

**Improving our Development Review Process, Article 80 Modernization Public Meeting**  
 February 29, 2024

Questions & Answers

*During our public meeting on February 29, 2024 BPDA staff received some questions that we did not have a chance to cover. Below you will find those questions and corresponding answers.*

Questions	Answers
<p>1. Who are the consultant teams and what is their experience?</p>	<p>We are working with 2 teams of consultants that bring extensive local and national expertise. Our engagement efforts are led by ASG (along with Rivera Consulting and Lazu Group). We are also working with a team led by Matrix Consulting Group (including Stantec, ZoneCo, and Cynthia Barr) to understand our operations and draft new zoning text.</p>
<p>2. In what ways is Boston an outlier when it comes to mitigation?</p>	<p>Boston is an outlier for two reasons. First, Boston achieves mitigation and community benefits that are larger and wider-ranging than other cities. However, Boston also has a very inconsistent process. Most other cities have a more standardized approach. (<a href="#">Link to report</a>)</p>
<p>3. Who is behind this change? Is it the city communities or the real estate lobby? How do citizens have input to "city policies"?</p>	<p>The BPDA has often heard from community members, developers, and even BPDA staff that the Article 80 development review process can be complicated and unpredictable. Mayor Wu's vision for development is to shape growth that furthers the City's goals of resilience, affordability, and equity through a process that is more transparent and predictable. To achieve this vision, the BPDA is excited to work with the public to modernize the development review process.</p>
<p>4. Would you talk about the intersection between this zoning in this initiative and that in the Squares &amp; Streets initiative?</p>	<p><a href="#">Squares + Streets</a> is a planning and zoning initiative that is focusing on housing, public space, small businesses, arts and culture, and transportation in neighborhood centers and along main streets. Our planning team is working with community members to</p>

	<p>determine what new zoning (setting rules around the shape and size of buildings) works best in these neighborhood centers.</p> <p>The Article 80 Modernization Project is updating the process that new development projects undergo as they are reviewed by City staff and community members.</p> <p>Squares + Streets and Article 80 Modernization set up a new process for reviewing new development proposed in areas with recently enacted zoning. The recent planning and new zoning rules will help to ensure that the development best meets the needs of a neighborhood in the context of the city at large.</p>
<p>5. Will the major utilities be looked at across projects so areas of the city aren't being dug up, filled in, multiple times as new projects appear on the radar?</p>	<p>Construction planning is not within the scope of this project. Specific recommendations based on Idea 10 would aim to create closer coordination across city departments. However, the city does look comprehensively at upcoming construction through a Construction Management Plan, managed by the Boston Transportation Department (BTD). A daily report of all active construction on public ways in Boston is available <a href="#">here</a>.</p>
<p>6. Does any of this relate to enforcement. For example item #8: Northeastern University is a serial violator of its MOUs and each successive IMP over decades swallows ever increasing areas.</p>	<p>Enforcement and compliance are important focus areas of this project. We've heard from our focus groups that the BPDA doesn't clearly communicate project compliance after Board approval. Idea 11 includes ideas that would establish better performance tracking of all projects, including those related to institutional development.</p>
<p>7. Not all communities are equal! There are longstanding disparities and inequities that are embedded in the planning and development process as it relates to certain communities/neighborhoods. How will this proposed new process address those inequities?</p>	<p>We agree and by updating and improving our development review process we hope to make sure that our process is more transparent and predictable. Currently, the development review process is very negotiation-based, meaning that not all projects end up with the same outcomes at the end. We've heard from community members, city staff, and developers an interest in creating a more standardized</p>

