

A Citizen's Guide to Development Review

Review



under
Article 80
of the Boston Zoning Code

CITY OF BOSTON, Thomas M. Menino, *Mayor*

BOSTON REDEVELOPMENT AUTHORITY, Mark Maloney, *Director*



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Dear Fellow Bostonians:

Cities change. In order to shape that change, we must work together to plan for and guide development projects throughout our City's communities. Article 80 of the Boston Zoning Code is the vehicle by which every resident is given a voice so that Boston is shaped by all of those who care about its future.

If you understand Article 80, then you will have a stronger voice in guiding the changes that are part of urban life. Article 80 is long and complex, so this guide provides a clearer explanation in less technical language. I hope that the Guide helps you to get involved in the development of your community.

Planning for our City's future requires our collective wisdom. While the Boston Redevelopment Authority is legally responsible for crafting those plans, we need your help to ensure that all our interests are represented. Our responsibility is a tough one, since change brings confusion and concern. But change also brings the opportunity to build a city that works better for us all. When you know Article 80, then you will know the steps and the language involved with that planning.

I look forward to working with you through the Article 80 process to ensure that development in Boston is thoughtful, responsible and inclusive.

Mark Maloney
Director, Boston Redevelopment Authority



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The Boston Zoning Code requires the Boston Redevelopment Authority (BRA), the City's planning and economic development agency, to review the design of real estate developments and their effect on the surrounding community and the City as a whole. The procedures and standards for this review appear in Article 80 of the Zoning Code.

Citizen participation is vital to the success of development review under Article 80. Members of the public are encouraged to offer their comments and insights on projects in their community. We hope this guide will help you take part in this important effort.

What Type of Review Does Article 80 Include?

The term "development review" actually refers to four separate types of review. The regulations for all four types of review appear in Article 80. They include:

- Large Project Review
- Small Project Review
- Planned Development Area (PDA) Review
- Institutional Master Plan Review

Large Project Review

Large Project Review (described on pages 6-9 of this guide) applies to virtually all major projects in Boston. In most locations, Large Project Review applies to projects that add at least 50,000 sq. ft. of gross floor area. In Large Project Review, the BRA, guided by comments from the public, examines a project's impacts on its immediate neighborhood and on the City as a whole. Depending upon the project's size, location and use, the review may address the project's impacts in a variety of areas, including traffic and parking, environmental protection (wind, shadow, noise, etc.), the design character of the area, historic buildings, and infrastructure systems (water, sewer, electricity, etc.). Depending upon the project's impacts, the BRA may require the developer to change the project's design or to take other measures to reduce (or "mitigate") those impacts.

Small Project Review

Small Project Review (pages 10-11) requires design review by the architects of the BRA's Urban Design Department for projects that are too small for Large Project Review but are larger than a minimum size. In most locations, Small Project Review applies to projects that add at least 20,000 sq. ft. of gross floor area or at least 15 dwelling units.

Planned Development Area (PDA) Review and Institutional Master Plan Review

Planned Development Area (PDA) Review (pages 12-14) and Institutional Master Plan Review (pages 15-16) examine long-range plans that are required for developments in certain areas. Planned Development Areas (PDAs) are overlay districts that establish special zoning controls for large or complex projects. These zoning controls are specified in the Development Plan for each PDA. Institutional Master Plans provide zoning controls for hospital and college projects. Projects described in PDA Development Plans and Institutional Master Plans also are subject to Large Project Review or Small Project Review, depending upon their size, location and use.

Large Project Review provides a comprehensive public review of a large project's impacts on its neighborhood and the City as a whole. Through this review, the BRA, guided by comments from the public, evaluates the impacts of the proposed project and determines what measures are appropriate to mitigate those impacts. For example, if the review of a proposal for a tall building reveals that the building will create uncomfortable winds at sidewalk level, the BRA may require the developer to change the shape of the building or to take other measures, such as adding awnings and trees, that help reduce the pedestrian-level winds.

Why Was Article 80 Adopted?

Article 80 was adopted in 1996 to make the Zoning Code's many development review regulations easier for all citizens of Boston to use and to understand, and to apply those regulations consistently throughout the City. In the years before Article 80, a variety of review requirements were added to the Zoning Code to address particular needs as they arose. Eventually, the Zoning Code contained an array of separate regulations that appeared in many different articles. These regulations applied only in parts of the City where new zoning had been adopted, even though other areas had similar needs. Article 80 consolidates all of the Zoning Code's development review regulations into the four procedures listed previously and applies them citywide under a consistent, coordinated system.

What Projects Require Large Project Review?

In general, Large Project Review is required for projects that add at least 50,000 sq. ft. of gross floor area, whether by new construction or by an addition to an existing building. It also applies to smaller projects in areas near Boston Harbor and to larger projects that involve a change of use without significant new construction.

What Does Large Project Review Cover?

Large Project Review may require a developer to examine many different types of impacts. The impacts that an applicant must analyze for a particular project vary, depending upon the project's location, size and use, and the characteristics of the surrounding area. Therefore, not every project will be required to cover every topic.

Large Project Review begins with a scoping process that determines the specific impacts the applicant must examine in detail. Article 80 lists the types of impacts that the BRA's Scoping Determination may require an applicant to study. They are detailed on the following pages.

Transportation

Impacts on traffic and parking, both during and after construction.

Environmental Protection

Impacts on environment, including wind, shadows, and noise.

Urban Design

Impacts on the urban design features of the surrounding area and the quality of the pedestrian environment.

Historic Resources

Impacts on historic districts and structures.

Infrastructure Systems

Impacts on water, sewer, electricity, and other infrastructure systems.

Three other components address projects that are subject to special zoning requirements:

Site Plan

The zoning for certain districts requires the BRA to review a site plan for projects over a certain size. The BRA reviews the required site plan through the Site Plan component of Large Project Review (or Small Project Review, depending upon the project's size).

The site plan must show the project's impacts on significant natural features and the measures proposed to maintain those features.

Tidelands

Waterfront projects that require a state tidelands ("Chapter 91") license must receive a recommendation from the local planning board. The Tidelands component of Large Project Review requires the applicant to submit the information necessary for the BRA to issue this recommendation.

