

## Draft Article 53 Zoning Amendment Fact Sheet

BPDA-proposed amendments to Article 53 were designed to advance the goals and policy recommendations of PLAN: East Boston and are part of a broader effort to simplify zoning language where possible to improve public-accessibility. This fact sheet highlights key changes to text and maps associated with Article 53. A draft of proposed amendments to Article 53 was posted on [September 12, 2023](#), initiating a public comment period. The public comment period will close [October 27, 2023](#). Revised amendments may then go to the BPDA Board on [November 16, 2023](#) and then to the Boston Zoning Commission. Questions and comments can be submitted via email to [planeastboston@boston.gov](mailto:planeastboston@boston.gov) or by phone at 617.918.4423. All comments are a matter of public record and will be posted to the project website [HERE](#).

PLAN: East Boston proposes several changes to land use and built form regulations in East Boston. Implementation of those recommendations via amendments to Article 53 will be phased. The first phase will focus on Residential, Waterfront, Local Industrial, Economic Development Area subdistricts, and regulations applicable in Planned Development Areas. This phase does not include changes to mixed-use areas identified in PLAN: East Boston, currently composed of Multifamily Residential/Local Services, Neighborhood Shopping, and Community Commercial subdistricts. Text amendments to these subdistricts will be coordinated through citywide zoning for Squares and Corridors.

This fact sheet comprises four parts, relating to: (1) text updates to Residential subdistricts, (2) text updates to Waterfront, Local Industrial, Economic Development Area subdistricts, and regulations applicable in Planned Development Areas (3) new Article 2 definitions, and (4) miscellaneous zoning updates to Article 53.

### **Neighborhood Residential Areas**

**Subdistrict Consolidation:** Article 53 currently regulates eleven (11) distinct Residential subdistricts. This draft zoning amendment proposes to consolidate those existing areas into three (3) new subdistricts:

- East Boston Residential-1 (EBR-1) Subdistrict
- East Boston Residential-2 (EBR-2) Subdistrict
- East Boston Residential-3 (EBR-3) Subdistrict

Use Table Updates: PLAN: East Boston introduces new occupancy limits for residential subdistricts and relaxed land use allowances to permit essential retail and service establishments. Retail and service establishments will be allowed on corner parcels in EBR-1 and EBR-2 Subdistricts (with a maximum gross floor area of 3,000 square feet), and on the ground floor of all lots in EBR-3 Subdistricts. In addition, this zoning establishes child care, schools, and community centers as allowed uses across all Residential Subdistricts.

**Table 1: Maximum Occupancy (Residential)**

EBR-1	EBR-2	EBR-3
2 dwelling units	On parcels with a lot width less than fifty (50) feet, 3 dwelling units; otherwise 6 dwelling units	4+ dwelling units

**Table 2: Changes in Use Allowances (Residential)**

*(Including, but not limited to the following)*

	*EBR-1 & EBR-2	EBR-3
<b>Newly Allowed</b>	Child care and community centers Schools Local retail businesses Service uses Cafes and restaurants Art uses	Child care and community centers Schools Supportive housing Local retail businesses Service uses Cafes and restaurants Art uses Trade and professional schools

\*Non-residential uses in EBR-1 and EBR-2 Subdistricts are permitted on corner lots (sans child care, community centers, and schools) and have a maximum Gross Floor Area of 3,000 square feet

Dimensional Table Updates: Draft zoning for East Boston introduces form-based dimensional regulations for residential subdistricts - replacing measurements such as maximum FAR, minimum usable open space, and minimum lot size with maximum lot coverage, maximum building width and depth, and minimum permeable surface area. These updates offer greater flexibility for lots of different sizes and better standardize the way built form across the neighborhood is scaled and regulated.

**Table 3: Changes to Dimensional Regulations (Residential)**

	<b>EBR-1</b>	<b>EBR-2</b>	<b>EBR-3</b>
<b>Building Height</b>	Maximum 2.5 stories	Maximum 3 stories	Maximum 4 stories
<b>Building Footprint</b>	Maximum 40% of Lot (50% for corner lots)	Maximum 60% of Lot (75% for corner lots)	Maximum 60% of Lot (75% for corner lots)
<b>Permeable Area of Lot</b>	Minimum 50% (40% for corner lots)	Minimum 30% (15% for corner lots)	Minimum 30% (15% for corner lots)
<b>Front Yard</b>	Variable setbacks between 5' and 20'	Variable setbacks between 2.5' and 5'	Variable setbacks between 2.5' and 5'
<b>Building Floorplate</b>	Maximum 1,800 sqft*	Maximum 3,000 sqft	Maximum 8,000 sqft

\*Total Gross Floor Area limited to 5,000 square feet.

### **Waterfront and Evolving Industrial Areas**

**Subdistrict Consolidation:** This zoning amendment recommends consolidating East Boston's six (6) existing Waterfront Subdistricts into two (2) new Waterfront Subdistricts. It also proposes to remove East Boston's Corridor Enhancement Subdistrict to create two (2) new Economic Development Areas (EDAs) and a new Open Space Subdistrict. New subdistricts include the following:

- Waterfront Mixed-Use (WMU) Subdistricts
- Waterfront Economy (WE) Subdistricts
- Porter Street EDA
- Bremen Street EDA

**Use Table Updates:** Draft zoning for Article 53 seeks to provide more flexible land use regulations for both Waterfront Subdistricts and Economic Development Areas, with a focus on allowing a mix of commercial and, in Waterfront Mixed-Use Subdistricts and certain EDAs, residential uses. The base land use allowances for new Waterfront subdistricts were determined by applying the least restrictive zoning regulations of the existing Waterfront Subdistricts relevant to each new area (WMU uses derived from existing Waterfront Commercial, Waterfront Residential, Waterfront Service, and

Waterfront Community Facilities Subdistricts; WE uses derived from existing Waterfront Manufacturing and Maritime Economic Reserve Subdistricts).

