - Demolition** (adding regulations for Historic Theatres)
- **Removing text references to districts/sub-districts being removed and incorporated into Skyline Districts:**
  - Midtown Cultural District
  - Parcel-to-Parcel Linkage Development Area
  - Government Center/Markets District Protection and Growth Area

## New Article 31

### ARTICLE 31 SKYLINE DISTRICTS

#### Section 31-1. - Purpose of Skyline Districts

Skyline Districts are urban centers that serve the diverse needs of residents, employees, and visitors. The purpose of these districts is to enable job growth, new housing, and entertainment and cultural destinations near the major transportation hubs and employment centers of the larger region. These high-activity areas support a vibrant mix of uses and densities while encouraging the preservation of historic areas. Skyline districts and their purposes are listed in this Section 31-1:

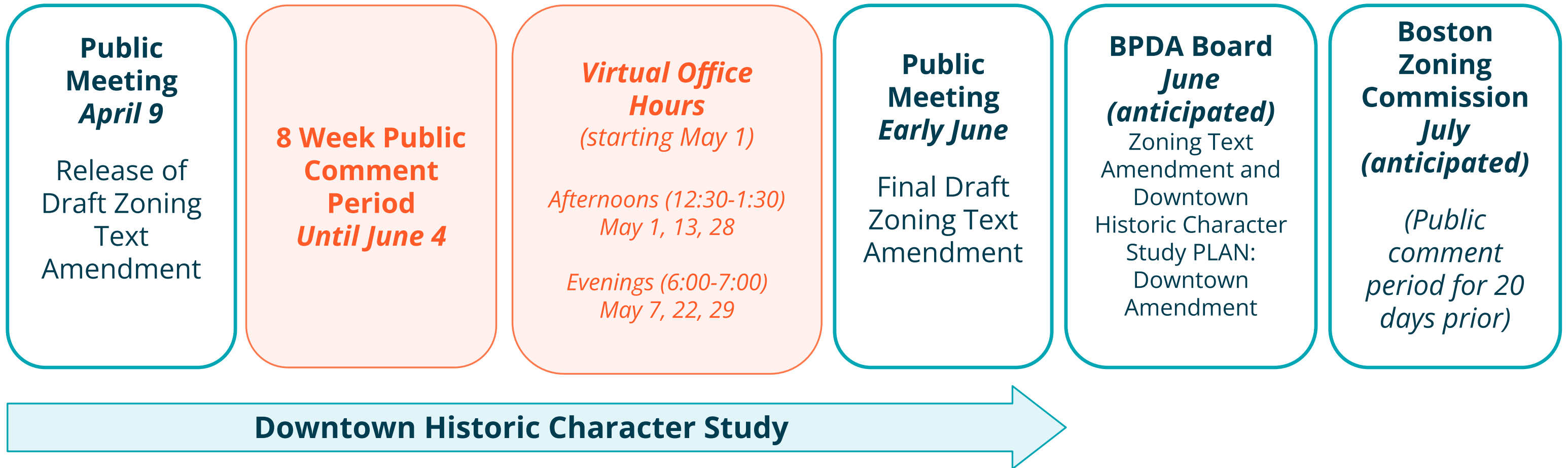
- A. The SKY-LOW District is distinguished by areas of cohesive historic buildings dating to prior eras of downtown, job centers, and housing growth. These districts are regulated to ensure that new development is compatible with existing buildings in scale.
- B. The SKY District is distinguished by the city's most significant job, housing, and entertainment density and accommodates future growth near major transportation assets. These districts are regulated to ensure that new development enhances the urban vitality of the city and the public realm.

## Adding Skyline District to Recently Updated Article 8

### ARTICLE 8 REGULATION OF USES

	Squares + Streets (S)					Skyline	
	S0	S1	S2	S3	S4, S5	SKY-LOW	SKY
<b>OPEN SPACE USES</b>							
Cemetery	F	F	F	F	F	F	F
Private Open Space	C	C	C	C	C	C	C
Publicly Accessible Open Space	A	A	A	A	A	A	A
<b>CIVIC USES</b>							
Child Care/Adult Day Health Center	A	A	A	A	A	A	A
Municipal Use	A	A	A	A	A	A	A
Place of Worship	A	A	A	A	A	A	A
School, K through 12	A	A	A	A	A	A	A
<b>RESIDENTIAL USES</b>							
Artists' Live-Work	A*	A	A*	A*	A*	A*	A*
Fraternity or Sorority	F	F	F	F	F	C	C
Household Living - 1-4							