Development Impact Project

The Zoning Code requires that certain projects contribute to a citywide fund for affordable housing and job training programs. (These projects, known as "Development Impact Projects" or "DIP," are projects that require approval by the Board of Appeal or the Zoning Commission, and that add over 100,000 sq. ft. of gross floor area for certain nonresidential uses, or for uses that will directly reduce the City's supply of affordable housing.) The amount of the required contributions, known formally as "DIP exactions" or informally as "linkage payments," is based on the size of the project, as measured by its gross floor area. The DIP component of Large Project Review requires the applicant to submit the necessary measurement of the project's gross floor area. Approval of a DIP follows a public hearing at BRA Board.

Through the Large Project Review process, the BRA, guided by public comments, assesses the project's impacts and requires the developer to take appropriate measures to mitigate those impacts.

Impact Advisory Groups

On October 10, 2000, Mayor Thomas M. Menino signed *An Order Relative to the Provision of Mitigation by Development Projects in Boston*. When large projects happen in a neighborhood, the neighborhood can change. The City recognizes that changes can have both positive and negative effects on the surrounding community. In order to balance out these effects, the City requires developers to "mitigate those impacts" by providing projects or programs that alleviate the pressures on a community. An Impact Advisory Group assists the BRA in determining the appropriate mitigation by creating a framework for discussion that provides predictability to developers and a means for greater public involvement.

Please see a separate BRA publication called *IAGs & You!* For more details. It is available free of charge by calling (617) 722-4300.

Project Notification Form (PNF) and Scoping Determination

The Large Project Review process officially begins when the applicant files a Project Notification Form (PNF) with the BRA. The PNF describes the basic features of the proposed project. The PNF, and all other review documents, are available to the public and are open to public comment. After reviewing the PNF and public comments, the BRA issues a Scoping Determination, which describes the specific issues the applicant must study.

Draft Project Impact Report (DPIR) and Preliminary Adequacy Determination (PAD)

If the Scoping Determination requires the applicant to prepare detailed technical analyses, the applicant must submit these in a Draft Project Impact Report (DPIR) for review by the BRA and the public. Based on the DPIR and public comments, the BRA issues a Preliminary Adequacy Determination (PAD), which specifies the impacts the applicant must study further.

Final Project Impact Report (FPIR) and Adequacy Determination

Based on the PAD, the applicant prepares a Final Project Impact Report (FPIR) for review by the BRA and the public. In addition to reviewing the FPIR and public comments, the BRA also must hold a public meeting to consider and vote on the project. Based on that vote, the BRA issues an Adequacy Determination, which may approve the project, disapprove it, or approve it with conditions.

Waivers

Large Project Review may require an applicant to submit project impact reports (DPIR and FPIR) to help the BRA determine a project's likely impacts. For some projects, however, it may be fairly easy to determine a project's impacts. (For example, the project may replace a similar building or add one that is typical of the area.) For others, the developer may have supplied the required studies at the beginning of the review, or the public comments may supply reliable information on the project's impacts early in the review process.

In these situations, the BRA may find that the project materials and public comments received at the PNF or DPIR stage adequately describe the project's impacts. If so, the BRA's Scoping Determination or Preliminary Adequacy Determination may waive further review and determine appropriate mitigation measures.

If a Scoping Determination or PAD waives further review, it takes the place of a final Adequacy Determination and requires the same approval: that is, a vote of the BRA Board at a public meeting. An additional comment period follows any waiver to allow members of the public, public agencies, and the IAG to comment on the mitigation measures the BRA will require as conditions of the project's approval.

The review schedule for a particular project depends upon the project's size and location. If you have questions about the review schedule for a particular project, please call the BRA's Economic Development Department and ask to speak with the project manager for that project.

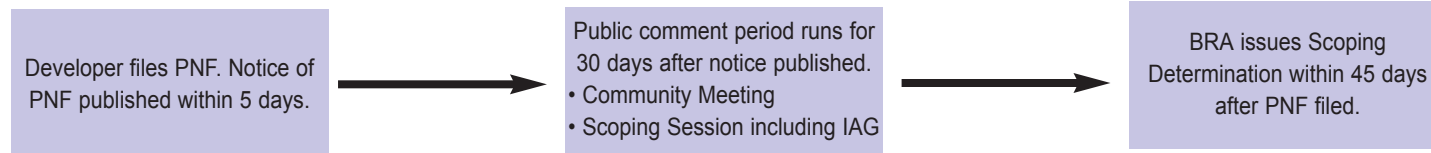
Next Steps

Prior to the completion of a Proposed Project, the developer shall obtain from the BRA a certification of Mitigation Compliance for the Proposed Project detailing the fulfillment to date of the terms of the Cooperation Agreement.

Only agreements made by the developer within the Article 80 review process and to which the BRA is a party will have bearing on the developer's Mitigation Efforts as determined by the BRA and will be included within the Cooperation Agreement.

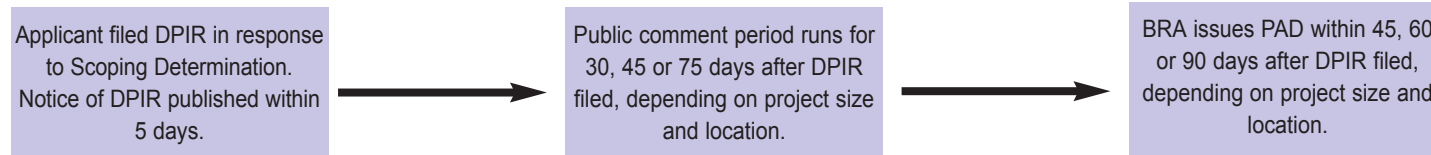
The following flow chart illustrates the Large Project Review Process:

Step 1. Project Notification from (PNF) and Scoping Determination



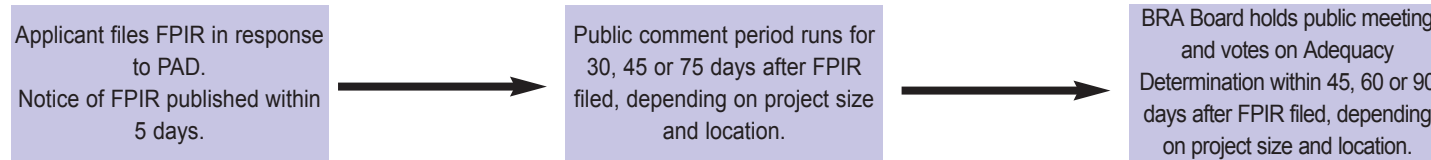
The Scoping Determination may waive further review, and require mitigation commitments, if the BRA Board finds that the PNF and Public Comments provide adequate information about the project's impacts.

