

# Draft Open Space Amendment Zoning Fact Sheet

## Background

Boston's parks and open spaces are essential and beloved resources for the city's residents. In recognition of the important and unique role that open space has for the city, Article 33 of the Boston Zoning Code regulates and protects its use. The purpose of Article 33 is to encourage preservation of Boston's open space; enhance the appearance of neighborhoods through the protection of open space; distinguish different types of open space; coordinate between state, regional, and local open space plans; mitigate the effects of noise and air pollution; and ensure that Boston residents have access to adequate natural light and air. In total, nine (9) open space subdistricts are regulated under Article 33.

The BPDA is proposing an amendment to Article 33 that would add one (1) new open space subdistrict to the article. The **Stadium Open Space (OS-S) subdistrict** would create a new stadium and public amphitheater zoning district, in order to enable greater investment and enable more amenities in appropriate areas of the city's current and future open spaces.

This new subdistrict would:

- Apply to land appropriate for and limited to active or passive recreation
- Require land to be owned by a public entity or nonprofit that is dedicated to open space uses
- Allow uses to support the stadium/public amphitheater such as: accessory retail, restaurant serving alcohol, and entertainment uses on the premises.

This fact sheet comprises two sections (1) text amendments to Article 33, Article 3, and Article 8 in order to facilitate this proposed change; and (2) proposed areas for rezoning, including draft map amendments.

## **Text Amendments to Article 33, Article 3, and Article 8**

**New Definition for Stadium Open Space Subdistrict:** The following section was inserted into Article 33 in order to define the proposed Stadium Open Space Subdistrict:

### **Section 33-12 - Stadium Open Space Subdistrict**

Stadium open space subdistricts shall consist of land appropriate for and limited to active or passive recreation uses, including stadiums and outdoor amphitheaters when such uses are administered by a public entity delegated to carrying out the land uses allowed in this article or their designee (except that a private person, entity or conservation trust shall not in any instance administer such uses unless designated by a public entity), or a nonprofit organization established for the purposes of carrying out the land uses allowed in this article. Can include accessory retail, restaurant serving alcohol, and entertainment uses when supporting a stadium or outdoor amphitheater use, excepting any uses as may be prohibited for publicly-owned land that is permanently protected open space under Article 97 of the Amendments to the Constitution of the Commonwealth.

**Text Changes:** The following sections contain minor text amendments that add reference to the Stadium Open Space Subdistrict:

- Article 33, Section 1: Preamble
- Article 33, Section 2: Statement of Purpose
- Article 33, Section 5: Establishment of Open Space Subdistrict Categories
- Article 33, Section 6: Land Eligible for Open Space Designation
- Article 3, Establishment of Zoning Districts
- Article 8, Table A

**Direct Designation of Open Space Subdistricts:** Language explaining the OS (Open Space) district abbreviation and its indication on zoning maps was added to Section 33-18.

**Parking and Loading Requirements in Open Space Districts:** The provision that open space districts do not need to comply with a minimum parking or loading requirement was added as a new section (Section 33-19) to Article 33.

**Amendment to Article 8, Use Code 27A:** Language was added to this section to allow accessory uses customarily incidental to open space recreational use, and allowing such structures within Open Space districts, subject to provisions of Article 33.

## Proposed Areas for Rezoning & Draft Zoning Maps

The Stadium Open Space subdistrict is proposed to apply to two existing stadiums that meet the definition of Stadium Open Space.

- *East Boston Memorial Stadium*
  - This rezoning will not enable any changes to the function of East Boston Memorial Stadium, but instead will allow the stadium to now have underlying zoning that more accurately reflects its current use.
- *White Stadium, Franklin Park*
  - This rezoning will support White Stadium's function as a major community resource and the current use.
  - It will also enable future Investment. It also supports planning recommendations in the [Franklin Park Action Plan](#), which named the Playstead area, including White Stadium, as a "major magnet" with a need for increased public amenities and investment.

In the future, the Stadium Open Space subdistrict could also be applied to existing or new public stadiums or amphitheaters in order to better support them and allow for more public amenities on the premises.

Draft zoning maps that show the new subdistricts for each of these stadiums can be found on our website: White Stadium ([Draft Zoning Map 8A Greater Mattapan Neighborhood](#)) and East Boston Memorial Stadium ([Draft Zoning Map 3A-3B East Boston Neighborhood](#)).