

^ARTICLE 52

**DORCHESTER AVENUE NEIGHBORHOOD DISTRICT**

(^Article inserted on March 19, 1992\*)

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As of June 10, 2009

\*Date of public notice: February 1, 1992 (see St. 1956, c. 665, s.5).

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**SECTION 52-1. Statement of Purpose, Goals, and Objectives.** The purpose of this Article is to establish zoning regulations to implement the land use objectives for the Dorchester Avenue Neighborhood District as set forth in the Dorchester Avenue Interim Planning Overlay District, Article 27H of this Code. The goals and objectives of this Article and the Dorchester Avenue Urban Design Study are to protect and promote Dorchester Avenue as a gateway to the residential community and a vibrant mixed-use commercial center; to provide for the development of Dorchester Avenue in accordance with appropriate urban design and development controls and guidelines; to insure the compatibility of new buildings in terms of siting, scaling, massing, and architectural design, with existing neighborhood buildings; to promote the viable neighborhood economy, and provide for new economies and expansion of job opportunities; to enhance the appearance of residential, commercial, and industrial areas; to improve the quality of signage; to maintain and expand the stock of affordable housing; to preserve, enhance and create open space; to protect the environment and improve the quality of life; to promote the most desirable use of land; and to promote the public safety, health, and welfare of Dorchester residents and of the people of Boston.

**SECTION 52-2. Recognition of the Dorchester Avenue Design Guidelines.** This Article is an integral part of this Code and is one of the means of implementing the land use objectives set forth in Article 27H, the Dorchester Avenue Interim Planning Overlay District. Section 27H-7 of this Code sets forth, as one of the principal purposes of the revised zoning for Dorchester Avenue, the development of design guidelines, including sign regulations, to enhance the aesthetic character and economic viability of the area making up the Dorchester Avenue Neighborhood District. Pursuant to Section 27H-14 of this Code, and to Section 70 of Chapter 41 of the Massachusetts General Laws, Section 652 of the Acts of 1960, and Section 3 of Chapter 4 of the Ordinances of 1952, the Boston Redevelopment Authority developed such guidelines, which are set forth in a publication of the Boston Redevelopment Authority entitled "Design Guidelines for Dorchester Avenue: A Citizens' Handbook" (hereafter "Design Guidelines for Dorchester Avenue"). The Commission hereby recognizes the Design Guidelines for Dorchester Avenue as the planning basis for the design guidelines and regulations, including guidelines and regulations for signage, for the Dorchester Avenue Neighborhood District.

**SECTION 52-3. Physical Boundaries.** The provisions of this Article are applicable only in the Dorchester Avenue Neighborhood District. The boundaries of the Dorchester Avenue Neighborhood District and its subdistricts are as shown on Maps 5J and 5K, entitled "Dorchester Avenue Neighborhood District" and Map 5L, entitled "Dorchester Avenue Neighborhood District," all of the series of maps entitled "Zoning Districts City of Boston," as amended.

**SECTION 52-4. Applicability.** This Article together with the rest of this Code constitute the zoning regulation for the Dorchester Avenue Neighborhood District and apply as specified in Section 4-1 regarding the conformity of buildings and land to this Code. Zoning relief in the form of exceptions from the provisions of this Article pursuant to Article 6A, is not available except to the extent expressly provided in this Article or Article 6A. Application of the provisions of Article 27H to the Dorchester Avenue Neighborhood District is rescinded, and the Dorchester Avenue Interim Planning Overlay District is extinguished on the effective date of this Article, except as provided

below. Where conflicts exist between the provisions of this Article and the remainder of the Code, the provisions of this Article shall govern. Except where specifically indicated in this Article, the provisions of this Article supersede Section 8-7 and Articles 13 through 24 of this Code for the Dorchester Avenue Neighborhood District. A Proposed Project shall be exempt from the provisions of this Article, and shall be governed by the rest of this Code, if application to the Inspectional Services Department for a building or use permit has been made prior to the first notice of hearing before the Zoning Commission for adoption of this Article, and (1) no Zoning Relief is required, or (2) any required Zoning Relief has been or thereafter is granted by the Board of Appeal; provided that construction work under such building permit, or occupancy under such occupancy permit, as the case may be, is commenced within six (6) months of the date of such permit and proceeds in good faith continuously so far as is reasonably practicable under the circumstances.

**SECTION 52-5. Prohibition of Planned Development Areas.** Within the Dorchester Avenue Neighborhood District, Planned Development Area designations may be permitted.

**SECTION 52-6. Community Participation.** This Article has been developed with the extensive participation of the Dorchester Avenue Planning and Zoning Advisory Committee, civic associations, business groups, and residents. The role of community participation in determining appropriate land use regulations and zoning is critical to the success of any zoning article or development plan. To continue that process, the Boston Redevelopment Authority shall continue to involve the Dorchester Avenue Planning and Zoning Advisory Committee or its successor organization, if any, and the Dorchester Avenue civic associations, residents, and business and trade groups in an ongoing role in advising the City on land use planning for Dorchester Avenue.

## REGULATIONS APPLICABLE IN RESIDENTIAL SUBDISTRICTS

**SECTION 52-7. Establishment of Residential Subdistricts.** This Section 52-7 establishes Residential Subdistricts within the Dorchester Avenue Neighborhood District. The purpose of the Residential Subdistricts is to maintain, enhance, and promote the character of residential neighborhoods in terms of density, housing type, and design; to provide for low- and medium-density multifamily housing appropriate to the existing built environment; and to encourage appropriate development which enhances the Residential Subdistricts while preventing overdevelopment. These Residential Subdistricts are designated as follows:

1. One-Family Residential ("1F") Subdistricts. The One-Family Residential ("1F") Subdistricts are established to preserve, maintain, and promote low-density one-family neighborhoods, to provide for new infill construction appropriate to the existing fabric, and to allow minor changes to occur as of right. In a 1F Subdistrict, the maximum number of Dwelling Units allowed in a single Building shall be one (1).
2. Two-Family Residential ("2F") Subdistricts. The Two-Family Residential ("2F") Subdistricts are established to preserve, maintain, and promote two-family neighborhoods, to preserve existing structures, to provide for new infill construction appropriate to the existing fabric, and to allow minor changes to occur as of right. In a 2F Subdistrict, the maximum number of Dwelling Units allowed in a single Building shall be two (2).
3. Three-Family Residential Subdistricts. Two types of Three-Family Residential Subdistricts, the Three-Family General Residential ("3F-G") Subdistricts, and the Triple-Decker Residential ("3F-D") Subdistricts, are established to preserve low-density three-family areas with a variety of housing types appropriate to the existing fabric, including one-, two-, and three-family dwellings, and to allow minor changes to occur as of right. In the 3F-G and 3F-D Subdistricts, the maximum number of Dwelling Units allowed in a single 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).

The Three-Family General Residential ("3F-G") Subdistricts are established in areas characterized by a variety of one-, two-, and three-family housing types, and the dimensional requirements for lots and structures in the 3F-G Subdistricts, as set forth in Table D of this Article, are designed to accommodate and encourage the construction of such a variety of housing types as of right in these subdistricts.

The Triple-Decker Residential ("3F-D") Subdistricts are established in areas where triple-decker housing remains the predominant housing type, and the dimensional requirements for lots and structures in the 3F-D Subdistricts, as set forth in Table D, are designed to accommodate and encourage the construction of triple-decker residential buildings as of right in these subdistricts.

4. Multifamily Residential ("MFR") Subdistricts. The Multifamily Residential ("MFR") Subdistricts are established to encourage medium density multifamily areas with a variety of allowed housing types, including one-, two- and three-family Dwellings, Row Houses, Town Houses, and Multifamily Dwellings.
5. Multifamily Residential/Local Services ("MFR/LS") Subdistricts. The Multifamily Residential/Local Services ("MFR/LS") Subdistricts are established to encourage medium-density multifamily areas with a variety of allowed housing types, including, one-, two-, and three-family Dwellings, Row Houses, Town Houses, Multifamily Dwellings, and ground floor Retail and Service Uses.

#### **SECTION 52-8. Use Regulations Applicable in Residential Subdistricts.**

1. Within the Residential Subdistricts, no land or Structure shall be erected, used, or arranged or designed to be used, in whole or in part, unless, for the proposed location of such use, the use is identified in Table A of this Article as "A" (allowed) or as "C" (conditional). Any use identified as conditional in Table A is subject to the provisions of Article 6. Any use identified as "F" (forbidden) in Table A for the proposed location of such use is forbidden in such location. Any use not included in Table A is forbidden in the Residential Subdistricts.
2. Basement Units: Notwithstanding any contrary provision of this Article or Code, Dwelling Units in a Basement are forbidden in the Dorchester Avenue Neighborhood District.

#### **SECTION 52-9. Dimensional Regulations Applicable in Residential Subdistricts.**

1. Lot Area, Lot Width, Lot Frontage, Yard, Building Height, and FAR Requirements. The minimum Lot Area, Lot Width, Lot Frontage, Usable Open Space per Dwelling Unit, Front Yard, Side Yard, and Rear Yard required for any Lot in a Residential Subdistrict, and the maximum allowed Building Height and Floor Area Ratio for such Lot, are set forth in Table C of this Article.
2. Allowed Additions in Required Yards. Within the One-Family Residential ("1F") Subdistricts, Two-Family Residential ("2F") Subdistricts, Three-Family General Residential ("3F-G") Subdistricts, and Triple-Decker Residential ("3F-D") Subdistricts, additions to existing Detached Dwellings or Main

Buildings may extend into a required yard (except the Front Yard) when the existing Detached Dwelling or Main Building is already nonconforming with respect to that yard; provided that such nonconformity affects at least seventy percent (70%) of the total length of the wall facing such required yard. The extension of the line formed by the principal alignment of the nonconforming wall of the Detached Dwelling or Main Building shall be the limit to which the addition may be built. The addition may extend up to the applicable maximum Building Height and may include a basement addition. The Floor Area Ratio of the existing Detached Dwelling or Main Building together with the new addition shall not exceed the maximum allowed Floor Area Ratio specified for the subdistrict. The addition to the nonconforming wall or walls shall comply with the following requirements:

- (a) Side Yard: When completed, the side wall of an addition to a nonconforming side wall is at all points at least five (5) feet from the Side Lot Line and ten (10) feet from an existing Detached Dwelling or Main Building on an abutting lot.
  - (b) Rear Yard: When completed, the rear wall of an addition to a nonconforming rear wall is at all points at least twenty (20) feet from the Rear Lot Line.
3. Lot Frontage. Within the One-Family Residential ("1F") Subdistricts, Two-Family Residential ("2F") Subdistricts, Three-Family General Residential ("3F-G") Subdistricts, and Triple-Decker Residential ("3F-D") Subdistricts, every Lot shall have a minimum frontage on a Street not less than the minimum Lot Width specified in Table C of this Article for such Lot, and, in addition, each Detached Dwelling, Semi-Attached Dwelling, Row House Building, and Town House Building on a Lot shall have a minimum frontage on a Street not less than such minimum Lot Width.
4. Location of Main Entrance. Within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line; provided that within a MFR/LS Subdistrict, for a Dwelling with a nonresidential use on the ground floor the entrance to a Residential Use above the ground floor may be on the side or rear elevation.

(^As amended on August 22, 1996.)

## REGULATIONS APPLICABLE IN NEIGHBORHOOD BUSINESS SUBDISTRICTS

### SECTION 52-10. **Establishment of Neighborhood Business Subdistricts.**

This Section 52-10 establishes Neighborhood Business Subdistricts within the Dorchester Avenue Neighborhood District. There are three types of Neighborhood Business Subdistricts: Local Convenience ("LC") Subdistricts, providing convenience retail and services for the immediate neighborhood and pedestrians; Neighborhood Shopping ("NS") Subdistricts, providing convenience goods and services to the larger neighborhood; and Community Commercial ("CC") Subdistricts, providing a diversified commercial environment serving larger markets. All three types of Neighborhood Business Subdistricts encourage the development of neighborhood businesses which provide essential goods and services as well as jobs and entrepreneurial opportunities for the Dorchester community.

Dorchester Avenue is one of the City's main boulevards. As such, it serves as a "front door" to the residential neighborhoods on either side. Since the physical character and visual image of Dorchester Avenue's commercial centers are critical to their success, appropriate signage, screening and buffering, and design guidelines and requirements, as provided in other sections of this Article, are vital to creating and reinforcing a positive image of the Neighborhood Business Subdistricts.

The following Neighborhood Business Subdistricts are established:

1. Pearl Street Local Convenience (LC) Subdistrict
2. Savin Hill Local Convenience (LC) Subdistrict
3. Adams Street Neighborhood Shopping (NS) Subdistrict
4. Melvinside Terrace Neighborhood Shopping (NS) Subdistrict
5. Glovers Corner Neighborhood Shopping (NS) Subdistrict
6. Lower Mills Neighborhood Shopping (NS) Subdistrict
7. Fields Corner Community Commercial (CC) Subdistrict

**SECTION 52-11. Use Regulations Applicable in Neighborhood Business Subdistricts.** Within the Neighborhood Business Subdistricts, no land or structure shall be erected, used, or arranged or designed to be used, in whole or in part, unless, for the proposed location of such use, the use is identified in Table B of this Article as "A" (allowed) or as "C" (conditional). Any use identified as conditional in Table B is subject to the provisions of Article 6. Any use identified as "F" (forbidden) in Table B for the proposed location of such use is forbidden in such location. Any use not included in Table B is forbidden in the Neighborhood Business Subdistricts.

