

Getting down to specifics for Boston's growth zones

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With the avalanche of snow that buried Boston throughout February and remains piled around us even in March, this past December seems like a vague memory and spring seems far off. But as the snow melts (finally) and 2015 comes more clearly into focus, everyone interested in the competitiveness of our region's central city, especially as it relates to housing supply and cost, needs to remember the potentially groundbreaking speech Boston Mayor Martin Walsh delivered to the Boston Chamber of Commerce in mid-December.

That speech picked up where the Walsh Administration's major housing blueprint – "Housing a Changing City/Boston 2030" – left off. Very briefly summarized, "Housing a Changing City" predicted a continuation of strong population growth in the next 15 years that will put Boston above 700,000 residents for the first time since the late 1950s. According to the report, this new, and welcome, population trend results in the need for a total of almost 53,000 new housing units of all kinds (senior, student, workforce and affordable) to be built in the same time period. The report cautions that failure to produce at least this many units would worsen what is already one of the most expensive housing markets in the country, push out middle-class and lower-income households, and widen the city's income gap.

For several decades, housing at all levels, especially middle- and lower-income affordable housing (and with the possible

exception of luxury units), has not been produced at anywhere near the levels required to achieve the 2030 goal, and the report recommends a wide range of actions the city can take in seeking to reach the levels it needs across all categories, including, for example, new direct local funding for affordable housing and new approaches for the student housing segment, including privately-financed dormitories.


For workforce housing, major recommendations of the report include that the city identify areas where higher density housing can be allowed as-of-right in certain transit-served outlying neighborhoods, where land and construction costs, while still high, are at least lower than downtown, and that permitting be further streamlined after last year's successful clearing of the Board of Appeals' zoning relief docket.

The mayor's speech took the report's recommendations a step further, and laid out a specific rationale for these "growth zones" in language that is worth quoting directly: "We start [shaping new growth] by moving forward one of the key strategies in our housing plan: growth zones for transit-oriented workforce housing. Boston needs more housing. But there is no one-size-fits-all solution. Every neighborhood has its own character. In some places, density is not only appropriate – it is badly needed. It is needed to bring prices back within reach. It is needed to spur retail investment. It is needed to breathe new life into under-developed streets."

The mayor identified two locations where growth zones would be implemented first: in South Boston, along Dorchester Avenue between Broadway and Andrew stations on the Red Line (South Boston), and, second, in Jamaica Plain along Washington Street/Columbus Avenue between Forest Hills and Jackson Square stations on

the Orange Line.

What the mayor couldn't do in such a speech was define the details of what, exactly, growth zones would include in terms of regulatory changes from current zoning. And now, over two months on, a city (or at least its housing advocates, developers and zoning attorneys) eagerly awaits those details. The time has come to flesh them out and debate them openly and honestly. It would be a huge lost opportunity if growth zones were to somehow end up merely a policy or, worse yet, tried to temporize or put off resolving key questions to another day or leave them to be fought over on each project that tries to come through the pipeline.

Accordingly, the following is a list of four critical regulatory questions that will need to be wrestled with  solved for growth zones to have the impact that is desired:

As of right residential density – This seems like the "easy" one because it's the one that "Housing a Changing City" was most definitive about, but make no mistake that even in the initial transitional areas slated for growth zones, this will be lively debate. The increase in pre-entitled residential density must be substantial and it cannot be bargained away in the process. To do otherwise is to invite a continuation of the slow walk that has characterized new residential development in Boston's neighborhoods for decades.

Inclusionary affordable housing requirements – At present, the city only requires inclusionary affordable units for projects of a minimum size requiring zoning relief. For growth zones, with minimum residential densities allowed as-of-right, this model will not work. It may be that the inclusionary policy will morph into a den-

Continued on Next Page

sity bonus for projects in growth zones that is tied to additional affordable units in order to avoid putting pressure on pricing for the market rate units. This will be a key part of the debate for affordable housing advocates.

Off-street parking requirements – Debate over off-street parking requirements is a perpetual fixture of development discussions in Boston. The rail transit-orientation of growth zones will argue strongly for substantially reducing and potentially even eliminating off-street parking requirements and promoting shared use parking arrangements. Bottom line: new development in growth zones cannot be burdened with excessive off-street parking requirements that would result in reduced residential densities and higher per-units costs.

Large project review – Finally, it seems appropriate to consider what role Article 80 large project review should play in growth zones. In a nutshell, large project review is

the process by which the Boston Redevelopment Authority, acting in its planning and project review capacity, evaluates significant development projects for their impacts on their immediate surroundings and the city at large in order to arrive at an agreed-upon package for mitigating those impacts. Large project review takes as its starting premise that any new development must inherently have negative impacts that must be mitigated before it can be allowed to go forward.

But what happens if the city has determined that growth (and accelerated growth even) in particular locations is essential to its competitiveness? What role should large project review play then? We may be about to find out. The city might raise the current 50,000-square-foot gross floor area threshold or even eliminate large project review in growth zones, though consideration would have to be given to the impact on linkage requirements, perhaps including codifying

other typical mitigation elements.

These four issues seem at this juncture to be the most significant, but the list could certainly be longer and could include different approaches depending on one's perspective. Time will tell as the planning and regulatory processes for the growth zones unfold. "Housing a Changing City" sets ambitious goals for Boston as the city enters a sustained upswing in population that will inevitably lead to more residential development. While many factors will be at play, it seems the success or failure of the plan will depend in large part on the success or failure of the growth zones. ♦

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