

# MAKING SPACE FOR ART

Securing Cultural Infrastructure in Boston, Cambridge & Somerville



## Municipal Action Plan

# *CITY OF BOSTON*



CITY of **BOSTON**



# Municipal Action Plan Overview

Developed in 2024 and finalized in 2025, this action plan provides specific recommendations for Boston to improve its policies and processes to preserve and expand cultural space based on findings from the Making Space for Art project. The action plan builds on efforts led by the Mayor's Office for Arts and Culture (MOAC) to protect existing cultural spaces during development review processes and to incentivize development of additional cultural spaces through zoning. The purpose of this action plan is to ensure that arts and cultural spaces are prioritized in Boston's planning, development and future growth in ways that further equity and support a vibrant cultural community and thriving creative economy. By following these actions, the City of Boston can mitigate the impact of new development on existing cultural spaces, acquire additional assets to support arts and culture production and presentation, and activate existing assets to provide more accessible and affordable spaces throughout the city.

## **GOAL 1: Boston's planning and development review processes proactively account for impacts to cultural spaces and resources.**

### ***1.1 Use and improve cultural space data***

Cultural space data is critical to support a thriving creative economy by identifying where spaces exist, what activities and communities are served by those spaces, flagging potential impacts of new development, managing potential conflicts, and mitigating displacement.

- a. Standardize the integration of cultural space data into planning and development review processes.
- b. Continue ongoing data collection using the Making Space for Art digital tool.
- c. Continue review and verification of data by MOAC cultural planning staff.
- d. Collect data on cultural spaces and uses through planning, development review and permitting processes, building on strategies used for the MOAC Boston Live-Work Artist Housing program.

### ***1.2 Activate cultural plans***

The City of Boston has documented existing assets, challenges and needs of its creative community to guide future investments and planning priorities.

- a. Use cultural planning documents, including cultural plans, studies, and data, to guide planning and development review.
- b. Use cultural plans and data on creative community needs to inform neighborhood and citywide planning efforts.

### ***1.3 Integrate arts and culture staff into municipal systems and processes***

The MOAC cultural planning team should be integral partners in Boston's planning efforts and have a clearly defined role in development review processes under Article 80.

- a. Establish a standard process for MOAC cultural planning staff to review new developments and document their potential cultural impacts, including standard meetings with planning staff for ongoing projects.
- b. Include MOAC cultural planning staff in development review meetings and processes.

- c. Create advisory role for MOAC cultural planning staff in the Article 80 Modernization project.

#### **1.4 Engage arts community in public processes**

In the Article 80 Modernization project, the community engagement process should establish clear guidelines for how arts and culture stakeholders might provide evidence of impact.

- a. Make community engagement processes for development review more accessible to artists and creative workers.
- b. Provide opportunities for community feedback about the cultural value of spaces within a community and the impact of spaces on the creative economy.
- c. Ensure spaces that are developed build on findings from equitable and effective tenanting processes, building on the Waterfront Civic/Cultural Space Study. Build on the tenant and delivery system for future arts and culture spaces.

## **GOAL 2: Boston's land use policies expand cultural space by allowing cultural uses in zoning bylaws and incentivizing development of additional accessible cultural spaces.**

#### **2.1 Improve policy & definitions**

Codify and align policy language and definitions to support the development of arts and cultural uses.

- a. Streamline and clarify definitions of arts and cultural uses within existing zoning.
- b. Define arts and cultural uses to be included in an arts and culture set aside.
- c. Consider role of neighborhood-specific cultural assets, such as ethnic grocery stores or restaurants.
- d. Draft policy language to create a 5%-10% set aside for commercial space development as in Article 64-29 and 40, similar to Somerville's FAB District and ACE-use set aside policy, adapted to the context of Boston.
- e. Outline the requirements for the set-aside payment-in-lieu structure to ensure equitable payout for the value of property.
- f. Formalize a structure for transferring fees from payment-in-lieu of set-aside space and other funding sources to a Cultural Space Fund.
- g. Establish a process for distributing Cultural Space Funds to support equitable development and maintenance of cultural spaces.

#### **2.2 Prioritize cultural use in planning and zoning**

Adopt land use policies that support arts and culture uses in targeted areas throughout the city.

