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CRACKING THE CODE

HOW BOSTON IS TRYING TO ADDRESS CHILD CARE THROUGH ZONING

May 2020 | Bailey Hu | Molly Kaviar | Ginger Leib | Peiyao Wang

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Left to right: Peiyao Wang, Molly Kaviar, Ginger Leib, Bailey Hu

MEET THE TEAM



Bailey Hu is a first-year M.A. student in the Tufts' Urban and Environmental Policy and Planning (UEP) program. Previously, she worked in Shenzhen, China, in various roles, including tech reporter, lifestyle magazine editor, and educational consultant. Her interest in child care stems from years of part-time teaching as well as observations of how care work disparately impacts women's careers and personal lives. She received a B.A. in Comparative Literature and East Asian Studies from Brown University in 2015.



Before coming to Tufts **Molly Kaviar** was a community organizer in her home state of Kentucky where she worked on issues including renters' rights, climate justice, and LGBTQ+ equality. As a former preschool care worker she has seen the importance of child care for all aspects of our communities and hopes that child care will become more accessible to low-income and single parents. She is a first-year M.A. student in Tufts' UEP program. She graduated in 2014 from Western Kentucky University with a Bachelor's in Spanish and Cultural Anthropology.



Ginger Leib is also a first-year M.A. student in Tufts' UEP program. Previously, she worked in the nonprofit sector in program management and fundraising. Having lived in Boston for close to ten years and gotten her start in Boston working in youth programming, she's interested in exploring the ways that city services such as child care can help improve the lives of working families and children and set cities up to be more equitable places to live. Prior to her time at Tufts, Ginger received a B.S. in Geology from the College of Charleston.



Peiyao Wang is a second-year M.A. student in Tufts' UEP program. Previously, she worked in her home city of Xi'an, China as a data analyst in a construction company. Working as a part-time teaching assistant for preschool and elementary school students during college sparked her interest in the importance of the child care system. As an international student, she also wants to learn about American cities' services and policies. Peiyao received a B.S. in Energy Economics from China University of Petroleum in 2017.

EXECUTIVE SUMMARY

Our report examines how Boston's zoning code supports child care provision across the city, especially in terms of accessibility and affordability. We worked with local nonprofit Community Labor United (CLU), which brings together labor and community-based organizations around specific interest areas.

CLU's Care That Works coalition encountered a unique zoning ordinance that literally builds child care into Boston's development process. First passed in the Midtown Cultural District in 1989, the "Inclusion of Day Care Facilities" (IDF) regulation is currently active in 15 zoning districts (development areas) clustered in the downtown area. The text of the ordinance—with some minor variations—states that buildings which create above a certain threshold of new floor space must a) set aside a portion for a child care facility or b) build such facilities off-site.

To further the coalition's investigation of IDF, we drew on a variety of methods and sources. First, we conducted initial online research on the child care landscape in Boston, uncovering major gaps in accessibility and affordability for families. These gaps disproportionately impact single parents, low-income families, and people of color.

Next, we zeroed in on the impact of the IDF ordinance in particular. While our research was limited by a lack of complete data, we were able to pinpoint 13 developments in Boston that we believe were subject to IDF. We then attempted to check how they fulfilled or did not fulfill the terms of the regulation.

Along the way, our archival research was substantially supplemented by interviews with current and former City of Boston employees—especially staff of the Boston Planning and Development Agency (BPDA), which oversees zoning processes. We also used mapping techniques to aid our research into developments, as well as investigate possible affordability issues in the areas around them.

While we were constrained by different factors, such as stay-at-home measures due to the COVID-19 pandemic, our initial findings show that IDF has fallen short of its goals. We discovered apparent inconsistencies in enforcement from the ordinance's first passage in 1989 to the current day. For instance, while the ordinance mandates that new developments create child care facilities on or off-site, the developments we looked at varied considerably in how they complied. Some made financial contributions, some negotiated with the BPDA for revised terms, and others simply didn't mention IDF in public documents, for reasons we couldn't uncover.

In addition, even though we found dozens of child care centers inside or near our 13 developments of interest, they weren't necessarily affordable for Boston's lower-income families, especially single-parent households. We weren't able to conduct a complete survey of child care costs in the IDF development areas, but our inquiries into several centers in downtown Boston showed that they could be cost-prohibitive for many.

Our findings led us to suggest various ways to improve IDF, as well as accomplish its goals in alternative ways.

Our IDF ordinance-specific recommendations include:

- Increasing transparency and tracking
- Building affordability into the measure
- Expanding the scope

Outside IDF, we also suggest looking into the following alternatives:

- Trust funds for child care
- City-level cross-department collaboration
- Adding child care to Boston's long-term planning goals
- Expanding pre-K and 3-K care

In order to inform future work, we follow these recommendations with some potential directions for further research.

Finally, we point out the increased urgency of easing access to child care in the time of COVID-19. As the pandemic continues to change both the outlines and daily texture of our lives, it may seem difficult to think beyond the problems at hand. Yet in order to create a better future for children, families, and care providers, we must look past present constraints to imagine better outcomes.

In past weeks, many shifts have occurred: working parents have lost their jobs, construction has been halted, public schools and small businesses, including child care centers, have closed, and parents across Boston have been forced to provide their own full-time child care. However, this time of great risk also offers opportunity—to rethink existing development processes in ways that are more equitable.

Through this report, we hope to support a stronger, more resilient planning process that can help families of all income levels and backgrounds weather future crises.

For Mason and Isaac —D.D.
For Stella —D.H.

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Deep in the water
Where the fish hang out
Lives a glum gloomy swimmer
With an ever-present pout.

1. INTRODUCTION

Partner & Project Goals

Community Labor United (CLU) is a non-profit organization that helps mobilize and support labor and community-based organizations through research, training, and action. In partnership with CLU, our Field Projects Team dug deep into how zoning and other municipal policies in Boston have shaped the provision of child care for working families, and provides suggestions on how to strengthen existing regulations.

Our research centered on the Inclusion of Day Care Facilities (IDF) zoning ordinance. For over three decades, this ordinance has mandated new developments over a certain square footage to build child care facilities in 15 zoning districts in downtown and central neighborhoods in Boston. The first version of the ordinance was passed in the Midtown Cultural District in 1989. The brief regulation in Article 38, Section 38-18, of Boston's Zoning Code requires buildings that create over 100,000 square feet in gross floor area to devote a space in proportion to the size of the building to a dedicated child care facility or "cause such facilities to be built elsewhere in the city." In subsequent years, other zoning districts in Boston have followed suit with similar language.

In our report, we build on research already done by CLU in order to investigate the history, enforcement, and impact of IDF. In addition, we also researched alternatives to IDF, including how different cities use zoning and other municipal tools to increase access to child care for working families.

From the outset, we aimed to do the following:

- Provide historical context for the "Inclusion of Day Care Facilities" zoning ordinance in Boston since its adoption in 1989, including its uneven implementation since then
- Collate information on how the Boston Planning and Development Agency (BPDA) has, or has not, enforced the Inclusion of Day Care Facilities ordinance
- Determine which populations and potentially corporations benefited or did not benefit from the IDF ordinance, and investigate any associated equity implications
- Identify possible solutions or alternatives to support more affordable and equitably-compensated child care in Boston

Research Questions

In collaboration with our project partner and with our overall goals in mind, we came up with the following research questions. These questions helped guide our methods and process. They also shaped our report as a whole.

Our questions included:

1. How has the Inclusion of Day Care Facilities requirement been enforced by the BPDA?
2. What examples of developments can we find that fulfilled the requirement and included a day care facility?
3. Who benefited and who did not from the type of day care facilities built under the IDF ordinance?
4. How can the existing zoning ordinance be strengthened or changed in order to better help families and child care providers in the city?
5. What other policies or actions could be put in place in Boston to better serve families and providers?
6. What municipal policies are other cities in the US putting in place to provide consistent and affordable child care for all families?

Summary of Methods

Existing Documentation/Initial Data Collection

To collect data, we used existing information about the Inclusion of Day Care Facilities (IDF) zoning ordinance from online sources and other publicly available development documents. This included the results of two Freedom of Information Act requests that CLU submitted to the BPDA in 2019. During this process we analyzed:

- The original text of IDF in the Boston Zoning Code
- Supplementary news articles, letters, and the BPDA website
- Development documents such as Cooperation Agreements, BPDA board minutes, and Development Impact Project Agreements

In order to tell the story of how IDF has impacted the existing child care landscape in Boston and Massachusetts, we also drew on a diverse set of reports published by research and news organizations. We also referenced documents and internal research materials compiled by CLU as well as the work of previous Field Project teams at Tufts UEP.

Our key research objectives included finding out whether enforcement of the IDF ordinance has been consistent, and whether it has addressed the needs of families who need it most. To accomplish this, we did the following:

- Checked whether eligible developments in the areas where IDF applies followed the ordinance's requirements as written, or alternatively (a) provided payment instead of building day care facilities or (b) had certain requirements waived for one reason or another
- For developments that did build child care facilities in accordance with the IDF ordinance, we researched what type of facility was built and attempted to obtain data on which income levels of families they might serve

GIS Analysis

To help narrow down our developments of interest and add a visual component to our storytelling project, we used Geographic Information Systems (GIS) analysis to depict the relationships between the zoning code, large IDF-eligible developments, and child care facilities. Data was drawn from the BPDA and Analyze Boston, Boston's official geospatial data website.

Cooperation Agreements

Legal agreement entered into by the BPDA and a developer after the completion of the Article 80 review process. The Cooperation Agreement details any and all agreed upon public benefits and mitigation to be provided by the development project (Boston Planning & Development Agency (BPDA) n.d.). For more definitions of development terms, see the glossary in Appendix A.

Interviews

We conducted six interviews throughout our project to supplement our process as well as findings from other sources. These interviews were with current and past staff from the Boston Planning and Development Agency and various City of Boston departments whose work is related to child care and public benefits, as well as employees of development companies who have experience with IDF.



A close-up photograph of a child's hand holding a red pencil with white polka dots, writing on a worksheet. The worksheet features a grid with horizontal lines and some handwritten text. A drawing of a plant with colorful flowers is visible on the right side of the page. The background is blurred, showing a desk and other items.

2. CHILD CARE BACKGROUND

Partner History

Community Labor United (CLU) is a non-profit organization in the Greater Boston Area whose mission is to “drive forward strategic campaigns with grassroots organizations and labor unions that stabilize and strengthen working-class families and communities of color in Greater Boston” (Community Labor United, n.d.).

CLU helps mobilize and support labor and community-based organizations through research, training, and action (Garcia et al. 2019). The group focuses on coalition-building to address issues facing working families. Current areas of interest include pushing for a universal child care system as well as education, transportation, health and human services, and infrastructure and development. CLU also is currently working on advancing equitable approaches to climate change adaptation and mitigation.

The organization has a nine-person staff and are governed by an eleven-person board. In addition, CLU has an extensive list of labor union and community-based partners. These include Boston Local 26, a union representing the hospitality industry in Boston, and Alternatives for Community and Environment, or ACE, which works to fight environmental injustice in the Boston area (Community Labor United n.d.).

In 2016, CLU convened the Care That Works (CTW) coalition in recognition of the growing need to address a major gap in accessibility to child care in the Boston area. The coalition comprises a range of stakeholders who share an interest in improving access to care for working families. Coalition members work to ensure that child care in the Boston area fulfills equity goals, and benefits both working families and child care industry workers.

The Care That Works coalition includes such coalition members as the Matahari Women’s Worker Center, which organizes domestic workers, including au pairs and nannies (Garcia et al 2019); Brookview House, whose mission is to provide support and services that combat homelessness and position homeless women for long-term stability (Brookview House n.d.); and labor unions such as SEIU Local 509, which represents human service workers and educators in Massachusetts (SEIU Local 509 n.d.).

Care That Works recognizes that the gap in local child care services has an outsized effect on lower and middle-income working families, particularly those with parents who work nonstandard hours. Some of the issues faced by Boston families are long waiting lists, expensive fees, and limited hours of service.

The Care that Works coalition’s research concludes that the long-term societal benefits of a well-funded child care system are numerous and invaluable. As a National League of Cities report puts it, investing in quality child care and early education should be a priority for city leaders hoping to grow local economies and increase overall quality of life (National League of Cities 2019). However, without public investment, many working families are left struggling to find affordable child care that addresses their needs.

Community Context

In order to understand the impact of IDF in Boston, it is crucial to first examine the local demographics and overall child care landscape. A mid-sized city, Boston is growing quickly with a population of 694,583 (US Census 2019). Between 2010 and 2018, Boston's population grew by 12.4% whereas Massachusetts only grew 5.3% statewide (US Census 2019).



Figure 1 (Top): Map of Boston Neighborhoods. (Source: BRA)

Figure 2 (Bottom): Boston Downtown Neighborhoods. (Source: The Boston Home Team n.d.)

As we show in the “Gaps in Provision” section (pg. 14), single parents are among the most burdened when it comes to finding affordable, adequate care. Of all Boston households with children under 18 years old, 45% are headed by single mothers, totaling 23,739 households. Of those, 40% are Black, 39% are Hispanic, 12% are White, 4% are Asian, and 4% identify as “Other” (BPDA Research Division 2018a).

Female-headed households are more likely to live in poverty than other households, which increases their barriers to child care (BPDA Research Division 2018a). The median household income of single mothers in Boston is \$25,032 (BPDA Research Division 2018b), while the mean income for households with two working adults in Boston is \$97,511 (US Census 2018). Thus, any potential solution to address the affordability of child care in Boston must take into account households of a wide range of income levels.

Child Care Landscape

There are four different types of child care models that families in Boston may choose from. These models vary considerably in terms of quality of care, cost, and convenience, as partly outlined in the following section.

Child Care Model	Subtypes	Licensing Required?
Center-Based Care	Nonprofit Center, For Profit Center	Yes
Family Friend and Neighbor Care		No
Family Child Care	Home-Based Care	Yes
In-Home Care	Nanny, Babysitter, Au Pair	No

Table 1: Types of Child Care Models. (Source: Field Project team, adapted from Garcia et al. 2019)

Among the models outlined in Table 1, above, Center-Based Care and Family Child Care providers must be licensed by the state’s Department of Early Education and Care (EEC) (Garcia et al. 2019). Child care centers must also fulfill additional federal requirements. On the other hand, Family Friend and Neighbor Care and In-Home Care do not need to be licensed.

Gaps in Provision

Family Child Care, which is run by paid professionals in residential locations, could provide necessary services in places where center-based care is not readily available. However, the Massachusetts EEC's policies and licensing requirements are making it increasingly difficult to open home-based care businesses. Family Child Care providers must follow the guidelines of a variety of regulations related to areas such as transportation, enrollment, and cleaning standards (MA Dept. of Early Education and Care n.d.).

For families who need help to access care, Massachusetts provides three major child care subsidy programs. It also offers two smaller ones, which serve homeless families and teenage parents, and are not included in the chart below. All five are administered by the EEC (Adams and Katz 2015). The three main

Program Name	Target Recipients	Subsidy Type
Income Eligible (IE) Child Care	Low-income, working families	Vouchers, contracted slots with providers
Department of Transitional Assistance (DTA) Related Child Care	Recipients of Transitional Aid to Families with Dependent Children (TAFDC), supporting those with limited income	Vouchers
Department of Children and Families (DCF) Child Care	Cases of abuse or neglect; children in foster care	Contracted slots with providers

Table 2: Child Care Subsidy Programs. (Source: Field Project team, adapted from Adams and Katz 2015)

programs and their target recipients are seen in Table 2, above. Child care vouchers can be redeemed with either Center-Based Care or Family Child Care providers. As of 2015, a very small number of families also redeemed their vouchers for license-exempt care through family members or in their own homes (Adams and Katz 2015). This is due at least in part to regulatory barriers at the state level, as last year's "Understanding Family, Friend, and Neighbor Care in Massachusetts" Tufts Field Projects report documents (Garcia et. al 2019).

A 2018 report released by Boston City Councilor Ayanna Pressley, now U.S. House Representative D-MA, cited persistent problems in the local child care landscape. They include limited access, restrictive hours, and high costs (Pressley 2018). The report concludes that Massachusetts' child care system is one of the lowest-ranked systems in the country in terms of access to care as well as cost. The nonprofit Economic Policy Institute also shows that in the US, Massachusetts is outranked by only Washington, D.C., when it comes to the annual price of infant care (Economic Policy Institute 2019).

In Boston, affordability and accessibility are also major issues. According to a Boston Foundation Report (Campbell and Patil 2019), the limited number of child care slots open to Boston families continues to be a pressing issue facing city policymakers.

Furthermore, in March of 2019, additional state policies implemented by the legislature required home-based child care centers to go through additional reporting (Homes For Families 2019). Any late or missed submissions of this reporting can be considered fraud and potentially lead to licenses being revoked. These additional requirements could potentially burden care providers and exacerbate existing child care gaps.

Affordability

The Boston Foundation report found that, based on a previous federal recommendation that families spend at most 10% of their income on child care, no neighborhood in the city offered truly affordable care (Campbell and Patil 2019). In 2016, the federal Department of Health and Human Services Department suggested revising this recommendation to 7% of family income, an even lower threshold; it goes without saying that by this standard, Boston's child care remains unaffordable (Child Care Aware 2017).

This reflects a statewide issue. The organization Child Care Aware found that the average annual cost of center-based care in Massachusetts ranges from \$20,880 for an infant to \$36,355 for families with an infant and a preschooler (Child Care Aware 2019a). In both cases, home-based care costs significantly less, saving families \$7,696 and \$10,961 a year, respectively.

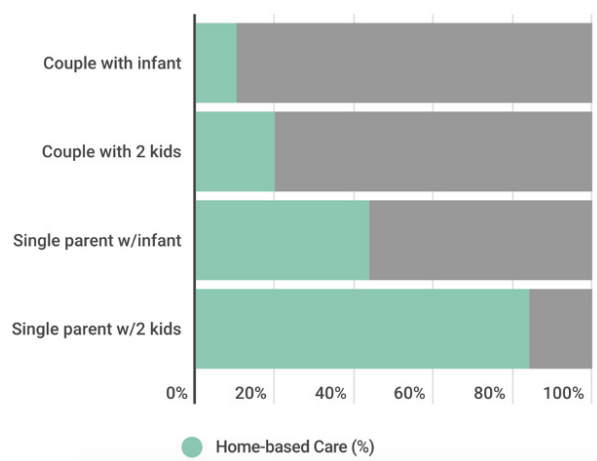
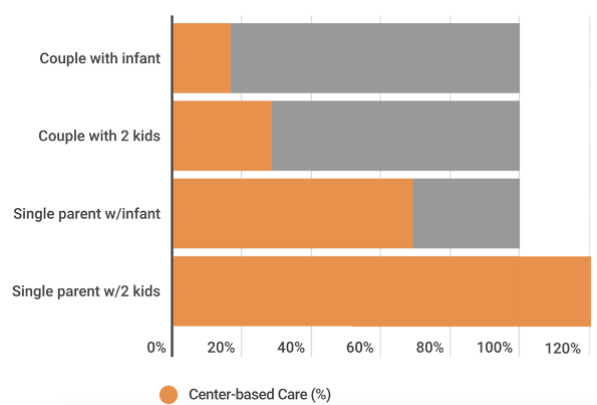
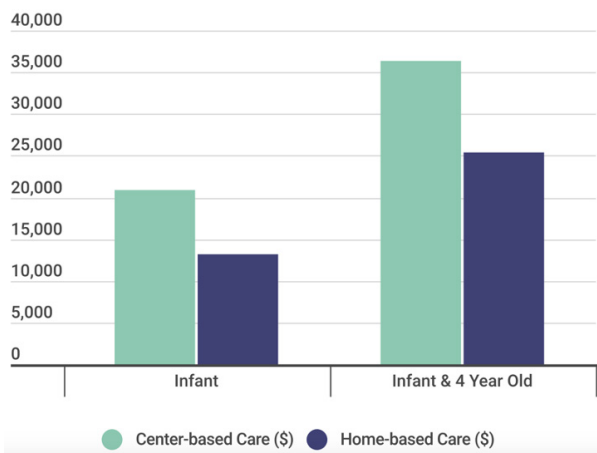


Figure 3a (Top): Annual cost of center vs. home-based child care in MA, in dollars. (Source: Child Care Aware of America 2019a)

Figure 3b (Middle): Average household income compared to cost of center-based care in MA. (Source: Child Care Aware of America 2019a)

Figure 3c (Bottom): Average annual income compared to cost of home-based care in MA. (Source: Child Care Aware of America 2019a)

Even home-based care can be a significant expense considering the average incomes of various household types, however, as the right graphics show.

In Suffolk County, where Boston is located, Child Care Aware’s data shows that the annual cost of center-based infant care—\$19,970—is nearly one-fifth of the area’s median income (Child Care Aware 2019b).

In a 2015 report commissioned by the Massachusetts state legislature, the Urban Institute also estimated a child care gap for kids younger than 13 who might qualify for state subsidies in the Metro Boston area (Adams and Katz 2015). While over half of all children in the region were likely eligible for at least one out of two of the state’s major subsidy programs—Income-Eligible Child Care (IE) or the Department of Transitional Assistance (DTA)—researchers estimated that only 64% of applicants were actually served by these. That figure doesn’t include families who might have been eligible but didn’t apply for either one.

Troublingly, gaps in the child care system disproportionately affect single parents, poor families, and families of color. The Urban Institute report found that over half of the children eligible for IE and DTA in Metro Boston identified as Hispanic, while 34% were non-Hispanic black. Eighty-four percent of the 29,800 subsidy-eligible children belonged to single-parent households.

