boston planning & development agency

Improving Our Development Review Process

Article 80 Modernization

Community Engagement and Development Review Operations Improvement

PHASE 1 REPORT
JANUARY 2024

Contents

1. Project Goals

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.

A successful development project and review process is one that...

Advances citywide goals of **affordability, resilience, equity.**

Aligns with the **planning vision** for the area.

Is **transparent, clear, and easy to engage with.**

Embraces growth while creating a **predictable process.**

2. Process Overview

Phase 1 of engagement and data collection efforts focused on identifying ideas for how to modernize Article 80 and the community engagement process. This included:

- **Survey Outreach**
    - Community Barriers Survey *(targeting those not currently involved in our process)*
    - Community Experience and Mitigation Survey
    - Developer Experience Survey
- **Peer City Research into Best Practices**
- **Working Sessions with:**
    - Article 80 Steering Committee
    - Community leaders and organizations
    - Institutions
    - Project proponents and development teams
    - BPDA and City staff

Phase 2 of this project involves sharing the results of this work so far and drafting recommendations through additional outreach to hear feedback and discuss tradeoffs. Stay tuned for opportunities to get involved!

3. Survey Summary

Phase 1 - What We Heard & Early Themes

3.1 Surveys - Approach

- *Community Barriers.* The intent of this survey was to reach individuals who are not currently involved in BPDA processes to understand why and how we can shape a more inclusive process. Staff collected these surveys in-person at T stops, community events, and other locations in the community, as well as through targeted online outreach.
- *Community Experience and Mitigation.* This survey was shared through our regular channels (newsletters, emails, and during Article 80 public meetings) to ensure that those who are currently part of our processes had the opportunity to share their experiences and ideas.
- *Developer Experience.* This survey was shared with developers who have projects currently or previously under review by the BPDA. These questions focused on identifying opportunities for operational improvement.

3.2 Surveys - Key Findings

- There is a **significant demographic skew** in our collected survey data.
  - Respondents of the "*Community Experience and Mitigation Survey*," which we shared with individuals who already engage with the BPDA, were overwhelmingly homeowners (75%), long-term residents (70% here 20+ years), older (56% over 55), and white (80%). This data suggests that the group that engages with the BPDA currently is not representative of the City's population, which is 68% renters, 51% people of color, and 62% adults under 60 years old.
  - Our "Community Barriers Survey," which was shared using tactics that are atypical of the current Article 80 process, was completed by renters (88%), younger residents (40% under 35), and people of color (80%). This data suggests that **changing the BPDA's outreach methods could expand the population that takes part in our processes to be more representative of the City.**

Community Barriers Survey - Demographics of Respondents
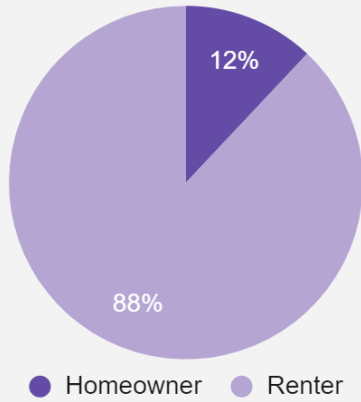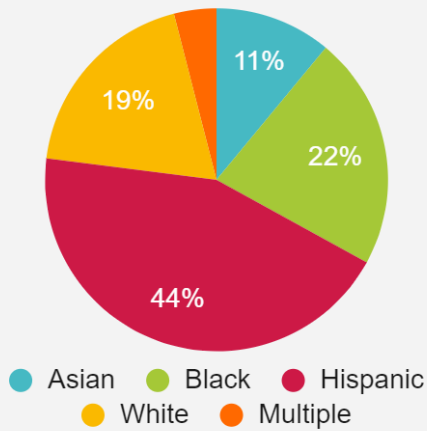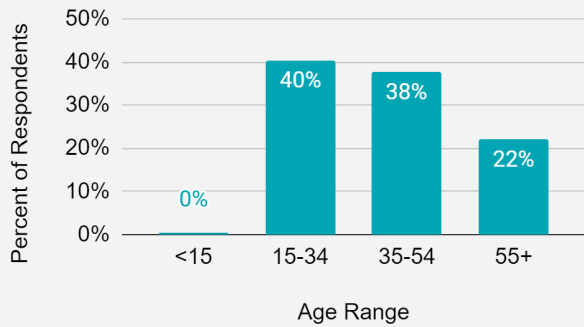
Chart 1 – Homeownership Status