- a. Prioritize the adoption of arts and cultural set-asides in areas zoned for light industrial use.
- b. Revise zoning to incentivize arts and culture uses within cultural district geographies and to implement anti-displacement strategies related to arts and culture.
- c. Identify priority areas of investment for arts and culture development using cultural space data (i.e., what types of spaces exist and where do they exist, who is able to access these spaces).

d. Incorporate any cultural use priorities into the Article 80 review process.

### **2.3 Develop shared language for development community**

Share guidance with developers on core cultural use needs and how cultural uses might be developed.

- a. Create guidance for developers on specific space needs for arts and cultural uses, building on the MOAC Boston Live-Work Artist Housing guidelines.
- b. Develop an arts development training or certification program and an active list of developers with interest in arts-development projects.
- c. Invest in organizations, groups and individuals to build up a pipeline of cultural space-operators.

## **GOAL 3: Boston is known as a place where nightlife, live entertainment, and cultural gatherings are valued and protected.**

### **3.1 Review sound ordinance**

Review the enforcement of the City of Boston's sound ordinance to identify trends and patterns, ensure equitable enforcement, and standardize measurement practices.

- a. Assess the impact of existing sound ordinances on entertainment related business and nightlife in partnership with the City of Boston's Office of Nightlife Economy and the Nightlife Initiative for a Thriving Economy (NITE) Committee.
- b. Document enforcement protocols for noise complaints for venues and cultural spaces and track any trends to identify types of spaces with frequent complaints to identify opportunities for mitigation.
- c. Revise sound ordinance and enforcement policies to ensure equitable access to nightlife, entertainment, and cultural gatherings.

### **3.2 Improve sound management policy**

Establish a structure to support the management and mitigation of conflicts for entertainment related sound.

- a. Establish a sound advisory board including local venues, developers and sound engineers, in coordination with the NITE Committee to guide adoption of agent of change principles.
- b. Develop a process for initiating and conducting sound studies for venues located in proximity to new development, particularly when that development includes residential uses.
- c. Develop a list of resources and department staff that can support venues and developers to navigate sound regulation.
- d. Establish a point of contact for entertainment sound regulation enforcement with standard enforcement methods.

### **3.3 Adopt agent of change**

Adopt agent of change principles into policy practices to support local venues and cultural gathering spaces.

- a. Use cultural space data to identify venues and cultural establishments that produce sound (i.e., music venues, rehearsal spaces etc.).

- b. Incorporate relevant cultural space data into development review process to flag when sound mitigation assessment is needed (e.g., within 50 feet of venues/spaces).
- c. Assign responsibility of sound mitigation to party initiating changes in development.
- d. Require initial sound assessment for new venues and cultural spaces with entertainment uses.

### ***3.4 Mitigate sound impacts on residential development***

Incorporate standard noise mitigation into the planning and approval process for residential and mixed-use development in proximity to cultural venues and artist workspaces.

- a. Establish sound management standards for new residential construction to reduce impacts of sounds from nearby cultural venues and establish process to resolve related conflicts.
- b. Initiate working group on mitigating sound impacts from artist workspace in mixed-use development to inform policy development.
- c. Require sound disclosure agreements for residential tenants in buildings within proximity to cultural venues.

In addition to this action plan, other priority areas for the MOAC Cultural Planning team include anti-displacement policies, temporary event permitting, and cultural planning in cultural districts.

# Accounting for Cultural Space in Development Review Processes

Understanding the development review process is a critical component for preserving cultural spaces, and each city has a unique process for reviewing proposed development projects for approval. These processes are integral to flagging potential conflicts between proposed developments and zoning and regulations, and they often require developers to assess potential impacts related to transportation, environment, historical resources, and neighboring businesses or residents.

During the development review processes, municipal planners rely on existing data and plans to assess the impacts of new development. The review process also includes meetings with the developer and often provides an opportunity for community members to provide input on the proposed development.

This section highlights the core recommendations for incorporating cultural space into municipal development review processes.

## ***Cultural Space Data and Mapping***

- Integrate cultural space data (including location data) into standard development review processes to trigger cultural impact assessments and flag potential conflicts with or displacement risk to existing cultural uses.
- Track cultural space square footage, type of cultural spaces, and the economic impact of cultural spaces (e.g., total employment) to be incorporated into municipal development review decisions.

