# Updates to Dimensional Definitions and Code Structure

Planning Department

CITY of BOSTON

# PROJECT OVERVIEW

## CURRENT CODE

- Provisions which explain what dimensions are and how they're measured exist in various places throughout the Code
  - *the definitions in Article 2*
  - *the "base code" Articles of 12-22*
  - *various sections in neighborhood article*
- Many of these definitions/provisions are outdated.

## PROJECT GOALS

- Add diagrams and update language to make the Zoning easier to understand.
- Update definitions/provisions to align with current practice and planning goals as needed.
- Delete redundancies for definitions and "how-to measure" rules which apply everywhere.
  - *Some currently district-specific measurements will become city-wide, many will remain district specific.*

# IMPORTANT CHANGES

# MAJOR SIMPLIFICATION TO CODE STRUCTURE BY CONSOLIDATING ORIGINAL "BASE CODE" ARTICLES INTO ONE ARTICLE

*Original 1964 "base code" = Articles 12-22. Mostly superseded by neighborhood articles.*

| CURRENT 12-22 TEXT | | DRAFT |
|---|---|---|
| REPEATED IN ARTICLE 2 | → | REMAINING IN ARTICLE 2, DELETING REDUNDANCY |
| SPECIFIC TO ORIGINAL BASE CODE DISTRICTS / REPEATED IN OTHER DISTRICT ARTICLES | → | MOVING TO NEW CONSOLIDATED DISTRICT ARTICLE (13) |
| OUTDATED | → | DELETED FROM CODE |

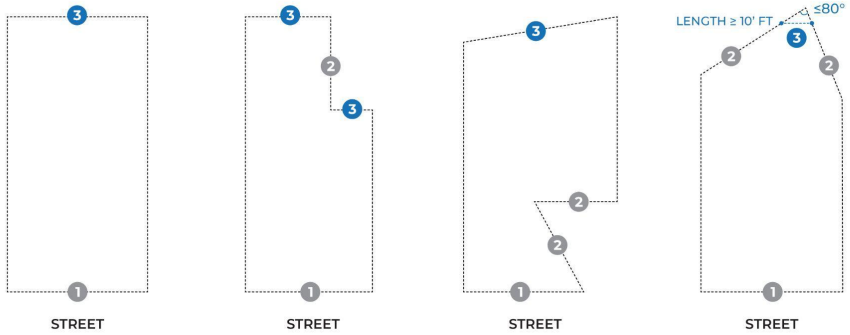
*After amendment, all districts will have a district article and (mostly) the same set of citywide articles*

# ADDED DIAGRAMS TO BOTH NEW AND EXISTING DEFINITIONS

## Examples:

### *Rear Lot Line Diagram:*

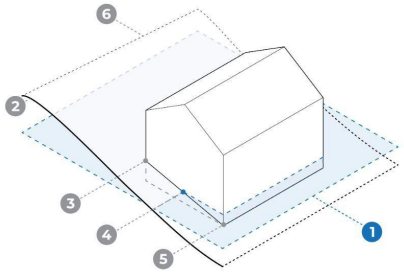
**Diagram Key:** 1 Primary Front Lot Line 2 Side Lot Line 3 Rear Lot Line




