

Minor Text Updates to Squares + Streets Zoning

Executive Summary - 12/02/2024

Updates made to the draft since the initial release of this Executive Summary are highlighted.

Part 1: Reformatting and clarifications

The proposed amendment makes changes to the formatting and location of information in Article 8, Article 26, and Article 2 in order to make the zoning clearer and easier to understand.

The most important change is that Active Uses would no longer be a separate category on the Article 8 use table. Instead, there would be a definition which lists all Active Uses. This allows some uses to be considered both Active Uses and Commercial or Civic Uses.

Reasons for this change:

- Through the Small Area Planning processes, it has been confusing to talk about Active Uses and Commercial Uses as separate categories. Planning Department staff have not been consistent when communicating (we often say “commercial uses” to mean “commercial and active uses”) and it has been confusing for the public.
- This change makes it easier to navigate the use table. For example, if someone is looking for a use like Retail Store on the table or definitions, they will now be able to find it in Commercial Uses (where they are likely to look).
- Active Uses are listed in a definition so that it is still clear which uses satisfy the Ground Floor Active Use Requirement. For example, someone can now look at the definition of Active Uses to know that a Retail Store satisfies that requirement.

With this, the amendment makes all the formatting changes needed to keep the zoning consistent as well as other small clarifications to make the Zoning Code more readable. Each one of these changes is annotated in the draft amendment. This includes changes to minor formatting in Article 24, Article 53, and Article 80. This is because these articles currently refer to the use categories from the Article 8 use table. Because this amendment makes formatting changes to these categories (by removing Active Uses as a section on the table), we have to carry through the change in formatting.

Part 2: Ground floor dwelling units

The proposed amendment changes ground floor dwelling units to conditional on primary lot frontages in the S2 district. Currently, ground floor dwelling units are allowed in S2 as long as there is a 4 foot front yard (as opposed to the 2 foot front yard which is usually required in S2).

This change would mean that, in S2, ground floor dwelling units would still be allowed with a 4 foot front yard in parts of buildings that face side streets (a “non-primary lot frontage”). In parts of buildings that

face a main street (a “primary lot frontage”), a ground floor dwelling unit would be required to get a conditional use permit from the Zoning Board of Appeal.

Reasons for this change:

- Staff have heard concerns from community members in Cleary Square, Roslindale Square, and Mattapan about allowing residential uses on the ground floor along key main streets. Community members’ primary concerns seem to be the possible displacement of existing, small storefronts and loss of commercial activity in important commercial and mixed-use corridors in favor of all-residential development.
- This change would help ensure that the effects of ground floor dwelling units are mitigated in areas where more active and commercial conditions are desired.
- By making dwelling units conditional rather than forbidden, S2 could still be used in areas with a mix of existing residential and commercial properties (like it’s currently mapped in Mattapan).

Part 3: Use regulation changes

The proposed amendment updates the regulations for the following uses:

1. Extra Small, Small, and Medium Entertainment/Events
2. Large Grocery Store
3. Indoor Recreation
4. Small and Medium Office
5. Small and Large Restaurant
6. Clinic

The following shows each of these changes in detail and the reasons for them.

Proposed changes to Entertainment/Events:

	S0	S1	S2	S3	S4	S5
Entertainment/Events - Extra Small	C-G F	A-G F A-G C	A-G F A-G C*	A-G C*	A*	A*
Entertainment/Events - Small	F	C-G F C	A-G F A-G C*	A-G C*	A*	A*
Entertainment/Events - Medium	F	F	C-G F C*	A-G C*	A*	A*

Reasons for this change:

- Forbidding entertainment/events on upper stories might not allow theaters to exist without zoning relief because they will often need multiple stories due to balconies.
- Community members in Cleary Square and Roslindale Square have expressed a desire for more flexibility for these uses.