**SECTION 52-12. Dimensional Regulations Applicable in Neighborhood Business Subdistricts.** The minimum allowed Lot Size, Lot Width, Lot Frontage, Front Yard, Side Yard, Rear Yard, and Usable Open Space required for any Lot in a Neighborhood Business Subdistrict, and the maximum allowed Floor Area Ratio and Building Height for such Lot, are set forth in Table D of this Article.



## REGULATIONS APPLICABLE IN LOCAL INDUSTRIAL SUBDISTRICTS

**SECTION 52-13. Establishment of Local Industrial Subdistricts.** This Section 52-13 establishes Local Industrial ("LI") Subdistricts within the Dorchester Avenue Neighborhood District. The purpose of the Local Industrial Subdistricts is to encourage the expansion of light manufacturing and research and development uses in a manner which is sensitive to and preserves the quality of life of the surrounding neighborhoods, and to encourage the development of new job opportunities within the Dorchester Avenue Neighborhood District.

Dorchester Avenue is one of the City's main boulevards. As such, it serves as the "front door" to the residential neighborhoods on either side. Since the physical character and visual image of Dorchester Avenue's commercial centers are critical to their success, appropriate signage, screening and buffering, and design guidelines and requirements, as provided in other sections of this Article, are vital to creating and reinforcing a positive image of the Local Industrial Subdistricts.

The following Local Industrial Subdistricts are established:

1. Von Hillern Street Local Industrial (LI) Subdistrict
2. Locust Street Local Industrial (LI) Subdistrict
3. Glovers Corner Local Industrial (LI) Subdistrict

**SECTION 52-14. Use Regulations Applicable in Local Industrial Subdistricts.** Within the Local Industrial Subdistricts, no land or Structure shall be erected, used, or arranged or designed to be used, in whole or in part, unless, for the proposed location of such use, the use is identified in Table B of this Article as "A" (allowed) or as "C" (conditional). Any use identified as conditional in Table B is subject to the provisions of Article 6. Any use identified as "F" (forbidden) in Table B for the proposed location of such use is forbidden in such location. Any use not included in Table B is forbidden in the Local Industrial Subdistricts.

**SECTION 52-15. Dimensional Regulations Applicable in Local Industrial Subdistricts.** The minimum Lot Size, Lot Width, Lot Frontage, Front Yard, Side Yard, Rear Yard, and Usable Open Space required for any Lot in a Local Industrial Subdistrict, and the maximum allowed Floor Area Ratio and Building Height for such Lot, are set forth in Table D of this Article.

**SECTION 52-16. Performance Standards.** The following effects shall not be allowed from any use within Local Industrial Subdistrict:

1. Any emission of any air, water, or other pollutants or of radiation or any release of toxic or biohazardous material in violation of federal, state, or local standards or regulations.
2. Any noise, air pollutant, vibration, dust, odor, change of temperature, or direct or sky-reflected glare which emanates more than fifty (50) feet beyond the boundaries of the Lot upon which a use is located (or more than twenty (20) feet if the abutting lot into which such emanation occurs is within a

Residential Subdistrict), is detectable by the human senses without aid of instruments, and is of sufficient quantity or duration to cause annoyance or interference with normal activities.

For general performance standards applicable to all industrial uses, see the definition of "performance standards" as set forth in Article 2A.

(^As amended on August 22, 1996.)

## REGULATIONS APPLICABLE IN OPEN SPACE SUBDISTRICTS

SECTION 52-17. **Establishment of Open Space Subdistricts.** This Section 52-17 designates Open Space Subdistricts in the Dorchester Avenue Neighborhood District. The purpose of the Open Space Subdistricts is to enhance the quality of life for Dorchester residents by protecting open space resources. Any Lot within any Open Space Subdistrict is subject to the provisions of this Article and the remainder of the Code, including without limitation, Article 33, Open Space Subdistricts. The Open Space Subdistricts designated in the Dorchester Avenue Neighborhood District are listed in Table 1 of this Section 52-17 and are of the following types:

1. Air-Right Open Space (OS-A) Subdistrict. Air-Right Open Space Subdistricts consist of land used as Transit Corridors owned by a Public Agency. Air-Right Open Space Subdistrict regulations, as established in Section 33-16, apply only to the development of spaces over such Transit Corridors.
2. Cemetery Open Space (OS-CM) Subdistrict. Cemetery Open Space Subdistricts are designated for interment uses, and are subject to provisions of Section 33-14.
3. Recreation Open Space (OS-RC) Subdistrict. Recreation Open Space Subdistricts are designated for active or passive recreational uses, including walkways, physical education areas, children's play areas, swimming pools, skating rinks, and sporting areas, or a combination thereof, and are subject to the provisions of Section 33-10.
4. Parkland Open Space (OS-P) Subdistrict. Parkland Open Space Subdistricts shall consist of land appropriate for passive recreational uses, including walkways, picnic areas, and sitting areas; such land may include Vacant Public Land; and are subject to the provisions of Section 33-9 of the Code.

TABLE 1

**Open Space Subdistricts Designated in the  
Dorchester Avenue Neighborhood District**

<u>Type of Open Space Subdistrict</u>	<u>Name/Location</u>
Air Right	MBTA Tracks/Conrail Tracks Southeast Expressway MBTA Tracks at Ashmont Tunnel
Cemetery	Dorchester Cemetery
Recreation	Dorchester Park Robert Ryan Playground Town Field
Parkland	John W. McCormack Memorial Park Fields Corner Island Columbia Road Triangle

## REGULATIONS APPLICABLE IN NEIGHBORHOOD DESIGN OVERLAY DISTRICTS

**SECTION 52-18. Establishment of Neighborhood Design Overlay Districts.** This Section 52-18 establishes Neighborhood Design Overlay Districts as overlays to commercial and residential subdistricts within the Dorchester Avenue Neighborhood District.

The Neighborhood Design Overlay Districts are established to protect the historic character, existing scale, and quality of the pedestrian environment of these neighborhoods which give Dorchester Avenue its unique architectural character. For applicability of the Design Component of Small Project Review to Proposed Projects in Neighborhood Design Overlay Districts, see Article 80. All use, dimensional, and other provisions applicable to the underlying subdistricts are applicable within the Neighborhood Design Overlay Districts. The following Neighborhood Design Overlay Districts are established:

1. Lower Mills Neighborhood Design Overlay District. Lower Mills is located at the southernmost end of Dorchester Avenue, with its center at Pierce Square, where Dorchester Avenue meets Washington Street and Adams Street. Lower Mills was one of the earliest centers of industry in the United States and today is characterized by distinctive commercial and industrial buildings, most notable of which is the Baker Chocolate Mills. Many such buildings date from the late nineteenth century and the early years of this century and retain the ornamental detailing of that era. The Neighborhood Design Overlay District covers the section of Lower Mills located along Dorchester Avenue between the northern side of Richmond Street and Pierce Square. In the 1970s and 1980s, many of the commercial properties in this section of Lower Mills were renovated, and extensive streetscape improvements, including brick sidewalks and acorn streetlamps, were added to enhance the historic character of the area.
2. Peabody Square Neighborhood Design Overlay District. Peabody Square is located in the Ashmont section of Dorchester and is created by the intersection of Dorchester and Talbot Avenues and Ashmont and Bushnell Streets. The square is marked by the presence of a street clock designed by architect William Downes Austin and erected in 1909. Peabody Square is a commercial area surrounded by several buildings of various vintages including an 1884 Queen Anne shingle-style building of architectural importance, a circa-1900 Jacobean-style apartment house, and an 1893 Romanesque-style fire station.

(^As amended on May 9, 1996)

## REGULATIONS GOVERNING DESIGN

SECTION 52-19. [Applicability of Article 31 Development Review Requirements.]  
Deleted on May 9, 1996 by Text Amendment No. 230.

### **^SECTION 52-20. Design Review and Design Guidelines.**

1. Applicability of Design Review. To ensure that growth in the Dorchester Avenue Neighborhood District is compatible with the character of the buildings and urban design features of the neighborhood, design review is required for certain Proposed Projects through Large Project Review (Urban Design Component) or Small Project Review (Design Component), pursuant to Article 80 of this Code.

To determine whether a Proposed Project is subject to Large Project Review, see Section 80B-2 (Applicability of Large Project Review).

To determine whether a Proposed Project is subject to Small Project Review, see Section 80E-2.1 (Applicability of Small Project Review: Design Component) and this Section 52-20.1. In addition to those Proposed Projects described in Section 80E-2.1, the following Proposed Projects are subject to the Design Component of Small Project Review, pursuant to paragraph (b)(iv) (Design Review Required by Underlying Zoning) of said Section 80E-2.1:

- (a) Certain Projects in Local Industrial Subdistricts. Within the Local Industrial Subdistricts, any Proposed Project for the erection or extension of a Building with a gross floor area of five hundred (500) or more square feet, or for an exterior alteration affecting five hundred (500) or more square feet of a Building facade, if such new Building, extension, or facade alteration is visible from any public street or public open space;
  - (b) Certain Projects in Neighborhood Business Subdistricts. Within the Neighborhood Business Subdistricts, any Proposed Project for the erection or extension of a Building with a gross floor area of three hundred (300) or more square feet, or for an exterior alteration affecting three hundred (300) or more square feet of a Building facade, if such new Building, extension, or facade alteration is visible from any public street or public open space; and
  - (c) Certain Signs. The erection, extension, or alteration of any internally lit sign not located inside a Building.
2. Design Guidelines. This Section 52-20.2 establishes the following design guidelines for the Dorchester Avenue Neighborhood District.

- (a) Site planning, including location of buildings, open space, and vehicular access and parking areas, should be designed to enhance the street frontage and surrounding building and spaces.
- (b) Vehicular access and egress to a site should provide safe visual access for drivers and pedestrians.
- (c) Parking, storage, and disposal areas should not be located in the front of buildings, unless there are special circumstances, such as existing building locations or site conditions, that make it necessary. Wherever practicable, such areas should be located behind buildings. Parking, storage, and disposal areas should be adequately screened from public view by suitable fencing and vegetation.
- (d) New or rehabilitated residential buildings should reflect and complement the patterns of height, siting, and architectural character of the surrounding residential structures. The removal or alteration of any historic architectural feature should be held to a minimum.
- (e) New or rehabilitated commercial buildings should reflect and complement the patterns of height, siting, and architectural character of historically distinctive commercial buildings in the surrounding area.
- (f) For industrial buildings, siting and design of new construction and rehabilitation of existing buildings should be compatible with pedestrian activity. Accordingly, an adequate landscaped buffer should be located along the frontage between the sidewalk edge and the Street Wall. Where the provision of windows in the Street Wall is impracticable, articulation of the Street Wall by other means is encouraged.
- (g) In the rehabilitation of residential or commercial buildings, deteriorated architectural features should be repaired rather than replaced, wherever possible and appropriate. In the event that replacement is necessary, the new material should be compatible with the existing in composition, design, texture, and appearance. Repair or replacement of missing architectural features should be based, where appropriate, on accurate duplication of original features of the building to be rehabilitated or those of other buildings of the same style and period.
- (h) Contemporary design for residential structures shall not be discouraged, if such design is compatible with the size, material, and character of the surrounding neighborhood environment.
- (i) New residential construction should reflect the traditional location and relationship of buildings on their sites. This includes setback from streets, spacing among buildings, and orientation of openings to the street and neighboring structures. In addition, the location of the buildings should respect significant landscape features on the site.

- (j) New residential construction should respect the standards of scale of existing residential construction in order to maintain the subdistrict's special qualities. Overall building height and massing, relationships of primary buildings to secondary buildings, and landscape elements all should be consistent with the surrounding architecture and environment.
- (k) Open spaces, building entrances, shop fronts, shop windows, shop entrances, terraces, gardens, arcades, and similar elements should be designed to enhance pedestrian activity and should encourage an active street life. Blank walls, without windows, facing onto pedestrian areas, should be avoided to the extent practicable in building designs.
- (l) Storefronts and display windows should be open and welcoming to the shopper and stroller. Facade treatments, building materials, and design details should be in keeping with the area's finest commercial architecture. Street Wall continuity should be maintained.
- (m) Setbacks, corner treatments, and other design details should be used to minimize the sense of bulk of structures, and ornamental and decorative elements appropriate to the urban context are encouraged.
- (n) Roofs of buildings should be designed to minimize the visibility of roof structures normally built above the roof and not designed to be used for human occupancy.
- (o) A zone for signs on the building facade should be established, clearly defined by a change in facade color and/or materials or by an articulation of the facade, and all permanent signs mounted on the building facade should be located within such sign band. In buildings with multiple stores, the sign band should be subdivided so that each section clearly relates to an individual store. Signs should be designed and located so as not to obscure architectural elements or ornamental details of the building facade. Internally lit signs should be designed so as not to create a hazard or nuisance through excessive brightness, and such signs should be constructed so that bulbs, wires, and other lighting equipment located inside the sign are not visible through the face of the sign.
- (p) Landscaping and screening should be used to make the Neighborhood Business and Local Industrial subdistricts more attractive and to provide screening between business, industrial, and residential uses.
- (q) In addition to the foregoing, design features of a Proposed Project should take into consideration any special characteristics of the site and its location and should enhance and reinforce any historic qualities of existing structures.