In addition, across Massachusetts, families are increasingly in need of child care during nontraditional work hours. In 2015 the Urban Institute estimated that 72,000 children eligible for IE or DTA subsidies, or around 42% of all eligible children, fell into this category due to their parents’ irregular hours or commute times in fields such as hospitality, healthcare, and retail.

Accessibility

According to the University of California at Berkeley’s Center for the Study of Child Care Employment, there were 435,331 children ages 0-5 in Massachusetts in 2017 (Center for the Study of Child Care Employment 2018). The center also found that 74% of children lived in households where all parents worked. However, as of December 2018, there were only 233,936 licensed

child care slots available across the state (Pressley 2018). The unmet need of 201,395 child care slots represents a 46% gap between supply and demand.

In Boston, a 2017 report estimated that for families with children from ages 0-5, the gap between demand and supply for licensed care might be 35% (Campbell and Patil 2019). Shortages in child care provision were distributed unevenly across the city: while the neighborhood of Charlestown faced a gap of up to 54.5%, Back Bay and Beacon Hill may actually have had a surplus of licensed child care provider capacity (Campbell and Patil 2019).

In a 2018 GIS mapping project, Tufts Urban and Environmental Policy and Planning student Zoë Ackerman found “child care deserts”—defined as areas of the city where the ratio of children under six years old to the number of child care slots is higher than 3:1—in the neighborhoods of Roxbury, Dorchester, Mattapan, West Roxbury, Roslindale, and Charlestown (Ackerman 2018).

Shortfalls in coverage are affecting parents of very young children, who cannot access the care provided through Boston’s pre-kindergarten programs. The Boston Opportunity Agenda found that the child care gap for infants and toddlers between 0 and 2 was especially severe: 74% of families citywide may have suffered from a lack of infant care in 2017, while areas such as East Boston had an 89% estimated difference between demand and availability (Campbell and Patil 2019).

The disproportionate impact on parents of young children holds true across the state: the Urban Institute found that families with infants and toddlers had the largest gaps in child care across all six regions of Massachusetts examined (Adams and Katz 2015).

Impact

We have established that many families in Massachusetts struggle to find affordable and accessible child care. What’s more, as we have pointed out above, the burden of these costs is not distributed evenly: single parents and people of color are overrepresented among subsidy-eligible families in the Metro Boston area (Adams and Katz 2015).

In a September 2018 report, the policy research organization ReadyNation attempted to put a number on the losses suffered by working parents, businesses, and government revenues when child care is not readily available for families with children under three (Belfield 2018). Based on a survey of working parents from across the US, ReadyNation estimated that each parent with a child under the age of three loses \$3,350 in earnings annually because of time taken away from work, professional development, and other opportunities (Belfield 2018).

Eighty-six percent of primary caregivers, including both mothers and fathers, reported that issues with child care had at some point impacted the time and effort they invested in work (Belfield 2018). A large majority, 63%, also reported that it had affected their overall career prospects. Women were particularly affected: 59% of female respondents said that their career prospects had suffered, versus 44% of men.

Given an estimated 11 million parents who participate in the labor force, the cumulative effects could be potentially huge, not only for parents but also for the businesses that employ them (Belfield 2018). In addition, lost earnings mean less government revenue collected through income and sales or consumption taxes, implying an unseen additional burden borne by taxpayers.

While it’s challenging to concretely estimate how much the lack of access to child care costs society, the ReadyNation report may actually undersell its effects (Belfield 2018). By only surveying parents working part- or full-time, their report doesn’t include families who may have already had to make significant changes in their working situations prior to the birth of a child, giving up earnings and potential career development opportunities along the way.

Considering the disproportionate amount of parents with young children in Boston who may not be able to access child care, let alone affordable services, the potential impact of such gaps for local families is likely to be very significant.



3. METHODS

Developments of Interest

We wished to determine how consistent the enforcement and impact of IDF have been over time. To achieve this, we decided to analyze developments which have been built since the ordinance's first passage in 1989.

Because of the complex processes involved in large scale development in the City of Boston (see page 29 for more details), collecting and analyzing enough data in order to draw broad conclusions was difficult. However, digging into individual developments seemed like the best place to start in order to provide an informed framework with which we could consider this unique policy.

We started with a valuable source of information: CLU. The Care That Works research team had previously begun looking into this topic. Through two Freedom of Information Act (FOIA) requests directed to the BPDA, CLU received multiple development plans and other child care-related documentation for eight buildings that promised IDF-related benefits.

Outside of this, CLU researchers had also begun looking into other buildings that would have been subject to the ordinance. As mentioned in the "Partner & Project Goals" section on page 8, in some districts the threshold was 100,000 square feet of construction, while in others it was 150,000 square feet. There were also restrictions on the types of use that qualified for IDF—for instance, commercial rather than residential buildings (see Appendix B for full text of all ordinances).

While some of the developments CLU researched and received information about had a significant amount of documentation, such as One Lincoln Street in the South Station Economic Development District and Millennium Place in the Midtown Cultural District, others yielded only limited data. In addition, these development projects began soon after IDF was first passed, and therefore would be less helpful for assessing how implementation had changed over time. For these reasons, our team decided to look up additional developments to investigate using the BPDA's publicly available online resources, using the criteria for IDF eligibility outlined above.

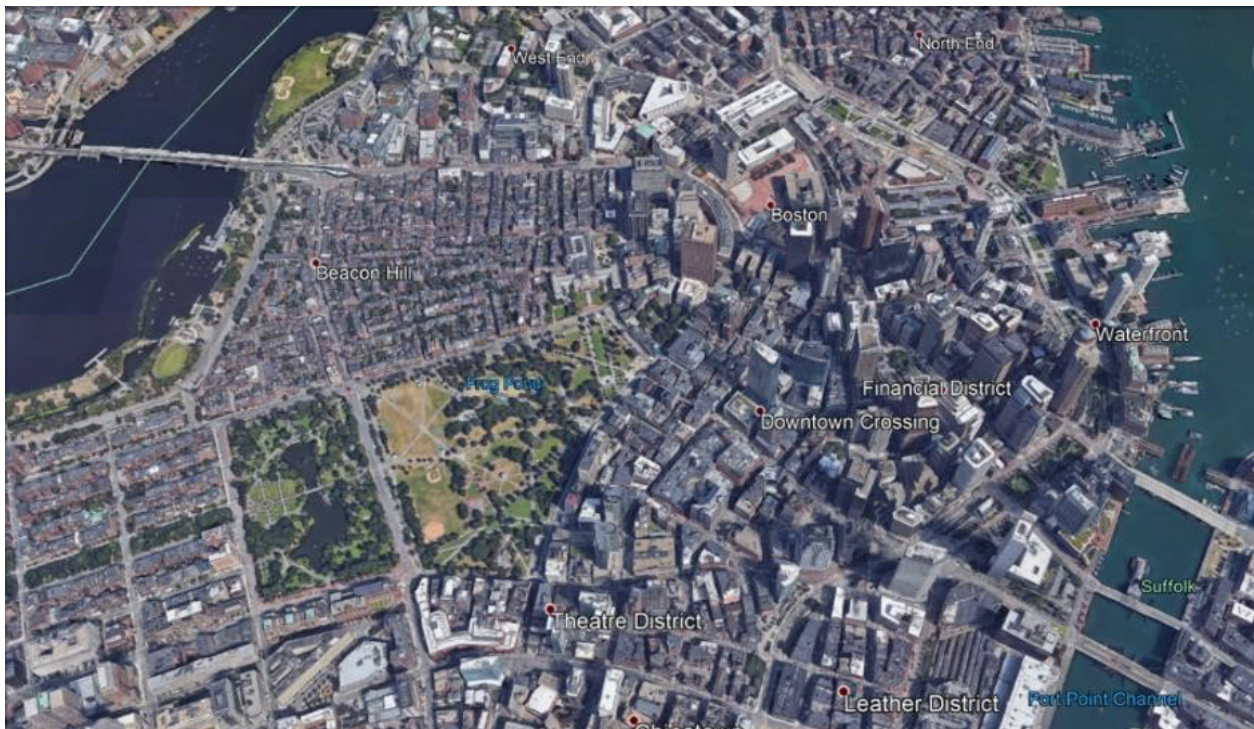


Figure 4: Aerial Photo of Downtown Boston. (Source: Google Earth)

We had several reasons for choosing to use the BPDA's website rather than submitting another FOIA request. Waiting for a public records request to be answered could have delayed our research process considerably, as CLU previously experienced. In addition, if the records were disorganized or incomplete, submitting a request could cause us to run into dead ends. Furthermore, we wanted to avoid making requests that could jeopardize the quality of our interviews with BPDA staff.

However, a disadvantage of relying on the website is that it did not capture all developments constructed in Boston since the IDF ordinance's first passage in 1989. Most active development projects on the BPDA website are only from the last five years, although some large projects with a longer-than-usual review

process date back as far as 10 years. It is possible developments only began being posted on the BPDA website after a website redesign occurred in 2015. This redesign was concurrent with new efforts to increase transparency at the BPDA (Anzilotti 2017).

The BPDA currently lists a total of 725 active developments on their website. However, many of these are not subject to IDF due to their location or use. For all developments on the BPDA website, information on address, neighborhood, parcel area, building size, and use is typically available, with the exception of some projects which are still in an early stage. In addition, the website contains a repository of relevant project documents. In some cases a narrative describing the project, stating the name of the developer and the BPDA project manager, is also provided.

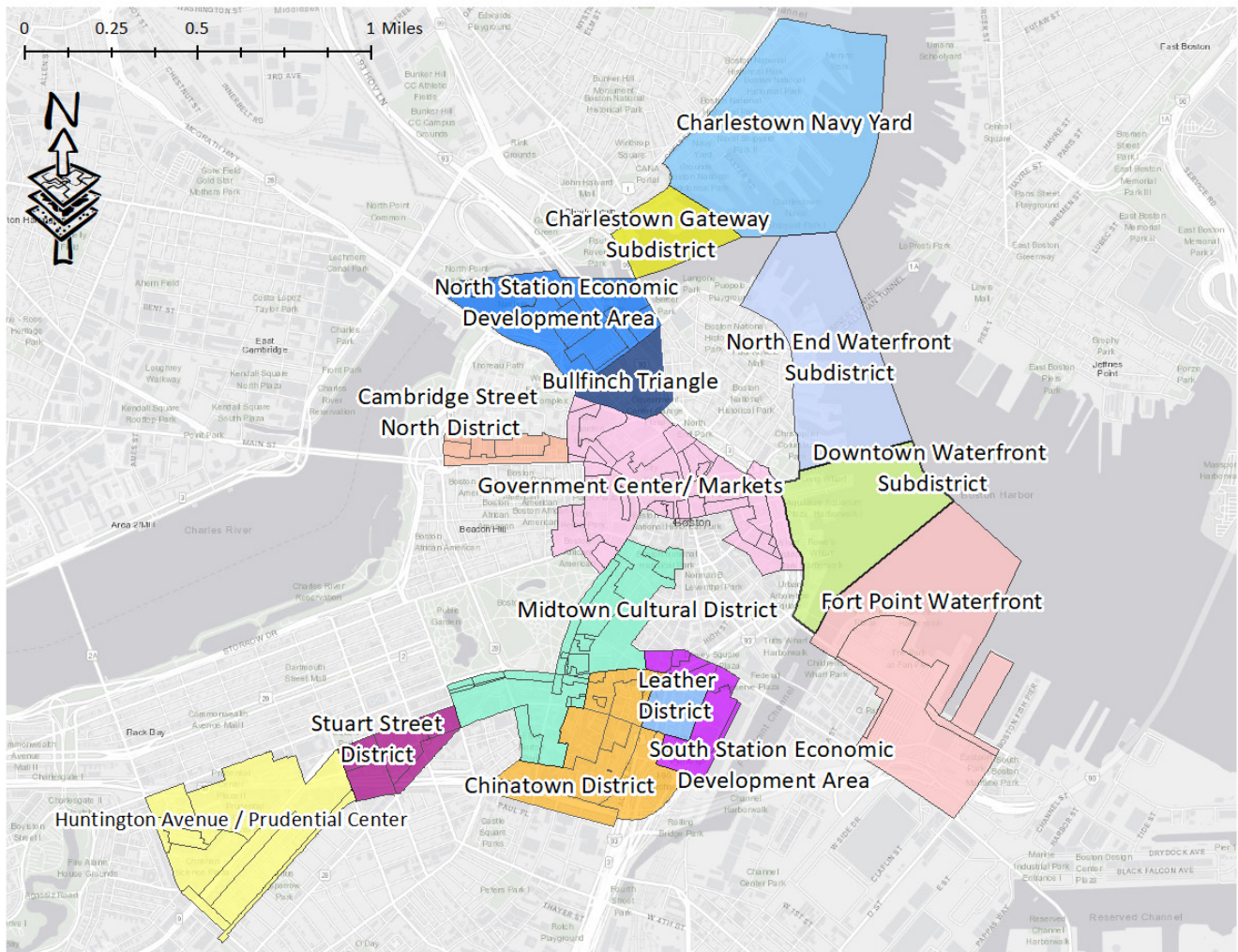


Figure 5: Zoning Districts Where the Inclusion of Day Care Facilities Ordinance Applies (Source: Esri and Analyze Boston)

We used this development information to create a spreadsheet of all development projects that were currently available on the BPDA website. After doing this, we sorted the projects by building size, and identified 295 developments that were more than 100,000 square feet. We then checked whether these developments were intended for commercial use, or in the case of mixed use developments, checked whether the commercial portion of their building was over 100,000 square feet.

After this, we were left with 76 developments. We then used Geographic Information Systems (GIS) to narrow it down further to buildings within the 14 zoning districts where IDF applies (see Figure 5 for more details). This greatly reduced our developments of interest: it resulted in nine developments that represented six out of the 15 areas. We decided to use these developments as case studies while also continuing to look into four older projects that had previously been included in the response to CLU's FOIA requests. We chose these four because their contributions through IDF were relatively well-documented.

We recognize that by pulling from the BPDA's current list of active developments, which only seemed to cover projects from the last 5 years, and older samples which underwent review in the early 90s, we were constrained to examining these two time periods. However, there are two distinct reasons that this does not necessarily hinder our project. First, development tends to ebb and flow in cities based on economic conditions. When Boston experiences a recession, as it did in the late 2000s and into the early 2010s, there are fewer large development projects being completed that may be subject to the IDF.

Furthermore, in 2015, the BPDA, known at the time as the Boston Redevelopment Authority (BRA), launched a 14-week rebranding initiative to overcome public perceptions of inconsistent and somewhat opaque enforcement processes (Clauss 2016). The rebranding effort was paired with an effort to improve internal operations, with a specific focus on transparency (BPDA 2015). As pointed out above, it seems likely that the increased availability of development documentation from the last five years is due to this.

So while our available sample of developments had significant gaps in it, especially in the late 2000s, it also reflects the reality of Boston's economic and political environment.

GIS and Mapping

GIS aided our research and added a visual component to our storytelling. This mapping tool helped us show how the zoning code, large developments, and child care facilities are related. Data come from the BPDA and Analyze Boston, Boston's official data website.

We used GIS analysis to narrow down our developments of interest. Utilizing the spatial tools provided by GIS software, we found twelve developments which are both over 100,000 square feet and within the 15 zoning districts that are required to follow the Inclusion of Day Care Facilities ordinance. To arrive there, we first geocoded potential developments of interest by address and then joined attributes from a dataset on Boston's subdistricts. Of the twelve projects that resulted from this process, nine fulfilled all our search criteria; based on a cross-check with information on the BPDA's website, we discovered that the other three developments didn't fulfill IDF's requirements. We discarded these three, then added four other projects that CLU had already received information about, ending up with a total 13 developments of interest.

We also relied on GIS elsewhere in our project, although we didn't use it directly. In "Gaps in Provision: Accessibility," we cite Tufts UEP student Zoë Ackerman's 2018 map of child care deserts. We compared the location of deserts with IDF's 15 zoning districts, to see if any might face a shortage of child care slots.

13, 14, 15: A Note on Numbers

Throughout this report, we often refer to the **15** "zoning districts" in which IDF currently applies. This includes subdistricts as well as districts, and for the sake of clarity we include both in this term.

However, there are only **14** ordinances, as can be seen in Appendix B. One of them applies to two zoning districts. To avoid causing confusion, we do not reference this fact often.

Finally, as discussed above, we settled on **13** developments of interest. Nine of them come from GIS analysis of online records, and we chose another four from the FOIA records that CLU received from the BPDA. While our final shortlist may not present a comprehensive portrait of all IDF-applicable developments, we did our best to represent a variety of time periods, development types, and child care benefits.

Interviews

In order to add depth and context for the information gathered through other methods, our team also conducted interviews. We sought out individuals who have historical insight and knowledge about the IDF zoning ordinance. This included people from:

- The Boston Planning & Development Agency (BPDA)
- Development companies subject to the IDF ordinance
- City of Boston departments involved with child care or development

Our goals for the BPDA interviews were to learn about how IDF has been enforced over time, how the process works, and probe into specific developments of interest. In talking with developers whose projects were in IDF districts, we hoped to examine the role IDF plays in development processes, learn what considerations and obstacles companies face when building large projects, and what steps they take to reach compliance with the city. Additionally, in order to further understand the landscape of child care and city services in Boston, we sought interviews with various departments in the City of Boston, such as the Mayor's Office for Women's Advancement, the Department of Inspectional Services, and the Treasury Department. See Appendix C for a list of initial interview question templates.

Using interviews to gather information on IDF was challenging on two fronts. On one hand, in recent years there has been significant spotlight on the BPDA and the rapid growth of development in Boston. We anticipated that we might run into roadblocks when asking about the strengths and challenges of offering public benefits through zoning of large projects, specifically when talking with the BPDA or developers.

Additionally, this research was being conducted amidst the worldwide COVID-19 crisis. All non-essential businesses, schools, and public spaces were being closed as we were attempting to schedule interviews. While many of the people we reached out to were working from home, it is possible they were not able to answer calls or messages from their office telephone lines. Relatedly, the City of Boston placed a ban on all construction, impacting developers and their portfolios. As a result of these compounding factors, the number of interviews we were able to conduct was severely limited.

IDF Interview Scheduling

In the midst of our interview process, COVID-19 cases surged in the US, shutting down offices and forcing many City of Boston staff to work remotely.

Even before COVID-19, we encountered obstacles while searching for appropriate government employees to interview about IDF. For instance, in one chain of emails, a BPDA staff member referred us to someone in the Department of Neighborhood Development, who in turn recommended we speak to another BPDA employee.

We also inadvertently caused a flood of emails to arrive in the BPDA Office of Communications' inboxes: while reaching out to various departments with different inquiries, we often saw that our responses had also been forwarded to communications staffers.

While this confusion of email threads was likely compounded by restrictions on in-person interaction, we also believe the process could have been more streamlined. Some of our most revealing interviews came through chance mentions or referrals; had there been clearly designated people to ask about the impact of IDF from the outset, we could have done more digging into our developments of interest.

A close-up photograph of several wooden abacus rods with colorful beads. The beads are in shades of yellow, blue, and light wood. The rods are arranged diagonally across the frame. The background is softly blurred, showing a person's face in the distance.

4. FINDINGS

Child Care and Boston's Zoning Code

Zoning is the set of laws that govern how land and built space is used. During the rise of industrialization, in the early 20th century, it was formulated as a way to help organize cities so that for instance, factories and sweatshops would not encroach on residential areas (Centrella et al. 2019).

However, zoning has also been used for other purposes, including racial discrimination, the exclusion of minority groups from housing ownership, and segregating residential neighborhoods, which has concentrated wealth and opportunity in certain areas of cities (Centrella et al. 2019). Historically and to this day, planners and advocates have tried to counteract exclusionary zoning practices. They seek to use zoning instead as a tool for increasing equity by helping curb the negative effects of unbridled development. This includes efforts such as inclusionary zoning, a popular tool which incentivizes developers to create affordable housing units.

Boston's zoning code is governed by the Zoning Commission, which is appointed by the mayor (City of Boston 2020). The Zoning Commission is housed within the BPDA. Similar in name, the Zoning Board of Appeal is housed within Inspectional Services and is also appointed by the mayor. This body grants variances, "or permitted deviations from existing zoning or building code" (Centrella et al. 2019).

The BPDA, formerly the Boston Redevelopment Authority (BRA), was established in 1957 by the Boston City Council and the Massachusetts Legislature to oversee development in the city (BPDA n.d.). The agency has been criticized over the years for lack of transparency and instances of corruption, leading them to change their name in 2016 (Clauss 2016). However, for clarity, we continue to refer to them mostly as the BPDA throughout this report.

While zoning and child care seem like an unusual combination, the government already regulates child care in many ways. For example, the state sets certain rules that child care providers must follow in order to become licensed. This includes child-staff ratios per age group, standards per child for indoor rooms and outdoor areas, specialty equipment, building safety, employee training and certification, and more.

Inclusion of Day Care Facilities

The push to include child care in Boston's zoning code began around 1984, during Midtown Cultural District's master planning process. The plan was adopted in 1989 and included Boston's first Inclusion of Day Care Facilities (IDF) language, which was replicated with some variations in 14 other zoning districts over subsequent years.

The text of IDF in the Midtown Cultural District is provided on page 25. See Appendix B for the text of other versions in other zoning districts.

Around the time of its passage, a growing trend in the child care industry was a preference for locations near office workplaces and commercial centers. Prior to this change, it had been the norm for child care centers to be located primarily in residential areas; often, these businesses partnered with churches or community centers (Evans 1988). In contrast, the IDF ordinance applies to downtown locations and specifically calls for child care facilities which operate during regular business hours to be provided on-site or off-site by the developer of a new project.