	<p>process. This will allow all projects, big or small, to receive a predictable and transparent standard of care.</p>
<p>8. Could the presenter provide neighborhood-specific data to substantiate the claim of Boston's leading per square foot community mitigation results from 2010, for public review?</p>	<p>We've seen from our peer city studies that Boston achieves mitigation and community benefits that are larger and wider-ranging than other cities. However, Boston also has a very inconsistent process. Most other cities have a more standardized approach.</p> <p>Our project team has studied a representative sample of over 100 projects approved in Boston over the past ten years. They found that about half of all mitigation and benefits are provided in-kind, making it difficult to calculate specific monetary per-sq-ft estimates. For the 50% of benefits that are monetary, the sample shows a median of \$1.24 per sq ft.</p>
<p>9. For each of these Emerging Themes, could you lay out the initiative from the three major perspectives you've identified - City, developers and community - and how each of these themes would impact and integrate each of these groups' separate perspectives.</p>	<p>This information is available on our project webpage - specifically our <a href="#">Article 80 Modernization project storymap</a>.</p>
<p>10. Are you able to share more details of the research done on the best practices in other cities? I'd be particularly interested in hearing more about other cities' community engagement processes</p>	<p>We have posted our Community Engagement Peer Cities report on our <a href="#">project page</a>. We encourage you to take a look and learn more about what we heard:  <a href="https://www.bostonplans.org/getattachment/65910c7a-dbf5-4e5a-a29e-b3b4c78206b3">https://www.bostonplans.org/getattachment/65910c7a-dbf5-4e5a-a29e-b3b4c78206b3</a></p>
<p>11. How does planning affect Article 80 review? Who is doing the planning and when does that occur - before or after a project is submitted under Article 80? Can Article 80 review be suspended until a plan is in place? How are serially reviewed Article 80 projects evaluated with respect to each other and cumulatively if no plan is yet in place?</p>	<p>Development review will continue as planning and zoning work is underway. The planning and urban design teams provide ongoing input on projects over time to ensure cumulative impacts are understood and addressed.</p>

<p>12. What is the city doing to:</p> <ul style="list-style-type: none"> <li>a) Ensure that all the alternative methods of engagement are used to elicit participation from those most impacted by each proposed development?</li> <li>b) Connect those stakeholders so they can know each other and collaborate in their advocacy?</li> <li>c) Ensure that the respondents have comprehensive access to accurate, evidence-based information about each development and its potential impacts?</li> <li>d) Require that developers submit evidence-based accurate information, including transportation studies, photos of site existing conditions, and unbiased descriptions of the neighborhood?</li> <li>e) Require that developers meet or exceed standards set by the most beneficial developments in the area, not use the worst nearby examples as excuses for 'good enough' projects?</li> </ul>	<ul style="list-style-type: none"> <li>a) The goal of all development review engagement is to hear from community members impacted by the proposed development. Impacts range from construction planning for direct abutters to citywide issues of transportation and open space.</li> <li>b) Community coordination is not a specific goal of the development review process, but as with all civic engagement is an opportunity to build relationships with others who take part and contribute their time and efforts. In addition, there are several other city resources to help connect communities and advocates including the <a href="#">Mayor's Office of Civic Organizing</a>.</li> <li>c) The BPDA's website currently displays project-by-project information as it is updated over the course of the review process. One of the core goals of this project is to create a more transparent process. For example, Ideas 3 and 11 will include recommendations around sharing staff perspectives and providing more transparent performance tracking.</li> <li>d) The project review process currently asks staff to evaluate information provided by developers and request updates, additional studies, or project changes based on that information. This core feature of the process will not change. Information provided by developers will continue to be comprehensively reviewed for accuracy to inform staff review.</li> <li>e) We've heard from community members that the most important outcome of the development review process is a good project. Several Ideas include new ways of setting transparent and predictable standards. For example, Ideas 1 and 2 discuss ways to clearly incentivize projects that align with City priorities and recent zoning.</li> </ul>
<p>13. What's making you want to finally include the communities when we're</p>	<p>Community participation is and will continue to be an essential part of a successful</p>

<p>the ones that know what we want in our communities?</p>	<p>development review process. We've heard from our surveys and focus groups that today's process is not transparent or clear and creates a lack of trust. An important goal of this project is to update the engagement methods and structures to specifically lay out the role of community input and provide transparent feedback loops on the use of that input.</p>
<p>14. I would like to know more about how Article 80 would affect housing. My fear is that article 80 would result in more demolition similar to what happened in the West End when the City took the area by imminent domain.</p>	<p>Article 80 helps to shape new development projects, but does not have any ability to take land. As we're in a housing crisis, this administration has identified the BPDA's priorities as improving resilience, affordability, and equity. Therefore City staff will provide input to proposed development projects to support more affordable housing.</p> <p>Through the Home Rule Petition that Mayor Wu sent to the State House last year, the BPDA is seeking to end Urban Renewal, see <a href="#">Executive Order</a> for more details.</p>
<p>15. What is the policy/process for ensuring that developers adhere to the Master Plan and commitments to the community? Even when projects are "as of right," they are still very disruptive to local communities. How can we build stronger relationships to mitigate impacts to residents?</p>	<p>Institutional Master Plans (IMPs) or Planned Development Area Master Plans (PDAs) are important tools to understand and plan for large-scale development over an extended period of time. These plans require dedicated rules and engagement methods. Ideas 7 and 8 address the standards and thresholds put in place for these plans, and Ideas 4 and 5 include ideas around potential unique engagement models to use for IMPs and PDAs.</p>
<p>16. As someone who has been involved in advocating for housing (vs. other building like more lab space) I'd love to know more about what you're doing with downtown buildings (now 30% empty) which could house residents.</p>	<p>Great question! Mayor Wu launched the BPDA's <a href="#">Downtown Residential Conversion program</a> in the summer of 2023. The goal of this program is to convert older office buildings into housing in and around Downtown Boston.</p>
<p>17. Can you publish a lexicon of acronym and terms of art that can be referred to as new members join these meetings?</p>	<p>Thanks for this great point! Here is a link to a glossary with some frequently used terms BPDA staff use. Let us know if there are additional terms you'd like us to add to this list!</p>