(^As amended on May 9, 1996 and July 31, 1997.)

**SECTION 52-21. Specific Design Requirements.** Except as otherwise expressly provided in this Article or Code, the provisions of this Section 52-21 shall apply to Proposed Projects within those subdistricts specified in this Section 52-21, except to the extent that provisions for Street Walls and display windows have been addressed through Large Project Review or Small Project Review. The provisions of Article 6A shall be applicable to the provisions of this Section 52-21.

1. Street Wall Continuity in Certain Subdistricts. This Section 52-21.1 shall apply within the Multifamily Residential/Local Services Subdistricts, the Neighborhood Business Subdistricts, and the Local Industrial Subdistricts to any Proposed Project, except a Proposed Project for a Residential Use, that includes the erection of a new structure or the extension of an existing structure, where such extension changes the location of a Street Wall.

(a) Street Wall Continuity in Multifamily Residential/Local Services Subdistricts and Neighborhood Business Subdistricts. In the Multifamily Residential Local Services Subdistricts and the Neighborhood Business Subdistricts, each newly constructed or relocated Street Wall shall be built to be coextensive with the Building Line of the Block on which the Street Wall faces. If there is no determinable Building Line of said Block, then such Street Wall shall be built at a depth from the Street Line equal to that of the Building Line closest to the Street Line of the two blocks adjacent to said Block, facing the same Street.

If there is no determinable Building Line of either of said adjacent blocks, then the Proposed Project shall be deemed to be subject to the Design Component of Small Project Review for the limited purpose of determining an appropriate Street Wall location.

(b) Street Wall Continuity in Local Industrial Subdistricts. In the Local Industrial Subdistricts, each newly constructed or relocated Street Wall shall be built at a depth from the Street Line that is the greater of (i) the required depth of the vegetative buffer required by Section 52-22 (Screening and Buffering), or (ii) six (6) feet.

Except as otherwise provided in this Section 52-21.1, Street Walls shall be continuous across a Lot. However, design articulation involving deviations from the Street Wall plane of two (2) feet or less shall be permitted across the Street Wall. Larger recesses not exceeding fifteen (15) feet in depth shall be permitted, provided that such recesses do not affect more than fifty percent (50%) of the Street Wall plane. Bay Windows may extend from the Street Wall plane above the Ground Floor Ceiling Height, provided that such Bay Windows do not affect more than forty percent (40%) of the Street Wall plane.

2. Display Window Area Regulations in Local Industrial, Neighborhood Business, and Multifamily Residential/Local Services Subdistricts. This Section 52-21.2 shall apply in the Neighborhood Business Subdistricts and Multifamily Residential/Local Services Subdistricts to any Proposed Project for the uses specified in this Section 52-21.2. For the purposes of these Display Window Area Regulations, the term "Display Window Area" means that area of any Street Wall between Grade and (i) the Ground Floor Ceiling Height (or the roof structure of a one-story structure), or (ii) fourteen (14) feet, whichever is lower, and excludes any area of the Street Wall serving as access to off-street loading berths or accessory off-street parking.
- (a) Display Window Area Transparency. That portion of the Display Window Area required by this Section 52-21.2(a) to be transparent glazing shall not be obstructed more than thirty percent (30%) by signs on or behind such glazing.
- (i) For Retail Uses, Restaurant Uses, Service Uses, and Trade Uses, at least sixty percent (60%) of the Display Window Area shall be glazed and transparent. Sill heights for windows in the Display Window Area shall be no higher than two (2) feet above Grade, and the tops of such windows shall be no lower than eight (8) feet above Grade.
- (ii) For Office Uses and Entertainment Uses, at least fifty percent (50%) of the Display Window Area shall be glazed and transparent. Sill heights for windows in the Display Window Area shall be no higher than three (3) feet above Grade, and the tops of such windows shall be no lower than eight (8) feet above Grade.
- (iii) For Industrial Uses, and for Vehicular Uses involving the servicing or washing of vehicles, at least fifty percent (50%) of the Display Window Area shall be glazed so as to be transparent or translucent, provided that at least twenty-five percent (25%) of the Display Window Area shall be transparent. Sill heights for windows in the Display Window Area shall be no higher than three (3) feet above Grade, and the tops of such windows shall be no lower than eight (8) feet above Grade.
- (b) Display Window Area Usage. For Retail Uses, Service Uses, Office Uses, and Trade Uses, there shall be, to a depth of at least two (2) feet behind the Display Window Area: (i) an area for the display of goods and services available for purchase on the premises; or (ii) an area for exhibits and announcements; provided, however, that no such areas shall be required for a display window that provides pedestrians with a view of the Retail Use, Service Use, Office Use, or Trade Use, as the case may be, conducted on the premises.

- (c) Display Window Security Grates. That portion of the Display Window Area required by Section 52-21.2(a) to be transparent glazing shall not be obstructed by a solid opaque security grate. Security grates that provide pedestrians with a view through the display window, such as grill-type security grates, may be used. Security grates should be integrated into the design of the storefront. Wherever practicable, security grates should be mounted inside the building, rather than outside, and if a security grate must be mounted on the outside of the building, the box or other housing for such grate should be concealed in an appropriate manner.

**SECTION 52-22. Screening and Buffering Requirements.** In order to enhance the appearance of Dorchester Avenue's commercial and industrial subdistricts and to ensure that these subdistricts are appropriately separated from adjacent areas, the screening and buffering requirements of this Section 52-22 shall apply to those Proposed Projects described in this Section 52-22, except where provisions for adequate screening and buffering have been established for a Proposed Project through Large Project Review, pursuant to Article 80. The provisions of Article 6A shall apply to the provisions of this Section 52-22.

1. Screening and Buffering Along Property Lines Abutting Public Streets, Public Parks, and Certain Subdistricts and Uses. Where any Lot line of a Proposed Project located in a Neighborhood Business Subdistrict abuts (a) a public park, or (b) a Residential Subdistrict or Residential Use, and where any Lot line of a Proposed Project located in a Local Industrial Subdistrict abuts (a) a public street, (b) a public park, (c) a Residential Subdistrict or Residential Use, or (d) a Neighborhood Business Subdistrict, such Proposed Project shall provide and maintain, along each Lot line abutting such street, park, subdistrict, or use, a strip of shrubs and trees densely planted along the inside edge of a wall or heavy-duty fence. Trees may be planted without shrubs along the inside edge of a solid wall or of a stockade or board-type wooden fence that is constructed to be at least sixty percent (60%) opaque.

The width of the planting strip shall be appropriate for the species and quantities of plant materials necessary to provide adequate screening, but shall in no event be less than five (5) feet wide. Along a Lot line abutting a public street or public park, the height of the fence or wall shall be no less than three (3) feet and no more than four (4) feet above Grade. Along a Lot line abutting a Residential Subdistrict, Residential Use, or Neighborhood Business Subdistrict, the height of the fence or wall shall be no less than four (4) feet and no more than seven (7) feet above Grade. If the planting strip abuts a parking area, a curb six (6) inches in height shall separate the landscaped area from the parking area.

2. Screening and Buffering of Parking, Loading, and Storage Areas. Any off-street parking facility or lot, off-street loading area, or accessory storage area that abuts (a) a public street, (b) a public park, (c) a Residential Subdistrict or Residential Use, or (d), in the case of a Lot located in a Local Industrial Subdistrict, a Neighborhood Business Subdistrict shall be

screened from view as provided in this Section 52-22.2. Such screening shall consist of trees and shrubs densely planted in a strip at least five (5) feet wide on the inside edge of a steel-picket or stockade or board-type wooden fence. Such fence shall not be more than fifty percent (50%) opaque and shall be no less than three (3) feet and no more than four (4) feet high. The planting strip shall be separated from any parking area by a curb six (6) inches in height.

Any material or equipment stored outdoors to a height greater than four (4) feet above Grade shall be surrounded by a wall or fence or vegetative screen of such height, not less than six (6) feet high, as may be necessary to screen such material or equipment from view from any public street or public open space.

3. Screening of Disposal Areas and Certain Equipment. Disposal areas, dumpsters, and ground-mounted mechanical equipment that abut (a) a public street, (b) a public park, (c) a Residential Subdistrict or Residential Use, or (d), in the case of a Lot located in a Local Industrial Subdistrict, a Neighborhood Business Subdistrict shall be screened from view as provided in this Section 52-22.3. Disposal areas and dumpsters shall be screened with an opaque wall or fence at least six (6) feet high or by vegetation. Ground-mounted mechanical equipment shall be screened with an opaque wall or fence sufficiently high to provide effective screening.
4. Roof-Mounted Mechanical Equipment. Roof-mounted mechanical equipment shall be painted to blend with adjacent or nearby building materials or shall be screened by wood, brick, or similar material.
5. Materials for Walls and Fences. Walls and fences may be made of one or more materials, such as masonry (piers or walls), iron pickets, decorative metal, wrought iron, shadow box, vinyl coated or galvanized chain link with or without redwood strips woven through it, or stockade or board-type wood. The use of chain link fencing without wooden strips is discouraged except on small areas not facing the Avenue. The use of plywood sheeting also is discouraged. Two or more materials may be used in combination with each other, and piers and walls may be used in combination with fences.
6. Specifications for Plantings. Shrubs required by this Section 52-22 may be of deciduous or evergreen, or a mixture of both types. Shrubs must be densely planted to provide a mature appearance within three (3) years. Trees required by this Section 52-22 may be evergreen or a combination of deciduous and evergreen. Deciduous trees shall be at least three (3)-inch caliper at the time of planting (measured six (6) to twelve (12) inches above Grade), and shall be at least twelve (12) feet fall and planted fifteen to twenty (15-20) feet on center, and evergreen trees shall be at least twelve (12) feet tall and planted twelve to fifteen (12-15) feet on center. Ground cover consisting of grass or other plantings or four to six (4-6) inches of pine-bark or similar mulch shall be placed within the planting strip at the time of planting and replenished as necessary. Existing mature trees and shrubs

should be retained when possible. The use of bulbs, perennials, and annuals also is encouraged.

7. Maintenance of Landscaped Areas. Landscaping required by this Section 52-22 shall be maintained in a healthy growing condition, free of refuse and debris. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic. There shall be no parking of vehicles in areas used for screening and buffering. Outside storage of any materials, supplies, or products is not permitted within any landscaped area required by this Section 52-22.

(;As amended on August 22, 1996.)

## MISCELLANEOUS PROVISIONS

**SECTION 52-23. Additional Requirements in Neighborhood Business Subdistricts and Local Industrial Subdistricts.** Any application for a permit for expansion of seating or standing capacity of any Restaurant with Live Entertainment operating after 10:30 p.m., Bar, or Bar with Live Entertainment, shall be conditional and subject to the provisions of Article 6 if such use is conditional, and forbidden if such use is forbidden.

**SECTION 52-24. Sign Regulations.** The provisions of this Section 52-24 shall apply to all Proposed Projects except to the extent that sign requirements have been established through Large Project Review or Small Project Review, pursuant to Article 80. Notwithstanding any provision of Section 11-2 to the contrary, the following regulations shall apply in the Multifamily/Local Services Subdistricts, the Neighborhood Business Subdistricts, and the Local Industrial Subdistricts:

1. **Signs Parallel to Building Wall.** For Signs parallel to a Building wall, including Signs painted on or affixed to awnings, canopies, marquees, security grate housings, or other Building projections, but not including Signs on windows above the first floor, free-standing Signs, directional Signs, and public purpose Signs listed in items (g) through (k) of Section 11-1, the total Sign Area, in square feet, shall not exceed the lesser of the Sign Frontage multiplied by two (2), or forty-five (45) square feet. No such Sign shall measure more than thirty (30) inches from top to bottom. No part of any such Sign shall be located less than two (2) feet from either edge of the Building wall to which such Sign is parallel, provided that, if the Sign Frontage is shorter than the length of such Building wall, no part of any such Sign shall be located less than two (2) feet from either end of that portion of such Building wall that is used to measure the Sign Frontage.

The bottom of any such Sign should be at least eight (8) feet above Grade. Where the Building wall includes a Sign band, Signs parallel to such wall should be located within such band whenever practicable.

2. **Signs Attached at Right Angles to Building.** A Sign attached at right angles to a Building shall not have a Sign Area in excess of four (4) square feet on either face; except that an additional four (4) square feet on each face is allowed for a Sign which incorporates a public service message device, such as a time and temperature Sign, provided such public service message device operates no less than seventy-five percent (75%) of every hour.
3. **Free-standing Signs.** Free-standing Signs shall be permitted only for (a) uses located in a Community Commercial Subdistrict, and (b) Gasoline Stations. Where such free-standing Signs are permitted, there shall be only one (1) free-standing Sign on a Lot. Such free-standing Sign shall not have a Sign Area in excess of fifteen (15) square feet. The bottom of such Sign shall not be higher than ten (10) feet above Grade nor lower than eight (8) feet above Grade, and the top of such Sign shall not be higher than eighteen (18) feet above Grade.