# Next Steps



Submit comments using the survey form: <https://bit.ly/DowntownZoningComment>

Or email: [PLANdowntown@boston.gov](mailto:PLANdowntown@boston.gov)

# Questions & Comments

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*Please raise your hand to make a comment or ask a question, or type it into the chat.*

# APPENDIX



# New Form Based Regulations

*Activate ground floors, maintain the scale of key historic areas, and enhance the public realm*

# Ensuring Active Ground Floors

## Performance Requirements for Active Uses

**Skyline Districts set the location, width, and depth of Active Uses and when they are required.**

Civic Uses, Open Space Uses, Shelter Facilities, and affordable housing developments are not required to have active uses on the ground floor.

**TABLE A: ADDITIONAL USE AND PERFORMANCE STANDARDS**

USE AND PERFORMANCE STANDARDS	SKY-LOW	SKY
<b>STANDARDS FOR USES THAT ARE NOT ACTIVE USES</b>		
Ground Floor Active Use Requirement (for building widths greater than 100' along primary lot frontage)	Yes <sup>1</sup>	
Percentage of Building Width of Ground Floor Active Use (min)	30% <sup>2</sup>	
Depth (min) of Ground Floor Active Use	20'	25'

**Footnotes to Table A**

1. Active Use(s), as defined in Article 8 Table A, are required to occupy a minimum of the ground floor building width at the minimum depth along primary lot frontage specified in Article 31 Table A, except when the principal use(s) is a Civic Use, Open Space Use, or Shelter Facility Use, as defined in Article 8 Table A; or when a Proposed Project is an affordable housing development project in which at least 60% of units income restricted at 100% or below of AMI and reviewed under Article 80 Small or Large Project Review. Any Proposed Project that is located within the boundaries of the Greenway Overlay District shall also be subject to the requirements of Article 49A.
2. For any project that is subject to or has elected to comply with Large Project Review or Small Project Review under the provisions of Article 80, the required Ground Floor Active Use width and depth may be located along any Building Facade through such review process.