Bryan Glascock, Deputy Director for Regulatory Planning and Zoning at the BPDA, told us, "I was in another department in those days but I think the BRA at the time must have felt that if you create the space, and dedicate it, the vacuum that is created by that space, and the demand by all these new working parents in downtown Boston, will provide an opportunity for day care providers to slip into that vacuum because the space is set aside" (Glascock 2020).

These efforts were supported by a coalition of organizations who believed that more women would enter the workforce if they had access to affordable, stable child care close to their place of employment.

Throughout this report we refer to IDF as an ordinance, regulation, and part of the zoning code interchangeably. It is technically a provision in the zoning code, and we received mixed feedback from the BPDA and informational interviewees about the appropriate term to use to describe it.

Midtown Cultural District Inclusion of Day Care Facilities

The provisions of this paragraph apply only to Proposed Projects to exceed a building height of one hundred twenty-five (125) feet, or an FAR of eight (8), or both. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, which equals or exceeds one hundred thousand (100,000) square feet, up to two hundred thousand (200,000) square feet, shall devote to day care facilities an amount of floor area equal to at least two percent (2%) of the Proposed Project's gross floor area. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, which equals or exceeds two hundred thousand (200,000) square feet, up to five hundred thousand (500,000) square feet, shall devote to day care facilities an amount of floor area equal to at least four thousand square feet. Any Proposed Project having a gross floor area which equals or exceeds five hundred thousand (500,000) square feet, up to one million (1,000,000) square feet, shall devote to day care facilities an amount of floor area equal to at least eight thousand (8,000) square feet. Any Proposed Project having a gross floor area which equals or exceeds one million (1,000,000) square feet shall devote to day care facilities an amount of floor area equal to at least twelve thousand (12,000) square feet. An Applicant for a Proposed Project subject to the provisions of this paragraph may fulfill its obligations under this paragraph by:

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this paragraph shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term "day care facilities" includes the finish, furnishings, and equipment for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

Text of the Inclusion of Day Care Facilities (IDF) ordinance in the Midtown Cultural District of the Boston Zoning Code. (Source: Boston, Massachusetts, Zoning Code Article 38, Section 38-18, 1989.)

"With almost 60% of women with children in the paid work force, child care is key to the economic survival of many Boston families. Women in the paid work force cannot be asked to support their families and to simultaneously stay home to care for them. Boston must work to create real, viable options that will offer women in the work force true choices about child care"
(Boston Redevelopment Authority 1989a).

- The Boston Chapter of the National Organization for Women (NOW)

>> Organizations in Support: Inclusion of Day Care Facilities in 1989<<



Figure 6: Organizations in Support of IDF. (Adapted from: Community comments: midtown cultural district plan: plan to manage growth)

Digging into Developments

Once we chose our 13 developments of interest, as described in the “Methods” section, we started the arduous process of digging deeper into each of their histories. This involved attempting to track down and analyze as many public documents related to the development process as possible. We did not exhaust all these avenues due to time constraints, and there were some documents that we could not find despite our best efforts.

However, our findings provide evidence that IDF may have been implemented inconsistently over time. In some cases, the regulation was never explicitly mentioned in development documents. In addition, developments provided child care benefits in a variety of ways, including financial contributions in addition to creating on and off-site facilities. And some developments neither mentioned IDF nor provided child care benefits, for reasons we couldn’t uncover.



Figure 7: Summary of Our Developments of Interest.

The following sections explain the complicated approval process that developments go through, what we found for each project, and some conclusions about how IDF is implemented and tracked.

The Life Cycle of Projects

Many of the documents we cite in the below sections were drafted and approved through Boston’s “Large Project Review” process, which applies to buildings

with over 50,000 square feet of gross floor area. The regulations for this process are described in Article 80 of Boston’s zoning code.

As shown in the following graphics, Large Project Review typically involves a 30-day public comment period, according to the BPDA (Boston Planning & Development Agency 2014). Developers must draw up documents including Cooperation Agreements and Development Impact Plans, which promise public benefits in accordance with various regulations. In addition to child care, these benefits include jobs and affordable housing-related contributions (see “Trust Funds” section, pg. 53, for more on Boston’s Neighborhood Jobs Trust). The BPDA and Zoning Commission must review and approve these development documents before construction can begin.

Although all of our developments of interest were subject to Large Project Review, some projects also had additional requirements. For example, some of the unusually large developments we examined were “Planned Development Areas” (PDAs), a type of overlay zoning designation. According to the BPDA, these projects may be exempted from Boston’s underlying zoning rules: “The Development Plan [of a PDA] may provide for uses, dimensions, or parking that deviate from the general zoning for the district” (“A Citizen’s Guide” 2013). At least a few of the PDAs we examined produced child care benefits anyway; however, it’s not clear whether this was because of the IDF.

The same was true of the two “institutional” projects we examined, which were included in area-wide university or hospital master plans. These are also typically given more leeway in complying with zoning rules, which may have extended to IDF (“A Citizen’s Guide 2013). From our communication with BPDA staff, we were unable to determine whether institutional projects were subject to the ordinance. In addition, we were unable to find documentation of any child care-related “variances”—exceptions to the zoning rules—being granted to our 13 developments of interest.

See Appendix A, Glossary, for full definitions of the terms used above as well as related vocabulary.

Projects

Letter of Intent

The first document filed by a project proponent with the BPDA during the [Article 80](#) process. The letter must provide details about the proposed project including the location, general description, use, size, potential [zoning](#) relief, and any other relevant information regarding the project. The [Letter of Intent](#) also triggers the nomination process for the formation of an [Impact Advisory Group \(IAG\)](#).

Under Review

BPDA Project Managers assist developers in navigating the [Article 80 process](#). Public input is encouraged throughout a project's review timeline.

Board Approved

Following extensive public review, BPDA Staff will recommend a project to the BPDA Board for approval. Board approval is required before a developer can secure building permits and break ground.

Under Construction

Developer has begun development on said project.

Construction Complete

Project is officially developed and considered 'complete'.

Figure 8: Flowchart of The Development Process. (Source: BPDA n.d.)

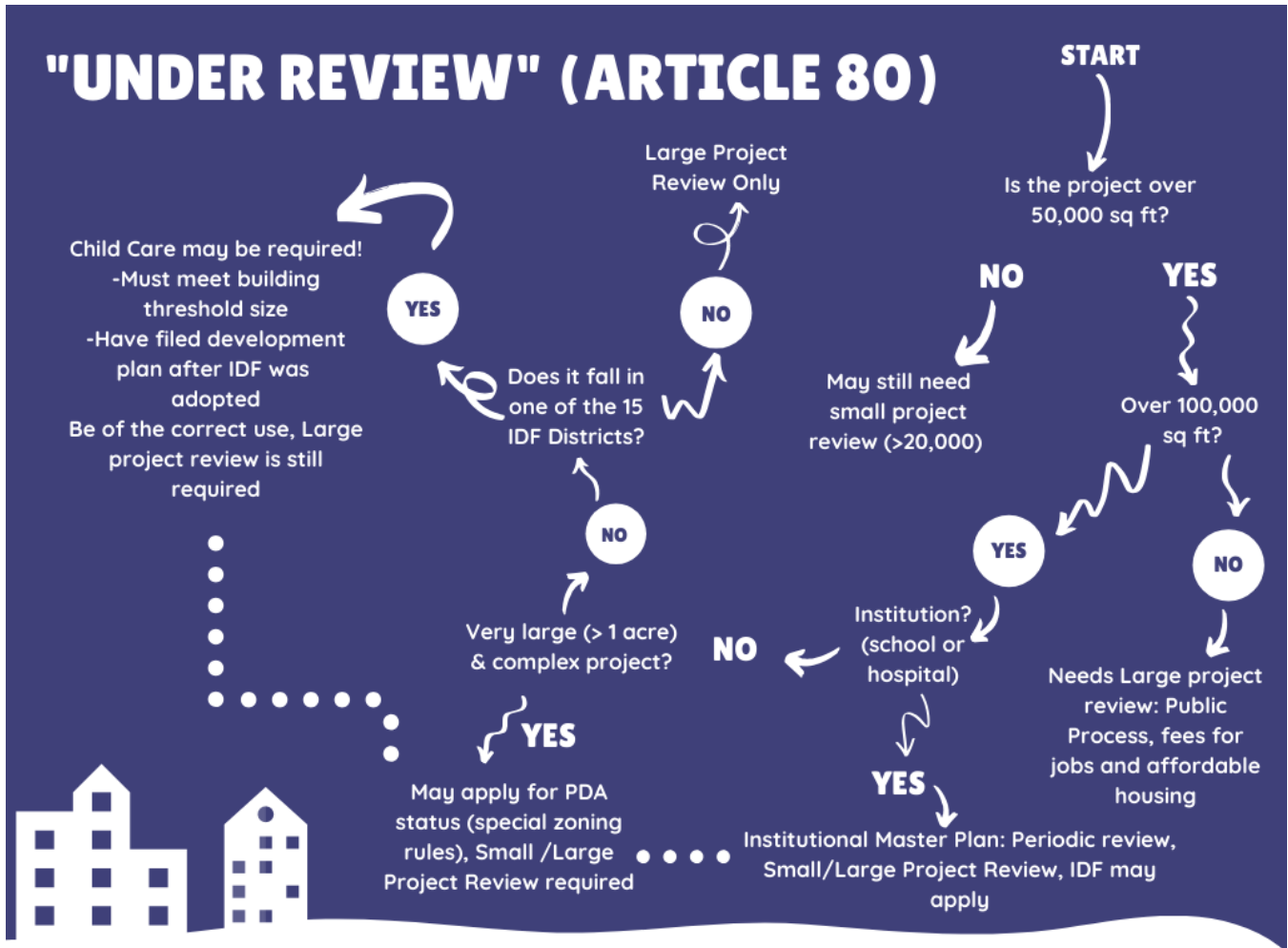


Figure 9: Article 80 Review. (Source: Field Projects team/Canva, adapted from "A Citizen's Guide" 2013)



Figure 10: Large Project Review. (Source: Field Projects team/Canva, adapted from Boston Planning & Development Agency 2014)

Developments of Interest

Financial Contributions

Four development projects started in the decade after IDF's first passage, in 1989, promised to make financial contributions instead of or in addition to building facilities—in the latter case, the size requirements of child care facilities were correspondingly lowered. However, we had trouble tracking how the size of these contributions was determined, whether they were made, and how they were used.

One Lincoln Street, 33 Arch Street, W Boston Hotel and Residences, and Millennium Place were impacted relatively early in IDF's history, compared to some of the other projects we looked at. All four went through drawn-out development processes, either because of financial downturns or turnovers in management. This made it difficult to track all changes that were made over time in terms of child care benefits.

We also lacked a centralized source of information. For more recent developments (see below sections), the BPDA site often has project-specific webpages with links to various documents. However, for the above developments we had to rely on the results of a December 2019 FOIA request by CLU as well as an independent online search for records.

Trouble with Tracking

We had difficulty finding out exactly how financial contributions under IDF worked. None of the 14 ordinances (which apply to 15 zoning districts) currently in effect explicitly mention an option for payment in lieu of building facilities, or guidelines for how the size of this contribution would be determined.

We considered the possibility that each of the developers was granted a variance by the City of Boston—a kind of request for an exception to the zoning rules. This would have meant that the size of contributions were decided on a case-by-case basis, based on individual negotiations between developers and zoning officials. However, based on a search of the Department of Inspectional Services' (ISD) archives, where variances granted by the Zoning Board of Appeal are listed, we didn't find any mention of child care-related exemptions for our developments of interest.

It's possible that we may have missed something in our search. As of writing time, we hadn't yet received a response to our follow-up inquiries with ISD staff. We also didn't receive a definitive answer from our interviews with members of the BPDA.

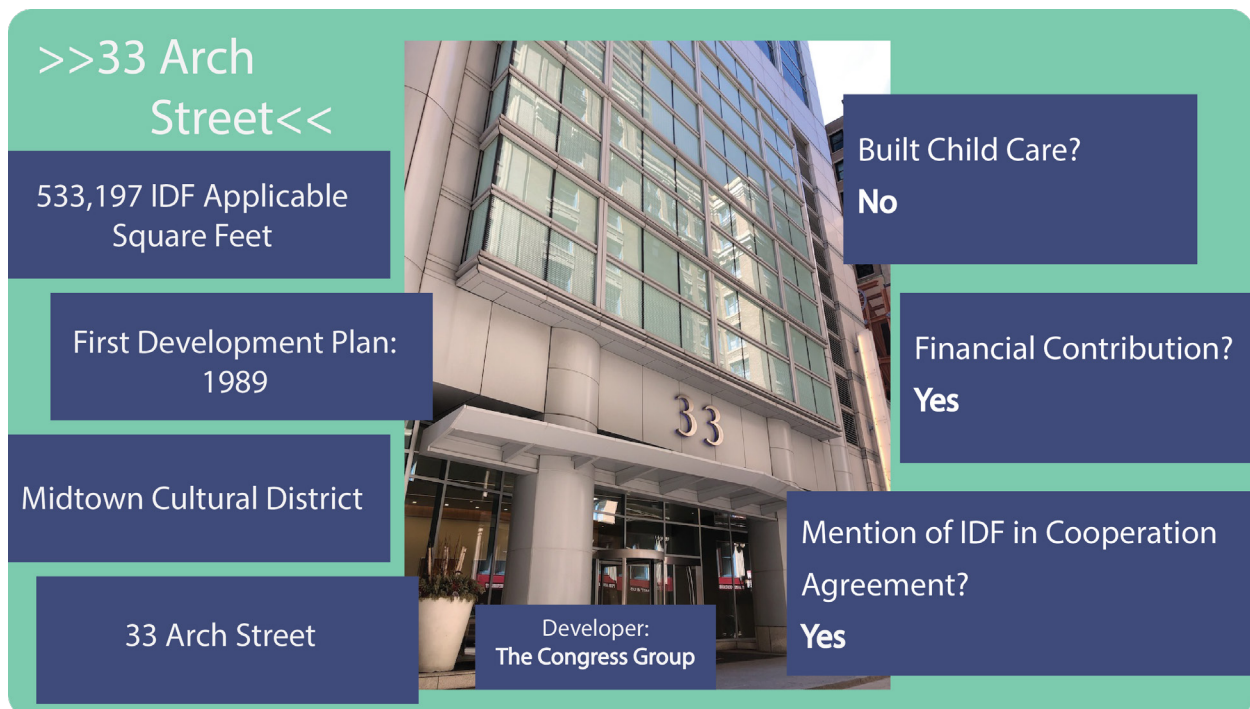


Figure 11: Information on 33 Arch Street.

For instance, based on publicly available records as well as the FOIA request results, we could only find documentation of contributions by two of these developers. A BPDA memo shows that 33 Arch Street made a \$500,000 “Child Care Contribution” as part of its Development Impact Agreement (O’Brien 2004). The money was paid in two equal installments in 2001 and 2004, the year the building was completed.

The use of the money was not specified in the memorandum, although a 1999 development plan had stated that “this contribution will be used to provide child care facilities, which are planned to be located off-site and/or to expand existing child care services” (Boston Redevelopment Authority 1999).

An even earlier memorandum from 1990 said that at least part of the funds would go to facilities in nearby Chinatown, including “Quincy School” (Boston Redevelopment Authority 1990). When we emailed the Josiah Quincy Elementary School to inquire about this, an administrator who taught at the school between 1990 and 2004—the year the building was completed—responded that he had never heard of such a contribution being made.

A 2006 BPDA memo also states that the developers of W Boston Hotel and Residences should make a \$100,000 contribution for “expansion of child care availability in Chinatown/South Cove,” and a 2008 email from representatives of the project contains a photocopy of a check for this amount (Miller et al. 2006, Kara 2008). However, these documents do not indicate when or in what manner the funds were to be distributed.

In contrast, the developers of One Lincoln Street promised to create 100 on or off-site child care slots or else to pay \$1.25 million to the BPDA. However, this sum, along with any interest, was to be returned to the developers once they had fulfilled their child care facilities obligation (Boston Redevelopment Authority 1989c). We were unable to find documentation of whether the developers created on-site facilities, off-site child care, or were required to pay \$1.25 million to the BPDA.

Millennium Place’s development process shared many similarities with the Lincoln Street development project, including the time period of their original proposals, which occurred during a “strong market” in the late 1980s (Li 2019). In addition, both projects stalled for a period of time when the city experienced a period of economic downturn.

While the 1989 Cooperation Agreement for Millennium Place states that the project will build an 80-slot child care facility on site and a 40-slot child care off-site, the later 1997 Cooperation Agreement is less specific. In this Cooperation Agreement, it is stated that the developer will either create 12,000 square feet of child care on-site or “make a contribution to a Boston-based foundation designated by the Authority and the Developer,” specifically supporting child care in the adjacent Chinatown area (Boston Redevelopment Authority 1989c; Boston Redevelopment Authority 1997). The Cooperation Agreement also stated it had the option to do a combination of the two.

Based on the most recent Development Impact Plan (DIP), completed in early 1998, it seems that the developers of Millennium Place proposed to fulfill their IDF requirements by both creating a 4,000 square foot child care facility on site and contributing \$160,000 in funds (Boston Redevelopment Authority 1997). The DIP specifically states that the on-site facility is to serve those who work in the building. Currently, there is a nursery school in Millennium Place called Spruce Street Nursery School (see “Who Is Being Served?” on pg. 44 for more). We reached out to the school to check whether IDF had any connection to their tenancy in the building, but were unable to make contact.

Millennium Place’s \$160,000 contribution, the 1998 DIP states, would go into an escrow account with the Office of Jobs and Community Services (OJCS), where it could be used in various ways to support child care needs in the area: it could support day care operations or subsidize the cost of day care for Chinatown families (Boston Redevelopment Authority 1997). Distribution of funds from this account were to occur with the collaboration of the Chinatown and South Chinatown Neighborhood Council.

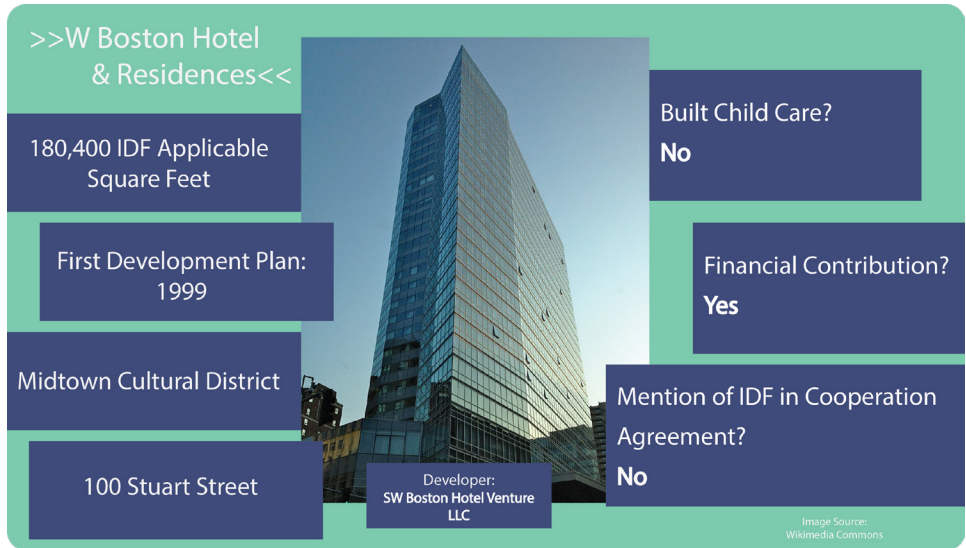


Figure 12: Information on W Boston Hotel & Residences.



Figure 13: Information on 1 Lincoln Street.



Figure 14: Information on Millennium Place.

Although we weren't able to determine whether all of the financial contribution offers outlined above were made, or if so, how they were used, former senior advisor to Mayor Menino Katharine Lusk told us that by 2013, the BPDA had collected a sizable amount of money through IDF. See our "Money and Compliance" section, below, for more details.

It's possible that the sum Lusk told us about included the \$600,000 contributed by W Hotel Boston and Residences as well as 33 Arch Street. But if so, we didn't find any documentation that made this connection explicit; in other words, after it was handed to the BPDA, we simply don't know where the money went.

On-Site and Off-Site Child Care

Three of the 13 projects we examined provided on-site or off-site child care — Fan Pier, 28-70 Northern Avenue in the Fort Point Waterfront District, Mass General Hospital (MGH) at 55 Fruit Street in the Cambridge Street North District, and Millennium Place at 580 Washington Street in the Midtown Cultural District, as discussed in the above section. However, for different reasons, we could not determine whether these centers resulted from the IDF. Mostly, as in the case of Millennium Place, this was due to a lack of information on our part.

At Fan Pier, for instance, there appeared to be plans to build a child care center from the outset of the project, but the development documents make no mention of IDF. The project, which completed construction in 2014, is a mixed-use development containing multiple parcels (BPDA n.d.). Parcel A is home to Vertex Pharmaceuticals and 12,000 square feet of day care facility space operated by the for-profit company Bright Horizons, called Bright Horizons at Fan Pier (Campisano 2013).

MGH at Fruit Street covers a large area with multiple parcels, all of which are included within MGH's Institutional Master Plan. It also lies within a Planned Development Area (PDA) which predates the first passage of IDF (BRA 2002). As we discuss in "Life Cycle of Developments," PDAs are overlay districts and may be exempt from underlying zoning requirements.