4. Billboards. Any billboard, signboard, or other advertising subject to the provisions of Section 11-6, except those in existence as of the effective date of this Article, is forbidden in the Dorchester Avenue Neighborhood District.
5. Total Sign Area. The total Sign Area, in square feet, of all permanent Signs, except for signs on windows above the first floor, directional signs, and public purpose signs listed in items (g) through (k) of Section 11-1, shall not exceed the Sign Frontage multiplied by two (2).
6. Display of Permit Number and Posting Date. Each permanent Sign, including any Sign painted on or affixed to an awning, a canopy, or a marquee, shall display the Sign's building permit number clearly but unobtrusively, in letters and numbers not exceeding one (1) inch in height. Temporary signs shall display the date of posting.

(^As amended on August 22, 1996.)

^SECTION 52-25. **Off-Street Parking and Loading Requirements.** For any Proposed Project that is subject to or has elected to comply with Large Project Review, required off-street parking spaces and off-street loading facilities shall be determined through such review in accordance with the provisions of Article 80. For all other Proposed Projects, the minimum required off-street parking spaces are set forth in Table E, and the minimum required off-street loading spaces are set forth in Table F.

1. Outdoor Uses. For the purpose of computing required off-street parking spaces, where a main use on a Lot is an open-air use not enclosed in a Structure, the area of the part of the Lot actually devoted to such use shall constitute floor area.
2. Pre-Code Structures. If a Structure existing on the effective date of this Article is altered or extended so as to increase its gross floor area or the number of dwelling units, only the additional gross floor area or the additional number of dwelling units shall be counted in computing the off-street parking facilities required.
3. Mixed Uses. If a Lot includes multiple uses, then the required number of off-street parking spaces for such Lot shall be the total of the required number of off-street parking spaces for each use, and the required number of off-street loading spaces for such Lot shall be the total of the required number of off-street loading spaces for each use.
4. Location.
  - (a) Off-street parking and loading spaces shall not be located in any part of a landscaped area required by this Article or in any part of a Front Yard, except as specifically provided in this Section 52-25. If a Lot is located in a Residential Subdistrict, a total of two (2) accessory parking spaces serving residential uses on such Lot may be located in that

portion of the Front Yard that lies between the side yard and the Front Lot Line, provided that the total width of such Front Yard area used for parking does not exceed ten (10) feet.

- (b) Except in the case of a Lot serviced by a common parking facility, the off-street parking facilities required by this Section 52-25 shall be provided on the same Lot as the main use to which they are accessory; provided, however, that if the Board of Appeal shall be of the opinion that this is impractical with respect to a particular Lot, said Board, after public notice and hearing and subject to the provisions of Sections 6-2, 6-3, and 6-4, may grant permission for such facilities to be on another Lot in the same ownership in either of the following cases: (1) where the main use on a Lot is for Residential Uses, and the other Lot is within four hundred (400) feet of that Lot; and (2) where the main use on a Lot is for non-residential uses, and the other Lot is within twelve hundred (1,200) feet of that Lot.
  - (c) After public notice and hearing and subject to the provisions of Sections 6-2, 6-3 and 6-4, the Board of Appeal may grant permission for a common parking facility cooperatively established and operated to service two or more uses of the same or different types; provided that there is a permanent allocation of the requisite number of spaces for each use, and that the total number of spaces is not less than the aggregate of the number of spaces required for each use, unless the Board of Appeal determines that a reduction in the total number of required off-street parking spaces is appropriate because shared parking arrangements, in which parking spaces are shared by different uses for which peak parking use periods are not coincident, will adequately meet the parking demand associated with the Proposed Project.
  - (d) The off-street parking spaces required by this Article for a Dwelling Unit should be used by the vehicles for which such parking spaces are required.
5. Design. All off-street parking facilities provided to comply with this Article shall meet the following specifications:
- (a) Such facilities shall have car spaces to the number specified by this Article, maneuvering areas and appropriate means of vehicular access to a street, shall be so designed as not to constitute a nuisance or a hazard or unreasonable impediment to traffic, and shall be accessible to physically handicapped persons. All lighting shall be so arranged as to shine downward and away from streets and residences.
  - (b) Such facilities, whether open or enclosed in a structure, shall be so graded, surfaced, drained, and maintained as to prevent water and dust therefrom from going upon any street or another Lot.



- (c) Such facilities shall not be used for automobile sales, dead storage, or repair work, dismantling, or servicing of any kind.
  - (d) Each car space shall be located entirely on the Lot. Fifty percent (50%) of the required spaces may be no less than seven (7) feet in width and eighteen (18) feet in length, and the remainder shall be no less than eight and one half (8-1/2) feet in width and twenty (20) feet in length, in both instances exclusive of maneuvering areas and access drives.
6. Maintenance. All off-street parking facilities provided to comply with this Article shall be maintained exclusively for the parking of motor vehicles so long as a use requiring them exists. Such facilities shall be used in such a manner as at no time to constitute a nuisance or a hazard or unreasonable impediment to traffic.

(^As amended on August 22, 1996.)

#### **SECTION 52-26. Application of Dimensional Requirements.**

1. Exceptions to Minimum Lot Size Requirements. If the requirements of this Article with respect to Open Space and to Front, Rear, and Side Yards are met, the minimum Lot Size and minimum Lot Width requirements of this Article shall not prevent the construction, reconstruction, or alteration of a single family dwelling, two-family dwelling, or three-family dwelling on any Lot assessed as a separate parcel or in separate ownership of record (by plan or deed) at the time this Article takes effect; provided that three-fourths (3/4) of the minimum Lot Size and minimum Lot Width requirements are met and that such use is an allowed use in the subdistrict. This exception shall apply regardless of whether a Lot meets the Lot Size and Lot Width requirements for a lesser number of Dwelling Units than is proposed.
2. Conformity with Existing Building Alignment. If at any time in the same Block as a Lot required by this Article to have a minimum Front Yard there exist two or more Buildings fronting on the same side of the same Street as such Lot, instead of the minimum Front Yard depth specified in this Article, the minimum Front Yard depth shall be in conformity with the Existing Building Alignment of the Block.
3. Traffic Visibility Across Corner. Whenever a minimum Front Yard is required and the Lot is a Corner Lot, no Structure or planting interfering with traffic visibility across the corner, or higher, in any event, than two and one-half (2-1/2) feet above the curb of the abutting Street, shall be maintained within that part of the required Front Yard that is within the triangular area formed by the abutting side lines of the intersecting Streets and a line joining points on such lines thirty (30) feet distant from their point of intersection.
4. Front Wall of Building Not Parallel to Front Lot Line. If the front wall of a Building is not parallel to the Front Lot Line, but the average distance

between such wall and such Lot Line is no less than the minimum Front Yard depth otherwise required by this Article, and the distance between such wall and such Lot line is at no point less than three-fourths (3/4) of the minimum Front Yard depth so otherwise required, the Front Yard requirements of this Article shall be deemed to be met.

5. Special Provisions for Corner Lots. If a Lot abuts more than one Street, the requirements for Front Yards shall apply along every Street Line except as otherwise provided in this Section 52-26. The Front Yard requirements of this Article, and not the Side Yard requirements, shall apply to that part of a side Lot line that is also a Street Line extending more than one hundred (100) feet from the intersection of such line with another Street.
6. Side Wall of Building Not Parallel to Side Lot Line. If the side wall of a Building is not parallel to the side Lot line nearest to it, but the average distance between such wall and such Lot line is no less than the minimum Side Yard width otherwise required by this Article, and the distance between such wall and such Lot line is at no point less, in the case of a side Lot line that is not also a Street Line, than three-fourths (3/4) of the minimum Side Yard width so otherwise required, and in the case of a side Lot line which is also a Street Line, than one-half (1/2) of the minimum Side Yard width so otherwise required, the Side Yard requirements of this Article shall be deemed to be met.
7. Side Yards of Certain Narrow Lots. For each full foot by which a Lot existing at the time this Article takes effect is narrower than (i) the minimum Lot Width specified for such Lot in this Article, or (ii) fifty (50) feet if no minimum Lot Width is so specified, a deduction of one and one-half (1-1/2) inches shall be made from the width otherwise required by this Article for each Side Yard of such Lot; provided that in no event shall either Side Yard of any such Lot be less than five (5) feet wide. No Side Yard in which there is a driveway providing access to off-street parking or off-street loading facilities required by this Article shall be less than ten (10) feet wide.
8. Accessory Buildings in Rear Yards. Accessory Buildings may be erected in a Rear Yard; provided that no such Accessory Building is more than fifteen (15) feet in height or nearer than four (4) feet to any side Lot line.
9. Rear Wall of Building Not Parallel to Rear Lot Line. If the rear wall of a Building is not parallel to the Rear Lot Line, and the Rear Lot Line is not also a Street Line, but the average distance between such wall and such Lot Line is no less than the minimum Rear Yard depth otherwise required by this Article, and the distance between such wall and such Lot line is at no point less than three-fourths (3/4) of the minimum Rear Yard depth so otherwise required, the Rear Yard requirements of this Article shall be deemed to be met.
10. Rear Yards of Through Lots. The Front Yard requirements of this Article, and not the Rear Yard requirements, shall apply to that part of a Rear Yard

that is also a Street Line, except in the case of a Rear Yard that abuts a Street less than twenty (20) feet in width.

11. Rear Yards of Certain Shallow Lots. For each full foot by which a Lot existing at the time this Article takes effect is less than one hundred (100) feet deep, six (6) inches shall be deducted from the depth otherwise required by this Article for the Rear Yard of such Lot; provided that in no event shall the Rear Yard of any such Lot be less than ten (10) feet deep.
12. Underground Encroachments in Yards. Any garage or other accessory Structure erected underground within any Rear Yard or Side Yard required by this Article, including the piers, railings and parapets of such Structure, shall not extend more than five (5) feet above Grade.
13. Two or More Dwellings on Same Lot. Where a Dwelling (other than a temporary Dwelling) designed for occupancy or occupied by one or more families is on the same Lot as, and to the side of, another Dwelling or other Main Building, the distance between such Dwelling and such other Dwelling or Main Building shall be not less than twice the minimum Side Yard depth required by this Article for such other Dwelling or Main Building; and the requirements of this Article with respect to Lot Area, Lot Width, Lot Frontage, Usable Open Space, Front Yard, Rear Yard and Side Yards, shall apply as if such Dwelling were on a separate Lot. A Dwelling shall not be built to the rear of another Dwelling, Accessory Building, or Main Building. After public notice and hearing and subject to the provisions of Section 6-2, the Board of Appeal may grant permission for a variation from the requirements of this Section 52-26.13 if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements of this Section 52-26.13 were met.
14. Two or More Buildings on One Lot. If on one Lot there are two or more Main Buildings or Dwellings, including temporary Dwellings, the yard requirements of this Article shall apply at each actual Lot line and not as if each Building were on a separate Lot.

**SECTION 52-27. Nonconformity as to Dimensional Requirements.** A Building or use existing on the effective date of this Article and not conforming to the applicable dimensional requirements specified in other provisions of this Article may nevertheless be altered or enlarged, provided that such nonconformity is not increased and that any enlargement itself conforms to such dimensional requirements.

**SECTION 52-28. Regulations.** The Boston Redevelopment Authority may promulgate regulations to administer this Article.

**SECTION 52-29. Severability.** The provisions of this Article are severable, and if any provision of this Article shall be held invalid by any decision of any court of competent jurisdiction, such decision shall not impair or otherwise affect any other provision of this Article.

SECTION 52-30. **Definitions.** Words and phrases in this Article have the meanings set forth in Article 2A.

SECTION 52-31. **Tables.** The following tables are hereby made part of this Article:

Tables A - B    Use Regulations

A       - Residential Subdistricts

B       - Neighborhood Business Subdistricts  
          - Local Industrial Subdistricts

Tables C - D   - Dimensional Regulations

C       - Residential Subdistricts

D       - Neighborhood Business Subdistricts  
          - Local Industrial Subdistricts

Tables E - F    Parking and Loading Regulations

E       - Off-Street Parking

F       - Off-Street Loading

## TABLE A

### Dorchester Avenue Neighborhood District

#### Use Regulations in Residential Subdistricts

Key: A=Allowed, C=Conditional, F=Forbidden

For definitions of use categories and certain specific uses, see Article 2A.