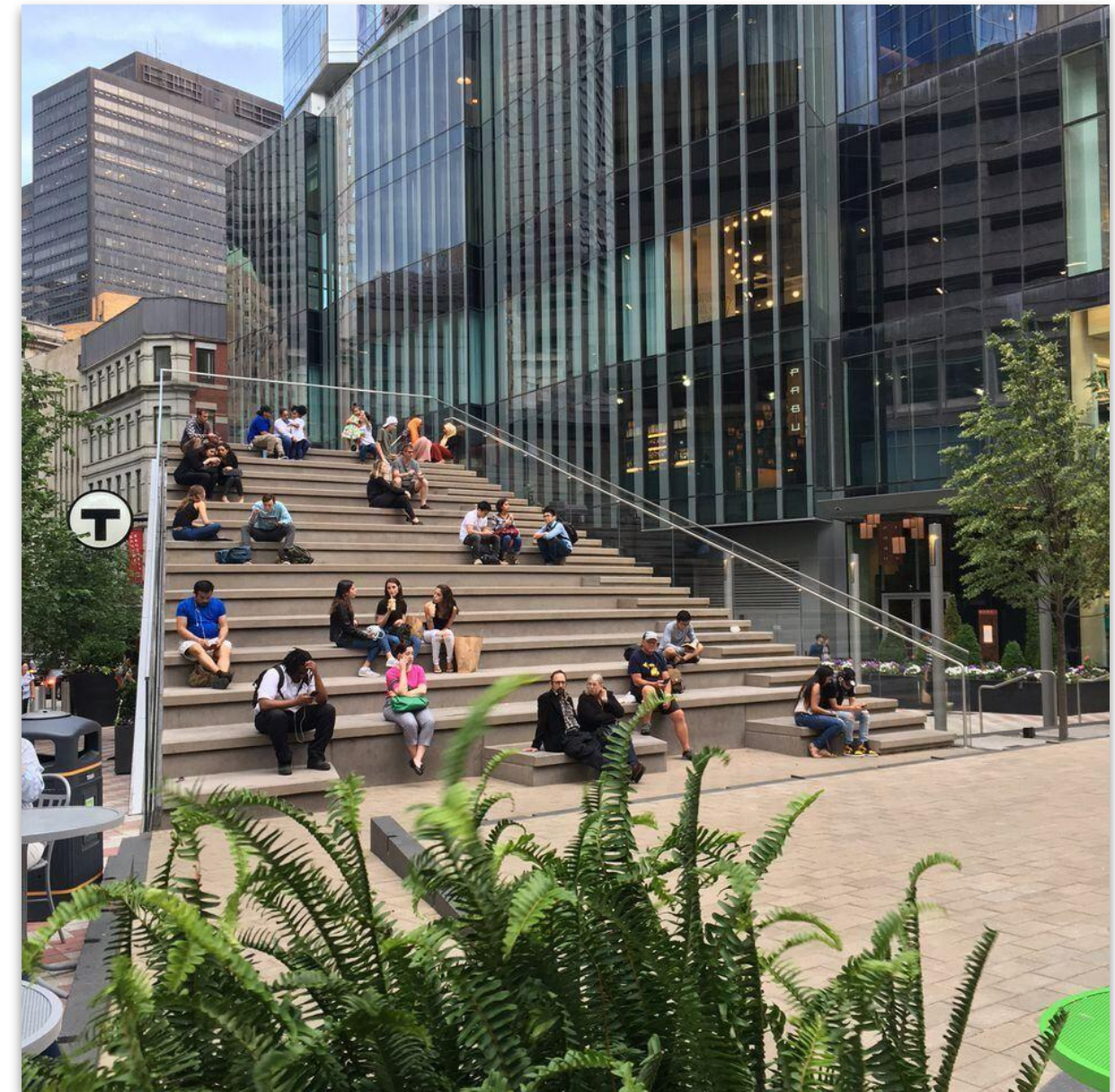


# *Enhancing the Public Realm*

## **Ground Floor Amenity Space**

New definition for an at grade space open to the outdoors for uses such as playing, gathering, and seating that is directly accessed from the ground floor. Includes:

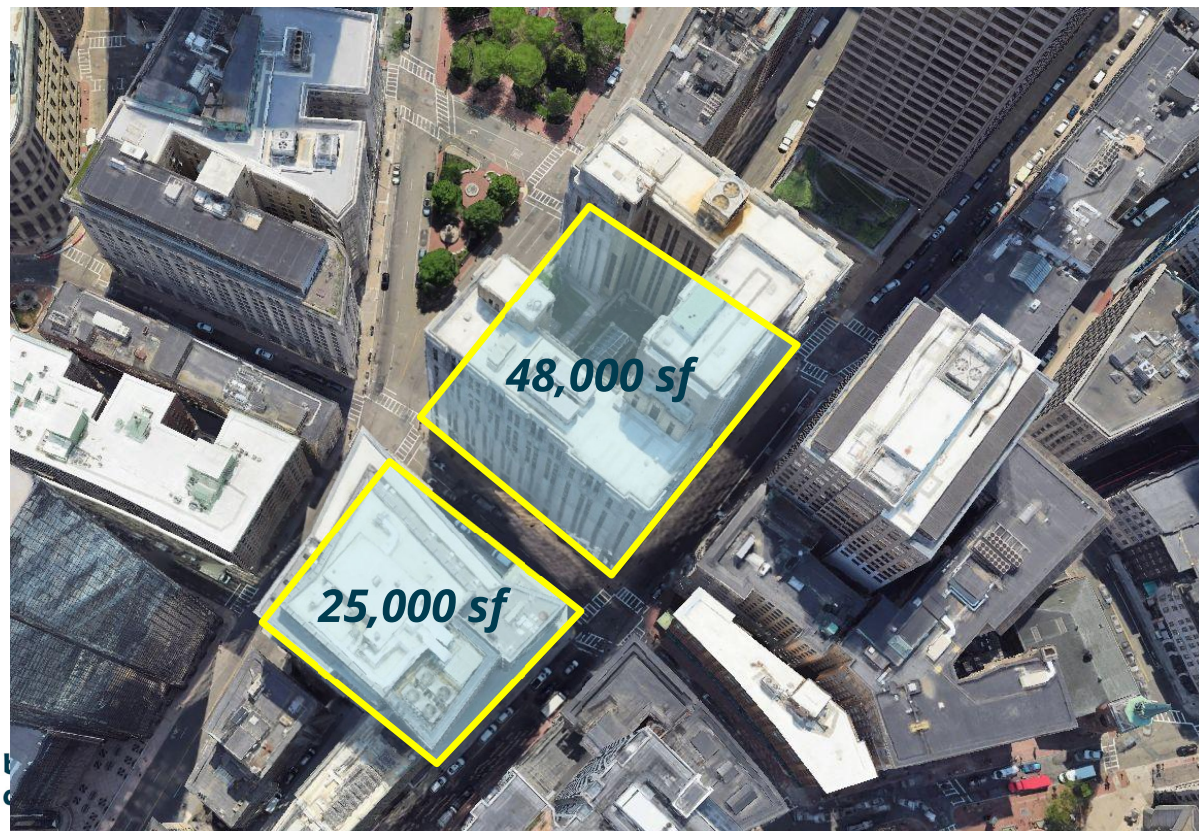
- Publicly Accessible Open Space, as defined in Article 8
- Publicly accessible sidewalk provided on the lot
- Outdoor space for tenants or customers, including restaurant seating or outdoor event and performance areas
- Publicly accessible through-block pedestrian connections of a width not less than ten (10) feet



