

Downtown Waterfront District Municipal Harbor Plan & Greenway District Zoning Analysis

Proposed MHP Framework



Presentation to the
Boston Municipal Harbor
Planning Advisory Committee

April 23, 2014



Proposed MHP Framework

Presentation Outline



- Quick Review
 - Chapter 91 & MHPs
 - MHP Ingredients
- Draft MHP Framework
 - Geographic Scope
 - Potential Substitute Provisions & Offsets
 - ✧ Open Space
 - ✧ Height
 - ✧ Facilities of Private Tenancy
 - ✧ Water Dependent Use Zone (WDUZ)



Proposed MHP Framework

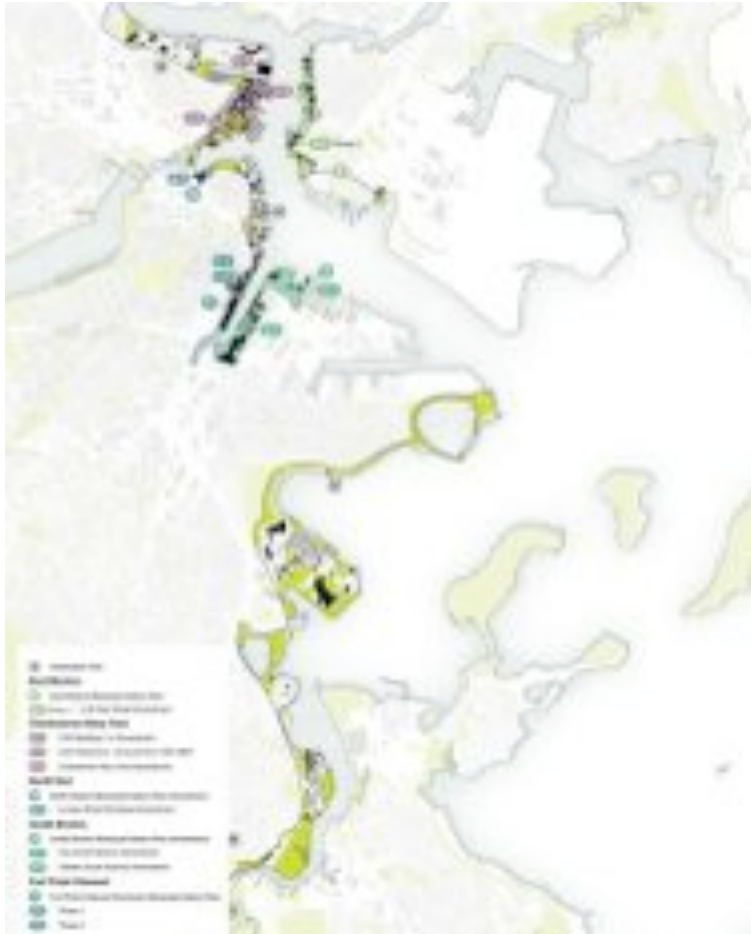
Quick Review: Chapter 91

- Chapter 91, the Massachusetts Public Waterfront Act, protects public rights on filled and flowed tidelands
- Priority for water dependent uses
- New nonwater dependent uses or developments are subject to 8 dimensional standards (e.g., height, open space, “setback”)
- Higher standard for public benefits on Commonwealth tidelands than on Private Tidelands



Proposed MHP Framework

Quick Review: MHPs



MHPs are voluntary, state-approved, & used for many purposes

- Rely on input from the public & from an advisory committee
- Promote long-range waterfront planning goals
- Allow for alternate Chapter 91 standards for new developments to implement community vision
 - Substitute provisions
 - Offsets
 - Amplifications



Proposed MHP Framework

Quick Review: MHP Ingredients

City's MHP objectives (RNTP and Public Realm Plan)

+ Substitute provisions

+ Impacts & offsets

+ Amplifications

+ State approval standards

+ Public input

= Draft MHP framework



Proposed MHP Framework

Geographic Scope

- The City has integrated downtown planning efforts in a comprehensive approach
 - Greenway District Planning Study
 - Public Realm Plan
 - Crossroads Initiative
 - MHP
- However, state rules limit the geographic scope of MHP enforceable provisions



Proposed MHP Framework

Geographic Scope

- Since substitute provisions occur within the MHP, there is a presumption that offsets occur within the MHP
- Exceptions may occur if:
 - Impacts from substitute provisions within the MHP have been mitigated
AND
 - A significant portion of the Public Realm Plan has been implemented
AND
 - Any offset outside the MHP relates directly to the MHP area



