

MEMORANDUM

BOSTON CIVIC DESIGN COMMISSION

OCTOBER, 2001

Periodically the BCDC may issue a memorandum to clarify the Commission's position on issues which arise from time to time in a number of cases. This memo addresses our interpretation of the City's current plans for a given area as a means to evaluate projects in that area.

A CONTEXT FOR BCDC PROJECT REVIEWS

There is a current public policy, a General Plan, for each part of the City of Boston. Some are expressed in the form of a Public Realm Plan with an IPOD, as in the case of the South Boston Waterfront District, or Design or Streetscape Guidelines, as in the Midtown Cultural District Plan and later in the Theater District Streetscape study, or the guidelines and restrictions under a PDA or IMP, or—most frequently—simply as zoning. Zoning is one the elements that gives a sense of the intent of the body politic. It is driven in part by public realm interests. It provides guidelines for a good public realm as determined for a specific district. Greater height and density are often allowed in areas where new construction is encouraged (e.g. the North and South Station areas), more restrictive heights and densities where the character of historic districts are to be maintained or the infrastructure too delicate to support greater density (e.g. the Leather District, Beacon Hill).

The BCDC looks to the underlying zoning and other governing plan documents as a guide to understanding the broader city goals in which a proposed project is to be evaluated. The Commission does not try to play the role of the Board of Appeal, nor does it inquire into the economic viability of a project. We may sometimes find that a design that might technically be compliant is less desirable than one that fulfills the spirit if not the letter of the governing documents. But in our evaluation of a project's impact on the public realm, we use zoning requirements as a means of establishing context for our review: existing buildings provide current context, and zoning and design guidelines - as an expression of the City's longer-term vision and plan for a particular area - are the best tools to define future context.

There are likely to be exceptions – and we are open to arguments that show how a particular design is in the spirit of the underlying zoning or guidelines, albeit of a somewhat different shape, height, or density. We encourage proponents to present their interpretation of the intent of whatever planning documents govern their site and how their project fulfills this intent. But those arguments must be compelling and convince us that an exception in an individual case is not setting a precedent that will alter the intent and spirit of the vision for that district - as expressed by any Master Plan, the zoning, and guidelines.

Without reference to the Master Plan, zoning and guidelines, each Commission recommendation would be *ad hoc* and subject to the whim of the commissioners present at a particular meeting. We are told that predictability is most sought after by developers: an understanding in advance of “the rules of the game” so they do not waste time on plans that will never be accepted. We believe the BCDC can play its role most effectively if it makes its views of this issue clear in advance.