In 2002, however, the MGH site submitted an amendment to its development plan to account for new construction which specifically mentioned IDF. The amendment states that because MGH already operates one on-site child care center and two off-site child care centers, it is no longer required to create new facilities (BRA 2002). As of 2002, these centers offered 139 slots and a total of 14,557 square feet dedicated to child care, although the on-site facility was designated to provide "Backup Child Care for Patients & Employees" only (Mass General Hospital n.d.).

It is unclear whether the three centers were originally built as a result of the IDF ordinance. Since MGH's designation as a PDA dates to 1982, it seems unlikely that they resulted from this regulation (BRA 2002). We also did not find additional mention of IDF or child care in any of MGH-Fruit Street's documents in subsequent years.

MGH at Fruit Street was unusual in operating off-site centers, compared to the other projects we examined. This might be because it is part of an institution rather than a standalone project—Mass General Hospital operates seven satellite campuses in addition to its main campus at Fruit Street, and the off-site child care centers primarily serve its employees. Although the wording of the IDF ordinance explicitly gives developers the choice of building facilities off-site, besides MGH, we could not confirm that any of the other developments chose to do this. If any other developer did construct off-site child care centers, they did not provide the addresses, business names, or impact in any official BPDA or ISD documents that we found.



Figure 15: Information on Fan Pier.



Figure 16: Information on MGH at Fruit Street.

Special Cases

Three of our developments of interest mentioned IDF and child care in documents submitted to the BPDA, but changed their plans or were granted special allowances based on different circumstances. Because these projects tend to be relatively recent, it is still unclear what child care benefits they might ultimately deliver; their plans might be subject to further change.

One of the projects, Boston Garden Phase III, located in the North Station Economic Development Area, originally quoted the Inclusion of Day Care facilities ordinance in its 2013 Project Notification Form (Epsilon Associates 2013). However, BPDA board minutes from 2018 state that in 2013, the project “sought and received the following zoning deviations through the Chapter 121A application... [including] modification of requirements for providing day care facilities” (BPDA 2018). It did not explain what these “deviations” were, why they were granted, or what the new requirements for Boston Garden Phase III would be.

Another project which appears to have negotiated with the BPDA regarding day care requirements is the Seaport Square project. This project, spanning multiple blocks in the Fort Point Waterfront District of Boston, included multiple phases of development. The project’s 2017 Cooperation Agreement includes a section that addresses day care. It states that minimum day care requirements were originally satisfied during earlier phases of the project.

The 2017 Cooperation Agreement for Seaport Square also says that the developer “shall analyze the need for day care facilities in the vicinity of the Project Site, and provide a report to the BPDA” (BPDA 2017). Based on the developer’s report, the BPDA would make a determination on whether building additional day care was necessary (BPDA 2017).¹

A third project whose child care benefits were subject to change is Pier 4, 130-140 Northern Avenue, in the Fort Point Waterfront district, not to be confused with the nearby Fan Pier at 28-70 Northern Avenue. Pier 4’s original development plan included 4,000 square feet of child care (BRA 2005). However, an amendment to the project submitted six years later states that, “following the Change of Use... a day care, pursuant to Section 42E-21 of the Code is no longer required” (BRA 2011).

“The day care-generating uses (as specified in Section 42E-21.1 of the Code) that are included within the incremental Gross Floor Area approved for the Remaining Blocks by this Amended Plan (compared to the Gross Floor Area for such Blocks approved in the Original Plan) will generate significant demand for additional day care facilities, then the Proponent shall undertake commercially reasonable efforts to facilitate additional Day Care Uses within the Project Site in an amount agreed to with the BPDA.”

-¹ The full quote from the Cooperation Agreement



Figure 17: Information on Boston Garden Phase III.



Figure 18: Information on Seaport Square.



Figure 19: Information on Pier 4.



Figure 20: Information on Parcel P7-a.



Figure 21: Information on Suffolk University.

No Mention of Child Care

Four of our 13 development projects did not mention child care or IDF in their public documents even though they were located in areas where IDF applied, and met the associated square footage and use requirements. These projects were Parcel P-7a, Suffolk University, Government Center Garage Redevelopment, and South Station Air Rights. Three of these projects promised to create other public benefits related to affordable housing and jobs (BRA 2008; The HYM Investment Group, 2013; BRA, 2006).

Due to the difficulty of tracking down every development agreement and the complex language in which they are written, it is possible that we missed documents that might have explained why the child care requirement was not applied to these projects. However, as mentioned in “Financial Contributions,” this also speaks to the gaps in the organization of data for our development projects of interest. It also reflects the sheer complexity of Boston’s development and zoning processes, which is only partially explained by BPDA-published resources like “A Citizen’s Guide to Development Review Under Article 80 of the Boston Zoning Code” (“A Citizen’s Guide 2013).

For example, Parcel P-7a, at 240 Tremont Street in Boston, was located in a preexisting Planned Development Area, which as an overlay may not have been subject to underlying zoning requirements of the underlying zoning of the Boston Zoning Code (Boston Redevelopment Authority 2007).

Suffolk University has many properties across Boston, most of which fall within IDF districts. As a university, they go through the institutional Master Plan (IMP) process in addition to Article 80 (see graphic on pg. 29: Large/Small Project Review is still required for IMP). In 2008, they proposed a 112,000 square foot building for academic use located at 20 Somerset Street. (BRA 2008). We were unable to find any mention of IDF or child care in the documents for 20 Somerset St. or in the IMP.

We were similarly unable to find mention of IDF in the Cooperation Agreement for the South Station Air Rights project, a mixed-use commercial tower to be constructed above the South Station train and bus

terminal. However, day care was listed as an acceptable usage for the development (BRA 2006).

The Government Center Garage Redevelopment site in Government Center Plaza also does not mention child care in its’ development agreements despite having plans to build over 1,000,000 square feet of office space (The HYM Investment Group, 2013).

We did notice that a neighboring development, the JFK Federal Building, has a child care facility where 50% of slots are reserved for federal employees and the other half are open to the public (Government Center Child Care Corp. n.d.). Similar to the “Special Cases” above, it may be that due to its proximity to the JFK child care center, the Government Center Garage Redevelopment was not required to build additional facilities. However, if this is the case, this was not reflected in the development documents we found.

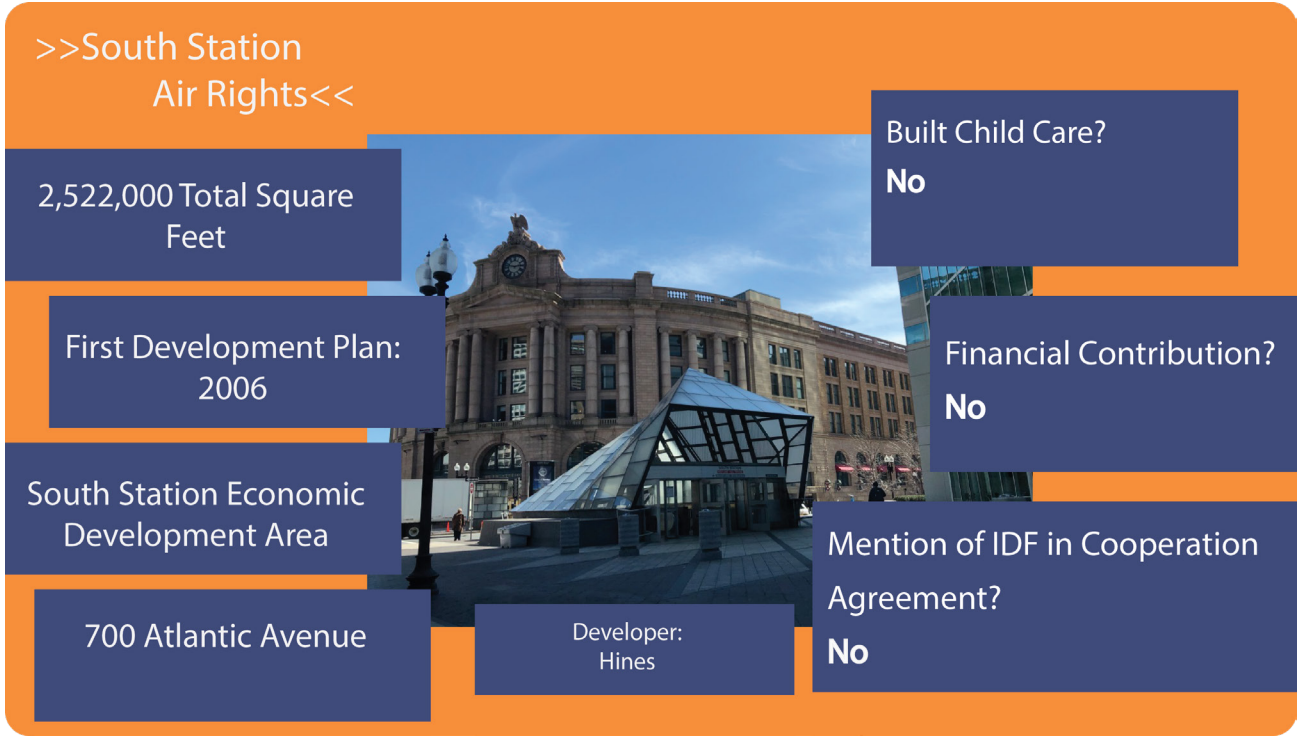


Figure 22: Information on South Station Air Rights.



Figure 23: Information on Government Center Garage Redevelopment.

Rules Vs. Reality

Comparing the wording of IDF to its implementation, it's clear that the rules have not always been reflected in reality.

These discrepancies, due to case-by-case negotiations or different models of compliance, have produced inconsistent results. While we're not sure why this is the case, we suspect that at least part of the problem is the lack of a specially designated team to oversee IDF enforcement over the years.

It's also possible that since 1989, the BPDA's priorities in terms of zoning have changed along with Boston residents' needs. The Executive Director for the Boston Mayor's Office of Women's Advancement, Tania del Rio, told us in an interview that while she agrees that zoning is a good way to help child care and working parents, "the issue with it is that...it's one among many competing priorities."

This guess is supported by the fact that, while reviewing developments, we noticed that enforcement seemed to change over time. Projects that were started closer to the first passage of IDF tended to mention the option of making financial contributions to the city, while later development agreements no longer mentioned this possibility. This change might be explained at least in part by an email from a spokesperson for the BPDA, which stated that "While contributing to the fund is an option, creating such facilities, or causing such facilities to be created elsewhere in the City is preferred" (BPDA Staff 2020a).

In our communication with BPDA employees, however, we were unable to confirm whether contributions were allowed through a loose interpretation of IDF—the Midtown Cultural District wording includes the phrase "causing facilities to be created elsewhere in the city"—or through case-by-case exemptions from the zoning code (see: Fig. 2, Appendix B). And although our discussion with Katharine Lusk, senior advisor to Mayor Menino from 2012-2014, showed that a sizable amount of IDF funds were distributed to child care providers in low-income communities, there is still much we don't know about how the rest of the money was spent, or even how much there is. (See "Financial Contributions" below for more details.)

In addition, among the more recent projects of interest, we saw some developments being granted exemptions from IDF because their neighborhoods were deemed to have sufficient child care facilities already. This is despite the fact that this type of allowance is not described in IDF regulations. Yet as a BPDA spokesperson pointed out via email, on-site child care does not always make sense for a neighborhood: "One of the factors in deciding if on-site day care is the most viable option is whether or not there is current demand for a day care use in the area" (BPDA Staff 2020a).

We were unable to find out how "demand for a day care use" in an area is measured, and whether such studies account for affordability, however. Money and Compliance

We had difficulty determining how developer contributions were negotiated and used to support the creation of child care in Boston. As stated above, IDF does not offer clear guidelines in either of these respects.

As explained in "Financial Contributions," at least two of our developments of interest made verifiable payments to the BPDA. However, a spokesperson for the agency told us that currently, there is not a single fund for these types of developer contributions. According to the same spokesperson, each sum of money is used in accordance with stipulations in individual developers' agreements. Yet as we have shown, the documents available for our developments of interest often lacked details on how their contributions would be disbursed, or were altered over time as the projects changed hands.

For more recent developments such as our "Special Cases," which are still subject to changes in planning, it is possible that specific child care-related benefits are still being negotiated. Based on our understanding of Article 80 Large Project Review and our informational interviews with experts, benefits including child care facilities or funds must be approved by the BPDA and undergo a public review period before construction may begin (see: "The Life Cycle of Projects"). Presumably, this would include making all benefits agreements available to the public.

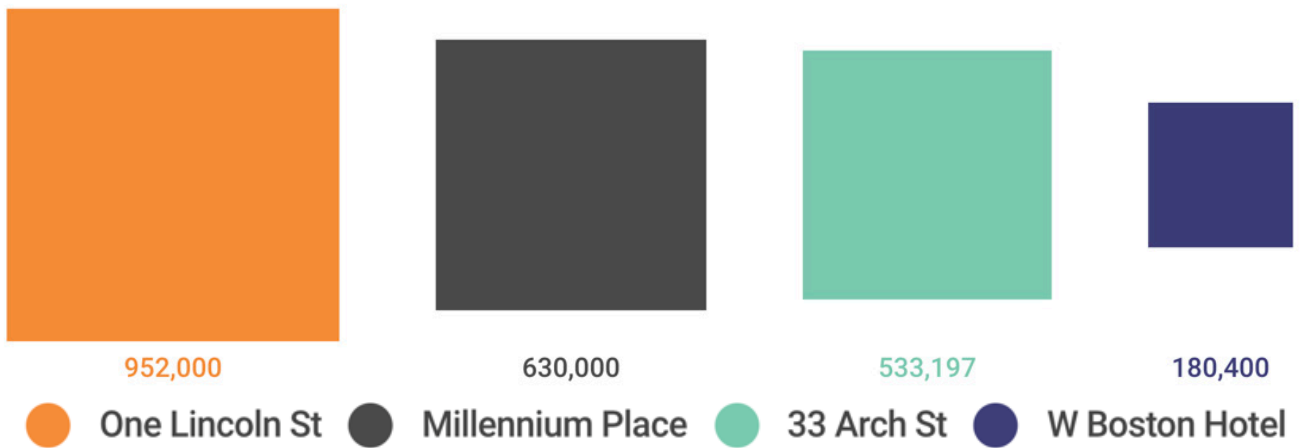


Figure 24a: IDF-applicable Square Footage of Developments. (Sources: Boston Redevelopment Authority 1999 (MP), Kara 2008 (W), Boston Redevelopment Authority 1989c, Boston Redevelopment Authority 1997)

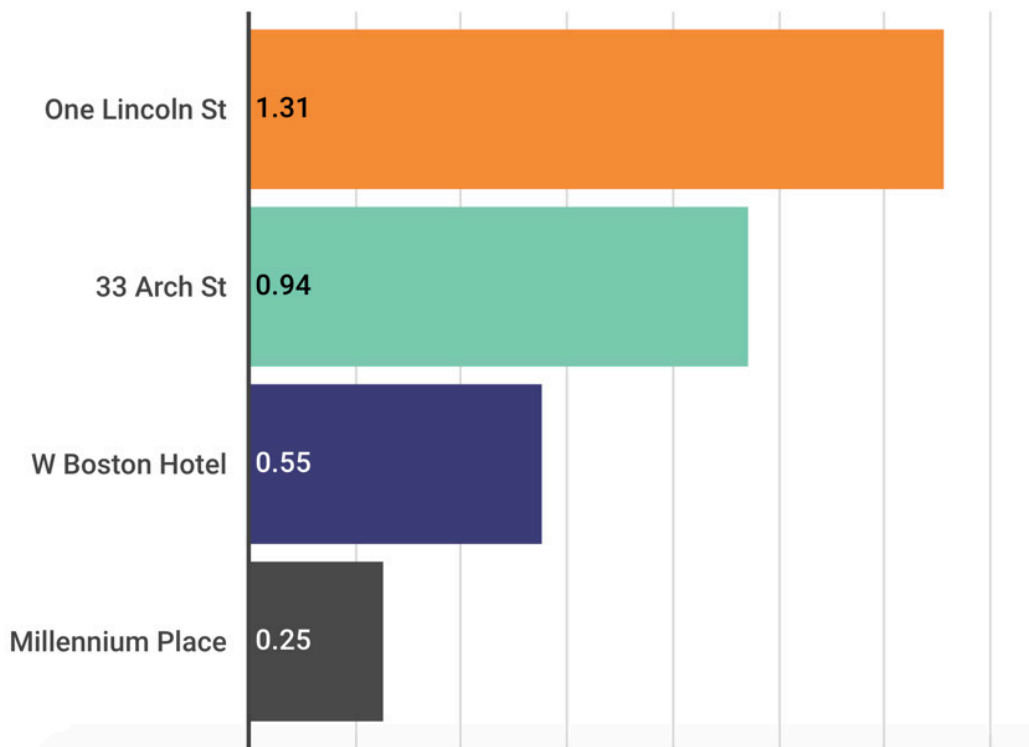


Figure 24b: Ratio of payment amount to IDF-applicable square footage, in dollars.² (Sources: O'Brien 2004 (MP), Miller et. al 2006 (W), Boston Redevelopment Authority 1989c, Boston Redevelopment Authority 1997)

²As we cover in "Financial Contributions," Millennium Place's 1998 agreement mentioned building 4,000 square feet of child care facilities in addition to its \$160,000 payment.

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Yet we were unable to find records mentioning child care contributions online for these “Special” projects. Without knowing what benefits will result from them, we are unable to assess the impact on child care of some of the city’s most recent, significant development projects.

In the case of the Seaport Square project, for example, even though the developer was not required to establish on-site day care, given the existence of preexisting and nearby facilities, the development plan did not specify any attempt to meet the child care requirement in another way. And for Boston Garden Phase III, a BPDA spokesperson stated via email, somewhat vaguely, that the project “is still under

construction and the approvals allow for modification as the project is completed. Nearby day care facilities were identified in the vicinity of this project” (BPDA Staff 2020b).

Furthermore, as mentioned above, we were unable to learn how developers conducted studies of child care needs in the neighborhoods of their projects, even when these surveys are referenced in public documents. It is possible that these reports are still forthcoming. Either way, making these developer-conducted studies publicly available would be a crucial step towards establishing how IDF is enforced from project to project.

While we had considerable trouble finding how child care benefits worked in some more recent developments, an interview with Katharine Lusk, senior advisor to former Boston Mayor Thomas Menino, helped our team account for at least a portion of funds collected through IDF in previous years.

In 2013, during the final term of the Menino administration, the BPDA had “identified over one million dollars that had come in by then” through IDF, Lusk told us (Lusk 2020).

At the direction of Mayor Menino, Lusk worked with the BPDA—then the BRA—to create a new formal grant-making mechanism to disburse those funds to support existing licensed child care providers in Boston: the Capital Resources for Early Educators Fund. The social service nonprofit United Way, which leverages a large-scale donor network to facilitate public and private grantmaking projects, was contracted by the BPDA to serve as the grants administrator. The Fund provided small grants to child care providers to invest in capital expenditures which would “improve the health and wellbeing and safety of children in these facilities” (Lusk 2020).

In total, the Capital Resources for Early Educators Fund distributed \$645,000 from IDF (see pull-out box for details). Lusk recalled that the remaining funds from IDF had various “restrictions” that only allowed them to be used under certain circumstances, such as funding child care in a particular geographic area like

Chinatown. As a result, the remaining sum of around \$450,000 was not distributed through the Fund. As of writing time, we have not found documentation of whether these funds were later used by the BPDA and if so, how they were distributed.

While the Capital Resources for Early Educators Fund helped IDF money reach lower-income families, it also had limitations. According to Lusk, these included the

constraints of launching a new initiative during Mayor Menino’s final term; for instance, the fund’s managers could not conduct a follow-up impact report. As Lusk put it, the Mayor and the BPDA chose to use the money that we had in the time horizon for the best possible purposes to improve the health and safety of kids” (Lusk 2020).

The Impact of the Capital Resources for Early Educators Fund

According to Katharine Lusk, the Capital Resources for Early Educators Fund distributed around \$645,000 from IDF.

Maximum grant sizes ranged from \$3,000-10,000 depending on the number of children served, according to the official application guidelines (United Way 2013). To be eligible, care providers had to be licensed or license-exempt, and serve at least one child who received financial assistance or demonstrated need.

Because the IDF ordinance was originally intended for capital investments, Lusk told us, the BPDA and the Mayor limited the use of grants in keeping with this goal. Providers could use the money they received for specified types of “furniture, finishings, and equipment” that improved the safety and the quality of their environment, such as multi-seat strollers for safer playground access, HEPA vacuum cleaners to improve air quality, or synthetic turf and fencing for outdoor play areas (Lusk 2020).

According to Lusk, the funds were distributed among 169 providers serving 4,100 children. Over 100 of them were family child care providers. Although they represented all neighborhoods of Boston, the majority were from Roxbury, Mattapan, Dorchester, and East Boston.

Scanning the full list of grantees also shows the diversity of businesses that received funding: YMCAs, Head Start programs, and community organizations such as VietAID are listed alongside the Spanish and Chinese names of family child care providers (United Way & Thrive in 5 2013).