Step 2. Draft Project Impact Report (DPIR) and Preliminary Adequacy Determination (PAD)



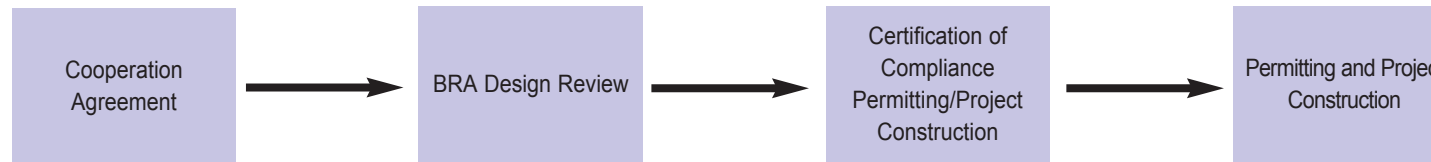
The PAD may waive further review, and require mitigation commitments, if the BRA Board finds that the DPIR and Public Comments provide adequate information about the project's impacts.

Step 3. Final Project Impact Report (FPIR) and Adequacy Determination



If the Adequacy Determination disapproves the FPIR, the applicant may submit a revised FPIR for review. The revised FPIR receives the same review as the original FPIR.

Step 4. Certification and Implementation



Small Project Review provides design review by the architects of the BRA's Urban Design Department. It applies to projects that are too small for Large Project Review but that merit professional design review because of their location, size and use.

What Does Small Project Review Cover?

Small Project Review provides the procedure for three types of review by the BRA's Urban Design Department. Most commonly, Small Project Review consists of BRA design review, where required by the Zoning Code or by the Board of Appeal. In addition, if the zoning for the project's location requires site plan review (and the project is too small for Large Project Review), the Urban Design Department will review the site plan through Small Project Review. Finally, Small Project Review supplies the procedure for the approval of comprehensive sign designs.

The thresholds for the three components of Small Project Review appear in Article 80 and are described here.

The Design Component

The Design component is the principal component of Small Project Review. Projects that are subject to the Design component must be consistent with the urban design guidelines established by the zoning for the area where the project is located. The Design component of Small Project Review applies to a wide variety of projects, as described below.

In the Downtown and Harborpark

In the downtown, and in the area around Boston Harbor, Small Project Review applies to any project for which the district zoning article requires design review.

In the Neighborhoods and Other Districts

In the neighborhood zoning districts, and in areas where new zoning has not yet been adopted, the Design component of Small Project Review applies to projects that add at least 20,000 sq. ft. of gross floor area or at least 15 dwelling units. (It also applies to smaller projects in Neighborhood Design Overlay Districts, which are designated in architecturally significant areas, and in certain other zoning districts.)

Citywide

Throughout the City, the Design component of Small Project Review also applies to monopoles and lattice

towers that carry cellular antennas and other wireless communications equipment. It also applies to all small projects in Planned Development Areas and to any small project for which the Board of Appeal requires design review.

The Site Plan Component

The Site Plan component of Small Project Review reviews site plans for small projects in Conservation Protection Subdistricts (CPSs) and Greenbelt Protection Overlay Districts (GPODs). CPSs and GPODs are special zoning districts that are designated for areas where flexible site planning is needed to protect significant natural features. The site plan must show that the project will result in the minimum practicable interference with significant natural features, provide for proper management and maintenance of those features, and avoid excessive runoff and erosion.

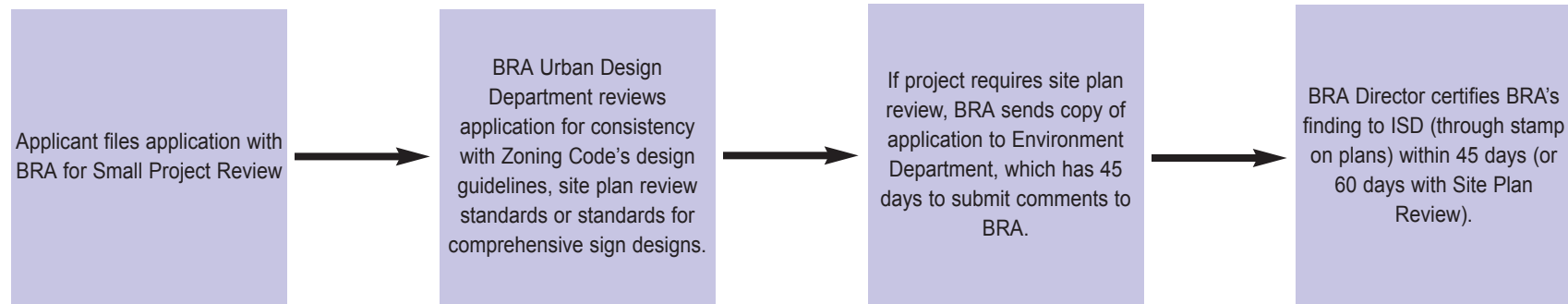
The Comprehensive Sign Design Component

The Comprehensive Sign Design component of Small Project Review supplies the procedure for approving certain signs in non-residential districts under Article 11 (Signs) of the Zoning Code. Article 11 allows signs in non-residential districts to deviate from standard dimensional requirements if they are part of a comprehensive sign design that has been approved by the BRA's Urban Design Department. A comprehensive sign design must show "a complementary and harmonious synthesis of signs and architectural features."

How Does The Small Project Review Process Work?

The applicant begins the Small Project Review process by filing an application for review with the BRA. Within 45 days after receiving the application, the BRA's Director must certify to the Commissioner of Inspectional Services (the building commissioner for Boston) that the project is, or is not, consistent with the review standards for the Design, Site Plan, or Comprehensive Sign Design component of Small Project Review. (If the Site Plan component applies, the BRA sends a copy of the application to the Boston's Environment Department, which has 45 days to file recommendations with the BRA. The BRA must respond to Inspectional Services Department (ISD) within 60 days after receiving the application.)

The following flow chart illustrates the Small Project Review:



Planned Development Area (PDA) Review provides a public review of the development plan for a PDA. PDA Review is required: (1) before a PDA may be established, and (2) any time thereafter, if a project described in the plan is changed, or if a project is added to the plan.

What is a PDA?

A Planned Development Area, or “PDA,” is an overlay zoning district. The Zoning Commission may approve a request to establish a PDA where a development that is well-suited to its location cannot be accommodated by the general zoning for the area. For example, a PDA may be appropriate where a development involves a large building, a cluster of buildings, or a mix of uses.