	<u>One- Family (1F)</u>	<u>Two- Family (2F)</u>	<u>Three- Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Banking and Postal Uses</u>						
Automatic teller machine	F	F	F	F	F	C <sup>1</sup>
Bank	F	F	F	F	F	F
Drive-in bank	F	F	F	F	F	F
Post office	F	F	F	F	F	C <sup>1</sup>
<u>Community Uses</u>						
Adult education center	F	F	F	F	F	F
Community center	F	F	F	F	F	C <sup>1</sup>
Day care center	C	C	C	C	C <sup>1</sup>	C <sup>1</sup>
Day care center, elderly	C	C	C	C	C <sup>1</sup>	C <sup>1</sup>
Library	A	A	A	A	A	A
Place of worship; monastery; convent; parish house	A	A	A	A	A	A
<u>Cultural Uses</u>						
Art gallery	F	F	F	F	F	C <sup>1</sup>
Art use	F	F	F	F	F	F
Auditorium	F	F	F	F	F	F

TABLE A - Continued

	<u>One- Family (1F)</u>	<u>Two- Family (2F)</u>	<u>Three- Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Cultural Uses</u>						
Cinema	F	F	F	F	F	F
Concert hall	F	F	F	F	F	F
Museum	F	F	F	F	F	F
Public art, display space	F	F	F	F	F	F
Studios, arts	F	F	F	F	F	C <sup>1</sup>
Studios, production	F	F	F	F	F	C <sup>1</sup>
Theatre	F	F	F	F	F	F
Ticket sales	F	F	F	F	F	C <sup>1</sup>
<u>Dormitory and Fraternity Uses</u>						
Dormitory not accessory to a use	F	F	F	F	F	F
Fraternity	F	F	F	F	F	F
<u>Educational Uses</u>						
College or university	F	F	F	F	F	F
Elementary or secondary school <sup>2</sup>	C	C	C	C	C	C
Kindergarten	C	C	C	C	C	C
Professional school	F	F	F	F	F	C <sup>1</sup>
Trade school	F	F	F	F	F	C <sup>1</sup>
<u>Entertainment and Recreational Uses</u>						
Adult entertainment	F	F	F	F	F	F
Amusement game machines in commercial establishment	F	F	F	F	F	F

TABLE A - Continued

	<u>One- Family (1F)</u>	<u>Two- Family (2F)</u>	<u>Three- Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Entertainment and Recreational Uses (cont'd)</u>						
Amusement game machines in non-commercial establishment	F	F	F	F	F	F
Bar	F	F	F	F	F	F
Bar with live entertainment	F	F	F	F	F	F
Bowling alley	F	F	F	F	F	F
Billiard parlor	F	F	F	F	F	F
Dance hall	F	F	F	F	F	F
Drive-in theatre	F	F	F	F	F	F
Fitness center or gymnasium	F	F	F	F	F	F
Private club not serving alcohol	F	F	F	F	F	C <sup>1</sup>
Private club serving alcohol	F	F	F	F	F	F
Restaurant with live entertainment, not operating after 10:30 p.m.	F	F	F	F	F	F
Restaurant with live entertainment, operating after 10:30 p.m.	F	F	F	F	F	F
<u>Funerary Uses</u>						
Cemetery	C	C	C	C	C	C
Columbarium	C	C	C	C	C	C
Crematory	C	C	C	C	C	C
Funeral home	A	A	A	A	A	A
Mortuary chapel	C	C	C	C	C	C



TABLE A - Continued

	<u>One-Family (1F)</u>	<u>Two-Family (2F)</u>	<u>Three-Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Health Care Uses</u>						
Clinic	F	F	F	F	F	C <sup>1</sup>
Clinical laboratory	F	F	F	F	F	F
Custodial care facility	C	C	C	C	C	C
Group residence, general	C	C	C	C	C	C
Hospital	F	F	F	F	C	F
Nursing or convalescent home	C	C	C	C	C	C
<u>Hotel and Conference Center Uses</u>						
Bed and breakfast	C	C	C	C	C	C
Conference center	F	F	F	F	F	F
Executive suites	F	F	F	F	F	F
Hotel	F	F	F	F	F	F
Motel	F	F	F	F	F	F
<u>Industrial Uses</u>						
Artists' mixed-use	F	F	F	F	C	C
Cleaning plant	F	F	F	F	F	F
General manufacturing use	F	F	F	F	F	F
Light manufacturing use	F	F	F	F	F	F
Printing Plant	F	F	F	F	F	F
Restricted industrial use	F	F	F	F	F	F

TABLE A - Continued

	<u>One-Family (1F)</u>	<u>Two-Family (2F)</u>	<u>Three-Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Office Uses</u>						
Agency or professional office	F	F	F	F	F	A <sup>1</sup>
General office	F	F	F	F	F	F
Office of wholesale business	F	F	F	F	F	C <sup>1</sup>
<u>Open Space Uses</u>						
Golf driving range	F	F	F	F	F	F
Grounds for sports, private	F	F	F	F	F	F
Open space	A	A	A	A	A	A
Open space recreational building	C	C	C	C	C	C
Outdoor place of recreation for profit	F	F	F	F	F	F
Stadium	F	F	F	F	F	F
<u>Public Service Uses</u>						
↔Automatic telephone exchange or telecommunications data distribution center	F	F	F	F	F	F
Courthouse <sup>2</sup>	C	C	C	C	C	C
^Outdoor Payphone	F	F	F	F	F	F
Fire station <sup>2</sup>	A	A	A	A	A	A
Penal institution <sup>2</sup>	F	F	F	F	F	F
Police station <sup>2</sup>	A	A	A	A	A	A
Pumping station <sup>2</sup>	F	F	F	F	F	F
Recycling facility (excluding facilities handling toxic waste)	F	F	F	F	F	F
Solid waste transfer station	F	F	F	F	F	F
Sub-station <sup>2</sup>	F	F	F	F	F	F
Telephone exchange	F	F	F	F	F	F
(↔As amended on October 20, 2000)						
(^As inserted on March 15, 2006.)						

TABLE A - Continued

	<u>One-Family (1F)</u>	<u>Two-Family (2F)</u>	<u>Three-Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Research and Development Uses</u>						
Research laboratory	F	F	F	F	F	F
Product development or prototype manufacturing	F	F	F	F	F	F
<u>Residential Uses</u>						
Congregate living complex	F	F	F	F	A	A
Elderly housing	C	C	C	C	A	A
Group residence, limited	A	A	A	A	A	A
Lodging house	C	C	C	C	C	C
Mobile home	F	F	F	F	F	F
Mobile home park	F	F	F	F	F	F
Multi-family dwelling	F	F	F	F	A	A
One family detached dwelling	A	A	C	C	F	F
One family semi-attached dwelling	F	A	A	A	A	A
Orphanage	A	A	A	A	A	A
Rowhouse	F	F	A	A	A	A
Temporary dwelling structure	C	C	C	C	C	C
Three family detached dwelling	F	F	A	A	A	A
Townhouse	F	F	C	F	A	A
Transitional housing or homeless shelter	C	C	C	C	C	C
Two family detached dwelling	F	A	C	C	C	C
Two family semi-attached dwelling	F	F	F	F	A	A

TABLE A - Continued

	<u>One-Family (1F)</u>	<u>Two-Family (2F)</u>	<u>Three-Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Restaurant Uses</u>						
Drive-in restaurant	F	F	F	F	F	F
Restaurant	F	F	F	F	F	C <sup>1</sup>
Take-out restaurant						
Small <sup>3</sup>	F	F	F	F	F	C <sup>1</sup>
Large <sup>4</sup>	F	F	F	F	F	F
<u>Retail Uses<sup>5</sup></u>						
Adult bookstore	F	F	F	F	F	F
Bakery	F	F	F	F	F	C <sup>1</sup>
General retail business	F	F	F	F	F	F
Liquor store	F	F	F	F	F	F
Local retail business	F	F	F	F	F	A <sup>1</sup>
Outdoor sale of garden supplies	F	F	F	F	F	C <sup>1</sup>
+Pawnshop	F	F	F	F	F	F
(+As inserted on February 16, 2001)						
<u>Service Uses<sup>5</sup></u>						
Animal hospital	F	F	F	F	F	C <sup>1</sup>
Barber or beauty shop	F	F	F	F	F	A <sup>1</sup>
>Body art establishment	F	F	F	F	F	F
Caterer's establishment	F	F	F	F	F	C <sup>1</sup>
;Check cashing business	F	F	F	F	F	F
+Container redemption center	F	F	F	F	F	F
Dry-cleaning shop	F	F	F	F	F	A <sup>1</sup>
Kennel	F	F	F	F	F	C <sup>1</sup>
(;As inserted on October 6, 1994)						
(+As inserted on September 30, 1993)						
(>As inserted on April 9, 2001)						

TABLE A - Continued

	<u>One-Family (1F)</u>	<u>Two-Family (2F)</u>	<u>Three-Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Service Uses<sup>5</sup> (cont'd)</u>						
Laundry, retail service	F	F	F	F	F	C <sup>1</sup>
Laundry, self-service	F	F	F	F	F	A <sup>1</sup>
Photocopying establishment	F	F	F	F	F	C <sup>1</sup>
Shoe repair	F	F	F	F	F	A <sup>1</sup>
Tailor shop	F	F	F	F	F	A <sup>1</sup>
<u>Storage Uses, Major</u>						
√Enclosed storage of solid fuel or minerals	F	F	F	F	F	F
Outdoor storage of new materials	F	F	F	F	F	F
Outdoor storage of damaged or disabled vehicles	F	F	F	F	F	F
Outdoor storage of junk and scrap	F	F	F	F	F	F
√Outdoor storage of solid fuel or minerals	F	F	F	F	F	F
Storage of flammable liquids and gases						
Small <sup>6</sup>	F	F	F	F	F	F
Large <sup>6</sup>	F	F	F	F	F	F
√Storage of dumpsters not accessory or ancillary to a main use, nor used in conjunction with the ongoing operation of a permitted site with explicit legal use and occupancy as a dumpster repair facility, waste hauling contractor yard, or site assigned and licensed solid waste management facility	F	F	F	F	F	F
Warehousing	F	F	F	F	F	F
Wrecking yard	F	F	F	F	F	F

(;As amended on July 27, 1993)

(√As inserted on September 18, 2000)

TABLE A - Continued

	<u>One- Family (1F)</u>	<u>Two- Family (2F)</u>	<u>Three- Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Trade Uses<sup>5</sup></u>						
Carpenters shop	F	F	F	F	F	F
Electrician's shop	F	F	F	F	F	F
Machine shop	F	F	F	F	F	F
Photographer's studio	F	F	F	F	F	C <sup>1</sup>
Plumber's shop	F	F	F	F	F	F
Radio/television repair	F	F	F	F	F	C <sup>1</sup>
Upholsterer's shop	F	F	F	F	F	C <sup>1</sup>
Welder's shop	F	F	F	F	F	F
<u>Transportation Uses</u>						
Airport	F	F	F	F	F	F
Bus terminal	F	F	F	F	F	F
Garage with dispatch	F	F	F	F	F	F
Helicopter landing facility	F	F	F	F	F	F
Motor freight terminal	F	F	F	F	F	F
Rail freight terminal	F	F	F	F	F	F
Railroad passenger station	F	F	F	F	F	F
<u>Vehicular Uses</u>						
;Airport-related remote parking facility	F	F	F	F	F	F
Bus servicing or storage	F	F	F	F	F	F
Carwash	F	F	F	F	F	F
Gasoline station	F	F	F	F	F	F

(;As inserted on November 21, 1996.)

TABLE A - Continued

	<u>One-Family (1F)</u>	<u>Two-Family (2F)</u>	<u>Three-Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Vehicular Uses (cont'd)</u>						
+Indoor sale, with or without installation, of automotive parts, accessories and supplies	F	F	F	F	F	F
^Indoor sale of motor vehicles	F	F	F	F	F	F
^Outdoor sale of new and used motor vehicles	F	F	F	F	F	F
Parking garage	F	F	F	F	F	F
Parking lot	F	F	F	F	F	F
Rental agency for cars	F	F	F	F	F	F
Rental agency for trucks	F	F	F	F	F	F
Repair garage	F	F	F	F	F	F
Truck servicing or storage	F	F	F	F	F	F

(+As amended on November 7, 1996.)

(^As amended on March 15, 2006)

Wholesale Uses

Wholesale business	F	F	F	F	F	F
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Accessory and Ancillary Uses

In each subdistrict of the Dorchester Avenue Neighborhood District, an accessory use ordinarily incident to a lawful main use is allowed, subject to the provisions of Article 10, unless such use is (i) specifically forbidden as a main use for such subdistrict in this Table A and (ii) not designated "A" or "C" for such subdistrict on the accessory use table below. In any event, an accessory use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is accessory.