- 12% Homeowner
- 88% Renter

● Homeowner ● Renter

Chart 3 – Race & Ethnicity

- 11% Asian
- 22% Black
- 44% Hispanic
- 19% White
- (Multiple)

● Asian ● Black ● Hispanic
● White ● Multiple

Chart 5 – Age

Percent of Respondents

Age Range	Percent
<15	0%
15-34	40%
35-54	38%
55+	22%

Age Range

Community Experience and Mitigation Survey - Demographics of Respondents

Chart 2 – Homeowner Status

- 25% Renter
- 75% Homeowner

● Homeowner ● Renter

Chart 4 – Race & Ethnicity

- 8% Black
- 83% White

● Asian ● Black ● Hispanic
● White ● Multiple

Chart 6 – Age

Percent of Respondents

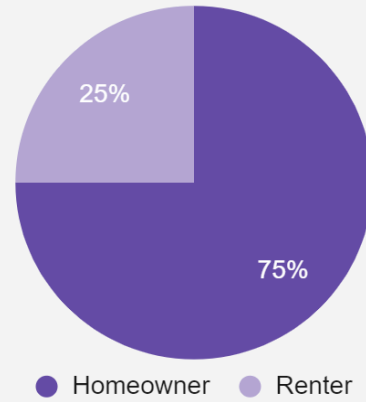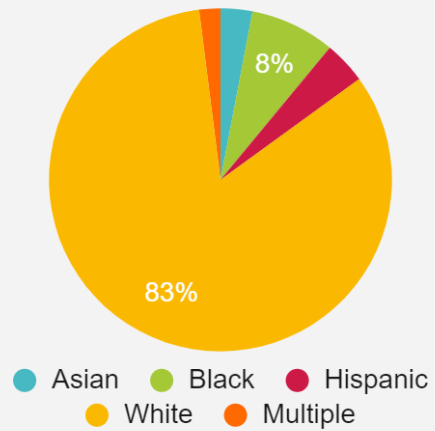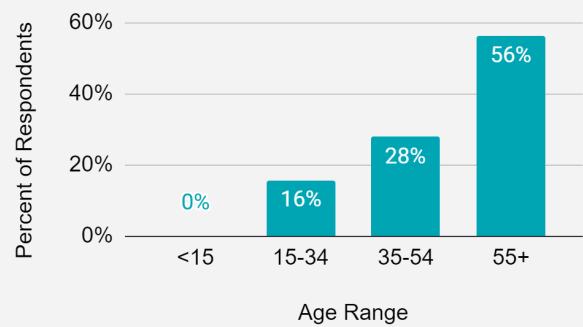| Age Range	Percent
<15	0%
15-34	16%
35-54	28%
55+	56%

Age Range

Community Barriers Survey
1,420 responses collected in the community at T stops, events, and through targeted online outreach.

- 86% of respondents are interested in participating in the BPDA's process.
- Respondents are unable to participate when they want to for many reasons, including not having the time to attend meetings (39%), meeting attendance not having an impact (13%), and unwelcoming environments (12%).
- 10% of respondents said they are unable to participate because meetings aren't accessible. When asked why, respondents shared many accessibility barriers, including timing, awareness, and digital access.

Chart 7 – Interest in Participation

Question Prompt: Are you interested in shaping and learning about current or new development projects coming to your neighborhood?
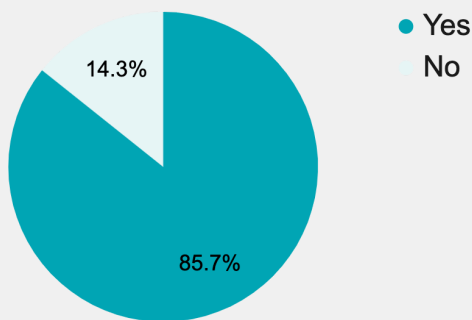
- Yes
- No

14.3%

85.7%

Chart 8 – Barriers to Participation

Question Prompt: What prevents your participation?