No project may be built in a PDA unless it is described in detail in an approved PDA Development Plan. The Development Plan requires the approval of both the BRA and the Zoning Commission after public hearings and comment periods. The PDA Review Regulations in Article 80 specify the procedure for the BRA’s review of these plans.

A PDA Development Plan must specify the proposed location, dimensions, and appearance of all buildings in the PDA, as well as all proposed uses, parking, and landscaping. The Development Plan may provide for uses, dimensions, or parking that deviate from the general zoning for the district. To make sure that these deviations do not unfairly burden the surrounding neighborhood, the Development Plan also must provide for specific public benefits. These public benefit commitments are enforced by an agreement that the applicant

What Special Requirements Apply To PDAs?

The Zoning Code requires PDAs, and the projects developed in them, to comply with certain special review requirements and development conditions. These include the following:

Size and Location

A PDA must contain at least one acre of land. In addition, the zoning articles for many downtown and neighborhood districts restrict the establishment of PDAs to certain locations within the district.

Public Benefits

A PDA Development Plan must specify particular public benefits that projects in the PDA must provide. The commitment to provide these benefits is enforced by a cooperation agreement that the applicant must enter into with the BRA.

Compliance with Special PDA Requirements of Underlying Zoning

The neighborhood and downtown district zoning articles include a variety of specific requirements that projects in PDAs must meet. These may include use and dimensional limitations, wind and shadow standards, transportation planning requirements, public benefit criteria, and the like. The BRA must find that the Development Plan conforms to these specific PDA requirements and to the general planning goals established in the underlying zoning for the area.

Design Review

Every project in a PDA is subject to BRA design review before it may receive a building permit. For most PDA projects, the BRA conducts this review through Large Project Review. (Any project that is too small for Large Project Review is subject to Small Project Review.)

Certification of Consistency

No project in a PDA may receive a building permit until the BRA certifies that the project is consistent with its description in an approved PDA Development Plan. If the project is not consistent with the plan, the developer must apply to amend the plan. The process for approving an amendment is the same as the process for approving a new Development Plan (see page 14).

How Does PDA Review Relate To Other Article 80 Review?

Projects in PDAs go through two types of Article 80 development review: PDA Review and Large Project Review. The two types of review are related and, in many cases, the BRA can conduct both types of review simultaneously, but they ask different questions:

PDA Review

A PDA Development Plan creates new zoning regulations for the land within the PDA. The plan describes all of the projects proposed for that land, both those that will be built immediately and those planned for the future. In PDA Review, the BRA and the public consider the same land use planning questions they ask when adopting new zoning. For example, what uses and building heights should be allowed in the PDA? PDA Review does not, however, examine the effects that particular project designs may have on specific areas. That question is left to Large Project Review.

Large Project Review

Large Project Review does not create new zoning regulations. It does not, for example, change the uses or height allowed by the zoning. Instead, Large Project Review examines the impacts that a particular project design will have on the surrounding area. For example, will a building cast too great a shadow on homes and businesses across the street, and can the building be redesigned to reduce that shadow? Large Project Review may require a developer to submit detailed technical reports, such as wind and shadow studies and traffic analyses. The BRA may conduct Large Project Review at the same time as PDA Review if the information needed for these analyses is available when the PDA Development Plan is ready for review.

How does the PDA Review Process Work?

A PDA Development Plan requires approval by both the BRA and the Zoning Commission, after public comment periods and a public hearing before each body. After the Development Plan has been approved and a PDA has been established, no project in the PDA may receive a building permit unless it is consistent with the approved Development Plan. A change in a project described in the Development Plan requires an amendment to the plan. The procedure for approving an amendment to a Development Plan is the same as the procedure for approving a new plan.

Beginning the Review

To begin the review, the applicant files the proposed PDA Development Plan with the BRA, along with a fact sheet describing the projects proposed in the plan and a map or description of the area the PDA will include.

Public Comment Period

When it has received the Development Plan, the BRA publishes notice inviting public comments during a 45-day public comment period.

BRA Public Hearing

After the BRA staff has evaluated the Development Plan and public comments, the BRA Board holds a public hearing to consider and vote on the Development Plan.

Zoning Commission Public Hearing

The approval of a PDA Development Plan and the establishment of a PDA also requires approval by the Zoning Commission. Following the BRA's approval, the Zoning Commission holds a public hearing to consider and vote on the Development Plan (and on the establishment of the PDA, if it does not already exist). If approved, the PDA Development Plan goes to the Mayor for approval.

Planned Development Area Review

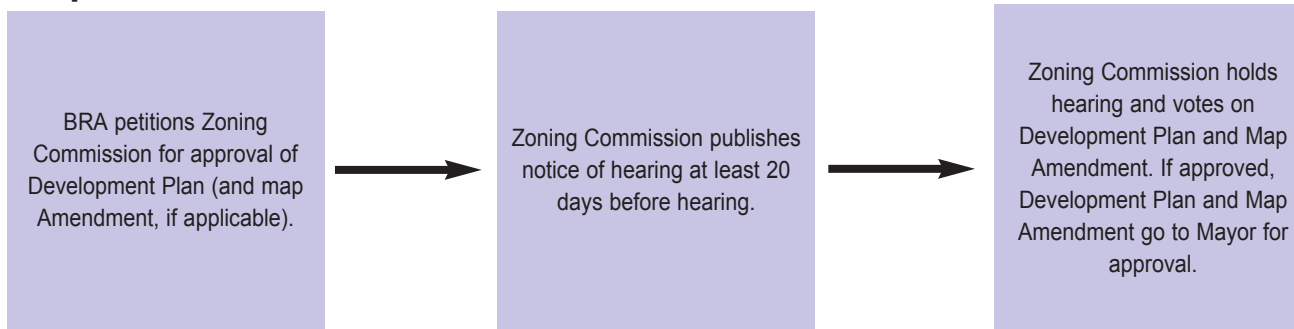
Establishing a Planned Development Area (PDA) overlay district requires approval of a PDA Development Plan. Adding or changing a project in a PDA requires an amendment to the approved development plan. The procedure for amending a Development Plan is the same as the procedure for approving one, as shown below.

The following flow chart illustrates the PDA Review process:

Step 1. BRA Approval



Step 2. Zoning Commission Approval



Regulations for Zoning Commission hearings and notices are not part of PDA review under Article 80 but appear in the Boston Zoning Enabling Act (Chapter 665 of the Acts of 1956, included in the front of Volume 1 of the Zoning Code), which establishes the Zoning Commission.