Proposed MHP Framework

Geographic Scope



- New waterfront developments may cause public realm impacts at the pedestrian level outside the MHP
- MHPs are not designed to offset those impacts but may describe methods & expectations using other reviews
- Potential options include MHP language on how to:
 - Assess impacts under the City's Article 80 review
 - Expand use of the “public benefit determination” in MEPA for projects on filled tidelands



Proposed MHP Framework

Substitute Provisions – Dimensional Standards

- Open space (“50% provision”)
 - Building heights
-
- Facilities of Private Tenancy (FPTs)
 - Water Dependent Use Zones (WDUZs)
-
- New Pile-Supported Structures
 - Open Space (Commonwealth tidelands)
 - HARBORWALK
 - Facilities of Public Accommodation (FPAs)



Proposed MHP framework

Open Space

Recommended approach includes four components to open space substitute provisions that support MHP objectives and reflect the unique characteristics of the Downtown Waterfront



Proposed MHP framework

Open Space

#1. New developments may exceed a 50% building footprint, but with parcel-specific maximum caps on lot coverage

This provision provides flexibility in terms of building footprint, but the cap ensures that new developments will contribute to open space, view corridors, and pedestrian connections



Proposed MHP framework

Open Space

#2. Per square foot offsets increase with an increase in the percentage of building footprint over 50%

In conjunction with the previous provision, gradations of offsets based on greater building footprint provide incentives to keep the building footprint smaller without prohibiting a larger footprint if needed



Proposed MHP framework

Open Space

#3. Existing buildings may add a small increase in building footprint, e.g.,
Marriott Long Wharf

- Not by-right, majority of existing ground floor must be FPAs
- Must get City approvals and be consistent with other MHP provisions
- Percentage of existing building footprint?

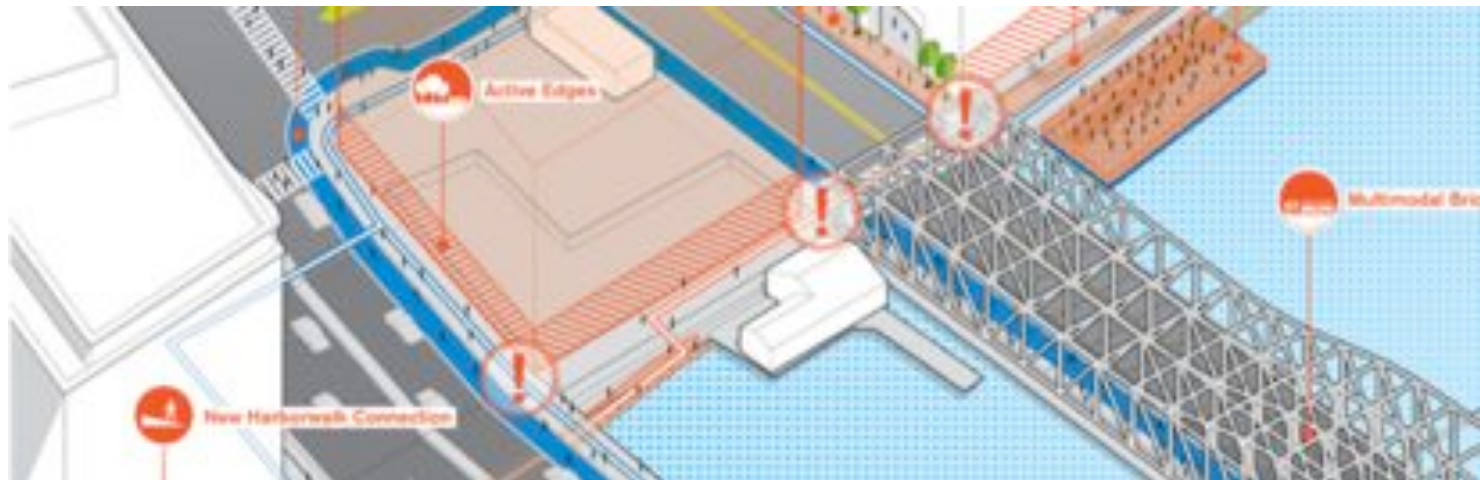


Proposed MHP framework

Open Space

#4. Link offsets for open space substitute provisions to open space improvements within the MHP, e.g., the BRA lot on Long Wharf, changes to the pedestrian network, etc.

At the Hook Lobster site, link this offset to waterfront pedestrian connections



Proposed MHP framework

Building heights

In general

- MHPs allow for considerable building heights in new developments, with wind impact limits & offsets for net new shadow
- Other factors, e.g., the scale of adjacent buildings & TERPS, help determine maximum building heights
- Ground-level shadow impacts from tall, thin buildings may have less net new shadow than shorter, bulkier buildings
- More flexibility for type of offsets, e.g., SPDFs, water transportation, etc.