4%
10%
10%
12%
12%
39%
13%

- Do not have the time
- Meetings provide limited opportunity to make an impact
- Meetings are not welcoming
- Not interested in development projects
- Meetings are not accessible
- Negative prior experience
- Other
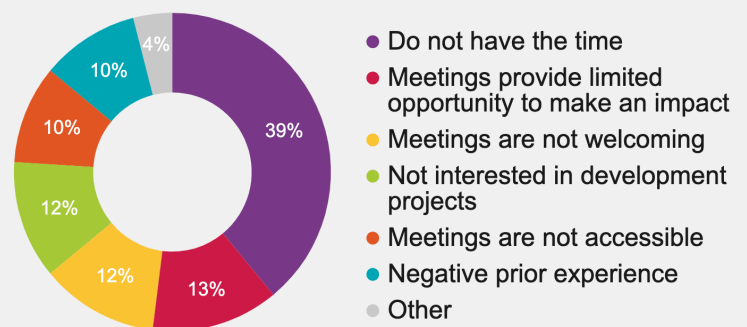
Chart 9 – Barriers to Accessibility

Question Prompt: Why are meetings not accessible?

Category	
Timing of meetings	~40%
Do not know where meetings are	~37%
No or limited access to a computer or smart phone	~25%
Lack of childcare	~19%
Personal barriers (transportation, work, family)	~18%

0%   10%   20%   30%   40%
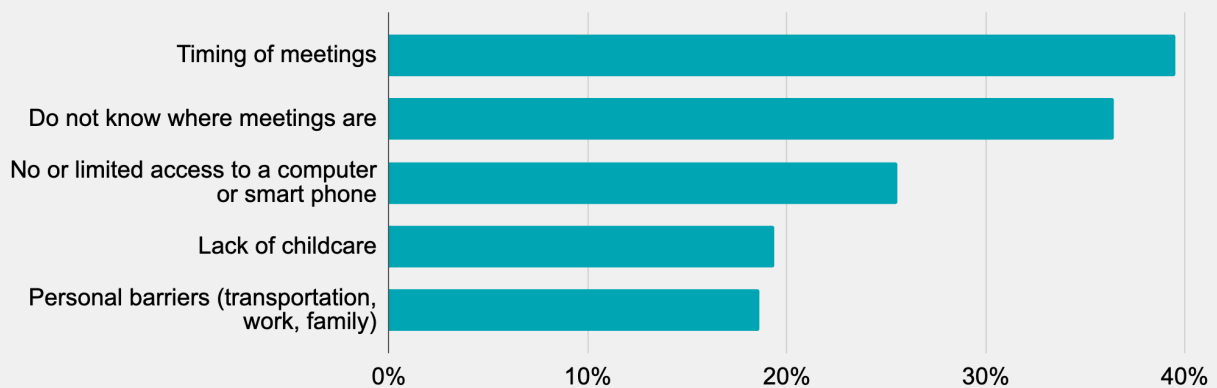
Community Barriers Survey - Question Response Charts

Community Experience and Mitigation Survey
978 responses collected through online outreach and through A80 meetings.
- Highest point of agreement among respondents was in support of a **more defined approach to mitigation and community benefits**
- Second highest point of agreement is for **multiple engagement options to get involved and share input**
- Strong support for **standardized community benefit and mitigation measures**
- Most agree that the current **process is not clear or consistent**
- Majority of respondents think **Impact Advisory Groups are not transparent, trusted, or representative of the community**

Survey Prompt	Agree	Neutral	Disagree
"I would like multiple options to get involved and share my input (for example, online questionnaires, in-community surveys, better signage at project sites, etc.)"	**77%**	16%	7%
"I understand how my input shapes development projects"	27%	18%	**55%**
"The IAG process is transparent and trusted."	15%	20%	**65%**
"IAG membership is reflective of the community."	21%	23%	**56%**
"I think the BPDA should adopt a more defined approach to mitigation and community benefits."	**82%**	12%	6%
"Community benefit and mitigation measures should be determined based upon project types and standard categories (for example: project size, use, location, etc.) to increase consistency across projects."	**71%**	19%	10%

Developer Experience Survey
97 responses from project proponents and developers in an emailed survey.

- Strong consensus that the current process is **not predictable**
- **A small minority find Impact Advisory Groups to be consistent or beneficial**
- The current **mitigation process is not consistent** and does not occur at the appropriate time

Survey Prompt	Agree	Neutral	Disagree
The timeline to process my application was predictable	4%	10%	**86%**
I found the Impact Advisory Group (IAG) meetings to be productive	**26%**	35%	39%
Feedback from the project's Impact Advisory Group (IAG) or other applicable advisory groups was beneficial in determining appropriate mitigation for the project	**26%**	36%	38%
The City's approach to mitigation is consistent from project to project	11%	24%	**65%**
For my application, I received all community benefit and mitigation requests at the appropriate time	17%	19%	**64%**

4. Peer City Best Practices Summary

4.1 Peer City Best Practices - Approach

Our consultant teams reviewed the development review and community engagement processes in multiple cities across the US and Canada. This review helped us learn from experiences outside of Boston, and provided key insights to identify potential big ideas. The below ideas from other cities can provide some inspiration as we design a better development review process for the City of Boston.