How does Institutional Master Plan Review Relate to Other Article 80 Review?

Projects that require Institutional Master Plans go through two types of Article 80 development review: Institutional Master Plan Review and Large Project Review. The two types of review are related and, in many cases, the BRA can conduct both types of review simultaneously, but they ask different questions:

Boston is famous as a center of world-renowned universities and hospitals. Most of these facilities are located in the heart of the City's residential neighborhoods, where off-campus institutional development can have significant effects on the surrounding community. The City instituted Institutional Master Plan Review, to ensure that the expansion of a hospital or college enhances the institution's public service and economic development role in the surrounding community, as well as in the City as a whole.

The Zoning Code requires the approval of an Institutional Master Plan as part of the approval of a hospital or college project. Institutional Master Plan Review recognizes that large colleges, universities, and teaching hospitals tend to expand and renovate their facilities more frequently than other uses do, and that the cumulative effects of incremental expansion may be greater than, or different from, the effects of each project individually. To assess these cumulative impacts and determine appropriate community benefits, Institutional Master Plan Review requires a public review of a hospital or college project in the context of the institution's overall development program.

What Is An Institutional Master Plan?

An Institutional Master Plan is a comprehensive development plan that describes an institution's existing facilities, long-range planning goals, and proposed projects. The institution must update and renew its Institutional Master Plan periodically and must amend it whenever it adds or changes any project over a minimum threshold.

What Projects Require Institutional Master Plan Review?

Institutional Master Plan Review is required by Article 80 for most hospital and college projects that add more than 20,000 square feet of gross floor area or that involve interior alterations for more than 50,000 square feet of gross floor area. In addition, the zoning regulations for a number of neighborhoods where large hospitals and colleges are concentrated establish special Institutional Master Plan Review thresholds for hospital and college projects in those neighborhoods.

Institutional Master Plan Review

An Institutional Master Plan describes an institution's entire long-range development program. The plan gives the BRA and the community a context in which to evaluate all of the institution's proposed projects and their overall effect on the neighborhood. An Institutional Master Plan may propose projects that are not allowed as-of-right by the general zoning for the area. Through the Institutional Master Plan Review process, the BRA and the public consider whether those projects are appropriate for the neighborhood. After the plan is approved, the institution may build any project whose uses, dimensions, and location are described in the plan. In this way, Institutional Master Plan Review, like PDA Review, creates new zoning regulations for the land and buildings described in the plan. It does not, however, examine the effects that particular project designs may have on specific areas. That question is left to Large Project Review.

Large Project Review

Large Project Review does not grant permission to build projects that deviate from zoning requirements. It does not, for example, authorize a project to include conditional or forbidden uses or to exceed the building height allowed by the zoning. That permission must be granted through Institutional Master Plan Review. Instead, Large Project Review examines the impacts that a particular project design will have on the surrounding area. For example, will the design of a building create a wind-tunnel effect at sidewalk level, and can the building be redesigned to reduce ground-level wind? Large Project Review may require the applicant to submit detailed technical analyses, such as wind, shadow, and traffic studies. The BRA may conduct Large Project Review at the same time as Institutional Master Plan Review if the information needed for these analyses is available when the Institutional Master Plan is ready for review.

How does Institutional Master Plan Process Work?

Institutional Master Plan Review provides a public review of Institutional Master Plans and the projects described in them. The adoption or amendment of an Institutional Master Plan requires the approval of both the BRA and the Zoning Commission after public comment periods and a public hearing and vote of each body. In addition, the institution must sign a cooperation agreement with the BRA that will enforce the community benefit commitments approved in the review process.

IMPNF and Scoping Determination

Institutional Master Plan Review begins when a hospital or college files an Institutional Master Plan Notification Form (IMPNF) with the BRA. The IMPNF summarizes the information the institution will present in its master plan, including a description of any new projects the plan will propose. After evaluating the IMPNF and comments from the public, the BRA issues a Scoping Determination, which specifies the information the Institutional Master Plan must include.

Institutional Master Plan and Adequacy Determination

Based on the requirements of the Scoping Determination, the institution prepares its Institutional Master Plan for review by the BRA and the public. After BRA staff has evaluated the Institutional Master Plan and comments received during the public comment period, the BRA Board holds a public hearing to consider and vote on the Adequacy Determination, which approves, disapproves, or places conditions on the plan.

Zoning Commission Approval

The approval of an Institutional Master Plan requires approval by the Zoning Commission in addition to approval by the BRA. The Zoning Commission must hold a public hearing to consider and vote on the plan. If approved by the Commission, the plan goes to the Mayor for approval.

Updates

Once approved, an Institutional Master Plan must be updated every two years. In the update, the institution must describe all of its projects that were completed since the previous update, projects that are ongoing, or projects scheduled to begin in the coming two years, together with an estimated timetable for the completion of each project.

Amendment

If an institution wants to add land or projects to an approved Institutional Master Plan, or to change a project described in it, the institution must amend the plan. In general, the procedure for amending an Institutional Master Plan is the same as the procedure for approving a new plan.

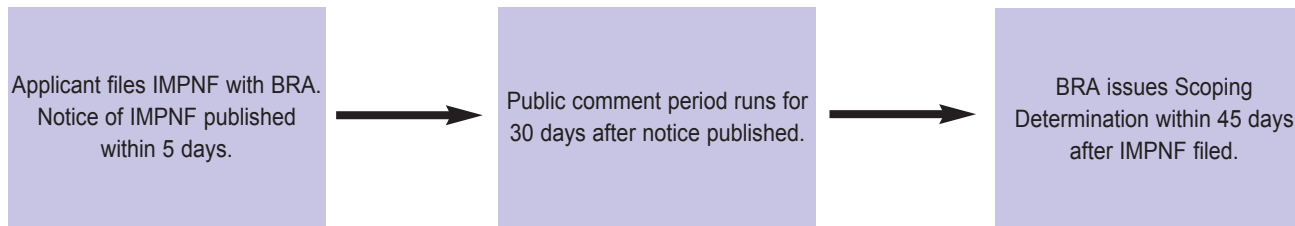
Renewal

An Institutional Master Plan must be renewed periodically, whether or not any of the information in the plan has changed. The timetable for renewing an Institutional Master Plan is specified in the approved plan or in the zoning article for the neighborhood where the institution's projects are located. In general, the procedure for renewing an Institutional Master Plan is the same as the procedure for approving a new plan.

