

Table of Content

<u>Article 8: Table A (Use Regulations)</u>	1
<u>Article 42A: Section 18 (Use Regulations Applicable in the North End Waterfront Subdistrict and Downtown Waterfront Subdistrict)</u>	1
<u>Article 42F: Section 13 (Charlestown Navy Yard Dimensional Regulations.)</u>	2
<u>Article 51: Footnotes to Table D</u>	3
<u>Article 80: Section A-2 (Public Notice and Comment)</u>	5

Article 8, Section 3

Table A Definitions

COMMERCIAL USES

Entertainment/Events. A facility which is primarily devoted to hosting live entertainment events, including but not limited to event centers, theaters, cinemas, night clubs, concert halls, arenas, and stadiums, or similar use. Such use may **include concessions and other food service incidental to the Entertainment/Events use and** receive a Live Entertainment License.

Extra Small - Capacity less than 250 persons.

Small - Capacity of 251-500 persons.

Medium - Capacity of 501-2,000 persons.

Large - Capacity of 2,001-9,999 persons.

Extra Large - Capacity greater than or equal to 10,000 persons.

Article 42A, Section 18

2. **Facilities of Public Accommodation.** Within **the North End Waterfront and Downtown Waterfront Subdistrict,** any Proposed Project **with 10,000 square feet in-the** or greater, involving new construction or a change of use on the first story, the use of at least forty percent (40%) of the gross floor area of the first story of such Proposed Project shall be for indoor Facilities of Public Accommodation, otherwise allowed for such Proposed Project or conditional and permitted pursuant to [Article 6](#).

Article 42F, Section 13

The Charlestown Navy Yard Subdistrict includes: the New Development Area (including Parcel 4, Parcel 5, Parcel 6, and Parcel 7; and Pier 5, Pier 6, Pier 7, Pier 8, and Pier 9; and the Housing Priority Area); the Historic Monument Area; the National Historical Park; and Shipyard Park.

The following provisions shall be applicable within the Charlestown Navy Yard Subdistrict:

1. **New Development Area: Density.** Because of the absence of conventional parcels of land and the policy of guiding development in the New Development Area in accordance with the Charlestown Navy Yard Master Plan, building density in the New Development Area shall be regulated through limitations on gross floor area. The Department of Inspectional Services shall not issue a certificate of occupancy with respect to a Proposed Project or portion thereof in the New Development Area unless the Boston Redevelopment Authority has certified that such issuance shall not cause any of the following occupancy limitations to be exceeded. The total occupancy allowed for each location indicated in Table B of this Article shall be the gross floor area of buildings in such location in existence as of the effective date of this Article plus the additional gross floor area for such location indicated in the column headed "Maximum New Square Feet of Gross Floor Area." However, with respect to:
 - (a) Parcels 6 and 7, no more than one-half of such Maximum New Square Feet of Gross Floor Area shall be occupied prior to January 1, 1994; and
 - (b) Pier 5, none of such Maximum New Square Feet of Gross Floor Area shall be occupied prior to January 1, 1994.

TABLE B Occupancy Limits for New Development Area

Location	Maximum New Square Feet of Gross Floor Area*
(a) Parcel	440,000
(b) Parcel 5	325,000
(c) Parcels 6 and 7	1,625,000†

(d) Pier 5	245,000†‡
(e) Piers 6, 7, 8, and 9	28,000
(f) Housing Priority Area	144,000

* The Maximum New Square Feet of Gross Floor Area allowed before January 1, 1994, may also be constructed and occupied after January 1, 1994.

† Provided that no more than 550,000 square feet, not including off-street parking, shall be occupied prior to January 1, 1994. Parking uses shall be included in the computation of total square feet of floor area of occupancy on Parcels 6 and 7 whether such uses are located above or below grade. Of the 1,625,000 square feet of gross floor area of occupancy available within the stated limit, 450,000 square feet shall be reserved exclusively for parking and shall not be available for other uses.

‡ Provided that none of such area on Pier 5 shall be occupied prior to January 1, 1994.

Article 51, Footnotes to Table D

1. For applicability of the dimensional regulations of this Table D to buildings and structures used for Institutional Uses, see Section 51-29.2 (Pre-existing Uses and Structures), Section 80D-2.4 (Regulations Applicable to Exempt Projects), and [Section 80D-11](#) (Institutional Master Plan Review: Effect on Applicability of Other Zoning Requirements). See also [Section 51-29](#) (Institutional Master Plan Review Requirement) and [Section 80D-2](#) (Applicability of Institutional Master Plan Review) concerning the applicability of Institutional Master Plan Review to such buildings and structures.

(As amended on May 9, 1996.)