## ***Cultural Planners and Developers***

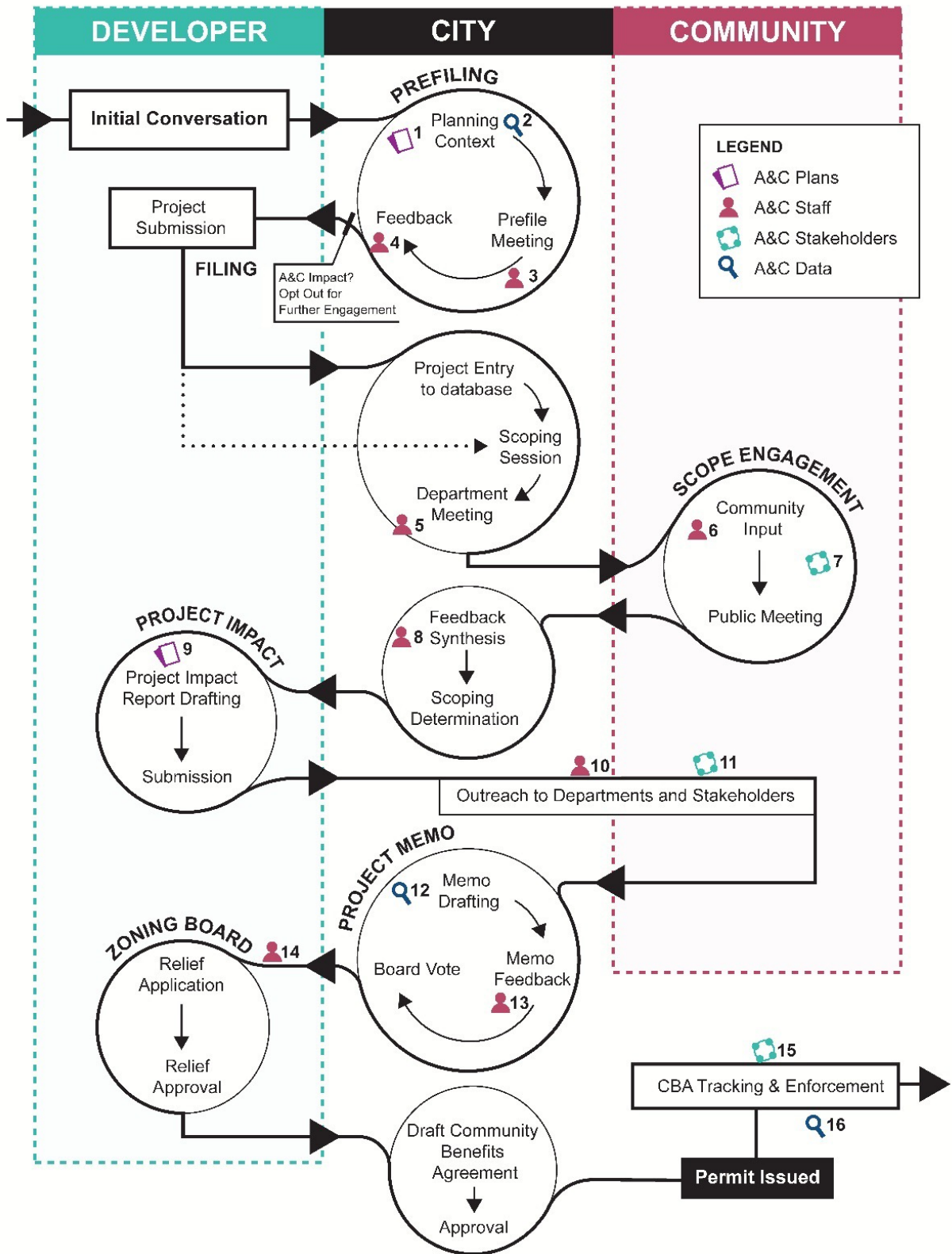
- Include cultural planners in municipal development review processes as key contributors to staff memos documenting potential cultural impacts on existing cultural spaces and resources.
- Train developers on local cultural space needs and uses as part of any required set-asides, and guide planning efforts to mitigate cultural space displacement, such as conducting sound studies.