	<a href="https://www.bostonplans.org/about-us/glossary/#Article%2080">https://www.bostonplans.org/about-us/glossary/#Article%2080</a>
<p>18. Today the BPDA could enforce the zoning code but does not. What is proposed to change that will result in BPDA assuring that the zoning code will be enforced?</p>	<p>Today's development review process is legally defined through Article 80 of the Boston Zoning Code. This will not change. This project will propose updates to the code, not get rid of it.</p> <p>Additionally, one of the goals of this project is to update the development review process to better align with planning and zoning. Idea 2 reflects that goal, along with input shared during community focus group conversations, by highlighting the desire to create an incentive for proposed projects to align with zoning.</p>
<p>19. Can the BPDA consider how projects address the issue of reparations? Clearly, in some neighborhoods empty parcels that now the city is disposing of, were, at one time homes in a vibrant neighborhood. The people in those homes were displaced by eminent domain and can no longer participate in the planning process. This is the case of Lower Roxbury. I do not know how that it is possible, but in a grand scale their story needs to be addressed when new construction is erected on that land. The zoning code should involve considering the historic character of sites.</p>	<p>Reparations are not within the scope of this project. However, the City does have a <a href="#">Reparations Task Force</a>, which recently <a href="#">announced</a> a team of researchers who will document the history and legacy of slavery in Boston.</p>
<p>20. Really interesting about grading and potential for early no. How about having criteria or scorecard for "good community engagement". What do development review folks think good community engagement is? How do they know? And how might you crosscheck this with the community? If you have a framework for this, then</p>	<p>This is an excellent idea! We've heard from focus groups with staff and community members that today's process does not provide clear purpose or metrics for engagement. A key focus of Ideas 4 and 5 is establishing transparent and predictable goals for engagement, including metrics of success.</p>

<p>you could also evaluate it during and after the project, and learn for the future.</p>	
<p>21. I would really like to hear how this revamp will use AFFH in a more proactive way to ensure Boston is meeting Fair Housing, especially as it comes to protected groups.</p>	<p>Today, proponents of Large Projects, Planned Development Areas (PDAs), and Planned Development Area Master Plans that feature a housing component must submit an AFFH Assessment form with their project filing documents. More information is available on our <a href="#">AFFH in Article 80 webpage</a>.</p> <p>In this project, Ideas 9 and 10 reflect the need to create a more transparent filing and review process that builds on current requirements.</p>
<p>22. Is there a way to submit questions for response later?</p>	<p>Yes! We encourage you to email us at <a href="mailto:article80modernization@boston.gov">article80modernization@boston.gov</a> or submit comments/ questions in the comment box on our <a href="#">project page</a>.</p>
<p>23. How will institutional master plans be held to Article 80?</p>	<p>Today, Institutional Master Plans (IMPs), are a part of Article 80 (Section C). This project will update the standards and process of IMP review, captured in Idea 8.</p>
<p>24. Hello, during yesterday's Zoom meeting, there was a discussion about the Boston Planning &amp; Development Agency's approach to Planned Development Areas (PDAs). Could someone clarify whether there was mention of eliminating PDAs citywide or just in specific neighborhoods? I'm seeking detailed information on this topic to understand the potential impacts on our community's development strategy.</p>	<p>There is currently no plan to eliminate Planned Development Areas (PDAs) as a part of this project. Idea 7 does identify the need to update the standards and thresholds for PDA eligibility and approval. We've heard through surveys and focus groups with community members and developers that PDAs need to be made more predictable and transparent.</p>