# Dimensional Table: Lot Standards

Lot standards change for lots over 20,000 sf to ensure more public realm and space between buildings:

- **Lower Building Lot Coverage**
- **Higher Ground Floor Outdoor Amenity Space**



**TABLE B: DIMENSIONAL REGULATIONS**

BUILDING LOT STANDARDS	SKY-LOW	SKY-1
<b>Building Lot Coverage (max)</b>		
Lots area less than or equal to 20,000 sf	95%	95%
Lot area greater than 20,000 sf	90%	85%
<b>Ground Floor Outdoor Amenity Space (min)</b>		
Located along the Primary Lot Frontage for Lot Area less than 20,000 sf	0%	0%
Located along the Primary Lot Frontage for Lot Area greater than 20,000 sf	5% <sup>1</sup>	10% <sup>1</sup>
Front Yard (min)	0'	
<b>Rear Yard (min)</b>		
With a party wall	0'	
Without a party wall	5'	
<b>Side Yard (min)</b>		
With a party wall	0'	
Without a party wall	5'	



# Dimensional Table: Building Form Standards

Building Form Standards set building mass requirements including:

- **Height:**
  - Set by the table or
  - Historic Overlay or
  - State Shadow Law, whichever is lesser
- **Stepack Height** (*new term!*)
- Maximum length of **blank wall**
- **Ground floor height minimum** to ensure space for commercial spaces

BUILDING FORM STANDARDS	SKY-LOW	SKY-1
Height in feet (max)	180', or such height that complies with the provisions of Boston Common Shadow Law (Ch. 362, 1990) and Public Garden Shadow Law (Ch. 384, 1993), whichever is lesser. <sup>2</sup>	Such height that complies with the provisions of Boston Common Shadow Law (Ch. 362, 1990) and Public Garden Shadow Law (Ch. 384, 1993) <sup>3</sup>
Stepback Height		
Abutting a Lot containing a non-Historic Building <sup>4</sup>	155'	
Abutting a Lot containing a Historic Building <sup>4</sup>	Building height of abutting Historic Building or, in the case of multiple abutting Historic Buildings, the lowest Historic Building building height	
Blank Wall of Facade (max) <sup>3</sup>	15'	20'
Ground Floor Height (min)	14'	
Multiple Buildings Allowed Per Lot	Yes	

## Footnotes to Table A

1. For any project that is subject to or has elected to comply with Large Project Review under the provisions of Article 80, the required Ground Floor Outdoor Amenity Space may be located along any lot frontage through such review process.
2. If in a Skyline Historic Overlay see TABLE C
3. Structures built within the boundaries of the Midtown Shadow Overlay, as shown on map 1A, shall abide by the provisions of Chapter 362, AN ACT PROTECTING CERTAIN PUBLIC COMMONS (1990) and Chapter 384, AN ACT PROTECTING CERTAIN PUBLIC GARDEN (1993).
4. For any project subject to Large Project Review established on a lot that is not subject to the provisions of Article 80.
5. For projects that are subject to the provisions of Article 80.