TABLE A - Continued

	<u>One- Family (1F)</u>	<u>Two- Family (2F)</u>	<u>Three- Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Accessory and Ancillary Uses (cont'd)</u>						
Accessory amusement game machines (not more than four) in commercial or non-commercial establishment	F	F	F	F	F	F
Accessory art use	C	C	C	C	C	C
Accessory automatic teller machine	F	F	F	F	F	A
Accessory bus servicing or storage	F	F	F	F	F	F
Accessory cafeteria	F	F	F	F	F	F
Accessory cultural uses	F	F	F	F	F	F
Accessory dormitory	F	F	F	F	F	F
Accessory drive-through restaurant	F	F	F	F	F	F
Accessory drive-through retail	F	F	F	F	F	F
Accessory family day care home	A	A	A	A	A	A
Accessory home occupation	A	A	A	A	A	A
^Accessory indoor maintenance and operation of a payphone <sup>10</sup>	F	F	F	F	F	F
Accessory industrial use	F	F	F	F	F	F
Accessory keeping of animals other than laboratory animals	F	F	F	F	F	F
Accessory keeping of laboratory animals	F	F	F	F	F	F
Accessory machine shop	F	F	F	F	F	C <sup>1</sup>
Accessory manufacture of products	F	F	F	F	F	F
Accessory offices	F	F	F	F	F	A
Accessory outdoor cafe	F	F	F	F	F	C <sup>1</sup>
Accessory parking <sup>6</sup>	A	A	A	A	A	A
Accessory personnel quarters	F	F	F	F	C	C
Accessory printing	F	F	F	F	F	F



TABLE A - Continued

	<u>One- Family (1F)</u>	<u>Two- Family (2F)</u>	<u>Three- Family (3F-G)</u>	<u>Triple Decker (3F-D)</u>	<u>Multifamily Residential (MFR)</u>	<u>Multifamily Residential/ Local Service (MFR/LS)</u>
<u>Accessory and Ancillary Uses (cont'd)</u>						
Accessory professional office in a dwelling	A	A	A	A	A	A
Accessory railroad storage yard	F	F	F	F	F	F
Accessory recycling	F	F	F	F	F	C
Accessory repair garage	F	F	F	F	F	F
Accessory retail	F	F	F	F	F	A
Accessory services for apartment and hotel residents	F	F	F	F	F	F
Accessory services incidental to educational uses other than a college or university use	F	F	F	F	F	F
Accessory storage of flammable liquids and gases						
Small <sup>7</sup>	F	F	F	F	F	F
Large <sup>7</sup>	F	F	F	F	F	F
Accessory swimming pool or tennis court <sup>8</sup>	A	A	A	A	A	A
Accessory trade use	F	F	F	F	F	C
Accessory truck servicing or storage	F	F	F	F	F	F
Accessory wholesale business	F	F	F	F	F	F
Ancillary use <sup>9</sup>	C	C	C	C	C	C

## TABLE A - Continued

1. Provided such use is located on the ground floor; otherwise F.
- ^2. Provided that, where such use is located in an area where residential uses are existing: (1) the requirements of St. 1956, c. 665, s.2, where applicable, are met; (2) the use is essential to service in the residential area in which it is located; and (3) in the case of a pumping station, sub-station, or automatic telephone exchange, no open storage is maintained in the yard in connection with such sue unless appropriately screened.  
  
(^As amended on July 27, 1993)
3. Total gross floor area not more than 1,000 square feet per use.
4. Total gross floor area exceeding 1,000 square feet per use.
5. Where a Retail, Service or Trade Use is designated "A", it shall be conditional if merchandise is sold or displayed out-of-doors or such establishment is open to the public after 12 midnight or before 6:00 a.m.
6. Except C in the Restricted Parking District if accessory to any use other than a Residential or related Use (see Table E).
7. Small: storage of less than thirty thousand (30,000) gallons of flammable liquids or less than ten thousand (10,000) cubic feet of gases;  
Large: storage of thirty thousand (30,000) gallons or more of flammable liquids or ten thousand (10,000) cubic feet or more of gases.
8. Provided that such use is more than four (4) feet from every lot line, and in the case of a swimming pool, that it is protected by a fence at least six (6) feet in height with a gate which is locked from the outside, and that if the pool is within ten (10) feet of a lot line, the fence is concealing to a height of at least six (6) feet.
9. Provided that any such use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is ancillary.
- ^10. Provided that such use shall be forbidden unless located within a building at least ten (10) feet from an entrance.  
  
(^As inserted on March 15, 2006.)

TABLE B

Dorchester Avenue Neighborhood District

Use Regulations in  
Neighborhood Business Subdistricts and Local Industrial Subdistricts

Key: A = Allowed, C = Conditional, F = Forbidden

For definitions of use categories and certain specific uses, see Article 2A.

	Local Convenience Subdistricts		Neighborhood Shopping Subdistricts		Community Commercial Subdistricts		Local Industrial Subdistricts
	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	
<u>Banking and Postal Uses</u>							
Automatic teller machine	C	F	A	F	A	F	A <sup>1</sup>
Bank	F	F	A	C	A	A	A <sup>2</sup>
Drive-in Bank	F	F	F	F	F	F	F
Post office	F	F	A	A	A	A	A
<u>Community Uses</u>							
Adult education center	A	C	A	C	A	A	A
Community center	A	C	A	C	A	A	A
Day care center	A	A	A	A	A	A	C
Day care center, elderly	A	A	A	A	A	A	C
Library	A	A	A	A	A	A	C
Place of worship; monastery; convent; parish house	A	A	A	A	A	A	A

TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Cultural Uses</u>							
Art gallery	C	C	A	C	A	A	C
Art use	A	F	A	C	A	A	C
Auditorium	F	F	C	A	A	A	C
Cinema	F	F	C	C	A	A	C
Concert hall	C	C	C	C	C	C	C
Museum	F	F	C	C	A	A	C
Public art, display space	A	F	A	C	A	A	A
Studios, arts	C	F	A	C	A	A	A
Studios, production	F	F	C	C	A	A	A
Theatre	F	F	A	C	A	A	A
Ticket sales	C	F	C	C	A	C	A
<u>Dormitory and Fraternity Uses</u>							
Dormitory not accessory to a use	F	F	F	F	F	F	F
Fraternity	F	F	F	F	F	F	F
<u>Educational Uses</u>							
College or university	F	F	C	C	C	C	C
Elementary or secondary school <sup>3</sup>	C	F	A	C	A	A	F
Kindergarten	C	F	A	C	A	A	F
Professional school	F	F	C	A	A	A	A
Trade school	F	F	C	A	C	A	A

TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Entertainment and Recreational Uses</u>							
Adult entertainment	F	F	F	F	F	F	F
Amusement game machines in commercial establishment	F	F	F	F	C	F	F
Amusement game machines in non-commercial establishment	F	F	C	F	C	F	C <sup>1</sup>
Bar <sup>4</sup>	C	F	C	F	C	F	C <sup>1</sup>
Bar with live entertainment <sup>4</sup>	F	F	C	F	C	F	F
Bowling alley	F	F	C	A	A	A	F
Billiard parlor	F	F	C	C	C	C	F
Dance hall	F	F	F	C	F	C	C
Drive-in theatre	F	F	F	F	F	F	F
Fitness center or gymnasium	F	F	C	C	A	A	C <sup>1</sup>
Private club not serving alcohol	F	F	C	F	C	C	C
Private club serving alcohol	F	F	F	F	F	F	F
Restaurant with live entertainment, not operating after 10:30 p.m. <sup>4</sup>	F	F	A	C	A	C	F
Restaurant with live entertainment operating after 10:30 p.m. <sup>4</sup>	F	F	C	C	C	C	F
<u>Funerary Uses</u>							
Cemetery	F	F	F	F	F	F	F
Columbarium	F	F	F	F	F	F	F
Crematory	F	F	F	F	F	F	F

TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Funerary Uses (cont'd)</u>							
Funeral home	A	A	A	A	A	A	F
Mortuary chapel	A	F	A	C	A	A	F
<u>Health Care Uses</u>							
;Clinic	C	F	C	C	C	C	C
Clinical laboratory	F	F	A	C	A	A	A
Custodial care facility	F	F	C	C	C	C	C
Group care residence, general	F	F	C	C	C	C	F
Hospital	F	F	C	C	C	C	C
Nursing or convalescent home	F	F	C	A	F	F	F
(;As amended on September 20, 1996.)							
<u>Hotel and Conference Center Uses</u>							
Bed and breakfast	F	C	C	A	C	C	F
Conference center	F	F	F	F	C	C	F
Executive suites	F	F	F	C	C	C	C
Hotel	F	F	F	F	C	C	C
Motel	F	F	F	F	F	F	C

TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Industrial Uses</u>							
Artists' mixed-use	F	C	C	A	F	A	A
Cleaning plant	F	F	F	F	F	F	C
General manufacturing use	F	F	F	F	F	F	C
Light manufacturing use	F	F	F	F	F	F	A
Printing plant	F	F	C	C	C	C	A
Restricted industrial use	F	F	F	F	F	F	C
<u>Office Uses</u>							
Agency or professional office	A	A	A	A	A	A	A
General office	F	F	C	A	A	A	A <sup>5</sup>
Office of wholesale business	F	F	C	F	A	C	A
<u>Open Space Uses</u>							
Golf driving range	F	F	F	F	F	F	F
Grounds for sports, private	F	F	F	F	F	F	C
Open space	A	A	A	A	A	A	A
Open space recreational building	A	A	A	A	A	A	A
Outdoor place of recreation for profit	F	F	F	F	F	F	C
Stadium	F	F	F	F	F	F	C

TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Public Service Uses</u>							
↔Automatic telephone exchange or telecommunications data distribution center	C	C	C	C	C	C	C
Courthouse <sup>3</sup>	F	F	C	C	A	A	A
^Outdoor payphone	C	C	C	C	C	C	C
Fire station <sup>3</sup>	A	A	A	A	A	A	A
Penal institution <sup>3</sup>	F	F	F	F	F	F	F
Police station <sup>3</sup>	A	A	A	A	A	A	A
Pumping station <sup>3</sup>	C	F	C	F	C	F	A
Recycling facility (excluding facilities handling toxic waste)	C	F	C	C	C	C	C
Solid waste transfer station	F	F	F	F	F	F	F
Sub-station <sup>3</sup>	F	F	F	C	F	C	A
Telephone exchange	C	F	C	C	C	C	C
(↔As amended on October 20, 2000)							
(^As inserted on March 15, 2006.)							
<u>Research and Development Uses<sup>6</sup></u>							
Research laboratory	F	F	F	C	C	C	A
Product development or prototype manufacturing	F	F	F	C	C	C	A
<u>Residential Uses</u>							
Congregate living complex	C	A	C	A	F	A	F
Elderly housing	C	A	C	A	F	A	F
Group residence, limited	A	A	C	A	C	C	F
Homeless shelter	C	C	C	C	C	C	F



TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Residential Uses (cont'd)</u>							
Lodging house	F	C	C	C	F	F	F
Mobile home	F	F	F	F	F	F	F
Mobile home park	F	F	F	F	F	F	F
Multi-family dwelling	A	A	C	A	C	A	F
One family detached dwelling	F	F	F	F	F	F	F
One family semi-attached dwelling	F	F	F	F	F	F	F
Orphanage	F	F	C	C	C	C	F
Rowhouse	A	A	F	F	F	F	F
Temporary dwelling structure	F	F	F	F	F	F	F
Three family detached dwelling	A	A	C	A	C	A	F
Townhouse	A	A	C	A	C	A	F
Transitional housing	C	A	C	A	C	A	F
Two family detached dwelling	A	A	F	F	F	F	F
Two family semi-attached dwelling	A	A	F	F	F	F	F
<u>Restaurant Uses</u>							
Drive-in restaurant	F	F	F	F	F	F	F
Restaurant	C	F	A	C	A	C	A
Take-out restaurant							
Small <sup>7</sup>	A	F	A	F	A	F	A <sup>1</sup>
Large <sup>8</sup>	C	F	C	F	C	F	C

TABLE B - Continued

	Local Convenience Subdistricts		Neighborhood Shopping Subdistricts		Community Commercial Subdistricts		Local Industrial Subdistricts
	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	
<u>Retail Uses</u>							
Adult bookstore	F	F	F	F	F	F	F
Bakery	A	F	A	C	A	C	A
;General retail business <sup>16</sup>	F	F	F	F	A	C	C
Liquor store	F	F	C	F	C	F	F
Local retail business	A	F	A	C	A	C	A
Outdoor sale of garden supplies	A	F	A	F	A	F	C <sup>1</sup>
+Pawnshop	C	C	C	C	C	C	C
(:As amended on December 19, 1994.)							
(+As inserted on February 16, 2001)							
<u>Service Uses<sup>9</sup></u>							
Animal hospital	C	F	C	C	C	F	C
Barber or beauty shop	A	F	A	A	A	A	A
>Body art establishment	C	C	C	C	C	C	C
Caterer's establishment	A	F	A	A	A	C	A
;Check cashing business	F	F	C	C	C	C	C
+Container redemption center <sup>9a</sup>	F	F	C	C	C	C	A
Dry-cleaning shop	A	F	A	A	A	C	A
Kennel	C	F	C	F	C	F	A <sup>2</sup>
Laundry, retail service	A	F	A	F	A	F	A
Laundry, self-service	A	F	A	F	A	F	A

(;As inserted on October 6, 1994)

(+As inserted on September 30, 1993 and amended on October 6, 1994)

(>As inserted on April 9, 2001)

TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Services Uses (cont'd)</u>							
Photocopying establishment	A	F	A	A	A	A	A
Shoe repair	A	F	A	A	A	A	A
Tailor shop	A	F	A	A	A	A	A
<u>Storage Uses, Major</u>							
;Enclosed storage of solid fuel or minerals	F	F	F	F	F	F	F
Outdoor storage of new materials	F	F	F	F	F	F	C
Outdoor storage of damaged or disabled vehicles	F	F	F	F	F	F	F
Outdoor storage of junk and scrap	F	F	F	F	F	F	F
;Outdoor storage of solid fuel or minerals	F	F	F	F	F	F	F
Storage of flammable liquids and gases							
Small <sup>10</sup>	C	C	C	C	C	C	A
Large <sup>10</sup>	F	F	F	F	F	F	F
Storage or transfer of toxic waste	F	F	F	F	F	F	F
√Storage of dumpsters not accessory or ancillary to a main use, nor used in conjunction with the ongoing operation of a permitted site with explicit legal use and occupancy as a dumpster repair facility, waste hauling contractor yard, or site assigned and licensed solid waste management facility	C	C	C	C	C	C	C
Warehousing	F	F	F	F	F	F	C
Wrecking yard	F	F	F	F	F	F	F

(;As amended on July 27, 1993)

(√As inserted on September 18, 2000)

TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Trade Uses</u>							
Carpenters shop	A	F	A	C	A	C	A
Electrician's shop	A	F	A	C	A	C	A
Machine shop	C	F	C	C	A	C	A
Photographer's studio	A	F	A	C	A	C	A
Plumber's shop	A	F	A	C	A	C	A
Radio/television repair	A	F	A	C	A	C	A
Upholsterer's shop	A	F	A	C	A	C	A
Welder's shop	F	F	C	F	C	F	A
<u>Transportation Uses</u>							
Airport	F	F	F	F	F	F	F
Bus terminal	F	F	F	F	F	F	F
Garage with dispatch	C	F	C	C	C	C	C
Helicopter landing facility	F	F	F	F	F	F	F
Motor freight terminal	F	F	F	F	F	F	F
Rail freight terminal	F	F	F	F	F	F	F
Railroad passenger station	C	C	C	C	C	C	C
<u>Vehicular Uses</u>							
;Airport-related remote parking facility	F	F	F	F	C	C	C

(;As inserted on November 21, 1996.)