**Table 4: Changes in Use Allowances (Waterfront/EDA)**

*(Including, but not limited to the following)*

	Waterfront Mixed-Use Subdistricts	Waterfront Economy Subdistricts	Economic Development Areas
<b>Newly Allowed</b>	<p>Bars</p> <p>Body art establishments</p> <p>Catering establishments</p>	<p>Community and cultural uses</p> <p>Trade and professional schools</p> <p>Restaurants and bars</p> <p>Fitness centers</p> <p>Art uses</p> <p>Retail businesses and offices</p> <p>Barber shops and laundromats</p>	<p>Educational uses</p> <p>Restaurants and bars</p> <p>Clinics and custodial care facilities</p> <p>Multifamily residential (Saratoga Street EDA, Porter Street EDA, Bremen Street EDA)</p> <p>Kennels and animal hospitals</p> <p>Accessory family daycares and home occupations</p>

Dimensional Table Updates: PLAN: East Boston recommends updates to built form that more appropriately scale development across the neighborhood’s Waterfront Subdistricts and Economic Development Areas. Draft zoning proposes slight increases to height and density in these areas, with additional flexibility added for PDA-eligible parcels in Waterfront Mixed-Use Subdistricts and EDAs.

**Table 5: Changes in Dimensional Regulations (Waterfront/EDA)**

	Waterfront Mixed-Use Subdistricts	Waterfront Economy Subdistricts	Economic Development Areas
<b>Underlying Zoning</b>	<p>Maximum 5 stories</p> <p>Maximum 2.0 FAR</p>	<p>Maximum 5 stories</p> <p>Maximum 2.0 FAR</p>	<p>Maximum 5 stories</p> <p>Maximum 2.0 FAR</p>
<b>PDAs</b>	<p>Maximum 7 stories</p> <p>Maximum 3.0 FAR</p>	<i>*PDAs not permitted</i>	<p>Maximum 7 stories</p> <p>Maximum 3.0 FAR</p>

## **New Article 2 Definitions**

**Building Width.** The greatest distance between the rightmost and leftmost parts of a Building, measured from the Building faces closest aligned to the right and left Lot lines. The measurement of Building Width excludes porches, decks, and Bay Windows.

**Building Depth.** The greatest distance between the frontmost and rearmost parts of a building, measured from the Building faces closest aligned to the Front and Rear Lot lines. The measurement of Building Depth excludes porches, decks, and Bay Windows.

**Building Floorplate.** The total floor area of a single story within a Building or Structure, measured from the outside surface of the exterior walls.

## **Miscellaneous Zoning Updates**

Subdistrict and Overlay Consolidation: PLAN: East Boston recommends merging two additional (2) subdistricts, Local Industrial Subdistricts and Community Facilities Subdistricts, into proposed mixed-use and residential areas, whose regulations more closely align with what is already existing. Additionally, draft zoning proposes to retire the neighborhood's four (4) Special Study Overlay Areas and consolidate the neighborhood's four (4) existing Neighborhood Design Overlay Districts (NDOD) into a single NDOD.

Text Consolidation: To increase legibility, draft zoning proposes to consolidate unnecessary and/or redundant text throughout Article 53, including substantial updates to the Article's following sections:

- Section 53-1. Statement of Purpose, Goals, and Objectives.
- Section 53-5. Prohibition of Planned Development Areas.
- Section 53-6. Community Participation.
- Section 53-20. Waterfront Environmental Protection and Safety Standards.
- Section 53-34. Establishment of Open Space Subdistricts.
- Section 53-44. Establishment of Areas Within Which Planned Development Areas May be Permitted.
- Section 53.51. Design Review and Design Guidelines.
- Section 53.53. Specific Design Requirements.
- Section 53-57. Application of Dimensional Requirements.

Prohibition of Living Space Below Design Flood Elevation: For all future proposed projects in the Coastal Flood Resilience Overlay District, the development of living space below the Sea Level Rise - Design Flood Elevation will now be prohibited. Certain spaces accessory to

residential uses - including stairs, parking, and spaces for storage and mechanical equipment - are excluded from this provision.

Waterfront Design Guidelines: Design guidelines for waterfront subdistricts were streamlined to prioritize building and landscape features that activate and connect people to the waterfront.

Roof Structure Restrictions: Provisions impacting the calculation of building height were removed to incentivize the development of new green energy systems and create consistency with the calculation of building height detailed in the Article 2's definition.

Screening and Buffering Requirements: Specifications for fences and plantings were streamlined and broadened to reflect current design review practices. Provisions requiring fences for lots abutting public streets and parks were removed.

Maximum Curb Cut Dimensions: Maximum dimensions for curb cut widths were established for new development across the neighborhood: twelve (12) feet in Residential Subdistricts and twenty-four (24) feet in Non-Residential Subdistricts. These figures mirror the Boston Transportation Department's (BTD) existing maximums and will apply to all projects under 20,000 square feet of Gross Floor Area, the threshold to trigger Article 80 review.

New Parking & Loading Minimums: Parking minimums were lowered across all uses to reflect BTD's current parking maximums. Loading minimums have been eliminated. These regulations will apply to all projects under 20,000 square feet of Gross Floor Area, the threshold to trigger Article 80 review.