United South End Settlements	Large Group and School Age Child Care	566 Columbus Avenue	Boston
Viet-AID	Large Group and School Age Child Care	42 Charles St	Dorchester
Vivi Family Day Care	Family Child Care	150 Walnut Ave. #2L	Roxbury
Wang YMCA of Chinatown Childcare Program	Large Group and School Age Child Care	8 Oak Street West	Boston
Wee Care JP	Large Group and School Age Child Care	305 Lamartine Street	Jamaica Plain
Wen Hong Yang Family Child Care	Family Child Care	34 Paul Place #B	Boston
Wesley Child Care Center	Large Group and School Age Child Care	29 STANTON ST	Dorchester
West Roxbury YMCA @ Kids Stop	Large Group and School Age Child Care	1980 Centre Street	West Roxbury
Xiao Ling Ou Family Child Care	Family Child Care	30 Upton Street	Boston
Xiomara Pena	Family Child Care	7 Charne Ave. #2	Roslindale
Xiomara’s Family Child Care	Family Child Care	50 Ifley rd apt 1	Jamaica Plain
Yat Oi Young - Family Childcare	Family Child Care	835 Huntington Ave #905	Boston
Yesenia’s Family Day Care	Family Child Care	4 Wellington Hill #8	Mattapan
Yonka Pena	Family Child Care	11 Bullard st apt3	Dorchester

Figure 25: Capital Resources for Early Educators Fund Grantees. (Source: United Way & Thrive in 5 2013.)

Who is Being Served?

Aside from assessing compliance, we also sought to find out whether IDF benefited lower-income Boston families in need of child care services.

When it was initially passed in 1989, the ordinance was supported by community stakeholders—as mentioned in our “Inclusion of Day Care Facilities” section on pg. 24—such as Parents United for Child Care, who wrote in a letter of support to the BPDA that IDF “is an action which has enormous public benefits” (Fersh 1989). However, they also noted that “the creation of space must be accompanied by additional public and private resources that help parents defray the skyrocketing costs of child care” (Fersh 1989).

By looking at the tuition costs and voucher policies of centers created in our developments of interest, we can see that these child care offerings are not accessible to lower-income families.

For instance, in a phone conversation with an employee at the Bright Horizons center in Fan Pier—one of 40 Bright Horizons locations in Greater Boston—we discovered that tuition ranges between \$1,281 and \$3,816 a month, or between \$15,372 and \$45,792 a year³, depending on the age of the child and how many days per week they attend. See Table 3 for a detailed breakdown of costs.

³Yearly tuition figures were calculated by the Field Projects team by multiplying the monthly numbers provided.

Age Range	Monthly Tuition: 2 days per week	Monthly Tuition: 5 days per week	Annual Tuition: 2 days per week	Annual Tuition: 5 days per week
Infant	\$1,508	\$3,816	\$18,096	\$45,792
Toddler	\$1,281	\$3,243	\$15,372	\$38,916
Pre-School	\$1,450	\$2,645	\$17,400	\$31,740

Table 3: Bright Horizons at Fan Pier Tuition. (Source: April 2, 2020 Phone Conversations with Bright Horizons Corporate team member)

Digging Deeper

As explained earlier, we were not able to find how developers conducted their assessments of child care needs in the areas where their projects were located. However, we attempted to use Google Maps and Yelp listings to do a little digging ourselves. Due to COVID-19 closures, we weren't able to contact many of these centers to confirm whether they were still open. However, the following graphics provide at least a rudimentary look at how accessible child care services are for our 13 developments of interest.

We used both websites to look up child care listings within 1 mile, or 20 minutes' walking distance, of the 13 buildings.

All of our developments of interest had at least 5 child care centers within a 20 minute walking distance (or 1 mile). However, we were unable to confirm whether they were also affordable to families of a wide range of income levels. 33 Arch Street, for example, had over 40 nearby child care centers, including a Bright Horizons and a Montessori School.

During our research, we referenced a map of "child care deserts" produced by Tufts UEP alumna Zoë Ackerman in 2018. Sure enough, almost all of the 15 zoning districts covered by IDF do not qualify as "deserts," according to her definition: an area with at least a 3:1 ratio of children under six to child care slots. Having said that, it is important to note that child care desert data is associated with where children live, not where their parents may be employed. IDF, at its inception, was focused on ensuring that workers in the downtown area had child care near their place of employment. For this reason, additional, more rigorous investigation into the number of employees in need of child care in the districts, compared with available slots, would be a more useful means of assessing whether there is enough day care in the vicinity of a development.

Due to time constraints, we were not able to investigate the entire list of nearby child care providers for our 13 developments. However, we did confirm tuition costs and accessibility statistics for at least a few centers.

For example, Buds & Blossoms Child Care and Early Education Center in Chinatown costs \$1,974 a month for a five-day-a-week program for infants. Government Center Child Care Corporation, located near the Government Center Garage Redevelopment, opens five days a week, and costs \$232 per week for preschoolers, or \$928 for a month of care or over \$11,000 annually. We were unable to confirm whether either one has a long waitlist or accepts state child care vouchers.

There were seven Bright Horizons centers within walking distance of one or more of our developments of interest. While Bright Horizons' tuition varies across different locations, it is typically near \$3,000 a month, or roughly \$36,000 annually.⁴

KinderCare, another child care chain, also had three locations within walking distance of our developments. Due to COVID-19, KinderCare was not accepting non-urgent calls, but an online forum for parents discussing child care costs indicated that their tuition is likely about \$300-500 weekly, or \$15,600 - \$26,000 annually⁵ in 2010 (Babycenter 2010). These tuition rates are also in line with the average annual cost of center-based child care in Massachusetts, which, again, ranges from \$15,475 for a preschooler to \$20,880 for an infant (Child Care Aware 2019a).

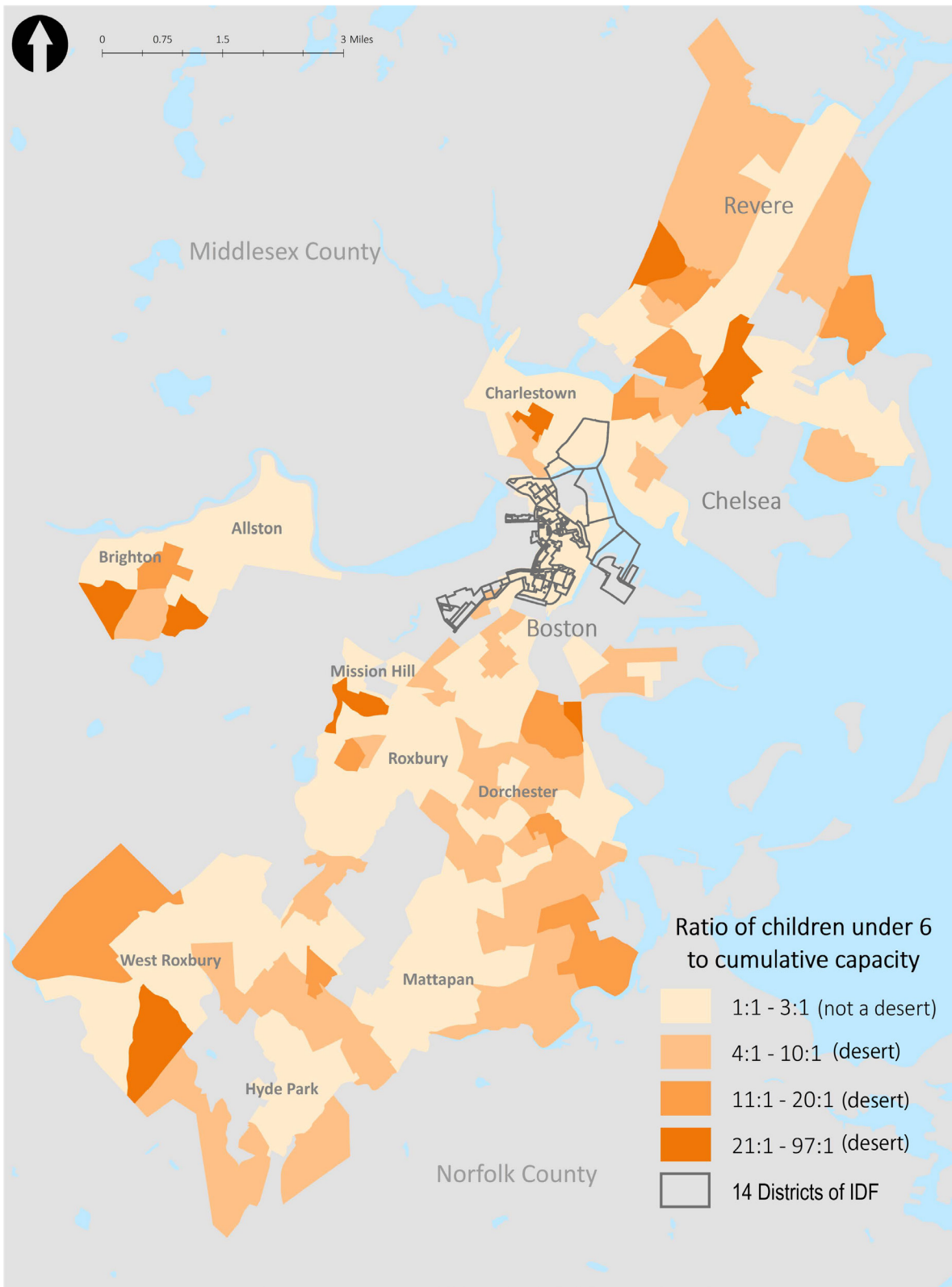


Figure 26: IDF boundaries compared with child care deserts. (Source: Zoë Ackerman)

⁴Annual tuition calculated by multiplying monthly tuition by 12.

⁵Annual tuition calculated by multiplying weekly tuition by 52.

The Bright Horizons center at Fan Pier has capacity for about 125 children of different ages, yet considering the prevalence of single-parent households in Boston and the fact that the median household income of single mothers is \$25,032—as pointed out in our “Community Context” section on pg. 13—the center’s services are most likely cost-prohibitive for many families (BPDA Research Division 2018). Full-time tuition for one infant at the Pier 4 Bright Horizons is \$45,800, nearly twice the median income of single mothers.

Based on a call with a Bright Horizons corporate team member—the Fan Pier center is one of 40 Bright Horizons locations in Greater Boston—we learned that the facility does not accept vouchers (Bright Horizons 2020).

In the Midtown Cultural District, Spruce Street Nursery School, located in Millennium Place, serves children ages 3-5 in a small classroom setting (Spruce Street Nursery School n.d.). The school also has high tuition rates, with the yearly fee for weekday attendance currently set at \$23,000 (Spruce Street Nursery School n.d.). By comparison, the average annual tuition for a public four-year university Massachusetts is \$13,200 (Child Care Aware 2019b).

Spruce Street Nursery School’s website doesn’t state whether EEC vouchers are accepted at the school. When we reached out to the director to inquire further, we were unable to find out more.

In the case of the on-site center at MGH - Fruit Street, the facilities were never meant to provide full-time, daily care in the first place. The “backup” child care services were meant to “supplement, rather than replace, regular child care” (Mass General Hospital n.d.). At \$8 an hour per child, even if a parent wished to use the MGH center’s services on a regular basis, the monthly cost for weekday care would be on par with Bright Horizons, placing it out of reach for many families. As is the case with many institutions that offer these types of back-up care services, families are only allowed to utilize backup child care services for a maximum of 20 days per year (Mass General Hospital n.d.).

Although the above child care facilities might not be affordable or accessible to many families, it’s not clear whether developers took this into account when assessing an area’s child care needs.

In addition to the concern that child care centers built as a result of IDF may not be affordable, we question whether the facilities created best serve the needs of today’s families, especially as working conditions evolve and change over time. In particular, we worry that centers created by IDF appear to primarily serve those who work traditional 9-5 hours.

According to BPDA’s Deputy Director of Regulatory Planning & Zoning, Bryan Glascock, when IDF was first passed, workplace-proximate child care was considered a convenient and somewhat cutting-edge solution for families. Now, however, given factors such as parents’ non-standard work hours and shift towards remote work, transporting children to a location away from home may not be the most convenient option, especially if the hours of day care centers do not align with their schedules.

Thus, while it’s difficult to draw firm conclusions due to limited data, the information we’ve found so far hints that IDF may not be serving families who currently need child care services the most, or even the areas where child care facilities are most needed.



A young child with dark hair is focused on playing with colorful wooden blocks on a wooden table. The child is wearing a blue shirt and is holding a yellow block. The background is a plain, light-colored wall. The text "5. RECOMMENDATIONS" is overlaid in a teal color on the child's arm.

5. RECOMMENDATIONS

Based on our knowledge of IDF and its alternatives, we conclude by outlining potential directions for further research and action in a Boston context.

We'd like to note that while we begin our list with zoning-related items, there are weaknesses to this approach. They include:

- **Dependence on new development:** When the economy slows, putting pressure on families, funding or the construction of new facilities may also decline.
- **Lack of flexibility:** As IDF illustrates, solutions embedded in the zoning code may be difficult to adjust as needs shift and evolve.
- **Lack of designated oversight:** The BPDA and Department of Inspectional Services are tasked with overseeing development rather than social programs. Without measures in place to track progress and ensure accountability, and staff specifically entrusted with these duties, measures like IDF may continue to be enforced inconsistently over time.

Due to time constraints, we are unable to provide an in-depth assessment of how our recommendations might affect child care businesses, especially home-based providers whose services tend to be more affordable. It's possible, for instance, that these businesses might be better served by measures besides the provision of physical facilities, such as receiving more funds—similar to the grant opportunities provided during Mayor Menino's last term—or other changes in the zoning code. We do, however, briefly outline some of those possibilities in the below sections.

Finally, we echo Katy Gall of the Mayor's Office of Workforce Development: "it's really important to have multiple tools" (Gall 2020). Zoning may not be a perfect mechanism, yet our research shows that it has produced results. Similarly, some of our below alternatives have both advantages and flaws: linkage fees (see: "Establish a Child Care Trust"), for instance, provide more regulation and oversight, but can only be adjusted through state intervention.

A comprehensive strategy for achieving accessible, affordable child care will likely require many different actors and approaches. It will also require setting both short and long-term goals; below, we attempt to list recommendations from most to least immediately feasible.

Inclusion of Day Care Facilities

Better Enforcement and Tracking

Despite the downsides, there are still many advantages to using the zoning code to support child care in Boston. The code is difficult to change, and therefore it can be relied upon to deliver benefits as long as development is occurring in the city.

Furthermore, as noted in an interview with Bryan Glascock, Deputy Director for Regulatory Planning and Zoning, large development projects tend to require zoning relief, or waivers from what the normal code requires. This gives the BPDA and other zoning-related bodies leverage to ask for additional public benefits in exchange for relief.

In the context of development in Boston, IDF is an important tool; without it, the need for child care could easily get lost among other concerns. In the opinion of a BPDA staff member, once day care care was written into the zoning code as a concrete requirement, it became part of the conversation between developers and the City (BPDA Staff 2020a).

However, in order to ensure that the ordinance is as useful as possible, our team recommends that IDF should be enforced more consistently.

As we showed in "Digging into Developments," the ways in which IDF has been enforced appears to have changed over time. Moreover, more recent developments seem to have complied with IDF more loosely. Even when projects such as Boston Garden Phase III and Seaport Square did mention IDF in their Cooperation Agreements, their wording indicated that if the developers themselves found an abundance of nearby day care facilities, they were no longer required to comply with the full requirements of IDF (Epsilon Associates 2013; BPDA 2017).

More robust efforts to ensure consistent compliance would ensure that those living and employed in or near an IDF district have access to child care. More consistent enforcement would also allow the BPDA to better analyze the true impact of the IDF. This could help guide future planning decisions. This same consistency might also benefit developers. Having clearer guidelines about requirements from the outset of a project might help ease some of the uncertainties involved in a typically long, drawn-out process.

While being required to include child care may seem like a logistical hardship, developers can also use child care facility requirements to their advantage. A day care center has the potential to make a property seem more desirable to tenants. We learned from a developer interview that despite the initial cost of building a day care facility within a development, it could be seen as an asset for the property.

In addition to more consistent enforcement, we also recommend that the BPDA share information about this ordinance more widely. During our research, we encountered individuals with extensive knowledge of Boston planning and zoning, yet who were unaware of IDF. We were unable to find resources for interpreting IDF on the BPDA’s website, unlike other zoning-related processes such as Article 80 Large Project Review (see: “The Life Cycle of Developments”). IDF also does not appear in the BPDA’s online glossary of development terms (“Glossary” n.d.).

This is in stark contrast to information available on zoning strategies such as Boston’s Inclusionary Development Policy, which requires developers to either include affordable units in their projects or contribute to a fund for similar purposes. This policy has its own dedicated page on the BPDA website (BPDA 2019). This webpage provides information about the different options the policy offers developers, and even the number of income-restricted units created through the Inclusionary Development Policy. Conveniently, there is also a contact form for site visitors to submit comments and questions.

A similar resource for IDF might provide a centralized source of information for those who wish to better understand how this ordinance has supported child care throughout the city. In addition, it could provide guidelines on how to find and interpret IDF wording in various development agreements, helping lower barriers for further research.

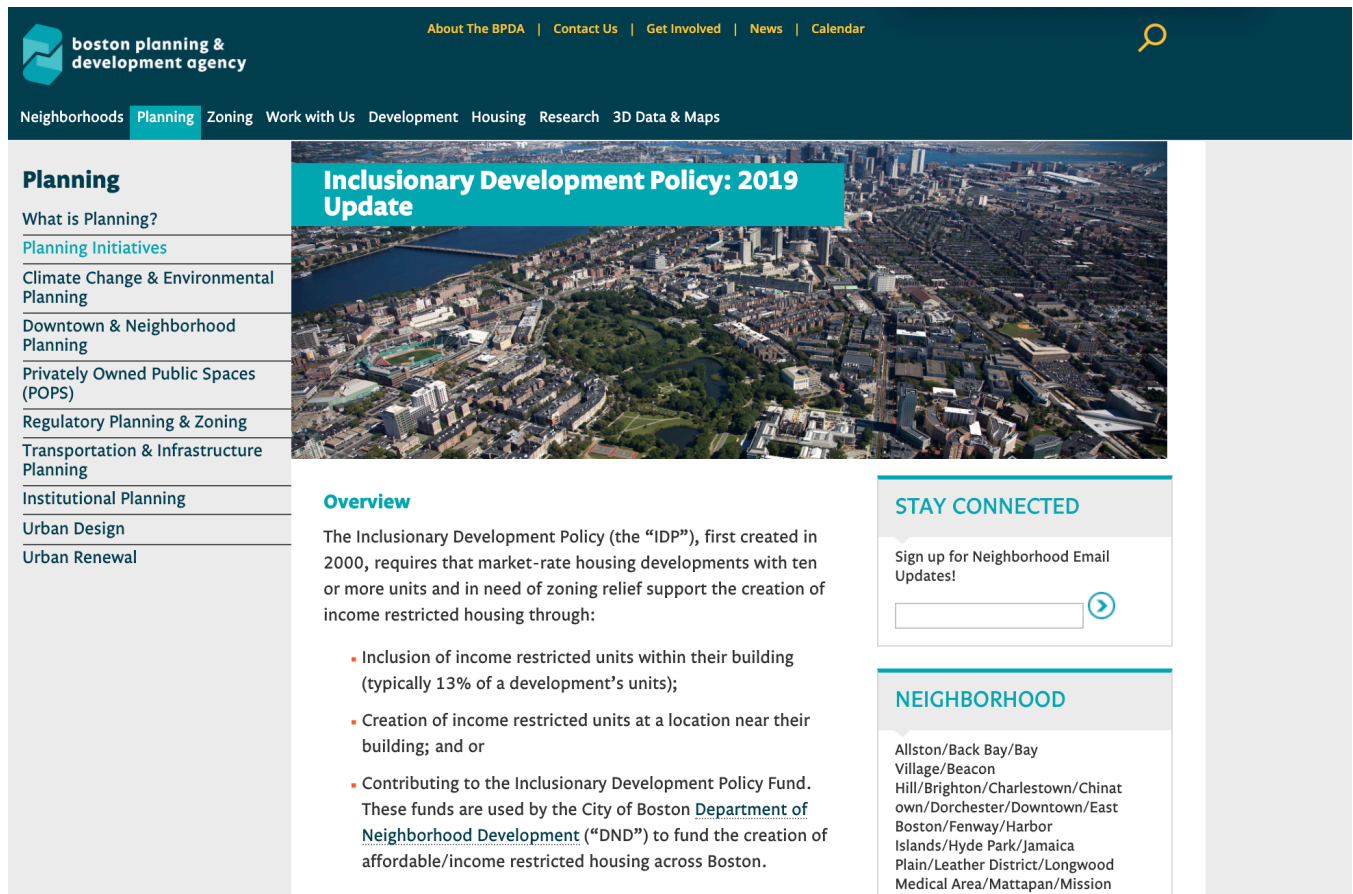


Figure 27: The Homepage for the Inclusionary Development Policy. (Source: BPDA 2019)

Even the usefulness of such a resource might be limited, however, without better organization of the many complex documents that developers have submitted to the BPDA and ISD regarding IDF. As we have pointed out in previous sections, we often encountered gaps in the paperwork, and whole periods of development are unaccounted for in readily available online resources. Therefore, better tracking of IDF, for past, present, and future developments, is essential.

Expanding the Scope

Besides more consistent enforcement and tracking, other changes to IDF could significantly increase its impact on Boston's child care landscape. These modifications include:

- Adding an affordability mechanism
- Adjusting the square footage requirements
- Citywide coverage

First and foremost, at present IDF does not address the issue of affordability. While many of our developments of interest are located in neighborhoods with child care centers, they may not always be accessible to many families because of their high costs. IDF could be expanded to explicitly require any child care center receiving funds through developer contributions or located in an IDF development site to accept vouchers, or reserve a percentage of slots for subsidy-eligible families.