TABLE B - Continued

	<u>Local Convenience Subdistricts</u>		<u>Neighborhood Shopping Subdistricts</u>		<u>Community Commercial Subdistricts</u>		<u>Local Industrial Subdistricts</u>
	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	<u>Bsmt. &amp; First Story</u>	<u>Second Story &amp; Above</u>	
<u>Vehicular Uses (cont'd)</u>							
Bus servicing or storage	F	F	F	F	F	F	F
Carwash <sup>11</sup>	F	F	F	F	F	F	F
Gasoline station <sup>11</sup>	F	F	F	F	F	F	F
+Indoor sale, with or without installation, of automotive parts, accessories and supplies	F	F	F	F	F	F	F
^Indoor sale of motor vehicles	F	F	F	F	F	F	F
^Outdoor sale of new and used motor vehicles	F	F	F	F	F	F	F
Parking garage <sup>12</sup>	F	F	C	C	C	C	A
Parking lot <sup>12</sup>	F	F	C	F	C	F	A
Rental agency for cars	F	F	F	F	F	F	F
Rental agency for trucks	F	F	F	F	F	F	F
Repair garage <sup>11</sup>	F	F	F	F	C	F	C <sup>1</sup>
Truck servicing or storage	F	F	F	F	F	F	F
(+As amended on November 7, 1996.)							
(^As amended on March 15, 2006)							
<u>Wholesale Uses</u>							
Wholesale business	F	F	C	F	C	C	A

TABLE B - Continued

Local Convenience Subdistricts		Neighborhood Shopping Subdistricts		Community Commercial Subdistricts		Local Industrial Subdistricts
Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	

Accessory and Ancillary Uses

In each subdistrict of the Dorchester Avenue Neighborhood District, an accessory use ordinarily incident to a lawful main use is allowed, subject to the provisions of Article 10, unless such use is (i) specifically forbidden as a main use for such subdistrict in this Table B and (ii) not designated "A" or "C" for such subdistrict on the accessory use table below. In any event, an accessory use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is accessory.

Accessory amusement game machines  
(not more than four) in commercial  
or non-commercial establishment

Accessory art use	A	F	C	A	C	F	F <sup>13</sup>
Accessory automatic teller machine	C	F	C	F	A	F	A
Accessory bus servicing or storage	F	F	F	F	F	F	C
Accessory cafeteria	A	C	A	C	A	A	A
Accessory cultural use	A	A	A	A	A	A	A
Accessory dormitory	F	F	F	F	F	F	F
Accessory drive-through restaurant	F	F	F	F	F	F	F
Accessory drive-through retail	F	F	F	F	C	F	C <sup>1</sup>
Accessory family day care home	A	A	A	A	A	A	A
Accessory home occupation	A	A	A	A	A	A	F
^Accessory indoor maintenance and operation of a payphone <sup>17</sup>	A	A	A	A	A	A	A
Accessory industrial use	F	F	F	F	F	F	A
Accessory keeping of animals other than laboratory animals	C	F	C	F	C	C	C
Accessory keeping of laboratory animals <sup>6</sup>	F	F	C	C	C	C	C

TABLE B - Continued

	Local Convenience Subdistricts		Neighborhood Shopping Subdistricts		Community Commercial Subdistricts		Local Industrial Subdistricts
	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	
<u>Accessory and Ancillary Uses (cont'd)</u>							
Accessory machine shop	F	F	F	F	A	F	A <sup>1</sup>
Accessory manufacture of products	F	F	F	F	C	C	C
Accessory offices	A	A	A	A	A	A	A
Accessory offices for university	F	F	F	F	F	F	F
Accessory outdoor cafe	A	F	A	F	A	F	A <sup>1</sup>
Accessory parking <sup>12</sup>	A	F	A	F	A	F	A <sup>1</sup>
Accessory personnel quarters	F	F	F	F	F	F	F
Accessory printing	C	C	A	C	A	C	A
Accessory professional office in a dwelling	A	A	A	A	A	A	A
Accessory railroad storage yard	F	F	F	F	F	F	F
Accessory recycling	F	C	F	C	C	A	A
Accessory repair garage	F	F	F	F	F	F	F
Accessory retail	A	C	A	C	A	A	A
Accessory services for apartment and hotel residents	A	A	A	A	A	A	A
Accessory services incidental to educational uses other than college or university use	F	F	F	F	C	C	C
Accessory storage of flammable liquids and gases							
Small <sup>10</sup>	C	C	C	C	A	A	A
Large <sup>10</sup>	F	F	F	F	F	F	F

TABLE B - Continued

	Local Convenience Subdistricts		Neighborhood Shopping Subdistricts		Community Commercial Subdistricts		Local Industrial Subdistricts
	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	Bsmt. & First Story	Second Story & Above	
<u>Accessory and Ancillary Uses</u> (cont'd)							
Accessory swimming pool or tennis court <sup>14</sup>	A	C	A	C	A	C	C
Accessory trade uses	A	A	A	A	A	A	A
Accessory truck servicing or storage	F	F	F	F	F	F	F
Accessory wholesale business	F	F	F	F	C	C	C
Ancillary use <sup>15</sup>	C	C	C	C	C	C	C

1. F on second story and above.

2. C on second story and above.

^3. Provided that, where such use is located in an area where residential uses are existing: (1) the requirements of St. 1956, c. 665, s.2, where applicable, are met; (2) the use is essential to service in the residential area in which it is located; and (3) in the case of a pumping station, sub-station, or automatic telephone exchange, no open storage is maintained in the yard in connection with such use unless appropriately screened.

(^As amended on July 27, 1993)

4. See Section 52-23 (Additional Requirements in Neighborhood Business Subdistricts and Local Industrial Subdistricts).



TABLE B - Continued

5. Provided that such use shall not exceed forty percent (40%) of the gross floor area allowed within a Lot.
6. Provided that such use shall comply with all guidelines and standards promulgated by the National Institute of Health concerning the care and use of laboratory animals.
7. Total gross floor area not more than 2,500 square feet per restaurant.
8. Total gross floor area exceeding 2,500 square feet per restaurant.
9. Where a Retail, Service or Trade Use is designated "A", it shall be conditional if merchandise is sold or displayed out-of-doors or such establishment is open to the public after 12 midnight or before 6:00 a.m.
- ^9a. Provided that all storage of beverage containers shall be located entirely within a building, and provided further that such use shall be forbidden within fifty (50) feet of any Residential District or Subdistrict, Open Space District or Subdistrict, or Conservation Protection Subdistrict.  
  
(^As inserted on September 30, 1993)
10. Small: storage of less than thirty thousand (30,000) gallons of flammable liquids or less than ten thousand (10,000) cubic feet of gases; Large: storage of thirty thousand (30,000) gallons or more of flammable liquids or ten thousand (10,000) cubic feet or more of gases.
11. Where such use is designated "A", or "C", provided that all washing, painting, lubricating, and making of repairs is carried on inside a building; that such establishment is sufficiently sound insulated to confine all noise to the lot; that all flashing, fumes, gases, smoke and vapor are effectively confined to the lot; and that there is no outdoor storage of damaged, disabled or unregistered motor vehicles for a period of more than one month; otherwise forbidden.
12. If such Use is located in the Restricted Parking District, it is C and subject to the provisions of Section 6-3A as well as Sections 6-2, 6-3 and 6-4; except that parking accessory to a Residential or related Use (see Table H) is A.

TABLE B - Continued

13. A on second story and above.
14. Provided that such use is more than four (4) feet from every lot line, and in the case of a swimming pool, that it is protected by a fence at least six (6) feet in height with a gate which is locked from the outside, and that if the pool is within ten (10) feet of a lot line, the fence is concealing to a height of at least six (6) feet.
15. Provided that any such use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is ancillary.
16. ^Where designated "A," provided that any Proposed Project for a General Retail Business shall be conditional if it:  
(a) establishes an occupancy for a General Retail Business having a gross floor area of seventy-five thousand (75,000) or more square feet; or (b) changes to a General Retail Business the use of a gross floor area of seventy-five thousand (75,000) or more square feet; or (c) enlarges a General Retail Business so as to result in a total gross floor area of seventy-five thousand (75,000) or more square feet.

(^As inserted on December 19, 1994.)

- ^17. Provided that such use shall be forbidden unless located within a building at least ten (10) feet from an entrance.

(^As inserted on March 15, 2006.)

TABLE C

**Dorchester Avenue Neighborhood District  
Residential Subdistricts Dimensional Regulations**

	<u>Lot Area, Minimum for Dwell. Unit(s) Specified (Sq.Ft.)</u>	<u>Additional Lot Area for Ea. Addit'l Dwell. Unit (Sq.Ft.)</u>	<u>Lot Width Minimum (Feet)</u>	<u>Lot Frontage Minimum (Feet)</u>	<u>Floor Area Ratio Maximum</u>	<u>Building Height<sup>2</sup> Maximum Stories</u>	<u>Feet</u>	<u>Usable Open Space<sup>3</sup> Minimum Sq. Ft. Per Dwelling Unit</u>	<u>Front Yard<sup>4</sup> Minimum Depth (Feet)</u>	<u>Side Yard<sup>6</sup> Minimum Width (Feet)</u>	<u>Rear Yard Minimum Depth (Feet)</u>	<u>Rear Yard Maximum Occupancy by Accessory Buildings (Percent)</u>
<b>One-Family Residential Subdistrict</b>												
<b><u>1F-4,000<sup>1</sup></u></b>												
1 Family Detached	4,000	N/A	45	45	0.5	2-1/2	30	1,000	15	10	30	25
Other Use	4,000	N/A	45	45	0.5	2-1/2	30	none	15	10	30	20
<b><u>1F-5,000<sup>1</sup></u></b>												
1 Family Detached	5,000	N/A	50	50	0.5	2-1/2	20	1,250	20	10	20	25
Other Use	5,000	N/A	50	50	0.5	2-1/2	20	none	20	10	20	20

TABLE C - Continued

	Lot Area, Minimum for Dwell. Unit(s) Specified (Sq.Ft.)	Additional Lot Area for Ea. Addit'l Dwell. Unit (Sq.Ft.)	Lot Width Minimum (Feet)	Lot Frontage Minimum (Feet)	Floor Area Ratio Maximum	Building Height <sup>2</sup> Maximum Stories	Feet	Usable Open Space <sup>3</sup> Minimum Sq. Ft. Per Dwelling Unit	Front Yard <sup>4</sup> Minimum Depth (Feet)	Side Yard <sup>6</sup> Minimum Width (Feet)	Rear Yard Minimum Depth (Feet)	Rear Yard Maximum Occupancy by Accessory Buildings (Percent)
<u>Two-Family Residential Subdistrict</u>												
<u>2F - 3000<sup>1</sup></u>												
1 or 2 Family Detached	3,000 for 1 or 2 units	N/A	30	30	0.9	2-1/2	35	600	5	5	20	25
Other Use	3,000	N/A	30	30	0.9	2-1/2	35	none	10	7	20	20
<u>2F - 4000<sup>1</sup></u>												
1 or 2 Family Detached	4,000 for 1 or 2 units	N/A	40	40	0.7	2-1/2	35	750	10	7	25	25
Other Use	4,000	N/A	40	40	0.7	2-1/2	35	none	15	7	25	20
<u>2F - 5000<sup>1</sup></u>												
1 or 2 Family Detached	5,000 for 1 or 2 units	N/A	45	45	0.6	2-1/2	35	800	10	10	30	25
Other Use	5,000	N/A	45	45	0.6	2-1/2	35	none	15	10	30	20