## ***Arts Community***

- Collaborate with representatives of the arts community to identify community needs, update and maintain cultural space data, collect input, and determine the impacts of proposed development on cultural spaces.
- Coordinate with representatives of the arts community to ensure developments implement the cultural space set-asides impact studies and provide equitable opportunities to access cultural spaces.

To account for cultural space in Metro Boston, cultural space data, cultural planners, and arts communities must be integral to the development review process.

# Boston Development Review Process Diagram (2023)



At the time of project research in 2023, the Boston Planning & Development Agency (BPDA) was the container for development review for the City of Boston. This has since changed with the successful effort to house city planning functions within the Mayor’s Office.

As of 2023, the BPDA had worked to streamline and broaden access to development review by outlining the four main pathways developments are reviewed by approval bodies: Large Project Review, Small Project Review, Planned Development Area (PDA), and Institutional Master Plan Review.

For this work, we focused on the Large Project Review, used for developments over 50,000 square feet, as it would have the largest impact on new developments in the city. Per Article 80, large projects are typically reviewed in the context of transportation, environmental protection, urban design, historic resources, infrastructure systems, green building, site plan, tidelands, and development impact project. In reviewing large projects, the BPDA evaluates such impacts and determines what measures are appropriate to mitigate them, both programmatic and physical.

Below is a diagram for the 2023 development review process for large projects. The diagram identifies opportunity areas for arts and culture staff, data, planning documents, and stakeholders to be integrated into the process.

## Boston Development Review A&C Touchpoints

<b>1</b>	Include any Arts & Culture Plans into checklist of existing conditions and documentation
<b>2</b>	Flag parcels with abutting Arts & Culture space
<b>3</b>	Arts & Culture staff present at prefile meeting to participate in conversation (if flagged by relevant plans or abutter data)
<b>4</b>	Feedback from Arts & Culture staff; decision to opt out or remain in review meetings
<b>5</b>	Arts & Culture staff present at department meeting if relevant
<b>6</b>	Arts & Culture staff to inform outreach to include relevant A&C stakeholders
<b>7</b>	Arts & Culture stakeholders to provide feedback as part of the community’s needs and concerns
<b>8</b>	Arts & Culture staff assist with synthesizing feedback from public engagement
<b>9</b>	Incorporate Arts & Culture Plans, associated data, and stakeholder feedback into Project Impact Report
<b>10</b>	Planner outreach to A&C Staff to review Project Impact Report
<b>11</b>	Planner outreach to A&C Stakeholders on Project Impact Report
<b>12</b>	Articulate A&C Data for Memo Drafting
<b>13</b>	Reach out to A&C Staff for feedback on the Project Memo
<b>14</b>	A&C Staff write letters of input for zoning board review
<b>15</b>	A&C stakeholders notified of ultimate decisions and planned program/use/community benefits
<b>16</b>	Relevant community benefits tracked in shared database; any new Arts & Culture space resulting from development added to shared database

# Boston Development Review Glossary

**Abutter** – a person, place, and/or organization that is in immediate relation to a new development (varies between immediate proximity to a 0.5 mile radius of the development)

**By-Right** – when a developer is allowed to construct a new development because it follows the rules of the zoning and is a private development

**Community Benefits Agreement** – a document put together by community members (including abutters) through meetings and conversations with the developer which outlines the community needs that the developer will provide solutions for in some capacity.

**Planning Context** – neighborhood masterplans, planning documents, policies, stakeholders, open spaces like parks

**Pre-Submittal** – before submitting the application

**Project Impact Report** – a report needed if written in the scoping definition which is a detailed technical analysis of the intended development

**Project Tracker** – a platform, like a spreadsheet, which collects all the information about development projects with an application, and/or building permit. This is useful for flagging abutters and could be useful for monitoring the completion and operation of development projects

**Relief Application** – when the Zoning board and the Inspectional Services Department (ISD) at the city make sure the development follows the zoning code. If relief is granted, the developer can continue obtaining a permit.

**Scoping Determination** – where the planning staff writes down specific issues, if any, that the applicant must study further after initial scoping session and form submission

**Scoping Session** – a meeting with a staff member of the planning department to understand what the developer's goals are and what kind of application they need to file (special permit, large project, small project, etc.)