In a way, this measure is a requirement for our next two suggestions: without writing affordability into the code, any attempt to expand IDF's reach could raise rather than lower barriers to child care.

The square footage requirements can also be re-examined. Right now, new developments of 100,000 square feet, and in some districts 150,000 square feet, are covered by IDF. This high threshold means that IDF only impacts a small number of new developments. If the square footage threshold were lowered, it could potentially create more child care centers across Boston.

IDF is currently written into the zoning code of 15 zoning districts clustered around Boston's downtown area. It has likely helped ensure that new

developments in these districts incorporate child care, and increased the density of child care provision in these neighborhoods. However, new development is not confined to just downtown. As Boston continues to grow, new child care needs will have to be addressed.

Additionally, the changing nature of work means that parents are not always traveling from residential areas to downtown areas. More people are working from home, or piecing together different forms of child care (Garcia et al. 2019). Ensuring that child care centers are also located in residential areas could help meet the current needs of Boston's families. IDF could be expanded to include more of Boston's zoning districts.

California's Relaxed Zoning Regulations

In Boston's zoning code, child care centers are allowed in business districts and even restricted manufacturing and industrial districts. However, they are only conditional use in single-family and general residential districts. For family child care centers taking place in a provider's home, licenses are required, and the license fee is \$100 per unit. Also, providers need to send requests to EEC (Early Education and Care) office if they want to get licensing exemptions (Massachusetts Government n.d.). These may increase barriers for child care providers to open new centers in areas where they may be most needed.

Compared to Boston, the state of California has more reasonable and less restricted zoning ordinances for in-home preschool or towards home based child care. Only large family child care homes which care for more than 14 children need to apply for special zoning permission and business licenses in California (Wonderschool Resources Hub 2017). Small family child care homes are considered a residential use of property by law and cannot be charged fees or taxes by local government, according to the California Health and Safety Code (California Health and Safety Code 2019).

Trust Funds

Vancouver's Zoning Bylaws

Metro Vancouver, in British Columbia, Canada, is made up of 21 municipalities which had a total of 2.6 million people in 2019 (City Population n.d.). The City of Vancouver, one of these 21 municipalities, has a population of 685,885, almost the same as Boston's population of 694,583 (U.S. Census Bureau 2019). The zoning bylaws for child care providers in the region are less restrictive than in Boston. Each municipality has its own bylaws, and about 50-80% of municipalities allow child care in residential, commercial, and industrial zones. Three municipalities even permit child care in agricultural zones (Spicer 2015).

As a result of the less restrictive zoning bylaws and other comprehensive child care policies explained more fully in the "other actions" section of this report, the number of home based child care spaces in Metro Vancouver increased by nearly 10,000 between the years of 2011 and 2015 (Spicer 2015). As of June 2018, the city of Vancouver alone had added 1,000 child care spaces in the previous three years (City of Vancouver n.d.).

We recognize that changing the zoning code is difficult and time-consuming. It would require considerable political will and commitment to increasing child care access. However, the first IDF was written over 30 years ago, and a lot has changed since then. We recommend revisiting the ordinance to ensure that it a) addresses affordability concerns, b) covers areas of Boston that need more child care, and c) yields maximum possible benefits from new development.

Establish a Child Care Trust

Another way to strengthen the IDF would be to follow the model of existing, more established trust funds. As previously noted in the "Development Process" section, in addition to child care, Boston's zoning code also contains requirements for large developments to contribute towards jobs and affordable housing in the city.

Similar to the IDF regulation, commercial "Development Impact Projects" which create at least 100,000 square feet in gross floor area must submit payments directly to City Departments ("A Citizen's Guide" 2013). Unlike IDF, this requirement holds true citywide, and is based on a flat rate per square foot of floor area constructed.

According to Katy Gall, deputy director of the Mayor's Office of Workforce Development (OWD), a portion of this fee goes into the Neighborhood Jobs Trust (Gall 2020). A group of trustees, currently comprising a City Councilor, the director of the Office of Workforce Development, and the City's Collector-Treasurer, then decides which jobs programs to fund using the money (Mayor's Office of Workforce Development n.d.).

From 2017-2018, for example, according to an OWD impact report, the trust distributed \$2.86 million and "leveraged" an additional \$2.90 million in funds from other sources, helping 2,000 Boston residents in total (Office of Workforce Development 2019). Organizations receiving aid included English for New Bostonians, an ESOL program for adult immigrants, and Roxbury Community College. During the same period, the Neighborhood Jobs Trust also awarded grants to 16 programs through a public Request for Proposals process, reportedly resulting in 129 graduates finding jobs, 76% of which come with benefits.

As the impact report helps show, while IDF mainly kicks in during the development phase—child care facilities must be created, but there is no mandate or mechanism to ensure centers stay open—the Neighborhood Jobs Trust has more potential for follow-up. The Office of Workforce Development has a "years-long" process of managing contracts, receiving reports, issuing payments, and conducting evaluations of various programs, Gall says. This gives it an

advantage over more temporary initiatives such as the Capital Resources for Early Educators Fund, mentioned in the “Money and Compliance” section (pg. 43) above.

The Neighborhood Jobs Trust is also a relatively stable source of income. The “linkage fee” per square foot is automatically applied to large commercial properties, providing a “predictable stream of funding” for programs. It usually produces around \$1-2 million yearly, Gall estimates.

However, changing the amount of the linkage fee once it’s been created is politically difficult; the decision must be approved by the state legislature first. In addition, as Gall put it, “if there’s a recession and there’s no building happening we won’t get very much money.”

Santa Monica’s Child Care Trust

Since the early 1980s, the city of Santa Monica has worked with developers, using Cooperation Agreements and zoning ordinances to build and maintain child care facilities. In 2003, the city conducted a nexus study which established the connection between new development and the need for child care, as well as an appropriate fee to charge developers.

In 2011, the city passed its Child Care Linkage Fee (City of Santa Monica 2019). According to the policy, developers of new commercial or multi-family residential projects over a certain size are required to pay a child care linkage fee⁶ or participate in the construction or establishment of one or more child care facilities.

Unlike IDF, the program has specific but adjustable payment requirements per square foot of construction, ranging from \$2.64 to \$5.27 depending on the type of use (City of Santa Monica 2017). Also, compared to the 100,000 square foot threshold in Boston’s IDF, Santa Monica’s is set much lower, at 7,500 square feet. Santa Monica’s Linkage Fee policy requires that the fee is paid before building permits are issued.

However, similar to IDF, developers can also fulfill the trust fund requirements by participating in the construction or establishment of new child care facilities, rehabilitation of existing facilities, or dedication of land or premises (City of Santa Monica 2017). Dedication of land is when a developer must donate a piece of land to the city to provide certain services or amenities (Curtin 2003), in this case child care. If the developer chooses to create or rehabilitate child care facilities then the overall cost of those efforts, such as construction costs, wage rates, and market value of land, is compared to the linkage fee to ensure that they are reasonably equal (Santa Monica Municipal Code n.d.).

Because Child Care Linkage fees are designated for a specific municipal fund, this money has been tracked in the City of Santa Monica’s annual fiscal year reports since 2011. As of June 2019, the fund balance was \$3,435,115 (City of Santa Monica 2019). In late 2019, Santa Monica’s local government appropriated a large majority of this money towards construction for the Early Childhood Lab School, a collaboration between the city and Santa Monica-Malibu Unified School District (City of Santa Monica 2019).

⁶For residential development projects that result in the addition of a dwelling unit, this is \$111 per dwelling unit. For offices, it is \$5.27 per square foot, while retail and hotels are \$3.77 and \$2.64 per square foot, respectively.

⁷The school has infants, toddlers, and also preschool programs (UC Davis 2020).

Create New Parcel-to-Parcel Linkages

A “parcel-to-parcel” linkage is a variation on the trust fund model. Rather than directing money to city coffers, however, a past project of this type in Boston funneled profits from downtown development into community-led trust funds in two neighborhoods. By recreating this process, the city could again create widespread and long-lasting child care benefits.

One of our developments of interest—One Lincoln Street—was part of the first parcel-to-parcel linkage in Massachusetts (Boston Redevelopment Authority 1989b). The project included the construction not only of a towering skyscraper in rapidly developing Chinatown, but also Ruggles Center in Roxbury. In return for the opportunity to build on City-owned land, One Lincoln Street developers promised major contributions to trust funds established to benefit the two neighborhoods (Miller 2011).

The project exemplified high levels of cooperation among local government, community representatives, and the private sector. Negotiations for a Memorandum of Understanding involved the Chinatown/South Cove Neighborhood Council in addition to developers and the BPDA, and produced promises for a “host of additional community benefits” (Boston Redevelopment Authority 1989b). These benefits included expansion of child care, affordable housing, job training programs, and opportunities for minority businesses.

The development team for One Lincoln Street featured a broad coalition of groups, including Columbia Plaza Associates—an association of Chinese, African-American, Latino, Caribbean, and Cape Verdean entrepreneurs (Chinatown Trust Fund Committee 2010). Other “community investors” and local nonprofit organizations were also a part of the team.

The public-oriented nature of One Lincoln Street helps explain why, compared to other projects we studied, its offers of benefits were particularly generous. As outlined in “Financial Contributions,” it promised to create 100 child care slots, or else to pay \$1.25 million into a BPDA escrow account.

As noted in “Financial Contributions” (pg. 30), we couldn’t confirm which option developers chose or whether they followed through on these specific promises. There is evidence that the parcel-to-parcel linkage project supported local children and families in other ways, however.

When One Lincoln Street was completed and sold in 2004, based on the terms of the Memorandum of Understanding the developers contributed \$2.6 million to Chinatown’s Community Development Fund. As of 2009, this fund was being managed by a board of trustees appointed by the governor and mayor (Chinatown Trust Fund Committee 2010). From 2004-2009, the trust distributed \$2.7 million to various local initiatives, including “youth and family services,” community events, capital projects, and job training.



Figure 28: One Lincoln Street in early 2020. (Source: Field Projects team)

Other Action Items

Profits from the sale of One Lincoln Street also went to the Roxbury Trust Fund, which awarded \$717,492 to local organizations from 2005-2007 (Roxbury Trust Fund Committee 2007). In the following two years it distributed another \$747,463, or a total of \$1.46 million from 2005-2009 (Roxbury Trust Fund n.d.). Money went to after-schools and youth programs as well as voter education, community organizing, and job training initiatives. As of 2007, the Fund still held \$2 million.

Both trust funds, as well as the parcel-to-parcel linkage project, owed their start to Boston's wave of increased political activism from the 1960s through 1970s (Chinatown Trust Fund Committee 2010; Roxbury Trust Fund Committee 2007). This came in response to "urban renewal" projects which resulted in slum clearance and the displacement of many residents. As one trust fund stated, "We must not forget the extraordinary coalition effort that wrested control of neighborhood planning away from the government, and gained a role for impacted communities in the urban design and zoning process" (Roxbury Trust Fund Committee 2007).

Decades later, as the City of Boston considers how to balance development and child care needs in different neighborhoods, it's worth remembering that community-driven action once paved the way for more equitably-distributed benefits—as is encapsulated in this unique development project.

Besides IDF and other zoning-related solutions, there are other ways that Boston can make child care more accessible to working families. In this section, we outline some of these alternatives.

Cross-Departmental Collaboration

Cities can provide more opportunities for child care providers by increasing cooperation between various governmental departments. In the case of Boston's former Capital Resources for Early Educators Fund (see: "Money and Compliance"), for instance, Mayoral staff worked directly with the BPDA to distribute money from IDF. However, that effort was constrained by the fact that it was only enacted during Mayor Menino's last term, and administrative turnover meant the Fund was short-lived.

In other cities, governments are seeking creative solutions that Boston could learn from. For instance, in San Mateo County, CA, the Office of Housing and Child Care Coordinating Council worked together to conduct a nexus study to establish a child care linkage fee in 2003, similar to Santa Monica. According to the study, it was recommended that the county work with the housing authority to ensure that child care is available on site within public housing. They also suggested using public lands to allow the City of San Mateo to provide low-cost, city-owned land to those who want to build a child care facility (San Mateo Office of Housing 2003).

Outside the US, municipalities in the Metro Vancouver region are working with civic buildings management, a department of government to facilitate child care provision. Cities are providing subsidized public building space to nonprofit child care providers through a) a nominal rate or rent-free agreement, b) reduced lease rates, or c) space at a market lease rate within 300 city-owned buildings (Spicer 2015).

Set Long-term Planning Goals

Cities can also plan more comprehensively for child care provision in the long term. In the Imagine Boston 2030 plan, Universal Pre-K—an educational program for 4 year-olds—is mentioned in the education section. However, there is no section of the plan dedicated to child care.

Further Research

In comparison, over 70% of municipalities in the Metro Vancouver region identified child care objectives and/or policies within their Official Community Plans. These plans provide a broad vision for future planning with which subsequent bylaws must comply (Spicer 2015). The plans also often identify child care as a “community amenity” in policy documents, in order to encourage the provision of facilities through the development approvals process. As previously described in “Vancouver’s Zoning Bylaws,” the number of child care slots have dramatically increased in recent years displaying that the policies laid out in these plans have raised awareness around child care facilities, and at the same time ensured the implementation of relevant policies.

Expand Pre-K and Develop 3-K

Educational programming for three and four-year-olds is a form of child care provision that also helps prepare children for academic success. As part of its public school system, Boston already runs a universal Pre-K program (UPK) which provides programming for every four-year-old living in Metro Boston, and at no cost to families. This is a great asset to working parents who may lack access to licensed, affordable care alternatives for their young children.

Nevertheless, unlike centers and family child care, the Pre-K program only lasts 6.5 hours on weekdays (Boston Public Schools n.d.). In addition the UPK slots are not evenly distributed across the city. Neighborhoods which may already be underserved in terms of affordable, accessible child care also suffer from a lack of high-quality Pre-K slots (City of Boston 2018).

In addition, Boston could consider following the example of New York City, which in addition to Pre-K also has free and full-day programs for three-year-olds. This initiative is called 3-K for All, and provides care for up to ten hours a day year round (NYC Department of Education n.d.). While the program is not yet citywide and children who live in school districts with existing programs have priority, families in any school district can apply. Given that the application process is accessible to parents of different backgrounds and income levels, children from a range of communities should have a chance to receive improved educational opportunities and quality care from an early age (NYC Early Childhood Care and Education 2020).

Access to child care is a multifaceted issue that can be addressed through many municipal policy and planning processes. For this project, we have focused primarily on the Inclusion of Day Care Facilities ordinance. However, if researchers were interested in looking further into growing areas of concern in Boston’s child care landscape, we recommend the following places to start.

The Spatial Layout of Child Care Costs

As noted in “Who is Being Served” (pg. 44), two developers among our projects of interest conducted studies to assess child care needs in their areas. We were unable to obtain copies of these reports, so we decided to conduct a very cursory search for child care providers in IDF areas using Google Maps and Yelp.

This search showed that many developments had several child care options within walking distance. However, without data on the number of employees in the area who are in need of child care, it is not possible to assess whether the number of centers in an area are sufficient. Potentially collaborating with employers in the area to collect feedback from employees about whether they need child care, and would use it if available, could help establish whether the current quantity of child care is sufficient.

In addition, many of the day care facilities within IDF districts had high tuition costs that might be prohibitive for many families. Due to the ongoing stay-at-home measures implemented due to the COVID-19 crisis, we were unable to contact many child care centers in downtown Boston. Had we been able to reach them, we would have liked to confirm centers’ (1) cost of tuition, (2) EEC voucher policies, and (3) whether they have waitlists.

A thorough assessment of the availability and accessibility of day care within the boundaries of IDF would require these variables. However, information provided on each center’s website varied. In the case of corporate centers, where tuition is different based on location, costs could only be found by talking with a representative.

Even without the added difficulty of working during a pandemic, conducting a rigorous assessment of

child care centers in our areas of interest, let alone the Boston area, would be an arduous yet valuable task.

Re-examining Zoning Restrictions

Zoning restrictions can make building new child care facilities more difficult. This might be a barrier to expanding accessibility to child care across the city.

As touched upon in “Expanding the Scope” (pg. XX), cities such as Vancouver have worked hard to make restrictions more manageable for those trying to open a child care business. Their zoning bylaws allow for child care in areas designated for many different uses, such as residential, commercial, and even agricultural. Examining Boston’s zoning code and assessing whether it is creating an undue burden on child care providers seems to be a crucial step for planning cities that can adapt to their residents’ needs.

While this topic is related to zoning, it falls outside our focus on IDF, which seeks to leverage development to provide public benefits. However, further research into whether broader zoning rules have limited the number of day care facilities that can be built in Boston could be beneficial. Supplementing these findings with in-depth case studies of cities that have more relaxed restrictions, and exploring how their zoning code became that way, could provide a long-term roadmap for the City of Boston.

Links to Transit and Housing

IDF directly addresses the problem of increased commercial development with a related solution: build more child care in proportion to the growth in need. But the needs of working families in urban areas might also be addressed in other ways.

For instance, transit-oriented development has become an increasingly popular planning technique in cities across the country. This approach modifies zoning in order to allow for more density in close proximity to transit hubs. However, the developments created as a result are often geared toward young, single professionals and childless couples, resulting in more studios and one-bedroom units rather than multi-bedroom dwellings that can house a family (Dicara and Ahern 2019). Consequently, young families who might be interested in the amenities offered by

such developments may either be priced out or unable to live in these units due to their small size.

Looking into the increased number of these transit-oriented developments in Boston and assessing their implications for working families would be a topic worth examining in terms of overall livability for families. It might be helpful to also examine whether these developments can be made more family-friendly, and whether child care could be a part of this conversation.

In Boston especially, affordable housing has been another issue that public officials have been urgently working to address. Similar to the jobs trust linkage fee discussed in our team’s interview with Katy Gall, housing linkage fees paid by developers into the Neighborhood Housing Trust help increase access to affordable housing within the city. But creating more affordable housing units is just one piece of the puzzle. Making neighborhood amenities, such as child care, more affordable would help ensure that neighborhoods are truly accessible to families with a broad range of incomes.

A child's hand, wearing a blue and white striped long-sleeved shirt, is reaching towards a yellow toy car on a stack of colorful blocks. The blocks are decorated with various illustrations: a yellow car on an orange block, a cartoon character on a red block, a cartoon character in a rocket on a blue block, and a cartoon character with a red umbrella on a green block. The background is a plain, light-colored wall.

6.CONCLUSION: PLANNING FOR THE FUTURE

Conclusion: Planning for the Future

It is impossible to plan for the future without addressing issues that have arisen from the current COVID-19 health crisis. Over the months that we've spent compiling this report, many things have changed for families and child care providers, as well as in the larger policy landscape.

These shifts have been far-reaching while also hitting close to home. Working parents have lost their jobs. Construction has been put on pause, delaying new development. Public schools in Boston have shut down, leaving thousands of school-age children in need of instruction and social outlets. Small businesses, including home-based providers as well as child care centers, have closed their doors. And social distancing guidelines have made even alternatives such as family, friend, and neighbor care difficult if not impossible.

We encountered the effects of some of these issues directly during our research. During video calls with employees at the City of Boston, for instance, more than one interviewee told us they were working with one or more children at home.

This perhaps shows that even with all the health risks, incipient economic fallout, and tragedy that COVID-19 has caused—all of which are likely disproportionately impacting low-income families and single-parent households—there is also opportunity. The collapse of child care systems in the wake of coronavirus has vividly illustrated the necessity and value of these services for both policymakers and their constituents.

In addition to the need for immediate short-term solutions, which City government as well as community organizations are working to provide, supporting better planning over the long run is also essential. We've aimed to do this by telling the story of how the Inclusion of Day Care Facilities (IDF) ordinance has been implemented through the years, and suggesting new ways to accomplish its goals.

The proponents behind the first version of IDF, in Midtown Cultural District, envisioned an innovative development process that helped address working parents' and particularly mothers' needs. However, in the 30 years since then, needs have shifted and new gaps in accessibility and affordability have opened up. Change is necessary—now more than ever.

While the IDF may have fallen short of its goals in recent years, we hope to revive interest in this topic while pointing out the need for continued innovation. In doing so, we advocate for a stronger, more resilient planning process that can help families of all income levels and backgrounds weather future crises.