### *Grade Plane Diagram:*

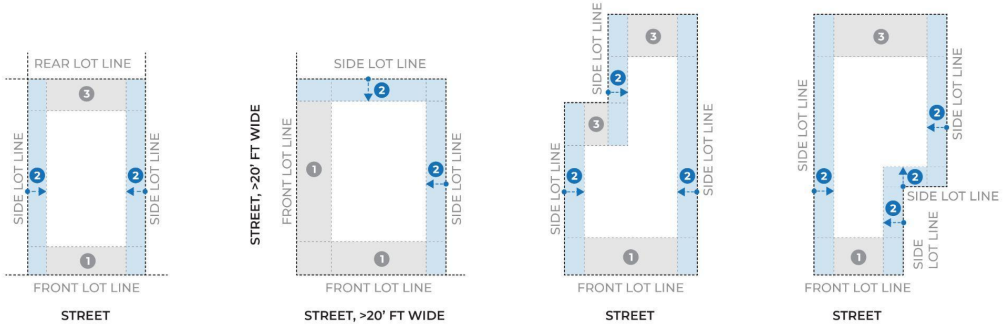
**Diagram Key:**

1. Grade Plane
2. Primary Front Lot Line
3. Highest Point
4. Average Elevation
5. Lowest Point
6. Lot Lines



### *Side Yard Diagram:*

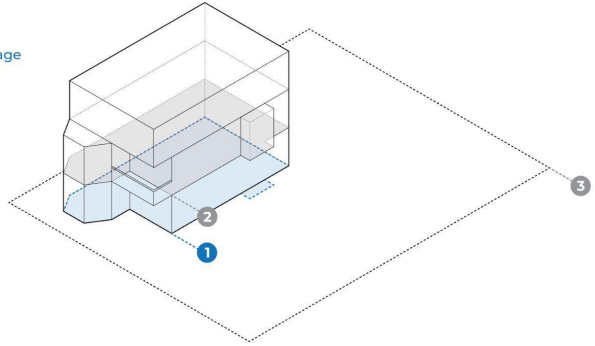
**Diagram Key:** 1 Front Yard 2 Side Yard 3 Rear Yard




### *Building Lot Coverage Diagram:*

**Diagram Key:**

1. Building Lot Coverage (% of lot area)
2. Largest Building Floor Plate
3. Lot Area



# VARIOUS REFINEMENTS TO LOT LINE AND YARD DESIGNATIONS TO SIMPLIFY ZONING AND IMPROVE OUTCOMES ON IRREGULAR LOTS

Specifics:

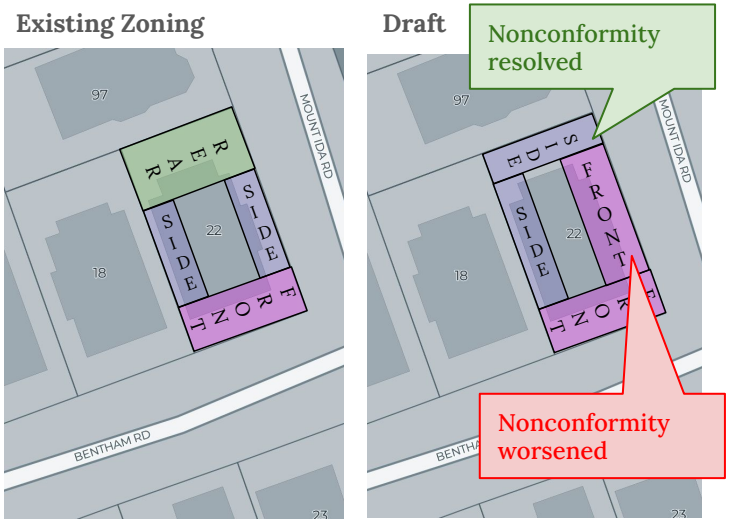
- Adding the ability to designate Lot Lines through Article 80 or Article 28 site plan review.
- The Lot Line designation will always be the same as the Yard designation.
- Small Corner Lots will have two Fronts and two Sides.

Reasons:

- For Corner Lots, we want Front Yards wherever a Lot Line abuts a street for public realm. The other two Yards are Side Yards instead of having a Rear Yard so there is more flexibility.

Effect on existing zoning:

- Could create some new non-conformities and while eliminating other non-conformities.



# REQUIRED YARDS MORE OPEN TO THE SKY

Specifics:

- No longer allowed to encroach into required min Yards: Bay Windows, porches, balconies
- Still allowed to encroach into required min Yards: signs, fire escapes and window egress wells, steps and ramps, ornamental features, fences (below certain height)
- To be allowed to encroach into required min Yards (not allowed currently): plantings such as hedges, awnings and canopies

Reasons:

- Required minimum Yards are true open space.
- Simpler list of exempt structures that can encroach.
- New districts will right-size minimum yards so exemptions are not needed for common and desirable features.

Effect on existing zoning:

- Could create new non-conformities. However, it is unlikely that this would be the only non-conformity, meaning we are not creating new ZBA cases.
- Bay Windows will continue to be allowed in required Front Yards in most existing districts because that exemption is in a footnote in the district articles. They will no longer be allowed in required Side and Rear Yards because that exemption is currently in Article 2.