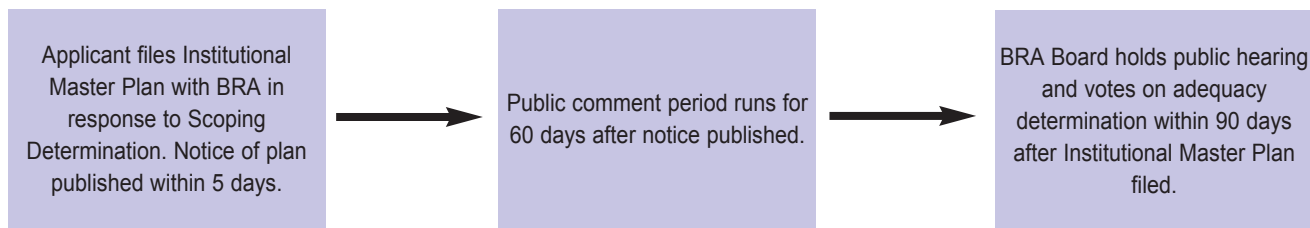
Institutional Master Plan Review

Where an Institutional Master Plan is required, adding or changing a hospital or college project requires an amendment to an approved Institutional Master Plan. The procedure for amending the plan is the same as the procedure for approving it, as shown below.

Step 1. Institutional Master Plan Notification Form (IMPINF) and scoping determination



Step 2. Institutional Master Plan Adequacy Determination



If the Adequacy Determination does not approve the Institutional Master Plan, the Institution may submit a revised Master Plan for review. The revised Master Plan receives the same review as the original Master Plan.

Step 3. Zoning Commission Approval



Regulations for Zoning Commission hearings and notices are not part of PDA review under Article 80 but appear in the Boston zoning enabling act (Chapter 665 of the Acts of 1956, included in the front of Volume 1 of the Zoning Code), which establishes the Zoning Commission.

Large Project Review, PDA Review, and Institutional Master Plan Review provide extensive opportunities for members of the public to receive detailed information about projects and plans and to participate in all phases of their review. The informed comments of concerned citizens make it possible for the BRA to evaluate the impacts that major developments have on neighborhoods and on the City as a whole.

Opportunities for Public Comment

Members of the public are encouraged to participate in the review processes by submitting comments to the BRA during public comment periods and by appearing before the BRA Board and the Zoning Commission.

Public Comment Periods Article 80 requires public comment periods at each stage of Large Project Review, PDA Review, and Institutional Master Plan Review. Pages 6-9, 12-14, and 15-16 of this guide (including the flow charts on pages 9, 11 and 14) describe these review processes and list the public comment periods for each one. Please send your comments in writing, addressed to:

Boston Redevelopment Authority
Economic Development Department
Attention: (name of project manager)
One City Hall Square
Boston, MA 02201-1007

Community Meetings The BRA encourages project applicants to meet on a regular basis with members of the community before and during the review process. Project managers in the BRA's Economic Development Department often assist in arranging such meetings.

If you, or a community group you represent, would like to participate in this process, please contact the BRA's Economic Development Department and ask to speak with the project manager for the project on which you would like to be heard.

BRA Board Meetings No project may be approved under Large Project Review, Planned Development Area Review, or Institutional Master Plan Review without a public meeting and vote of the BRA Board. See the next section, below, for information on notices and schedules.

Zoning Commission Hearings The approval of a PDA Development Plan or Institutional Master Plan requires a public hearing and vote of the Zoning Commission in addition to the public hearing and vote by the BRA Board. See the next section for information on notices and schedules.

How Can You Find Out About Opportunities to Comment?

BRA Notices Article 80 requires the BRA to notify the public of comment periods and BRA Board meetings in two ways: by publication of a notice in a newspaper of general circulation, and by sending a copy of the notice to the Neighborhood Council, or similar community group, for the project area.

Publication of BRA Notices The BRA must publish notice in a newspaper of general circulation at the beginning of each public comment period and ten days before each BRA Board hearing. These notices generally appear in the legal notices section of *The Boston Herald*.

Notice to Neighborhood Council In addition to publishing a notice, the BRA also must send a copy of the notice to the Neighborhood Council for the neighborhood in which the project is proposed. A “Neighborhood Council” is a neighborhood-based council established by the Mayor to advise the City on issues of neighborhood concern. If the Mayor has not established a Neighborhood Council in the area of the proposed project, the BRA must send the notice to a similar community or civic organization that ordinarily reviews planning and development issues for that area.

If you, or a community group that you represent, would like to be kept informed of BRA notices concerning projects in your area, please speak with the chairperson of your Neighborhood Council to make appropriate arrangements. The BRA’s planning staff can provide information on where to contact your Neighborhood Council, or the appropriate organization in areas without a Neighborhood Council. To inquire, contact the BRA’s Planning and Zoning Department. The BRA’s phone number and address appear on page 23 of this guide.

Zoning Commission Notices The approval of PDA Development Plans and Institutional Master Plans requires a public hearing and vote by the Zoning Commission in addition to the BRA Board’s approval. The Zoning Commission must publish notice of its hearings twenty days in advance in a newspaper of general circulation. These notices generally appear in the legal notices section of *The Boston Herald*. In addition, if a plan concerns a specific neighborhood, the Zoning Commission also must publish the notice in a newspaper of general circulation within that neighborhood. (Article 80 does not specify the procedures for Zoning Commission hearings and notices. These are governed by Boston’s Zoning Enabling Act, Chapter 665 of the Acts of 1956, which is included at the front of Volume 1 of the Zoning Code.)

Information on Ownership Interests In Certain Large Projects

For certain large projects (generally those over 100,000 sq. ft. that are not allowed as-of-right by the zoning), the applicant must file a financial disclosure statement with the BRA, the Zoning Commission, the Board of Appeal, and the City Clerk. This statement must give the names and addresses of all individuals and entities who have an ownership interest in the project, as well as the names and addresses of certain consultants and professionals working on the project. These disclosure statements are maintained as public records and are available for public review at the office of the City Clerk in Boston City Hall.

Small Project Review provides a citywide procedure for the review of small projects by the architects of the BRA's Urban Design Department.

Staying Informed of Small Projects Your Area

To help residents stay informed of development in their neighborhoods, Small Project Review requires the BRA to notify the local Neighborhood Council (or similar body where no Neighborhood Council exists) of applications for Small Project Review. Although Small Project Review does not involve a formal public review process, residents may obtain a copy of the project application and submit comments informally to the BRA during the review period. See the flow chart on page 8 of this guide for Small Project Review deadlines.