Bibliography

- "2020 NYC Pre-k Admissions Guide." NYC Early Childhood Care and Education, 2020. Accessed April 20, 2020. <https://www.schools.nyc.gov/docs/default-source/default-document-library/2020-nyc-pre-k-admissions-guide>
- "About Local 509." SEIU Local 509 n.d. Accessed March 8, 2020. <http://www.seiu509.org/about/>
- "About Us." Brookview House. n.d. Accessed March 8, 2020. <https://brookviewhouse.org/about-us/>
- "About Us." Community Labor United. n.d. Accessed March 8, 2020, <http://massclu.org/about/>
- "About Our School," Spruce Street Nursery School. n.d. Accessed April 5, 2020, <https://www.sprucestreet.org/>
- "A Citizen's Guide to Development Review Under Article 80 of the Boston Zoning Code." Boston Redevelopment Authority, April 2014. <http://www.bostonplans.org/documents/about-the-bpda/development-review/a-citizen-s-guide-to-article-80-january-2013>
- Ackerman, Zoë. "Final GIS Paper: Caring For Our Youngest." GIS project, Tufts University, 2018. <https://expoexplorer.it.tufts.edu/posterform/media/pdf/8e3e9807-e509-4c93-95dd-8fa14e41ce22.pdf>
- Adams, Gina and Michael Katz. "Review of Massachusetts Child Care Subsidy Eligibility Policies and Practices: A Report for the Assessment of the Massachusetts Subsidized Child Care System." Urban Institute, March 27, 2015. <https://www.urban.org/research/publication/review-massachusetts-child-care-subsidy-eligibility-policies-and-practices>
- "All About 3-K for All and Pre-K for All." NYC Department of Education. Accessed April 6, 2020. <http://teachnyc.net/pathways-to-teaching/early-childhood-education/all-about>
- Anzilotti, Ellie. "After a Dark Past, Boston's Urban Renewal Agency Is Building a Citizen-Led City For the Future." Fast Company, April 17, 2017. <https://www.fastcompany.com/40403850/after-a-dark-past-bostons-urban-renewal-agency-is-building-a-citizen-led-city-for-the-future>
- "Apply for a Family Child Care Provider License." Commonwealth of Massachusetts, n.d. Accessed April 29, 2020. <https://www.mass.gov/how-to/apply-for-a-family-child-care-provider-license>
- "Backup Child Care for Patients & Employees." Mass General Hospital. Accessed April 19, 2020. <https://www.massgeneral.org/services/backup-child-care-for-employees>
- Belfield, Clive R. "The Economic Impacts of Insufficient Child Care on Working Families." ReadyNation. 2018. <https://strongnation.s3.amazonaws.com/documents/522/3c5cdb46-eda2-4723-9e8e-f20511cc9f0f.pdf>
- Blake, Jess N. "Does anyone use Kindercare as their day care provider?" [Online discussion group] Babycenter. May 21, 2010. https://community.babycenter.com/post/a22841919/does_anyone_use_kindercare_as_their_day_care_provider
- "Boston Neighborhoods." The Boston Home Team, n.d. <https://thebostonhometeam.com/communities/boston-neighborhoods/>
- BPDA Staff. Interview by authors. Zoom. March 18, 2020a.
- Bright Horizons Corporate Team Member. Phone Conversation by authors. April 2, 2020.

---. "Student Research Project on Inclusion of Day Care Facilities." Email, March 27, 2020b.

Boston Planning & Development Agency. "Amended and Restated Development Plan for Planned Development Area No. 78: Seaport Square Project." Boston, MA: Boston Planning & Development Agency. November 16, 2017. <http://www.bostonplans.org/getattachment/63cd8095-1ae1-4b7c-902c-6a7ff8484dcf>

---. "Large Project Review." Boston Planning & Development Agency, 2014. <http://www.bostonplans.org/getattachment/1662c8d7-30bd-4704-96da-dc4bb3fc461c>

---. "Notice of Project Change - The Hub on Causeway (a.k.a. The Boston Garden Project), Phase III - Office Tower Component, North Station Economic Development Area and Amendment to the M.G.L. Chapter 121A Report and Decision." Boston, MA: Boston Planning and Development Agency, June 14, 2018. Accessed March 20, 2020.

Boston Planning & Development Agency Research Division. "A Profile of Boston's Single Mothers." 2018a. <http://www.bostonplans.org/getattachment/065cef43-eff9-46af-a999-b91a7e9431b7>

---. "Boston by the Numbers 2018." September 2018b. <http://www.bostonplans.org/getattachment/3e8bfacf-27c14b55-adee-29c5d79f4a38>

"Boston Universal Pre-K." Boston Public Schools. Accessed April 5, 2020. <https://www.bostonpublicschools.org/upk>

Boston Redevelopment Authority. "Amended and Restated Development Plan and Development Impact Project Plan for Planned Development Area No. 33: Millennium Place." Boston, MA: Boston Redevelopment Authority, November 5, 1997. Accessed April 15, 2020. <http://www.bostonplans.org/getattachment/5be3ace2-5794-4488-90e0-8e60f9bbf477>

---. "Amended and Restated Development Plan and Development Impact Project Plan for Planned Development Area No.39 Thirty-three Arch Street." Boston, MA: Boston Redevelopment Authority, 1999. Obtained under the Freedom of Information Act (FOIA) by Community Labor United from the Boston Planning and Redevelopment Agency.

---. "Community comments: midtown cultural district plan: plan to manage growth. Internet Archive." Boston, MA: Boston Redevelopment Authority, 1989a. Accessed April 4, 2020. <https://archive.org/details/communityomment00bost/mode/2up/search/ymca>

---. "Development Plan/Development Impact Project Plan for Planned Development Area No. 35." Boston, MA: Boston Redevelopment Authority, June 29, 1989b.

---. "Development Plan for Planned Development Area No. 64 Pier 4, South Boston Waterfront." Boston, MA: Boston Redevelopment Authority, March 24, 2005.

---. "First Amendment to Development Plan for Planned Area No 64." Boston, MA: Boston Redevelopment Authority, December 15, 2011.

---. "Development Plan for Planned Development Area No. 68: South Station Air Rights Project." Boston, MA: Boston Redevelopment Authority, June 6, 2006. <http://www.bostonplans.org/getattachment/4a72af83-aa8d-4be1a9ce-dbad321a65c5>

---. "Memorandum of Understanding." Boston, MA: Boston Redevelopment Authority, 1989c. Obtained under the Freedom of Information Act (FOIA) by Community Labor United from the Boston Planning and Redevelopment Agency.

- . "Public Hearing on 33 Arch Street / PDA #39 Development Plan and Development Impact Project Plan." Stephen Coyle. Boston, MA: Boston Redevelopment Authority, 1990. Obtained under the Freedom of Information Act (FOIA) by Community Labor United from the Boston Planning and Redevelopment Agency.
- . "Request Authorization and Approvals Regarding the Suffolk University Institutional Master Plan and Modern Theater." Gerald Autler, Jansi Chandler, and James Tierney. Boston, MA: Boston Redevelopment Authority, June 24, 2008.
- . "Second Amendment to Development Plan for Planned Development Area No. 15 Mass General Hospital." Boston, MA: Boston Redevelopment Authority, March 7 2002.
- . "South Cove Urban Renewal Area, Project No. Mass. 4-92: Parcel P7-A, Located at 240 Tremont Street in the Midtown Cultural District." Thomas Miller, Heather Campisano, David Carlson, Sue Kim, Tai Y. Lim. Boston, MA: Boston Redevelopment Authority, 2007. Accessed April 12, 2020. <http://www.bostonplans.org/getattachment/86d17b57-1a74-44bb-aaf2-a9b1cdb559af>
- . "Third Amendment to Development Plan for Planned Development Area No. 64." Boston, MA: Boston Redevelopment Authority, April 2015.
- . "Vertex Pharmaceuticals Incorporated 50 Northern Avenue and 11 Fan Pier Boulevard Fan Pier, South Boston." Heather Campisano. Boston, MA: Boston Redevelopment Authority, November 14, 2013.
- "BRA History." Boston Planning & Development Agency. n.d. Accessed March 11, 2020. <http://www.bostonplans.org/about-us/bra-history>
- Campbell, Fernanda Q. and Pratima A. Patil. "State of Early Education and Care in Boston: Supply, Demand, Affordability, and Quality." Boston Opportunity Agenda, November 2019. <https://www.tbf.org/-/media/tbf-reports-and-covers/2019/early-ed-census-201911.pdf?la=en>
- Centrella, Amanda, Cat Kemmett, Julia Masters, and Luisa Santos. "Reclaiming the Rules of Land Use: Demystifying Zoning as an Anti-Displacement Strategy." Field projects, Tufts University, 2019.
- Chinatown Trust Fund Committee. "Chinatown Trust Fund Report to the Community 2004-2009." Boston, MA: Chinatown Trust Fund Committee, 2010. <http://tccboston.org/wp-content/uploads/2010/02/CTF-Report-to-the-Community.pdf>
- "Cities Supporting the Early Childhood Workforce." National League of Cities, 2019. https://www.nlc.org/sites/default/files/2019-06/YEF_FCD_ToolKit_Final.pdf?_ga=2.246510340.1459179516.1581297608.363578520.1581297608
- City of Boston. "Imagine Boston 2030." Boston, MA: City of Boston, 2018. https://www.boston.gov/sites/default/files/embed/file/2018-06/imagine20boston202030_pAges2.pdf
- City of Santa Monica. "Annual Reporting of Developer Impact Fees." Santa Monica, CA: City of Santa Monica, January 24, 2017. https://santamonicacityca.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=1086&MediaPosition=&ID=2202&CssClass=
- City of Santa Monica. "Development Impact Fees Report pursuant to the Mitigation Fee Act." Santa Monica, CA: City of Santa Monica, June 30, 2019. <https://finance.smgov.net/Media/Default/annual-reports/FYE2019/DevelopmentImpactFeesReport.pdf>

- Curtin, Daniel J. "Planning and Zoning: Exactions, Dedications, and Development Agreements Nationally and in California: When and How Do The Dolan/Nollan Rules Apply." Municipal Legal Studies Center of the Center for American and International Law, April 10, 2003. http://www.ca-ilg.org/sites/main/files/file-attachments/resources__exactions.pdf
- . "Discussion of Analysis and Recommendation to the City Council Regarding a Child Care Linkage Program and Developer Cultural Arts Requirements." Santa Monica, CA: City of Santa Monica, December 7, 2005. <https://www.smgov.net/departments/pcd/agendas/Planning-Commission/2005/20051207s2005120711-B.htm#sts=Child%20Care%20Linkage%20Program>
- Clauss, Kyle Scott. "BRA Changes Name to BPDA, Hopes You'll Trust Them Now." Boston Magazine, September 2016. <https://www.bostonmagazine.com/news/2016/09/27/bra-changes-name-bpda/>
- Del Rio, Tania. Interview by authors. Zoom. April 8, 2020.
- Dicara, Lawrence and Conor Ahern. "Time to stop zoning out Children." Commonwealth Magazine, May 19, 2019. <https://commonwealthmagazine.org/opinion/time-to-stop-zoning-out-children/>
- "Early Childhood Workforce Index 2018: Massachusetts." Center for the Study of Child Care Employment, University of California, Berkeley, 2018. <https://csce.berkeley.edu/files/2018/06/2018-Index-Massachusetts.pdf>
- Economic Policy Institute. "The cost of child care in Massachusetts." Economic Policy Institute, 2019. <https://www.epi.org/child-care-costs-in-the-united-states/#/MA>
- "Enrollment." Government Center Child Care Corp, 2018. Accessed April 22, 2020. <https://governmentcenterchildcare.org/enrollment>
- Epsilon Associates Inc. on behalf of Boston Properties Limited Partnership. "Expanded Project Notification Form: The Boston Garden." Boston, MA: 2013.
- Evans, Mariwyn. "The Value of Child Care as an Office Amenity." Journal of Property Management 53, no. 4 (1988): 30-31.
- "Fan Pier - Vertex." Boston Planning & Development Agency. Accessed April 5, 2020. <http://www.bostonplans.org/projects/development-projects/fan-pier-vertex>
- Fersh, Elaine. Elaine Fersh to Boston Redevelopment Authority. Boston, MA: 1989. https://archive.org/stream/communitycomment00bost/communitycomment00bost_djvu.tt
- Gall, Katy. Interview by authors. Phone interview. March 12, 2020.
- Garcia, Guadalupe, Lily Linke, Danielle Mulligan, Nick Pittman, and Brooke Siggers. "Understanding Family, Friend, and Neighbor Care in Massachusetts." Field project, Tufts University, 2019.
- Glascock, Bryan. Interview by authors. Zoom interview. March 24, 2020.
- "Glossary." Boston Planning & Development Agency. Accessed April 23, 2020. <http://www.bostonplans.org/about-us/glossary>
- "How to Determine If You Need a Family Child Care Business License or Zoning Permit." Wonderschool Resources Hub, April 25, 2017. <https://www.wonderschool.com/p/child-care-provider-resources/business-license-zoning-permit-family-child-care/>

- HSC 1597.45. Family Day Care Homes. California Health and Safety Code, 2019. Accessed April 21, 2020. http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=1597.45
- "Inclusionary Development Policy: 2019 Update." Boston Planning & Development Agency. 2019. Accessed April 20, 2020. <http://www.bostonplans.org/planning/planning-initiatives/inclusionary-development-policy-2019-update>
- Kara, Kristin. "W Boston Hotel and Residences." Email, 2008. Obtained under the Freedom of Information Act (FOIA) by Community Labor United from the Boston Planning and Redevelopment Agency.
- Li, Sara. "How Developers Negotiate Zoning and Public Benefits With the City: Two Cases in Downtown Boston." Thesis, Massachusetts Institute of Technology. 2019.
- "Licensing Policies for Family Child Care Providers." MA Department of Early Education and Care. Accessed April 4, 2020. <https://www.mass.gov/lists/licensing-policies-for-family-child-care-providers>
- Lusk, Katherine. Interview by authors. Zoom. April 16, 2020.
- "Map Showing Downtown Boston." Google Earth. Accessed April 5, 2020. <https://earth.google.com/web>
- "Mayor Walsh, Director Golden release 'Building the New Boston Redevelopment Authority.'" Boston Planning & Development Agency. January 21, 2015. <http://www.bostonplans.org/news-calendar/news-updates/2015/01/21/mayor-walsh,-director-golden-release-building-the>
- "Mean income in the past 12 months." U.S. Census Bureau, 2018. Accessed April 17, 2020, https://data.census.gov/cedsci/table?q=median%20family%20income%20Boston&g=1600000US2507000&hidePreview=false&tid=ACSST1Y2018S1902&t=Income%20%28Households,%20Families,%20Individuals%29%3AHousehold%20and%20Family&vintage=2018&layer=VT_2018_160_00_PY_D1&cid=S1902_C01_001E
- Miller, Thomas A., Heather Campisano, Kristin Donovan, and Rodney Sinclair. "W Boston Hotel and Residences, South Cove Renewal Area, Midtown Cultural District." Email, 2006. Obtained under the Freedom of Information Act (FOIA) by Community Labor United from the Boston Planning and Redevelopment Agency.
- Miller, Yawu. "Roxbury Trust Fund Looks to Continue Grantmaking." The Bay State Banner, November 22, 2011. <https://www.baystatebanner.com/2011/11/22/roxbury-trust-fund-looks-to-continue-grantmaking/>
- "Early Childhood Lab School." UC Davis, The Center for Child and Family Studies. Updated, April 20, 2020. <https://ccfs.ucdavis.edu/early-childhood-lab-school-ecl>
- "Neighborhood Jobs Trust." Mayor's Office of Workforce Development. Accessed April 5, 2020. <https://owd.boston.gov/neighborhood-jobs-trust/>
- "Neighborhood Jobs Trust Impact Report: 2017-2018." Mayor's Office of Workforce Development, 2019. <https://s20289.pcdn.co/wp-content/uploads/2019/11/2017-2018-NJT-report.pdf>
- "Neighborhood Maps." Office of Diversity and Inclusion, Harvard University. N.d. <https://cdn1.sph.harvard.edu/wp-content/uploads/sites/1912/2016/09/Boston-Neighborhood-Borders.jpg>
- "New Restrictive Child Care Regulations May Impact Families" Homes for Families, August 6, 2019 <https://homesforfamilies.wordpress.com/2019/08/06/new-restrictive-child-care-regulations-may-impact-families/>

- O'Brien, John. "33 Arch Street: Payments Under LDA and Escrow Commitments." Boston, MA: Boston Redevelopment Authority, 2004. Obtained under the Freedom of Information Act (FOIA) by Community Labor United from the Boston Planning and Redevelopment Agency.
- "Parents and the High Cost of Child Care." Child Care Aware of America, 2017. https://www.childcareaware.org/wp-content/uploads/2017/12/2017_CCA_High_Cost_Report_FINAL.pdf
- Pressley, Ayanna. "Recommendations for Early Education and child care: Report to Members of the Boston City Council" Boston, MA: Boston City Council Committee on Healthy Women, Families & Communities, 2018.
- "Price of Child Care in: MASSACHUSETTS." Child Care Aware of America, 2019a. Accessed April 4, 2020. <https://info.childcareaware.org/hubfs/2019%20Price%20of%20Care%20State%20Sheets/Massachusetts.pdf>
- "Projects." Boston Planning and Development Agency. <http://www.bostonplans.org/help/projects>
- "Quick Facts." U.S. Census Bureau, 2019. Accessed March 8, 2020. <https://www.census.gov/quickfacts/bostoncitymassachusetts>
- Roxbury Trust Fund. "IMPACT & GRANTMAKING, 2005-2012." Roxbury Trust Fund, n.d. Accessed May 2, 2020. <http://roxburytrustfund.org/what-we-fund-2/projects-funded>
- Roxbury Trust Fund Committee. "In Roxbury We Trust: Roxbury Trust Fund | 2007 Report to the Community." Boston, MA: Roxbury Trust Fund Committee, 2007. <http://roxburytrustfund.org/>
- Section 38-18. - Midtown Cultural District Use Regulations. Boston Zoning Code. 1989. https://library.municode.com/ma/boston/codes/redevelopment_authority?nodetid=ART38MICUDI_USE_REGULATIONS_S3818MICUDIUSRE
- Section 9.65.040 Child Care Requirement. Santa Monica Municipal Code. n.d. http://www.qcode.us/codes/santamonica/view.php?topic=9-6-9_65-9_65_040
- Spicer, Neil. "A Municipal Survey of Child Care Spaces and Policies in Metro Vancouver." Metro Vancouver, December 2015. <http://www.metrovancouver.org/services/regional-planning/PlanningPublications/childcareInventoryPoliciesReport.pdf>
- The County of San Mateo Office of Housing, Child Care and Housing Linkage Study. Brion & Associates with Vernazza Wolfe Associates, Inc. Oakland, California: June 2003. http://www.co.sanmateo.ca.us/vgn/images/portal/cit_609/78944379child_care_housing_link.pdf
- The Hym Investment Group, LLC on behalf of Bullfinch Congress Holdings, LLC. "Draft Impact Report: Redevelopment of the Government Center Garage." August 2013.
- "The US and the High Price of Child Care: An Examination of a Broken System." Child Care Aware of America, 2019b. Accessed March 8, 2020, <https://www.childcareaware.org/our-issues/research/the-us-and-the-high-price-of-child-care-2019/>
- "Tuition." Spruce Street Nursery School. n.d. Accessed April 5, 2020, <https://www.sprucestreet.org/>
- United Way. "Capital Resources for Early Educators Fund Application and Guidelines." United Way, 2013. <https://www.cybergrants.com/bostonearlyed/>
- United Way, Thrive in 5. "Capital Fund List of Recommended Grantees 11-19." United Way, Thrive in 5, 2013. https://www.cybergrants.com/bostonearlyed/docs/Capital_Fund_Grantees.pdf

"Vancouver's Approach to Children and Child Care." Vancouver, City of. n.d. Accessed April 20, 2020. <https://vancouver.ca/people-programs/vancouver-child-care-approach.aspx>

"Vancouver (City, Canada) - Population Statistics, Charts, Map and Location." City Population. Accessed April 20, 2020. https://www.citypopulation.de/en/canada/britishcolumbia/admin/_/5915022_vancouver/

"What Is Zoning." Boston Planning & Development Agency. n.d. Accessed March 11, 2020. <http://www.bostonplans.org/zoning/what-is-zoning>

"Who We Are." Bright Horizons. n.d. Accessed April 5, 2020, <https://www.brighthorizons.com/who-we-are>

"Zoning Commission." City of Boston. February 19, 2020. Accessed March 8, 2020 <https://www.boston.gov/departments/planning-development-agency/zoning-commission>

Appendices

Appendix A: Glossary of Development Terms

Development is a complicated process. To help understand IDF and related policies, we've compiled the following list of terms and definitions from a variety of sources (BPDA "Glossary"; Centrella et al. 2019; Clauss 2016).

Article 80: The part of the Boston Zoning Code that outlines the Large Project Review process (large projects are a minimum of 50,000 sf in outer neighborhoods and 100,000 sf downtown)

Boston Redevelopment Authority (BRA): The Boston Planning and Development Agency (BPDA) was called the Boston Redevelopment Authority (BRA) until 2016 when it underwent a rebranding effort. This report is only using the name BPDA for consistency, although the organization was called the BRA predating 2016.

Cooperation Agreements: Legal agreement entered into by the BPDA and a developer after the completion of the Article 80 review process. The Cooperation Agreement details any and all agreed upon public benefits and mitigation to be provided by the development project.

Development Impact Project: Project which requires zoning relief and proposes to include one or more Development Impact Uses (office, retail business, service, public service uses, institutional, educational, hotel, motel, or other uses that result in the reduction in the supply of low and moderate income dwelling units). Projects that qualify as DIPs must pay into the linkage fund, which is a fund that assists with the creation and preservation of housing and job training.

Draft Project Impact Report: a report on environmental impact studies that a developer must do on a project. It's then up to the BPDA whether or not to require a Final Project Impact Report, based on whether the DPIR has addressed the questions raised.

Planned Development Area: An overlay zoning district which may be established under Article 80 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. 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. PDAs may also detail public benefits.

Project Notification Form: The second document filed by a project proponent with the BPDA during the Article 80 process (the first being a Letter of Intent (LOI)). A PNF describes the features of the proposed project and is available to the public for review and comment. After reviewing the contents of the PNF and the comments received from City agencies and the public, the BPDA may issue a directive called a Scoping Determination describing the specific issues, if any, that the applicant must study further. The BPDA may also determine that the PNF is adequate and recommend approval to the BPDA Board.

Zoning: A tool used by the City to dictate the allowed shape, density, and use of development in a given area. Boston's Zoning Code incorporates a written code (describing setbacks, heights, allowed uses, densities, etc.) and maps which indicate which geographic areas are subject to which zoning guidelines.