# PORCHES AND BALCONIES EXCLUDED FROM SOME BUILDING MEASUREMENTS

Specifics:

- Porches and balconies now excluded from
  - Building Width
  - Building Depth
  - Building Floor Plate
  - Building Lot Coverage

Reasons:

- These dimensions should only measure the enclosed space of the building.
- Excluding porches and balconies makes it more likely these features will be built or retained.

# BUILDING HEIGHT MEASURED TO AN EXTERIOR RATHER THAN INTERIOR PART OF THE ROOF

Specifics

- Height now measured to the average of the highest roof surface, rather than the highest point of the roof beam

Reasons:

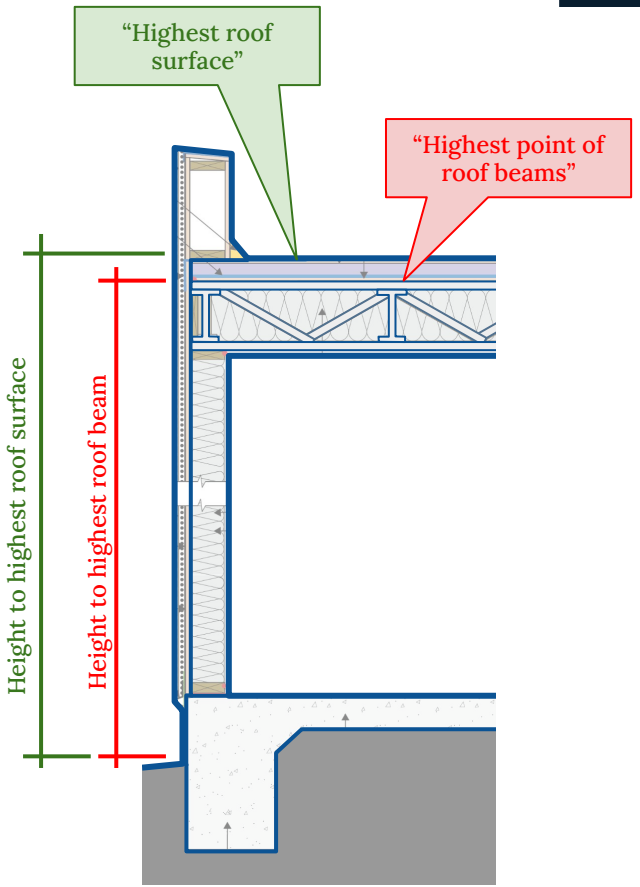
- More intuitive for professionals because this aligns with Building Code
- More intuitive for the public because it includes all visibly massed height.

Effect on existing zoning:

- Existing buildings tend to be more restricted by height as measured in stories than as measured in feet, so this is unlikely to cause new non-conformities.

Note:

- Future districts need to continue to allow extra height in feet to account for space for additional roof insulation under updated Energy Code.



# EXPANDED BUILDING HEIGHT EXEMPTIONS TO ALLOW FOR ROOFTOP SOLAR AND ROOF DECKS

Specifics/reasons

- Things like mechanicals are still only exempt if if they cover less than ⅓ of the roof area, but there's also now exceptions for:
  - Solar Energy Systems
    - to support with clean energy goals
  - Roof decks less than 3 feet tall
    - to allow roof decks as Outdoor Amenity Space and reduce roof deck ZBAs (although roof structure restricted districts still exist in many areas)
  - Architectural elements like parapets and eaves
    - as these do not have substantial massing