TABLE C: SKYLINE HISTORIC OVERLAYS

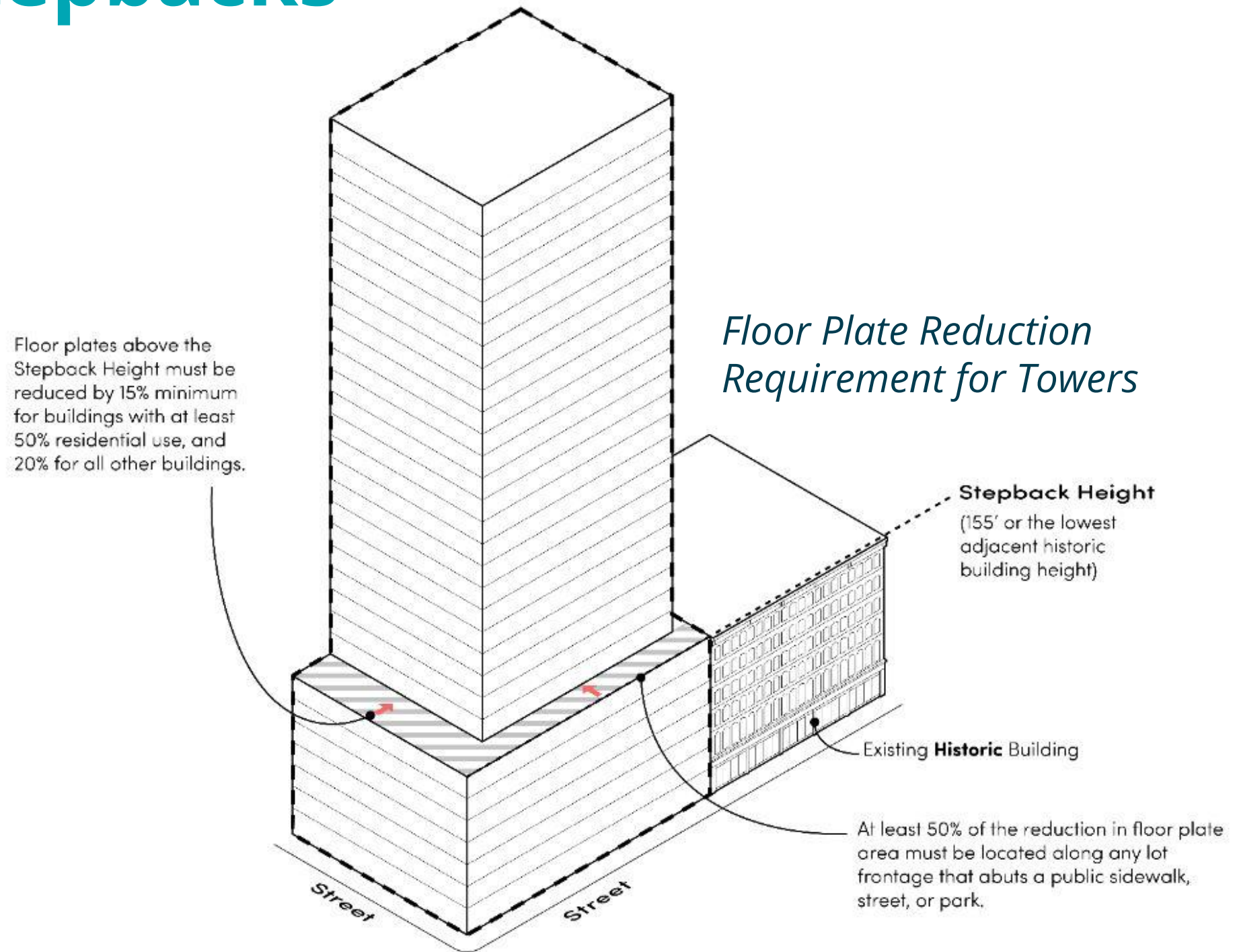
HISTORIC OVERLAY	Height in feet (max)	Building Floor Plate (max sf)
Downtown <sup>1</sup>	155', or such height that complies with the provisions of the Boston Common Shadow Law (Ch. 362, 1990), and Public Garden Shadow Law (Ch. 384, 1993), whichever is lesser. <sup>1</sup>	20,000

# Ensuring Towers Enhance and Respect Existing Built Context with Stepbacks

## New Definitions:

- **Tower:** A building with a building height greater than 155' and floorplate greater than 10,000 sf.
- **Stepback Height:** The building height at which a building floor plate must be reduced or the height above which all upper stories must be recessed from the facade of the story below.

Downtown a tower must stepback or reduce its floor plate at 155' or (if there is one) the building height of a Historic Building in an adjacent lot.



# Creating Space Between Towers with a Tower Separation Requirement

If a proposed Tower abuts a lot with an existing Tower, all stories above 155' or the height of neighboring Historic Building must stepback from the lot line:

- Buildings with greater than or equal to 50% of gross floor area **residential use: 30' min.**
- **All other buildings: 20' min.**