Appendix B: Inclusion of Day Care Facilities Zoning Ordinances

The following IDF regulations are directly taken from the Boston Zoning Code. Section numbers and development area names are given below.

Section 38-18. - Midtown Cultural District Use Regulations.

Inclusion of Day Care Facilities. The provisions of this paragraph apply only to Proposed Projects to exceed a building height of one hundred twenty-five (125) feet, or an FAR of eight (8), or both. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, which equals or exceeds one hundred thousand (100,000) square feet, up to two hundred thousand (200,000) square feet, shall devote to day care facilities an amount of floor area equal to at least two percent (2%) of the Proposed Project's gross floor area. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, which equals or exceeds two hundred thousand (200,000) square feet, up to five hundred thousand (500,000) square feet, shall devote to day care facilities an amount of floor area equal to at least four thousand square feet. Any Proposed Project having a gross floor area which equals or exceeds five hundred thousand (500,000) square feet, up to one million (1,000,000) square feet, shall devote to day care facilities an amount of floor area equal to at least eight thousand (8,000) square feet. Any Proposed Project having a gross floor area which equals or exceeds one million (1,000,000) square feet shall devote to day care facilities an amount of floor area equal to at least twelve thousand (12,000) square feet. An Applicant for a Proposed Project subject to the provisions of this paragraph may fulfill its obligations under this paragraph by:

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this paragraph shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term "day care facilities" includes the finish, furnishings, and equipment for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

Section 39-12. - North Station Economic Development Area Use Regulations

Inclusion of Day Care Facilities. The provisions of this paragraph apply only to Proposed Projects which exceed one hundred thousand (100,000) square feet of gross floor area. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, which equals or exceeds one hundred thousand (100,000) square feet, shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table A of this section. An Applicant for a Proposed Project subject to the provisions of this paragraph may fulfill its obligations under this paragraph by:

- (a) creating such facilities on-site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this paragraph shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term "day care facilities" includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE A: Provision of Day Care Facilities

Size of Proposed Project (Gross Square Feet)	Minimum <i>Day Care Facilities</i> (Gross Square Feet)
100,000 up to 200,000	2% of gross floor area
200,000 up to 500,000	4,000
500,000 up to 1,000,000	8,000
More than 1,000,000	12,000

Section 40-12. - South Station Economic Development Area Use Regulations

Inclusion of Day Care Facilities. The provisions of this paragraph apply only to Proposed Projects which exceed one hundred thousand (100,000) square feet of gross floor area. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, which equals or exceeds one hundred thousand (100,000) square feet shall devote to day care facilities an amount of floor area equal to the amount listed below in Table A of this section. An Applicant for a Proposed Project subject to the provisions of this paragraph may fulfill its obligations under this paragraph by:

- (a) creating such facilities on-site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. Except for Proposed Projects in the Parcel-to-Parcel Linkage Development Area, any Proposed Project subject to the provisions of this section shall devote to on-site day care facilities, of the total amount required to be provided pursuant to Table A, an amount of floor area equal to at least four thousand (4,000) square feet or the minimum required square footage, whichever is less. The provision of day care facilities in accordance with this paragraph shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE A: Provision of Day Care Facilities

Size of Proposed Project (Gross Square Feet)	Minimum <i>Day Care Facilities</i> (Gross Square Feet)
100,000 up to 200,000	2% of gross floor area
200,000 up to 500,000	4,000
500,000 up to 1,000,000	8,000
More than 1,000,000	12,000

Section 41-17. - Huntington Avenue/Prudential Center District Use Regulations

Inclusion of Day Care Facilities. The provisions of this paragraph 2 shall apply only to Proposed Projects exceeding a building height of one hundred fifteen (115) feet or an FAR of six (6) or both. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, which equals or exceeds one hundred thousand (100,000) square feet shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table B of this Section. For the purposes of this Subsection 41-17.2 and Table B only, floor area devoted exclusively to hotel or motel uses shall be multiplied by 0.5 before being used in any calculation of required day care facilities. An Applicant for a Proposed Project subject to the provisions of this paragraph may fulfill its obligations under this paragraph by either

- (a) creating such facilities on-site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this paragraph shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE B: Provision of Day Care Facilities

Size of Proposed Project (Gross Square Feet)	Minimum Day Care Facilities (Gross Square Feet)
100,000 up to 200,000	2% of gross floor area
200,000 up to 500,000	4,000
500,000 up to 1,000,000	8,000
More than 1,000,000	12,000

Section 42A-18. - Use Regulations Applicable in the North End Waterfront Subdistrict and Downtown Waterfront Subdistrict

Inclusion of Day Care Facilities. The provisions of this Subsection 1 apply only to Proposed Projects in the North End Waterfront Subdistrict or Downtown Waterfront Subdistrict that exceed a Building Height of fifty-five (55) feet, or an FAR of two (2), or both. Any such Proposed Project having a gross floor area, not including floor area devoted to Residential Uses, Hotel Uses, or Cultural Uses, which equals or exceeds one hundred thousand (100,000) square feet, shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table C of this Section. An Applicant for a Proposed Project subject to the provisions of this Subsection 1 may fulfill its obligations under this paragraph by either

- (a) creating such facilities on-site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this Subsection 1 shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours. Such day care facilities provided as part of a Proposed Project shall not be included in the calculation of FAR for the Proposed Project.

TABLE C: Provision of Day Care Facilities

Size of Proposed Project* (Gross Floor Area)	Minimum <i>Day Care Facilities</i> (Gross Floor Area)
100,000 up to 200,000 sq. ft.	2% of gross floor area
200,000 up to 500,000 sq. ft.	4,000 sq. ft.
500,000 up to 1,000,000 sq. ft.	8,000 sq. ft.
More than 1,000,000 sq. ft.	12,000 sq. ft.

Section 42B-14. - Use Regulations Applicable in the Charlestown Gateway Subdistrict

Inclusion of Day Care Facilities. The provisions of this Subsection 1 apply only to Proposed Projects in the Charlestown Gateway Subdistrict that exceed a building height of fifty-five (55) feet, an FAR of two (2), or both. Any such Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, Hotel Uses, or Cultural Uses, which equals or exceeds one hundred thousand (100,000) square feet, shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table B of this Section; provided that any Proposed Project within a Building Height of less than seventy-five (75) feet or an FAR of less than three (3) shall not be required to devote to day care facilities an amount of floor area exceeding

- (a) one-half percent (0.5%) times
- (b) the excess of
 - (i) the gross floor area of said Proposed Project over
 - (ii) one hundred thousand (100,000) square feet.

An Applicant for a Proposed Project subject to the provisions of this Subsection 1 may fulfill its obligations under this paragraph by either

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this Subsection 1 shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours. Such day care facilities provided as part of a Proposed Project shall not be included in the calculation of FAR.

TABLE B: Provision of Day Care Facilities

Size of Proposed Project* (Gross Floor Area)	Minimum <i>Day Care Facilities</i> (Gross Floor Area)
100,000 up to 200,000 sq. ft.	2% of gross floor area
200,000 up to 500,000 sq. ft.	4,000 sq. ft.
500,000 up to 1,000,000 sq. ft.	8,000 sq. ft.
More than 1,000,000 sq. ft.	12,000 sq. ft.

Section 42E-21. - Use Regulations Applicable in the Fort Point Waterfront

Inclusion of Day Care Facilities. The provisions of this Subsection 1 apply only to Proposed Projects in the Fort Point Waterfront that exceed a Building Height of fifty-five (55) feet, or an FAR of two (2), or both. Any such Proposed Project having a gross floor area, not including floor area devoted to Residential Uses, Hotel Uses, or Community Uses and Cultural Facilities, which equals or exceeds one hundred thousand (100,000) square feet, shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table C of this Article. An Applicant for a Proposed Project subject to the provisions of this Subsection 1 may fulfill its obligations under this paragraph by either

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this Subsection 1 shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours. Such day care facilities provided as part of a Proposed Project shall not be included in the calculation of FAR for the Proposed Project.

TABLE C: Provision of Day Care Facilities

Size of Proposed Project* (Gross Floor Area)	Minimum <i>Day Care Facilities</i> (Gross Floor Area)
100,000 up to 200,000 sq. ft.	2% of gross floor area
200,000 up to 500,000 sq. ft.	4,000 sq. ft.
500,000 up to 1,000,000 sq. ft.	8,000 sq. ft.
More than 1,000,000 sq. ft.	12,000 sq. ft.

* Excluding floor area devoted to Residential, Hotel, or Community Uses and Cultural Facilities.

Section 42F-14. - Use Regulations Applicable in the Charlestown Navy Yard.

Inclusion of Day Care Facilities. The provisions of this Subsection 1 apply only to Proposed Projects in the Charlestown Navy Yard that exceed a Building Height of fifty-five (55) feet. Any such Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, Hotel Uses, Water Dependent Facilities of Public Accommodation, or Cultural Uses, which equals or exceeds one hundred thousand (100,000) square feet shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table D of this Article; provided that any such Proposed Project with a Building Height of less than seventy-five (75) feet shall not be required to devote to day care facilities an amount of floor area exceeding

- (a) one-half percent (0.5%) times
- (b) the excess of
 - (i) the gross floor area of said Proposed Project, not including the floor area devoted to Residential Uses, Hotel Uses, Water Dependent Facilities of Public Accommodation, or Cultural Uses, over
 - (ii) one hundred thousand (100,000) square feet.

An Applicant for a Proposed Project subject to the provisions of this Subsection 1 may fulfill its obligations under this paragraph by either

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. For the purposes of this Section 42F-14.1, "on-site" shall mean within the Charlestown Navy Yard. The provision of day care facilities in accordance with this Subsection 1 shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term "day care facilities" includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours. Such day care facilities provided as part of a Proposed Project shall not be included in the calculation of gross floor area for the purposes of Subsection 42F-13.1 for the Proposed Project. The Board of Appeal may grant an exception to the provisions of this paragraph, in accordance with the provisions of Article 6A, if it finds that day care facilities existing in the Charlestown Navy Yard at the time of its determination are adequate to serve the anticipated demand for day care facilities generated by the occupancy of the Proposed Project.

TABLE D: Provision of Day Care Facilities

Size of Proposed Project (Gross Floor Area)*	Minimum Day Care Facilities (Gross Floor Area)
100,000 up to 200,000 sq.ft.	2% of gross floor area
200,000 up to 500,000 sq.ft.	4,000 sq.ft.
More than 500,000 sq.ft.	8,000 sq.ft.

* Excluding floor area devoted to Residential, Hotel, Cultural Uses, or Water Dependent Facilities of Public Accommodation.

Section 43-19. Chinatown District Use Regulations

Inclusion of Day Care Facilities. The provisions of this Subsection 2 apply only to Proposed Projects to exceed a building height of eighty (80) feet, or an FAR of six (6), or both. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses or Cultural Uses, which equals or exceeds one hundred thousand (100,000) square feet, shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table D of this Section, except that the day care facilities requirement for that portion of any Proposed Project consisting of Institutional Uses located in the Institutional Subdistrict and subject to an approved Institutional Master Plan shall be as set forth in said Institutional Master Plan. For the purposes of this Subsection 2 and Table D only, floor area devoted exclusively to hotel or motel uses shall be multiplied by 0.5 before being used in any calculation of required day care facilities. An Applicant for a Proposed Project subject to the provisions of this paragraph may fulfill its obligations under this Subsection by either

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this Subsection shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this Subsection, the term "day care facilities" includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE D: Provision of Day Care Facilities

Size of Proposed Project (Gross Square Feet)	Minimum Day Care Facilities (Gross Square Feet)
100,000 up to 200,000	2% of gross floor area
200,000 up to 500,000	4,000
500,000 up to 1,000,000	8,000
More than 1,000,000	12,000

Section 44-10. - Leather District Use Regulations

Inclusion of Day Care Facilities. The provisions of this Section apply only to Proposed Projects which exceed a building height of eighty (80) feet or an FAR of six (6) or both. Any Proposed Project having a gross floor area (not including the floor area devoted to Residential Uses, Community Uses, or Cultural Uses, as those uses are described in Subsection 4 of this Section 44-10), which equals or exceeds one hundred thousand (100,000) square feet shall devote to day care facilities an amount of floor area equal to the amount listed below in Table D of this Article. For the purposes of this Subsection 44-10.2 and Table D only, floor area devoted exclusively to hotel or motel uses shall be multiplied by 0.5 before being used in the calculation of required day care facilities. An Applicant for a Proposed Project subject to the provisions of this Subsection may fulfill its obligations under this Subsection by

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this Subsection shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE D: Provision of Day Care Facilities

Size of Proposed Project (Gross Floor Area)	Minimum Day Care Facilities (Gross Floor Area)
100,000 up to 200,000 sq. ft.	2% of gross floor area
200,001 up to 500,000 sq. ft.	4,000 sq. ft.
500,001 up to 1,000,000 sq. ft.	8,000 sq. ft.
More than 1,000,000 sq. ft.	12,000 sq. ft.

Section 45-14. - Government Center/Markets District Use Regulations.

Inclusion of Day Care Facilities. The provisions of this Section 45-14.2 apply only to Proposed Projects which exceed a height of one hundred twenty-five (125) feet, or an FAR of eight (8), or both. Any Proposed Project having a gross floor area (not including the floor area devoted to Residential Uses, Cultural Uses, or Community Uses as those uses are described in Subsections 3 and 4 of this Section) which equals or exceeds one hundred thousand (100,000) square feet shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table C of this Section. For the purposes of this Section 45-14.2 and Table C only, floor area devoted exclusively to hotel and restaurant uses and uses accessory thereto shall be multiplied by 0.2 before being used in the calculation of required day care facilities. An Applicant for a Proposed Project subject to the provisions of this Section 45-14.2 may fulfill its obligations under this paragraph by

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this Section 45-14.2 shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this paragraph, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE C: Provision of Day Care Facilities

Size of Proposed Project* (Gross Square Feet)	Minimum Day Care Facilities (Gross Square Feet)
100,000 up to 200,000	2% of gross floor area
200,000 up to 500,000	4,000
500,000 up to 1,000,000	8,000
more than 1,000,000	12,000

Exclusive of floor area devoted to Residential, Cultural, or Community Uses

Section 46-9. - Bulfinch Triangle District Use Regulations

Inclusion of Day Care Facilities. The provisions of this Section 46-9.1 apply only to Proposed Projects which exceed a building height of eighty (80) feet, or an FAR of six (6), or both. Any Proposed Project having a gross floor area (not including the floor area devoted to those Residential Uses, Community Uses, or Cultural Uses allowed pursuant to Section 46-9.3) that equals or exceeds one hundred fifty thousand (150,000) square feet shall devote to day care facilities an amount of floor area equal to the amount listed below in Table A of this Section 46-9.1. For the purposes of this Section 46-9.1 and Table A only, floor area devoted exclusively to hotel uses shall be multiplied by 0.5 before being used in the calculation of required day care facilities. An Applicant for a Proposed Project that is subject to the provisions of this Section 46-9.1 may fulfill its obligations under this Section 46-9.1 by

- (a) creating such facilities on site, or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this Section 46-9.1 shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this Section 46-9.1, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE A: Provision of Day Care Facilities

Size of Proposed Project (Gross Floor Area)	Minimum <i>Day Care Facilities</i> (Gross Floor Area)
150,000 - 200,000 s.f.	2% of gross floor area
200,001 - 500,000 s.f.	4,000 s.f.
500,001 - 1,000,000 s.f.	8,000 s.f.
More than 1,000,000 s.f.	12,000 s.f.

Section 47A-12. - Cambridge Street North District Use Regulations

Inclusion of Day Care Facilities. The provisions of this Section 47A-12.2 apply only to Proposed Projects which exceed a building height of sixty-five (65) feet, or an FAR of four (4), or both. Any Proposed Project having a gross floor area (not including the floor area devoted to Residential Uses, Cultural Uses or Community Uses as these uses are described in Sections 47A-12.3 and 47A-12.4) that equals or exceeds one hundred fifty thousand (150,000) square feet shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table B of this Article. For the purposes of this Section 47A-12.2 and Table B only, floor area devoted exclusively to restaurant, hotel, local retail, or general retail uses and uses accessory thereto shall be multiplied by 0.2 before being used in the calculation of required day care facilities. An Applicant for a Proposed Project subject to the provisions of this Section 47A-12.2 may fulfill its obligations by

- (a) creating such facilities on site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this Section 47A-12.2 shall be in conformity with any written regulations adopted by the Boston Redevelopment Authority after public notice and hearing. For the purposes of this Section 47A-12.2, the term "day care facilities" includes the finish, furnishings, and equipment required for use of the floor area for such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE B: Provision of Day Care Facilities

Size of Proposed Project (Gross Square Feet)	Minimum <i>Day Care Facilities</i> (Gross Square Feet)
150,000 up to 200,000	2% of gross floor area
200,000 up to 500,000	4,000
500,000 up to 1,000,000	8,000
more than 1,000,000	12,000

Section 48-7. - Stuart Street District Use Regulations

Inclusion of Day Care Facilities. The provisions of this paragraph shall apply only to Proposed Projects exceeding a building height of one hundred fifty-five (155) feet or an FAR of ten (10), or both. Any Proposed Project having a gross floor area, not including the floor area devoted to Residential Uses, which equals or exceeds one hundred thousand (100,000) square feet shall devote to day care facilities an amount of floor area equal to at least the amount listed below in Table 2 of the Section. For the purposes of this Subsection 48-7.2 and Table 2 only, floor area devoted exclusively to hotel or motel uses shall be multiplied by 0.5 before being used in any such calculation of required day care facilities. An Applicant for a Proposed Project subject to the provisions of this paragraph may fulfill its obligations under this paragraph by either:

- (a) creating such facilities on-site; or
- (b) creating such facilities, or causing such facilities to be created elsewhere in the City. The provision of day care facilities in accordance with this paragraph shall be in conformity with written regulations to be adopted by the Boston Redevelopment Authority after public notice and hearing. For purposes of this paragraph, the term “day care facilities” includes the finish, furnishings, and equipment required for use of the floor area of such facilities, to enroll people for care, instruction, or recreation during regular business hours.

TABLE 2: Provision of Day Care Facilities

Size of Proposed Project (Gross Square Feet)	Minimum Day Care Facilities (Gross Square Feet)
150,000 up to 200,000	2% of gross floor area
200,000 up to 500,000	4,000
500,000 up to 1,000,000	8,000
more than 1,000,000	12,000

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Appendix C: Original Interview Questions

BPDA

1. What is your role at the Boston Planning and Development Agency (BPDA)?
 - a. How long have you worked at the BPDA?

2. [IF INTERVIEWEE HAS WORKED AT THE BPDA SINCE 1989 OR EARLIER] Can you describe what happened when the Inclusion of Day Care Facilities zoning ordinance was first implemented at the BPDA?
 - a. What do you think was the intended original purpose of the ordinances?
 - b. What was the general attitude about the zoning ordinance among your colleagues when it was first implemented?
 - c. What changes had to be made over the years?
 - d. How did the BPDA go about making those changes?

3. In what ways do the duties of your role interact with the Inclusion of Day Care Facilities zoning ordinance in your work at the BPDA?
 - a. Are you familiar with the oversight/enforcement process for IDF and similar ordinances?
 - b. What has been the overall impact of the ordinance in Boston?

4. There are 15 zoning districts in Boston that include language about “Inclusion of Day Care Facilities.” The wording in each varies slightly, but they all state that any Proposed Project with a gross floor area above 100,000 square feet, or in some cases 150,000 square feet, is obligated to “create such facilities on-site or create such facilities, or cause such facilities, to be created elsewhere in the City.” Of course, there are certain exclusions, which also vary depending on the district, like Residential, Hotel, and Cultural uses. How does this process work right now?
 - a. When a developer comes to the BPDA with a development above the gross floor area threshold, how are they informed of the Inclusion of Day Care Facilities Ordinance?
 - b. What steps are they obligated to take?
 - c. What options do they have?
 - d. Has the BPDA encountered any difficulties with developers during the enforcement process?

5. [IF INTERVIEWEE MENTIONS A LINKAGE FEE, OR AN AMOUNT PAID BY THE DEVELOPER] What is the BPDA’s process for handling payment from the developer for the creation of day care facilities?
 - a. Who is responsible for arranging the payment at the BPDA?
 - b. Where is the money held?
 - c. Are there specific guidelines in place for how the funds are administered?

6. A development was proposed in [date/year] at [address] for [square footage], which put it under the jurisdiction of the [sub-district’s] Inclusion of Day Care Facilities zoning ordinance. Can you describe what happened with this particular development?
 - a. Did they:
 - i. Include on-site day care facilities?
 - ii. Pay a fee to the city, or the BDPA?
 - iii. Were they exempted? By whom? Under what criteria?

7. Do you have any other thoughts about the Inclusion of Day Care Facilities zoning ordinances that we haven’t yet covered?

Developers

1. What is your role at [organization]?
 - a. How long have you worked at [organization]?
2. [Organization] developed [insert address]. What is your sense of how successful the zoning requirement has been at providing child care space?
 - a. Would you have provided child care space anyway?
 - b. Did this requirement come as a surprise to you?
3. What is your assessment of the day care center that was built? What are the benefits of it?
4. [IF THERE WAS NO day care CENTER BUILT] We noticed that there was not a day care center built on site. What was the reason for this?
 - a. Did you discuss this with the city or BPDA?
 - b. Was this a long process for you?
5. How do you think child care could best be addressed through zoning?
6. Do you have any other thoughts about the Inclusion of Day Care Facilities zoning ordinances that we haven't yet covered?