# REMOVED DOWNTOWN ROOFTOP STRUCTURE EXCEPTION

Specifics

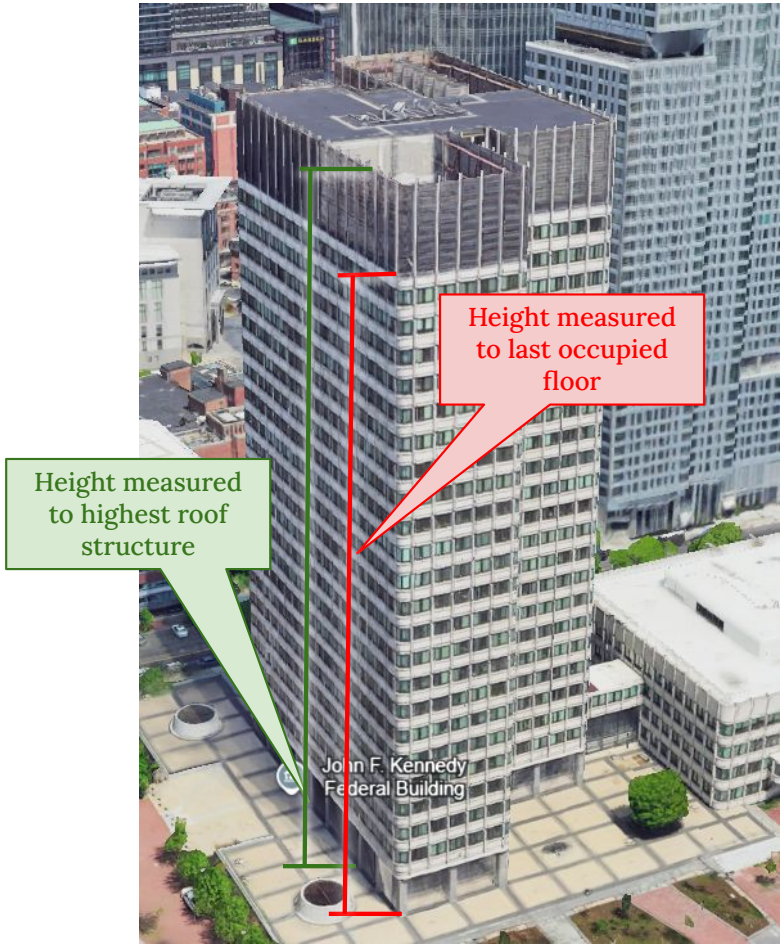
- Deleted this part of Building Height: "In a Downtown district established under Section 3-1C (Neighborhood District), if a building is subject to Article 80B (Large Project Review), Building Height shall be measured to the top of the structure of the last occupied floor."
- This acts as a mechanical exemption only for Large Projects in Downtown.

Reasons

- Make more consistent.
- New height requirements established in new Skyline zoning districts were created so that building is feasible without this exemption.
- Much of Downtown impacted by state shadow laws, which are performance-based measures based on massing and impact.

Effect on existing zoning:

- Should not create nonconformities in most of Downtown because Skyline and Chinatown have recently updated zoning.



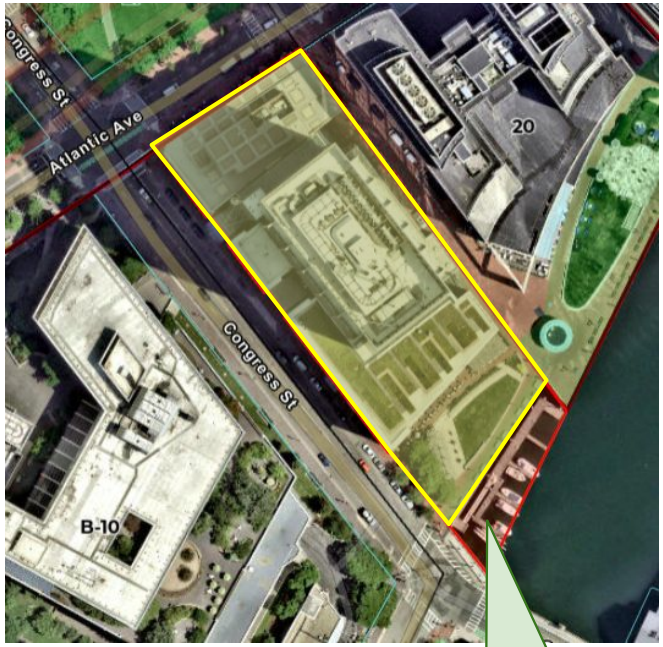
# CLARIFICATION THAT THE DENOMINATOR IN FAR IS LOT AREA

Specifics:

- Currently, FAR is defined as "The ratio of Gross Floor Area of a structure to the *total area of the Lot*."
- There has been inconsistent interpretation about whether "total area of the Lot" is synonymous with "Lot Area"
- Proposed draft changes "total area of the Lot" to "Lot Area"

Reasons:

- There are exclusions in the definition of Lot Area (such as land under water) that we want to consistently apply when calculating FAR.
- Overall clearer and more consistent.