Opportunities to Comment on Small Projects that Require Zoning Relief

While Small Project Review does not itself involve a public review process for projects that are allowed as of right by the zoning, many small projects do require some form of special permission ("zoning relief") for uses or structures that do not conform to the zoning. All requests for zoning relief require a public hearing. Any project that requires a variance, a conditional use permit, or permission to expand or change a nonconforming use or structure requires a public hearing before the Board of Appeal. All projects in Planned Development Areas, and all projects described in an Institutional Master Plan, require public hearings before both the BRA Board and the Zoning Commission. Notices of these hearings are published officially by the Board of Appeal, BRA Board, and Zoning Commission, in the legal notices section of *The Boston Herald*. In addition, before the Board of Appeal or the Zoning Commission holds a hearing, the BRA will make a recommendation on the project. The BRA Board votes on these recommendations at its regularly-scheduled public meetings. For information on public meetings of the Board of Appeal, the Zoning Commission, and the BRA Board, see pages 22-24 of this guide.

Boston has a rich tradition of citizen participation in public affairs, and an abundance of neighborhood and civic organizations provide opportunities for residents of every neighborhood to be heard. The BRA's planners and project managers make every effort to stay in touch with a broad range of the City's many neighborhood and civic organizations. If you represent a group that has an interest in Boston's development, please feel free to contact the BRA's staff with your questions and concerns.

Getting A Copy Of Article 80

Copies of Article 80, along with Article 2A - Definitions (which includes the definitions of terms used in Article 80), are available free of charge from the Secretary to the Zoning Commission, on the 9th floor of Boston City Hall or on the BRA Web site at www.BostonRedevelopmentAuthority.org. If you already have a copy of the Boston Zoning Code, you will find both Article 80 and Article 2A in Volume I (Enabling Act and General Code).

For General Information

For general information on any of the Article 80 review processes, or on any other provision of the Zoning Code, members of the public are welcome to contact the BRA's Planning and Zoning Department by telephone or in person. If you have questions about the review process for a specific project, please contact the BRA's Economic Development Department.

Copies of the Boston Zoning Code and zoning maps are available for purchase at the BRA's offices. In addition, reference copies of the Zoning Code and maps are available for inspection, and copies of individual articles of the Zoning Code are available free of charge, at the office of the Secretary to the Zoning Commission.

Please visit our Web site at www.BostonRedevelopmentAuthority.org.

Finding Out More About A Particular Project

If you have a question about the review process for a particular project, including the review schedule and public comment periods, please contact the BRA's Economic Development Department and ask to speak with the project manager for that project.

Project review documents filed with the BRA are kept on file at the office of the BRA's Secretary and are available for public inspection. In addition, you can receive a copy of a review document that is currently under review by requesting a copy from the project manager.

Article 80 provides for development review by the Boston Redevelopment Authority. In addition, a variety of other City offices play a role in the development review process. The following pages provide a guide to who's who. You will find the phone number and addresses for each office on pages 26.

The Role of the BRA

The BRA is the City's planning and economic development agency and is the principal point of contact for neighborhood residents and others in the development review process.

The BRA does not issue permits. However, it:

- reviews projects and development plans under Article 80;
- certifies to the Inspectional Services Department that a project has met the review requirements under Article 80;
- makes recommendations to the Zoning Commission and the Board of Appeal on petitions for zoning amendments and applications for zoning relief.

BRA Staff

The BRA's staff includes urban planners, project managers, architects, and other professionals specializing in land use planning and economic development. The BRA departments most closely involved in the development process are described here.

Planning and Zoning Department The planners in the BRA's Planning and Zoning Department work with neighborhood residents, community groups, and others on planning and rezoning throughout the city. They also advise the BRA concerning recommendations to the Zoning Commission and the Board of Appeal. If you have general questions about Article 80 procedures, about the zoning regulations for a particular area, or about community and civic groups active in your neighborhood, contact the BRA's Planning and Zoning Department and ask to speak with the planner for your area.

Economic Development Department Project managers in the BRA's Economic Development Department manage and coordinate the development review process for each of the projects reviewed under Large Project Review, PDA Review, and Institutional Master Plan Review. They review public comments and prepare the BRA's determinations under these review processes. During the review process, project managers also attend community meetings and assist neighborhood residents, developers, and public agencies in establishing lines of communication. If you would like to receive a copy of the review documents submitted for a project under Large Project Review, PDA Review, or Institutional Master Plan Review, or if you have any questions about the review process or schedule for a particular project, contact the BRA's Economic Development Department and ask to speak with the project manager for that project. Written comments to the BRA on a project under review should be submitted to the project manager's attention at the BRA's offices (see page 18).

Urban Design Department The architects of the BRA's Urban Design Department review projects under Small Project Review and provide comments on the Urban Design and Site Plan components of Large Project Review. In addition, a senior architect in the Urban Design Department serves as the Executive Director for the Boston Civic Design Commission ("BCDC", described on page 26) and provides liaison between the BCDC and the BRA.

The BRA Board

The BRA is governed by a five-member board. The BRA Board votes on all final determinations and agreements approved under Large Project Review, PDA Review, and Institutional Master Plan Review and on recommendations to the Board of Appeal on applications for zoning relief.

The BRA Board meets in regularly-scheduled public meetings, usually held every three weeks on Thursday afternoons. Members of the public are welcome and encouraged to attend these meetings or to submit written comments to the Board in advance.

Board meetings are held in the BRA Board Room on the 9th floor of Boston City Hall (the Kane Simonian Room, Room 900). Information on BRA Board meeting schedules, and lists of the current membership of the BRA Board, are available from the BRA's Secretary. Notices of BRA Board meetings scheduled also are posted on the bulletin boards on the 1st and 9th floors of Boston City Hall.

How to Reach the BRA

To reach any of the BRA's departments or the BRA's Secretary, call **(617) 722-4300**

Written comments to the BRA Board should be directed to the BRA's Chairperson at:

Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201-1007

The BRA's offices are located on the 9th floor of Boston City Hall and are open to the public from 9:00 a.m. to 5:00 p.m., Monday-Friday.

www.BostonRedevelopmentAuthority.org

The Role Of Other City Agencies And Commissions

In addition to the BRA, a number of other City offices play a role in the development review process. The Inspectional Services Department (ISD), which administers the Zoning Code, determines whether a project requires review under Article 80. The Zoning Commission approves PDA Development Plans and Institutional Master Plans and establishes the areas where they apply. The Board of Appeal, while not directly involved in development review, can require BRA design review as a condition of zoning relief. A variety of other City departments and commissions consult to the BRA on issues within their areas of expertise.