- The Riverside Theatreworks in Cleary Square has provided an example of an Extra Small Entertainment/Events which takes up two stories and fits well in a small- to medium-scale, commercial area.
- Making Entertainment/Events conditional on upper stories, rather than allowed, means it must be evaluated on a case by case basis by receiving a conditional use permit from the Zoning Board of Appeal. This seems most appropriate because this use is more likely to have negative noise impacts on potential neighboring residential properties when it exists on upper stories.

Proposed change to Grocery Store:

	S0	S1	S2	S3	S4	S5
Grocery Store - Large	F	F	C*	C* A-G C*	A*	A*

Reasons for this change:

- Community members in Cleary Square have expressed a desire for more opportunities for grocery stores.
- This change creates more opportunities for large grocery stores in the larger districts where they can be accommodated. Small grocery stores are already widely allowed throughout the Squares + Streets districts.

Proposed change to Indoor Recreation:

	S0	S1	S2	S3	S4	S5
Indoor Recreation	F	F C	F C	A-G C*	A*	A*

Reasons for this change:

- Some community members have voiced a desire for establishments like bowling alleys and arcades in Cleary Square and Roslindale Square (particularly during youth focus groups).
- This change means that this use can be established in S1 and S2 if it received a conditional use permit from the Zoning Board of Appeal. This creates more flexibility for this use in the smaller districts.

Proposed changes to Office:

	S0	S1	S2	S3	S4	S5
Office - Small	C-G F C	A-G F A-G C	A-G C A*	A*	A*	A*
Office - Medium	F	A-G F A-G C	A-G C A*	A*	A*	A*

Reasons for this change:

- Some Cleary Square community members have expressed wanting to see offices on upper floors and not on ground floors, while some others have expressed wanting offices just on ground floors. This change gives more flexibility for the location of offices.
- Some Cleary Square community members have been reiterating the importance of upper story offices in the existing Cleary Square fabric. Making this allowed instead of conditional in S2 is more affirming of this existing character.
- Both Cleary Square and Roslindale Square have provided examples of how small and medium upper story offices can fit very appropriately in small- to medium-scale, mixed-use areas.

Proposed change to Restaurant:

	S0	S1	S2	S3	S4	S5
Restaurant - Small	C-G F	A-G F	A-G F A-G C*	A*	A*	A*
Restaurant - Large	F	C-G F	A A-G C*	A*	A*	A*

Reasons for this change:

- The current zoning allows large restaurants to exist on upper floors but forbids small restaurants on upper floors. While this model of small upper story restaurant is unlikely, it does not need to be forbidden.
- Community members have expressed divergent views on the allowance of restaurants on upper floors, and so a conditional use seems most appropriate.

Proposed changes to Clinic :

	S0	S1	S2	S3	S4	S5
Clinic	F	A-G C	A-G C A	A	A	A

Reasons for this change:

- Similar to offices, there are some Cleary Square community members who have been reiterating the importance of upper story clinics in the existing Cleary Square fabric. This change is affirming these conditions.
- Both Cleary Square and Roslindale Square have provided examples of how upper story clinics can fit very appropriately in small- to medium-scale, mixed-use areas.

Proposed changes to Service Establishment:

	S0	S1	S2	S3	S4	S5

Service Establishment - Large	F	F	€ A-G C*	A*	A*	A*
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Reasons for this change:

- This would allow uses like large gyms and fitness centers in S2 on the ground floor of buildings (greater than 50,000 gross square feet).
- This responds to the general feedback staff have from some community members that they would like more uses allowed across a wider range of districts.
- Because S2 is intended to be a main street mixed-use district with most commercial uses allowed on the ground floor, this change does not alter the intentions and application of the S2 district.
- The floor plate limit of S2 (15,000 sq ft) and the conditional restriction on upper stories would also help limit the possible scale and impact of the use and encourage it as a ground floor use.

Conclusion

These changes reflect the Planning Department’s commitment to responding to community feedback to create the best possible version of the Squares + Streets districts.

You can find more information about this amendment, including a full draft and a form to submit your feedback on the proposal, at bostonplans.org/zoning4squares