ARTICLE 69
HYDE PARK NEIGHBORHOOD DISTRICT[1]

IN GENERAL

Section 69-1. Statement of Purpose, Goals, and Objectives.

The purpose of this Article is to establish the zoning regulations for the Hyde Park Neighborhood District. The objectives of this Article are to provide adequate density controls that protect established residential areas and direct growth to areas where it can be accommodated; to retain and develop affordable, moderate income, and market rate housing compatible with adjacent areas, particularly for families; to promote the viable neighborhood economy; to preserve, maintain and create open space; to protect the environment and improve the quality of life; to promote the most appropriate use of land; and to promote the public safety, health, and welfare of the people of Boston.

Section 69-2. Physical Boundaries.

The provisions of this Article are applicable only in the Hyde Park Neighborhood District. The boundaries of the Hyde Park Neighborhood District and its subdistricts are as shown on the map numbered 12, entitled "Hyde Park Neighborhood District" (replacing existing "Map 12 Hyde Park"), of the series of maps entitled "Zoning Districts City of Boston," as amended.

Section 69-3. Applicability.

This Article, together with the rest of this Code, constitutes the zoning regulation for the Hyde Park Neighborhood District. This Article applies 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. 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 8-3 (Use Regulations) and Articles 13 through 24 of this Code for the Hyde Park 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 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.

(Text Amd. No. 471, § 14g., 4-3-2024)

[1](Article inserted on February 9, 2012; As of May 22, 2014)

Section 69-4. Prohibition of Planned Development Areas.

Within the Hyde Park Neighborhood District, no Planned Development Area shall be permitted.

Section 69-5. Community Participation.

This Article ~~has been developed~~ was development in 2012 with the extensive participation of the Hyde Park Neighborhood Strategic Plan Advisory Group, residents, neighborhood associations, and business groups. 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. The Boston Redevelopment Authority shall continue to involve Hyde Park residents, civic associations, and business groups in an advisory capacity for future land use and planning initiatives for Hyde Park.

SECTION 69-6. Recognition of the Hyde Park Neighborhood Plan.

The Zoning Commission hereby recognizes the Hyde Park Neighborhood Strategic Plan dated August 2011 as the planning basis for the design regulations and guidelines for the subdistricts regulated by the Hyde Park Neighborhood District.

REGULATIONS APPLICABLE IN RESIDENTIAL SUBDISTRICTS

Section 69-7. Establishment of Residential Subdistricts.

This Section 69-7 establishes Residential Subdistricts within the Hyde Park Neighborhood District. The purpose of the Residential Subdistricts is to maintain, enhance, and promote the character of the residential neighborhoods in terms of density, housing type, and design; to provide for low- and medium-density single, two, and three family and multifamily housing appropriate to the existing built environment; and to encourage appropriate development which enhances the Residential Subdistricts while preventing overdevelopment.

The following Residential Subdistricts are established:

1. **One-Family ("1F") Residential 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. 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. In a 2F Subdistrict, the maximum number of Dwelling Units Allowed in a single Building shall be two (2).
3. **Three-Family Residential ("3F") Subdistricts**. The Three-Family Residential ("3F") Subdistricts are established to preserve the low-density three-family areas with a variety of housing types appropriate to the existing fabric, including one-, two-, and three-family Dwellings. In a 3F Subdistrict, the maximum number of Dwelling Units Allowed in a single Building, including a Town House Building or Row House Building, is three (3).
4. **Multifamily Residential ("MFR") Subdistricts**. The Multifamily Residential ("MFR") Subdistricts are established to encourage low to 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.

Commented [1]: Purpose: To clarify the continued maintenance of Article 69 and clearly identify when the Article was first developed and last comprehensively updated.

Commented [2]: Fixed formatting (section title currently not bolded in online version of Code)

Commented [3]: Purpose: To clarify that the Hyde Park Neighborhood Strategic Plan is the planning basis for design regulations and guidelines of just subdistricts regulated by Article 69.

Section 69-8. 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 said 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.
2. **Basement Units**: Notwithstanding any contrary provision of this Article or Code, Dwelling Units in a Basement are Forbidden in the Hyde Park Neighborhood District.
3. **Additional Dwelling Unit.** Within the Hyde Park Neighborhood District, an Additional Dwelling Unit, as defined in Section 2-1, shall be subject to the Use Regulations set forth in Table A of this Article; however said Additional Dwelling Unit shall be an Allowed Use where it may otherwise be Conditional or Forbidden provided that it is the addition of no more than one (1) dwelling unit to the existing structure; and shall be exempt from all requirements of this Code provided that the Additional Dwelling Unit does not involve any bump out, extension or construction to the existing envelope of the structure which results in the addition of Gross Floor Area and that the residential structure to which the conversion is occurring is owner-occupied and registered in accordance with Ch. 9-1.3 of the City of Boston Rental Registry Ordinance at the time of conversion.

(Text Amd. No. 416, § 64a., 7-2-2015; Text Amd. No. 440, § 17A., 5-8-2019; Text Amd. No. 461, § 3, 6-22-2023.)

Section 69-9. Dimensional Regulations Applicable in Residential Subdistricts.

1. **Lot Area, Lot Width, Lot Frontage, Usable Open Space, 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. **Lot Frontage**. Within the One-Family Residential ("1F") Subdistricts, Two-Family Residential ("2F") Subdistricts, and Three-Family Residential ("3F") 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.
3. **Location of Main Entrance**. Within the Residential Subdistricts, the main entrance of a Dwelling shall face the Front Lot Line.

REGULATIONS APPLICABLE IN NEIGHBORHOOD BUSINESS SUBDISTRICTS

Section 69-10. Establishment of Neighborhood Business Subdistricts.