Inspectional Services Department (ISD)

The Inspectional Services Department (ISD) is Boston's building department, headed by the Commissioner of Inspectional Services (Boston's building commissioner). ISD administers the Boston Zoning Code and the State Building Code and issues all building, use, and occupancy permits. If a project requires development review under Article 80, ISD will not issue a permit until the BRA and the Zoning Commission (if necessary) have completed the required review and the BRA has certified that the project described in the permit application is consistent with the project approved through development review.

Zoning Commission

The Zoning Commission consists of eleven members representing a wide range of constituencies, including residential neighborhood groups. The Zoning Commission is responsible for adopting all new zoning and zoning amendments, for establishing PDAs and approving PDA Development Plans, and for approving Institutional Master Plans.

Members of the public are welcome and encouraged to attend the Zoning Commission's hearings and present their comments to the Commission in person or to submit written comments in advance of the hearing. The Zoning Commission

meets as needed to consider matters brought before it by the BRA or by members of the public. Generally, the Zoning Commission meets once a month, most often on Wednesday mornings, on the 9th floor of City Hall (Room 900). Information on Zoning Commission hearings, and lists of the Commission's current membership, are available from the Secretary to the Zoning Commission. Written comments to the Zoning Commission should be directed to the Commission's Chairperson at:

Boston Zoning Commission
One City Hall Square
Boston, MA 02201-1007

Board of Appeal

The Board of Appeal consists of seven members representing a variety of constituencies, including residential neighborhood organizations. The Board hears requests for conditional use permits, variances, permission to expand or change nonconforming uses, and similar zoning relief. The Board of Appeal does not participate directly in the development review process but may require BRA design review as a condition of zoning relief. The BRA conducts this review through the Urban Design component of Large Project Review or the Design component of Small Project Review, depending upon the project's size.

In reviewing a project, the BRA generally requests comments from a number of City agencies in their areas of expertise. Some of the principal agencies are described below.

Boston Civic Design Commission (BCDC)

The Boston Civic Design Commission (BCDC), established under Article 28 of the Zoning Code, consults to the BRA and the Mayor on the design of projects of special civic or urban design significance. The BCDC meets in regularly-scheduled public meetings to review project designs. Members of the public are welcome and encouraged to attend the BCDC's meetings. Information on BCDC meetings, and a list of BCDC members, is available from the BCDC's Executive Director, who can be reached at the offices of the BRA's Urban Design Department.

Boston Environment Department

The Boston Environment Department consults the BRA on the Environmental Protection component of Large Project Review and on the Site Plan components of Large Project Review and Small Project Review.

Boston Landmarks Commission

The Boston Landmarks Commission, the City's historic preservation agency, consults the BRA on the Historic Resources component of Large Project Review.

Boston Transportation Department

The Boston Transportation Department (BTD) consults the BRA on the Transportation component of Large Project Review. If this component requires the

applicant to prepare a Transportation Access Plan (TAP), the applicant must work with BTD and the BRA on that plan and must execute a TAP agreement with BTD to enforce the terms of the plan.

Mayor's Office of Neighborhood Services

The Mayor's Office of Neighborhood Services (ONS) assists Boston residents with a variety of services. The office includes a staff of neighborhood coordinators representing each of the City's neighborhoods.

The City of Boston also has an official web site that describes each of the City's departments. You can find the City of Boston's web site at:
www.CityofBoston.com

All of the offices listed below, with the exception of the Inspectional Services Department, are located in Boston City Hall. City Hall is open to the public Monday-Friday from 9:00 a.m.-5:00 p.m. Phone numbers for all City offices, both inside and outside City Hall, are available from the City Hall operator at (617) 635-4000.

Boston Redevelopment Authority (BRA)

(617) 722-4300

Main number, connecting to all departments.

City Hall, 9th floor.

Zoning Commission

(617) 722-4300

The office of the Secretary to the Zoning Commission is located in the the offices of the BRA's Planning and Zoning Department, on the 9th floor of City Hall.

Board of Appeal

(617) 635-4775

The Board of Appeal's office is located on the second floor of City Hall, Room 204. The Board of Appeal generally holds hearings on Tuesday mornings in Room 800, on the 8th floor of City Hall. Information on the Board of Appeal's meeting schedules and membership is available from the Board's staff.

Boston Civic Design Commission (BCDC)

(617) 722-4300

The office of the BCDC's Executive Director is located in the offices of the BRA's Urban Design Department, on the 9th floor of City Hall. BCDC meetings generally are held in the BRA Board Room (Room 900, the Kane Simonian Room). Information on BCDC meeting schedules and membership is available from the BCDC's Executive Director.

Boston Environment Department

(617) 635-3850

City Hall, 8th floor, Room 805. The Environment Department also provides staff to the Boston Landmarks Commission. The Commission's staff can provide information on the Commission's hearing schedule and membership.

Boston Transportation Department (BTD)

(617) 635-4680

City Hall, 7th floor, Room 721.

Inspectional Services Department (ISD)

(617) 635-5300

ISD's offices are located at 1010 Massachusetts Avenue and are open to the public from 8:00 a.m.-3:00 p.m. Directions, by MBTA and by car, are available by calling ISD's main number.

Mayor's Office of Neighborhood Services (ONS)

(617) 635-3485

City Hall, 7th floor, Room 708.

The City of Boston also has an official web site that describes each of the City's departments. You can find the City of Boston's Web site at: www.ci.boston.ma.us.

City Hall is located on City Hall Plaza, directly across from the Government Center subway station on the MBTA's Green Line and Blue Line. A bulletin board on the first floor of City Hall (the floor with an entrance facing Faneuil Hall) lists the public meetings scheduled for all of the public agencies, boards, and commissions that meet in City Hall. Those listed below also publish notice of their meetings in the legal notices section of *The Boston Herald*.





Boston Redevelopment Authority

City of Boston
Thomas M. Menino, Mayor

Boston Redevelopment Authority
Mark Maloney, Director

Clarnece J. Jones, Chairman
Consuelo G. Thornell, Treasurer
Joseph W. Nigro, Co-Vice Chairman
Michael Taylor, Co-Vice Chairman
Chris Supple, Member
Harry Collings, Secretary

One City Hall Square
Boston, MA 02201-1007
Tel: 617.722.4300

February 2004