Area under water excluded from Lot Area and thus the FAR calculation

# CLARIFICATION THAT STRUCTURES LIKE PIERS ARE INCLUDED IN LOT AREA

Specifics:

- Lot Area excludes open water. Added language to clarify that permanent structures such as piers are still included in Lot Area.

Reasons:

- Permanent structures like piers and wharves are buildable area.
- Brings the general Lot Area definition in closer alignment with the Lot Area definition found in Article 42, which applies to the Harborpark area.

Piers included in Lot Area

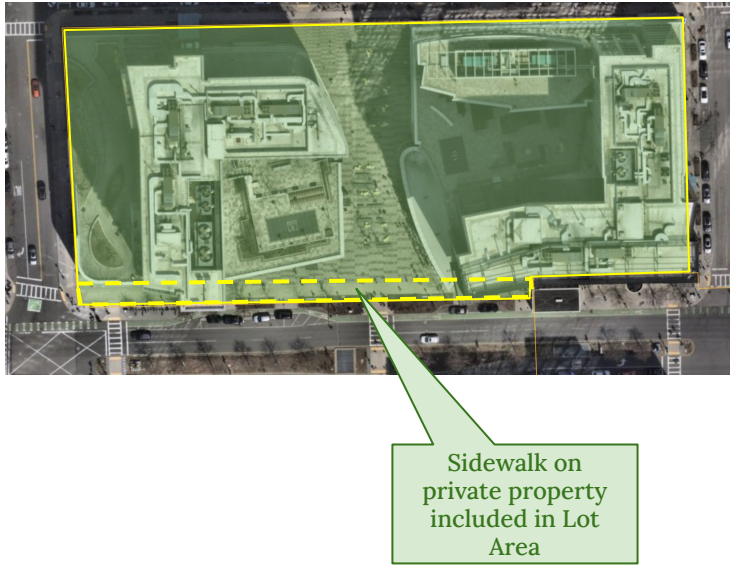
# SIDEWALKS ON PRIVATE LAND INCLUDED IN LOT AREA

Specifics:

- Lot Area = denominator for many requirements (FAR, Building Lot Coverage, etc), so property owners want to ensure they are not penalized for dedicating Lot Area to public access
- Lot Area currently excludes “Street” (which includes sidewalks). This exclusion is now only for vehicular roadways.

Reasons:

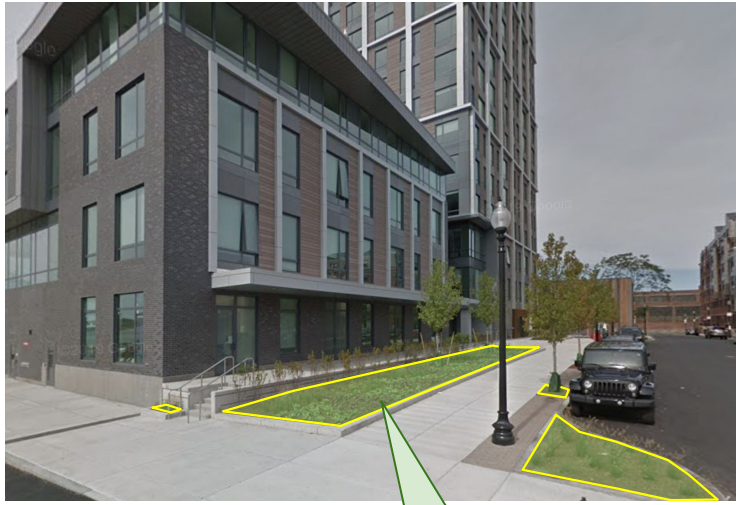
- Removes penalty for the creation of new/expanded sidewalks on private land.



# AREA IN PUBLIC RIGHT-OF-WAY INCLUDED IN PERMEABLE AREA OF LOT FOR ART 80 PROJECTS

Specifics:

- Added: "For a Proposed Project that is subject to or has elected to comply with Small or Large Project Review under Article 80 (Development Review and Approval) or review under Article 28 (Design Review), Permeable Area of Lot may include permeable area in the public right-of-way adjacent to the Lot if such area is created by the Proposed Project and is either maintained by the Proposed Project or accepted by the Public Improvement Commission for City maintenance."