TABLE C - Continued

	Lot Area, Minimum for Dwell. Unit(s) Specified (Sq.Ft.)	Additional Lot Area for Ea. Addit'l Dwell. Unit (Sq.Ft.)	Lot Width Minimum (Feet)	Lot Frontage Minimum (Feet)	Floor Area Ratio Maximum	Building Height <sup>2</sup> Maximum Stories	Feet	Usable Open Space <sup>3</sup> Minimum Sq. Ft. Per Dwelling Unit	Front Yard <sup>4</sup> Minimum Depth (Feet)	Side Yard <sup>6</sup> Minimum Width (Feet)	Rear Yard Minimum Depth (Feet)	Rear Yard Maximum Occupancy by Accessory Buildings (Percent)
<u>Three-Family Residential Subdistrict</u>												
<u>Three-Family General</u>												
<u>3F-G-2,000<sup>2</sup></u>												
Semi-attached Dwelling, Row House Building, or Town House Building	1,000 for 1 unit	1,000	30	30	1.3	3	35	300	10	5	20	25
Any other Dwelling or Use	2,000 for 1 or 2 units	1,000	30	30	1.3	3	35	300	10	<sup>5</sup>	20	20
<u>3F-G-3,000</u>												
Semi-attached Dwelling, Row House Building, or Town House Building	1,500 for 1 unit	1,500	35	35	1.0	3	35	300	10	5	20	25

TABLE C - Continued

	Lot Area, Minimum for Dwell. Unit(s) Specified (Sq.Ft.)	Additional Lot Area for Ea. Addit'l Dwell. Unit (Sq.Ft.)	Lot Width Minimum (Feet)	Lot Frontage Minimum (Feet)	Floor Area Ratio Maximum	Building Height <sup>2</sup> Maximum Stories	Feet	Usable Open Space <sup>3</sup> Minimum Sq. Ft. Per Dwelling Unit	Front Yard <sup>4</sup> Minimum Depth (Feet)	Side Yard <sup>6</sup> Minimum Width (Feet)	Rear Yard Minimum Depth (Feet)	Rear Yard Maximum Occupancy by Accessory Buildings (Percent)
Any other Dwelling or Use	3,000 for 1 or 2 units	1,500	35	35	1.0	3	35	300	10	<sup>5</sup>	20	20
<u>3F-G-4,000</u>												
Semi-attached Dwelling, Row House Building, or Town House Building	2,000 for 1 unit	2,000	40	40	0.8	3	35	300	10	5	30	25
Any other Dwelling or Use	4,000 for 1 or 2 units	2,000	40	40	0.8	3	35	300	10	<sup>5</sup>	30	20
<u>3F-G-5,000</u>												
Semi-attached Dwelling, Row House Building, or Town House Building	2,500 for 1 unit	2,500	40	40	0.7	3	35	300	10	5	40	25

TABLE C - Continued

	Lot Area, Minimum for Dwell. Unit(s) Specified (Sq.Ft.)	Additional Lot Area for Ea. Addit'l Dwell. Unit (Sq.Ft.)	Lot Width Minimum (Feet)	Lot Frontage Minimum (Feet)	Floor Area Ratio Maximum	Building Height <sup>2</sup> Maximum Stories	Feet	Usable Open Space <sup>3</sup> Minimum Sq. Ft. Per Dwelling Unit	Front Yard <sup>4</sup> Minimum Depth (Feet)	Side Yard <sup>6</sup> Minimum Width (Feet)	Rear Yard Minimum Depth (Feet)	Rear Yard Maximum Occupancy by Accessory Buildings (Percent)
Any other Dwelling or Use	5,000 for 1 or 2 units	2,500	40	40	0.7	3	35	300	10	<sup>5</sup>	40	20
<u>3F-G-6,000</u>												
Semi-attached Dwelling, Row House Building, or Town House Building	3,000 for 1 unit	3,000	70	70	0.6	3	35	300	20	10	50	25
Any other Dwelling or Use	6,000 for 1 or 2 units	3,000	70	70	0.6	3	35	300	20	<sup>5</sup>	50	20
<u>√Triple-Decker</u>												
<u>3F-D-2,000</u>												
Triple-Decker Detached	2,000	N/A	30	30	1.3	3	40	300	5	5	15	25
Any other Dwelling or Use	2,000 for 1 or 2	1,000	30	30	1.3	3	40	300	5	5	15	20
<u>3F-D-3,000</u>												
Triple-Decker Detached	3,000	N/A	30	30	1.3	3	40	300	5	5	15	25
Any other Dwelling or Use	3,000 for 1 or 2	1,500	30	30	1.3	3	40	300	5	<sup>5</sup>	15	20

TABLE C - Continued

	Lot Area, Minimum for Dwell. Unit(s) Specified (Sq.Ft.)	Additional Lot Area for Ea. Addit'l Dwell. Unit (Sq.Ft.)	Lot Width Minimum (Feet)	Lot Frontage Minimum (Feet)	Floor Area Ratio Maximum	Building Height <sup>2</sup> Maximum Stories	Feet	Usable Open Space <sup>3</sup> Minimum Sq. Ft. Per Dwelling Unit	Front Yard <sup>4</sup> Minimum Depth (Feet)	Side Yard <sup>6</sup> Minimum Width (Feet)	Rear Yard Minimum Depth (Feet)	Rear Yard Maximum Occupancy by Accessory Buildings (Percent)
<u>3F-D-4,000</u>												
Triple-Decker Detached	4,000	N/A	40	40	1.3	3	40	300	7	5	30	25
Any other Dwelling or Use	4,000 for 1 or 2	2,000	40	40	1.3	3	35	300	7	<sup>5</sup>	30	20
(√ As amended on July 30, 1998, and June 10, 2009.)												
Multifamily Residential Subdistrict												
<u>MFR and MFR/LS</u>												
1, 2, or 3 Family Detached Dwelling or Semi-attached Dwelling	3,000 per building of 1 or 2 units	1,000	40	40	1.0	3	35	400	5	10	30	25
Row House Building or Town House Building	3,000 for up to 4 units per building	3,000 for up to 4 units per building	30 for each building	30 for each building	1.0	3	35	200	5	<sup>6</sup>	30	25
Any other Dwelling or Use	4,000 for first 4 units	1,000	40	40	1.0 <sup>7</sup>	3	35	200	5	10	20	25



TABLE C - Continued

Footnotes

1. See Map 5C, Map 5D and Map 8C, and Section 52-9. 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-D OR 3F-G 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). See also Section 52-26, Application of Dimensional Requirements.
2. 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.
3. 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.
4. See Section 52-26.2, Conformity with Existing Building Alignment. A bay window may protrude into a Front Yard.
5. 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 ten (10) feet.
6. 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.
7. Provided that, in the area bounded by Dorchester Park and Dorchester Avenue, the maximum Floor Area Ratio for a Hospital Use shall be four (4).

TABLE D

**Dorchester Avenue Neighborhood District  
Neighborhood Business Subdistricts and Local Industrial Subdistricts  
Dimensional Regulations**

	<u>Local Convenience Subdistricts</u>	<u>Neighborhood Shopping Subdistricts</u>	<u>Community Commercial Subdistricts</u>	<u>Local Industrial Subdistricts</u>
Maximum Floor Area Ratio	1.0	1.0	1.0	1.0
Maximum Building Height	40	40	40	40
Minimum Lot Size	none	none	none	none
Minimum Lot Area Per Dwelling Unit	none	none	none	none
Minimum Usable Open Space (1) per Dwelling Unit (square feet)	50	50	50	50
Minimum Lot Width	none	none	none	none
Minimum Lot Frontage	none	none	none	none
Minimum Front Yard (3)	none (2)	none (2)	none (2)	6 (2)
Minimum Side Yard (4)	none	none	none	none
Minimum Rear Yard (5)	20	20	20	20

## TABLE D

### Footnotes:

1. In a Neighborhood Business Subdistrict, all or a portion of required usable open space may be met by suitably designed and accessible space on balconies of main buildings or on roofs of wings of main buildings, or on the roofs of accessory buildings.
2. See Section 52-21.1, Street Wall Continuity.
3. In a required front yard, no plaza, terrace or public access to a basement (other than required by the State Building Code) shall be below the grade of the nearest sidewalk unless, after public notice and hearing and subject to the provisions of Article 6, the Board of Appeal grants a permit therefor.

In a Neighborhood Business and Local Industrial Subdistricts, every front yard required by this code shall be at grade level along every lot line on which such yard abuts.

4. In a Neighborhood Business and Local Industrial Subdistricts, no side yard is required except in the case of a lot with a side lot line abutting a Residential Subdistrict, which shall have side yards as if it were in such abutting district. Every side yard so required that does not abut a street line shall, along every lot line on which such yard abuts, be at a level no higher than that of the lowest window sill of the lowest room designed for human occupancy or so occupied, and relying upon natural light or natural ventilation from windows opening on such yard.
5. In a Neighborhood Business and Local Industrial Subdistricts, every rear yard required by this code that does not abut a street line shall, along every lot line on which such yard abuts, be at a level no higher than the level of the lowest window sill in the lowest room designed for human occupancy or so occupied, and relying upon natural light or natural ventilation from windows opening on such yard.

TABLE E

**Dorchester Avenue Neighborhood District  
Off-Street Parking Requirements<sup>1, 2</sup>**

	<u>Space(s) per 1,000 Square Feet of Gross Floor Area</u>
<u>Banking and Postal Uses</u>	1.0
<u>Community Uses</u>	1.0
<u>Educational Uses</u>	
Day Care Center	0.7
Elementary School	0.7
Middle School (through 9th Grade)	0.7
Kindergarten	0.7
Other Educational Uses	1.0
<u>Health Care Uses</u>	1.0
<u>Industrial Uses</u>	0.5
<u>Office Uses</u>	2.0
<u>Public Service Uses</u>	
Courthouse	2.0
Police Station	1.5
Fire Station	1.0
All other Public Service Uses	0
<u>Research and Development Uses</u>	0.5
<u>Retail Uses</u>	2.0
<u>Service and Trade Uses</u>	2.0
<u>Storage Uses, Major</u>	0.5
<u>Transportation Uses</u>	0.25
<u>Vehicular Uses</u>	0.5
<u>Wholesale Uses</u>	0.25

TABLE E - Continued

**Dorchester Avenue Neighborhood District  
Off-Street Parking Requirements<sup>1, 2</sup>**

	<u>If there are seats (spaces per seat)<sup>3</sup></u>	<u>If there are no seats (spaces per 1,000 square feet of public floor area in structures)<sup>3</sup></u>
<u>Cultural Uses</u>		
Auditorium, Cinema, Concert Hall, Theatre	0.2	1.0
All other cultural uses	0.1	1.0
<u>Entertainment and Recreational Uses</u>		
	0.15	4.0
<u>Funerary Uses</u>		
Funeral home	0.1	3.0
Mortuary chapel	0.1	3.0
All other funerary uses	none	none
<u>Open Spaces Uses</u>		
Stadium	-	20.0
All other	0.2	6.0
<u>Places of Worship</u>		
	0.1	3.0
<u>Restaurant Uses</u>		
	0.15	4.0

1. Except in the Restricted Parking District: in said district no off-street parking is required for these uses; see Section 3-1A(c).

^2. The provisions of this Table E do not apply to Proposed Projects that are subject to Large Project Review. See Section 52-25 (Off-Street Parking and Loading Requirements).

(^As amended on May 9, 1996.)

3. Where benches are used, each two (2) linear feet of bench shall constitute one seat.

TABLE E - Continued

**Dorchester Avenue Neighborhood District  
Off-Street Parking Requirements  
Residential and Related Uses<sup>1</sup>**

	<u>Space(s) per Dwelling Unit<sup>2</sup></u>
<u>Dormitory/Fraternity Uses</u>	0.5
<u>Hotel and Conference Center Uses</u>	0.7
<u>Residential Uses</u>	
Affordable Housing	0.7
Elderly Housing	0.5
Group Residence Limited	0.5
Homeless Shelter	0.25
Lodging House	0.5
Transitional Housing	0.25
Other Residential Uses	1.00

<sup>1</sup>. The provisions of this Table E do not apply to Proposed Projects that are subject to Large Project Review. See Section 52-25 (Off-Street Parking and Loading Requirements).

(^As amended on May 9, 1996.)

2. Where a use is not divided into Dwelling Units:

- (a) if sleeping rooms have accommodations for not more than two (2) persons, two (2) such sleeping rooms shall constitute a Dwelling Unit;
- (b) if sleeping rooms have accommodations for more than two (2) persons, four (4) beds shall constitute a Dwelling Unit.

TABLE F

**Dorchester Avenue Neighborhood District  
Off-Street Loading Requirements<sup>1</sup>**

<u>Gross Floor Area</u>	<u>Required Off-Street Loading Bays</u>
0-15,000 square feet	0
15,001-49,999 square feet	1.0

<sup>1</sup>. The provisions of this Table F do not apply to Proposed Projects that are subject to Large Project Review. See Section 52-25 (Off-Street Parking and Loading Requirements).

(^As amended on May 9, 1996.)