2. See Map 7A, Map 7B, Map 7C and Map 7D, and [Section 51-9\(1\)](#). In a 1F subdistrict, the maximum number of dwelling units allowed in a single structure shall be one (1). In a 2F subdistrict, the maximum number of dwelling units allowed in a single structure shall be two (2). In a 3F subdistrict, the maximum number of dwelling units allowed in a single structure, a Town House Building or in a Row House Building, shall be three (3) and the maximum number of Town House Buildings or Row House Buildings attached in a row shall be three (3).
3. For the purpose of determining Building Height, the floor area of a dormer on a Dwelling shall not be included in the floor area calculation for a half story; provided that such dormer is not wider than eight (8) feet and the ridge line of the dormer does not exceed the ridge line of an existing Structure of which it is a part, or thirty-five (35) feet, whichever is less; and provided further that only the floor area of two such dormers shall not be included in the floor area calculation for a half story. However, the floor area of such dormers shall be included in Gross Floor Area of the Dwelling.
4. Applicable only to Residential Uses and Dormitory/Fraternity Uses. In MFR Subdistricts, all or part of the usable open space requirement may be met by suitably designed and accessible space on balconies of Main Buildings or on the roofs of wings of Main Buildings or on the roofs of Accessory Buildings.
5. See ~~Section 51-50.2~~ **Section 51-57.2**, Conformity with Existing Building Alignment. A bay window may protrude into a Front Yard.
6. At least five (5) feet from a side lot line and ten (10) feet from an existing structure on an abutting lot, and the aggregate side yard width shall be not less than fifteen (15) feet.
7. Semi-attached Dwellings, Town House Buildings, and Row House Buildings are only required to have side yards on sides that are not attached to another Dwelling.
8. The maximum Floor Area Ratio (FAR) shall be 1.0 in areas designated on Map 7A, Map 7B, Map 7C and Map 7D as "MFR-1" and 2.0 in areas designated on Map 7A, Map 7B, Map 7C and Map 7D as "MFR-2."
9. In a Multifamily Residential Subdistrict, for any Proposed Project on a Lot fronting on Commonwealth Avenue, the maximum Building Height shall be fifty-five (55) feet.

Article 80A, Section 2

1. **Notice of Receipt of Required Document.** Within five (5) days after the Boston Redevelopment Authority has received any document required of the Applicant pursuant to [Section 80B-5](#), [Section 80C-5](#), or [Section 80D-5](#),

the Boston Redevelopment Authority shall publish notice of the receipt of such document in the manner required by subsection 3 (Publication of Notice) of this [Section 80A-2](#). The Boston Redevelopment Authority shall make such document available online via the Proposed Project website hosted by the City of Boston Planning Department and make one or more copies of such document available for public inspection at the offices of the Authority.

2. **Notice of Boston Redevelopment Authority Hearing.** At least ten (10) days prior to any hearing before the Boston Redevelopment Authority that is required pursuant to [Section 80B-5](#), [Section 80C-5](#), or [Section 80D-5](#), the Boston Redevelopment Authority shall publish notice of such hearing in the manner required by subsection 3 (Publication of Notice) of this [Section 80A-2](#).
3. **Publication of Notice.**
 - (a) **Manner of Publication.** Whenever the Boston Redevelopment Authority is required by this Article to publish notice pursuant to this [Section 80A-2](#), the Authority shall publish such notice online via the Planning Department website, via an electronic distribution list available to the public, and **to the City's public agencies in any electronic publication that is issued on the City's behalf and is distributed in general circulation to the City's public agencies** within the time periods required by this [Section 80A-2](#). **If such notice concerns the issuance of a Scoping Determination or Adequacy Determination that waives further review, the Boston Redevelopment Authority shall publish notice of the issuance of such Determination online via the Planning Department website.**
 - (b) **Content of Notice.** Any notice required by this [Section 80A-2](#) shall contain the following information:
 - (i) **Applicant.** The Applicant's name;
 - (ii) **Location.** The location of the Proposed Project and, if the required notice concerns a PDA Development Plan, PDA Master Plan, or Institutional Master Plan, the area to which such plan relates;
 - (iii) **Documents Filed; Opportunity for Comment.** If such notice is required by subsection 1 (Notice of Receipt of Required Document) of this [Section 80A-2](#), such notice shall specify the type of document filed and the review required (for example, a Project Notification Form for Large Project Review), a brief summary of the project proposed, and the approval requested by such document, the date on which the Boston Redevelopment Authority received such document, the date on which written comments must be received by the Boston Redevelopment Authority, and the method by which copies of the document may be reviewed or obtained;

(iv) **Possible Waiver of Further Review.** If such notice concerns the receipt of a Project Notification Form or Project Impact Report for Large Project Review, such notice shall contain a statement indicating that the Boston Redevelopment Authority, in the Scoping Determination or Adequacy Determination for such PNF or PIR, may waive further review, pursuant to Section 80B-5.3(d) or Section 80B-5.4(iv), if, after reviewing public comments, the Authority finds that such PNF or PIR adequately describes the Proposed Project's impacts; and

(v) **Hearing.** If such notice is required by subsection 2 (Notice of Boston Redevelopment Authority Hearing), such notice shall specify the time and place of the hearing and the method by which copies of the document to be considered at the hearing may be reviewed or obtained.

4. **Public Comments.** Public comments, including the comments of public agencies, shall be submitted in writing to the Boston Redevelopment Authority within the time periods specified in this Article.