Area in public right-of-way could be counted for required Permeable Area of Lot

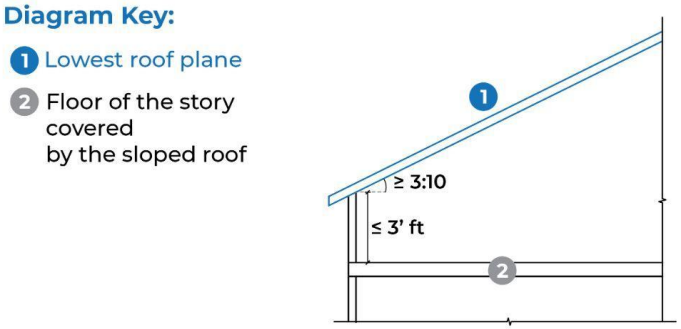
Reasons:

- Projects get zoning benefits for public improvements, particularly of green infrastructure, which frequently is most beneficial in the the public right-of-way.

# ADDED DEFINITION FOR NEW TERM “SLOPED ROOF STORY”

Specifics:

- “Sloped Roof Story: A Story where the lowest roof plane has a slope greater than 3:10 and the point where the interior face of the lowest roof plane and interior face of the exterior wall intersect is no greater than three (3) feet above the finished floor of the Story covered by the Sloped Roof.”




Reasons:

- To be used in lieu of “half-story” in new Neighborhood Housing districts.

# ADDED DEFINITION FOR NEW TERM "SLOPED ROOF STORY"

Example: The definition specifies that the lowest roof plane must comply. This is written to allow for mansard roofs and roofs with dormers.

# ADDED DEFINITION FOR NEW TERM “SLOPED ROOF STORY”

Example: In the Neighborhood Housing Dormer Districts we have a requirement that the 3rd Story must be a Sloped Roof Story. The interior vertical wall (aka knee or pony wall) at the exterior cannot be taller than 3’. The intent is for the top occupiable floor to contain the slope.

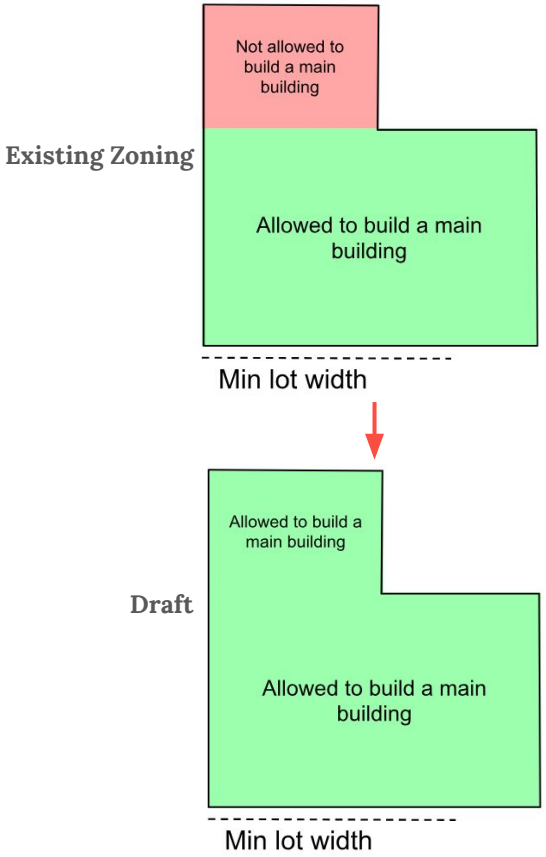
# LOT WIDTH DOES NOT RESTRICT BUILDING AS LONG AS ANY PART OF THE LOT EXCEEDS REQUIRED LOT WIDTH

Specifics:

- Currently, in districts with a minimum Lot Width, you can only build a main building on the part of the lot that exceeds the Lot Width.
- In proposed draft, if any part of the lot is above the Lot Width, the whole lot is unrestricted by the minimum Lot Width.

Reasons:

- Simplifies measurement methodology
- Yards minimums/IBC building separation requirements ensure that portions of lots that are smaller than minimum Lot Width are still safe when built upon.



# THANK YOU

For the full annotated draft and information about office hours and public meetings, go to bosplans.org/dimdefs

## HAVE QUESTIONS?

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