4.2 Peer City Best Practices - Key Findings

Cities around the US and Canada are experimenting with new approaches to community engagement and mitigation. These approaches are all aimed at supporting a wide range of community input to create a more transparent and consistent development review process.

- **Seattle: Early Engagement & Incentive Zoning**
  Seattle's engagement model encourages developers to build an engagement plan, in partnership with civic organizations, that begins very early in the project review process. This approach can help reimagine the early stage of project review (commonly called "pre-file" here in Boston) and potentially bring greater transparency through standardized documentation and formalized methods. Seattle's incentive zoning standards directly connect zoning relief to specific mitigation standards and categories.
- **Toronto: Planning Review Panel**
  Toronto's Planning Review Panel is a citywide community body that reviews proposed development projects. The 32-member group is selected by lottery and serves two-year terms. The Panel is an example of a unique model for potential new forms of advisory groups. It shows that there are many different ways of collecting community input on development (for example - citywide or neighborhood-specific, project-specific or time-based, etc.)
- **Pittsburgh: Multiple Methods**
  Pittsburgh uses many different methods to collect project feedback in a centralized platform, including: quick polls, call-in messages, virtual meetings, and in-person forums. These methods create a transparent feedback loop through widely adopted systems.
- **Baltimore: Planning Academy**
  Baltimore's Planning Academy is a free six-week training program that aims to build

community leadership around planning, zoning, and development. The process intentionally minimizes project-specific engagement in favor of deeper planning-based efforts and opportunities.

- **Denver and Portland: Detailed Impact Fees**
Many cities in the US, including Denver and Portland, create specific mitigation contribution requirements through impact fees. These fees identify specific funding uses (transportation, sewers, parks, etc.) and amounts, based on factors like project location, use, and size.

5. Working Session Summary

5.1 Working Sessions - Approach

The project team held an initial series of workshops, meetings, and conversations with community members, institutions, development partners, BPDA staff, and City of Boston staff. Conversations focused on identifying specific areas of the development review process that do not work well and opportunities for improvement.

5.2 Working Sessions - Key Findings

- The engagement process does not communicate clear goals
  - *"The BPDA needs to reflect on, define, and communicate why they want to engage with the community."* Community member
  - *"There is typically no agenda issued in advance, nor discussion of what needs to be decided and how decisions will be made... The result is that each meeting regurgitates the same issues every time, rather than advancing a set of issues and goals that are clear and which people can work towards, eventually moving to next steps. This discourages participation."* Community member
- The role and structure of advisory groups should be reviewed and clarified
  - *"What IAG members are supposed to do and how an IAG should function is very unclear and rarely if ever addressed. There appear to be no public expectations set by the BPDA for IAG member participation."* Community member
  - *"IAGs should be reconsidered, because a lot of times they add a hierarchy on a lot of conversations."* BPDA Staff
  - *"There seems to be no rhyme or reason behind the make up of IAGs for a given project... They do not reflect the diversity of our community, especially the large majority of people who rent apartments, nor our immigrant community members and many small business owners and workers."* Community member

- o *"We have had people on our task force for several years and we are desperate to get the taskforce replenished. The conversations brought up by the taskforce have limited impact since the members are not interested or involved in various aspects of the institution's five-year plan, it is an added responsibility to ensure they are engaged."* Boston-based institution
- The mitigation and community benefits process is confusing and inconsistent
  - o "There is no guidance from the BPDA as to what constitutes appropriate community benefits and what the goals of negotiating community benefits should be." Community member
- City staff recognize that operational processes impact the ability to be transparent
  - o *"One of the ways we do not communicate well is one of the impacts of the process, what did change through your engagement? We don't report on the post-project...we just keep moving on to the next project. And because we have so much work, we are so busy, but we don't stop to consider that feedback loop."* BPDA Staff
  - o *"The city has a tendency to omit, so that that puts people in kind of a, well, you're not telling us something kind of thing. And I think that... it's because they're waiting for some higher-up to give the thumbs up to then share that information. And I think it comes off like you're lying, or you're not telling us the full story, which also feeds right into the distrust of the city, and the folks who work here."* BPDA Staff