Proposed MHP framework

Building heights



Recommended approach includes two provisions

#1. New developments may exceed Chapter 91 allowable heights, but with parcel-specific maximum caps on building height



Proposed MHP framework

Building heights



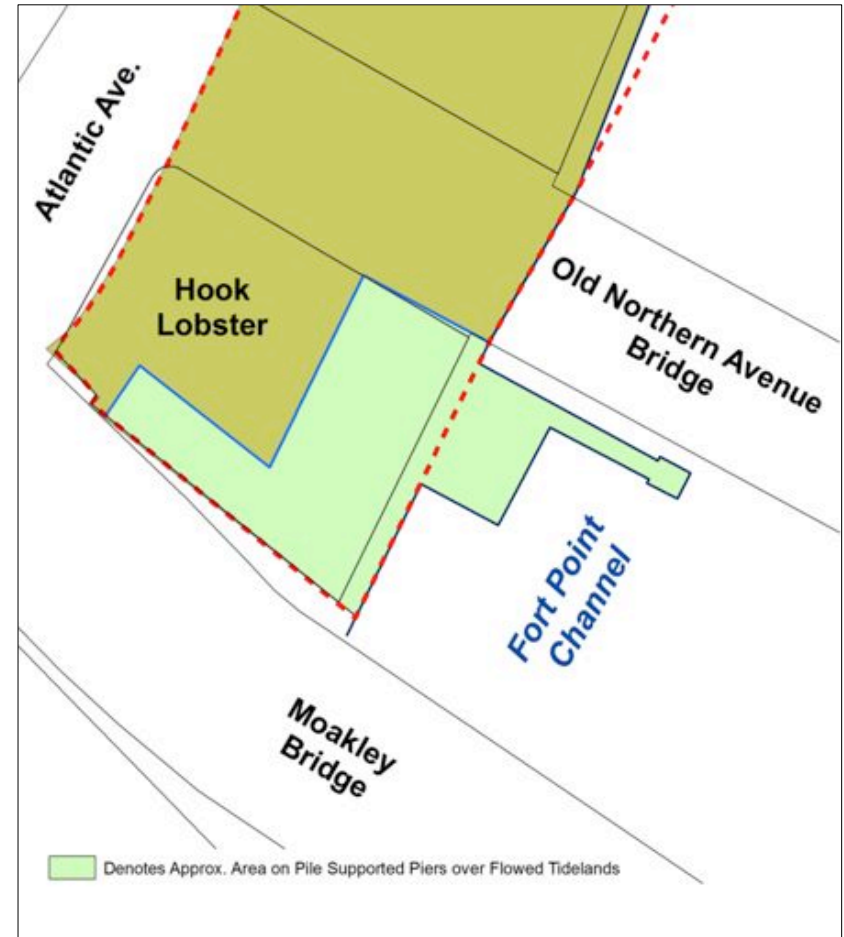
#2. Offsets based on net new shadow at the ground level, using two matrices:

- Overall project impacts – the larger the magnitude of net new shadow impacts, the larger the per square foot offset
- Location of project impacts, with higher per square foot offsets in specific areas of concern, e.g., key public open spaces



Proposed MHP framework Facilities of Private Tenancy (FPTs)

- New FPTs (residences, most offices) on pile-supported piers over flowed tidelands require a substitute provision
- Potentially an issue only at Hook Lobster
- Offset must prevent privatization of that specific WDUZ and enhance its use and enjoyment by the public



Proposed MHP framework

Facilities of Private Tenancy (FPTs)

Examples of offsets for FPTs over flowed tidelands could include:

- A Special Public Destination Facility (e.g., something involving Hook Lobster) on the first floor and an FPA on the top floor
- No FPTs on the second floor if existing WDUs displaced
- Waterfront pedestrian connections



Proposed MHP framework

Water Dependent Use Zone (WDUZ)

- A WDUZ is also referred to as a building setback
- Chapter 91 details the formula for determining a WDUZ
- Extends between 10' - 100' from the water's edge to ensure sufficient area for water dependent uses, including strolling, commercial vessel activity, fishing, & recreational boating



Proposed MHP framework

Water Dependent Use Zone (WDUZ)

- Important component of Chapter 91, but there is flexibility in configuration due to the wide variation in WDUZ depth
- A substitute provision generally requires no additional offset if the new WDUZ:
 - Is equal to or greater in area than the Chapter 91 WDUZ
- AND**
- Provides equivalent or better area for water dependent uses
- Exceptions for unusual sites or for existing buildings



Downtown Waterfront District Municipal Harbor Plan & Greenway District Zoning Analysis

Proposed MHP Framework



Presentation to the
Boston Municipal Harbor Planning
Advisory Committee

April 23, 2014