Commented [4]: Purpose: Remove some named neighborhood business subdistricts from Article 69 because those subdistricts will be replaced with Squares + Streets district

This Section 69-10 establishes Neighborhood Business Subdistricts within the Hyde Park Neighborhood District. There are two types of Neighborhood Business Subdistricts: Local Convenience ("LC") Subdistricts, providing convenience retail and services for the immediate neighborhood and pedestrians, and Neighborhood Shopping ("NS") Subdistricts, providing convenience goods and services to the larger neighborhood and surrounding areas. The NS Subdistricts are further subdivided into NS-1 and NS-2 Subdistricts, the latter of which allows for moderately greater FAR and promotes mixed use development. Both types of Neighborhood Business Subdistrict encourage the development of neighborhood businesses that provide essential goods and services to, as well as jobs and entrepreneurial opportunities for, the Hyde Park community.

The following Neighborhood Business Subdistricts are established:

1. ~~Hyde Park/Dana/Pine Local Convenience (LC) Subdistrict~~
2. Hyde Park/Collins/Metropolitan Local Convenience (LC) Subdistrict
3. Hyde Park/Thatcher/Greenwood Local Convenience (LC) Subdistrict
4. Hyde Park/Arlington Local Convenience (LC) Subdistrict
5. ~~River/West Local Convenience (LC) Subdistrict~~
6. River/Oakcrest/Tileston Local Convenience (LC) Subdistrict
7. River/Reservation Local Convenience (LC) Subdistrict
8. River/Norton Local Convenience (LC) Subdistrict
9. ~~Fairmount/Truman Local Convenience (LC) Subdistrict~~
10. Dana/Truman Local Convenience (LC) Subdistrict
11. Wolcott Square Local Convenience (LC) Subdistrict
12. River/Solaris Local Convenience (LC) Subdistrict
13. American Legion/Cummins Neighborhood Shopping (NS-1) Subdistrict
14. Hyde Park/Willow Neighborhood Shopping (NS-1) Subdistrict
15. Oak Lawn Neighborhood Shopping (NS-1) Subdistrict
16. ~~Hyde Park/Factory Neighborhood Shopping (NS-1) Subdistrict~~
17. ~~River/Winthrop Neighborhood Shopping (NS-1) Subdistrict~~
18. River/Wood Neighborhood Shopping (NS-2) Subdistrict
19. Truman/Washington Neighborhood Shopping (NS-1) Subdistrict
20. ~~Cleary and Logan Square Neighborhood Shopping (NS-2) Subdistrict~~

(As amended on May 22, 2014)

Section 69-11. 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.

(Text Amd. No. 416, § 54b., 7-2-2015.)

Section 69-12. 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 E of this Article.

REGULATIONS APPLICABLE IN LOCAL INDUSTRIAL SUBDISTRICTS

Section 69-13. Establishment of Local Industrial Subdistricts.

This Section 69-13 establishes Local Industrial ("LI") Subdistricts within the Hyde Park Neighborhood District. The LI Subdistricts are further subdivided into LI-1 and LI-2 Subdistricts, the latter of which allows for moderately greater FAR. The purpose of Local Industrial Subdistricts is to encourage the preservation of the existing manufacturing and industrial base in a manner that is sensitive to and preserves the quality of life of the surrounding neighborhoods, and to encourage the development of new job opportunities and innovation within the manufacturing and industrial sector in the Hyde Park Neighborhood District.

The following Local Industrial Subdistricts are established:

1. Hyde Park/Margin/Grantley Local Industrial (LI-1) Subdistrict
2. Providence/Collins/Westminster Local Industrial (LI-1) Subdistrict
3. Providence/Arlington/West Local Industrial (LI-1) Subdistrict
4. Meadow Road Local Industrial (LI-1) Subdistrict
5. River/Knight/Roxana Local Industrial (LI-1) Subdistrict
6. Business/Reservation Local Industrial (LI-2) Subdistrict
7. Westinghouse Plaza Local Industrial (LI-2) Subdistrict
8. Hyde Park/Reservation/Milton Local Industrial (LI-2) Subdistrict
9. Boston/Dedham Industrial Park Local Industrial (LI-2) Subdistrict
10. Industrial Drive/Readville Yard Local Industrial (LI-2) Subdistrict

Section 69-14. 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.

(Text Amd. No. 416, § 64c., 7-2-2015.)

Section 69-15. 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.

REGULATIONS APPLICABLE IN CONSERVATION PROTECTION SUBDISTRICTS

Section 69-16. Establishment of Conservation Protection Subdistricts.

This Section 69-16 establishes Conservation Protection ("CPS") Subdistricts in the Hyde Park Neighborhood District. The Conservation Protection Subdistricts are established to promote the most desirable use of land and siting of development in areas with special natural or scenic features in accordance with a well considered plan, and to protect and enhance the natural and scenic resources of Hyde Park.

The following Conservation Protection Subdistricts are established:

1. Maple Street and Walnut Street Conservation Protection (CPS) Subdistrict
2. Beechmont Terrace Conservation Protection (CPS) Subdistrict
3. Dedham Line Conservation Protection (CPS) Subdistrict
4. Manila Avenue Conservation Protection (CPS) Subdistrict
5. Monterey Hilltop Conservation Protection (CPS) Subdistrict
6. Pleasant View Conservation Protection (CPS) Subdistrict
7. Sprague Pond Waterfront Conservation Protection (CPS) Subdistrict
8. Tacoma Street and Stafford Street Conservation Protection (CPS) Subdistrict

Section 69-17. Use Regulations Applicable in Conservation Protection Subdistricts.

Within the Conservation Protection 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 said 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.

(Text Amd. No. 416, § 64d., 7-2-2015.)

Section 69-18. Dimensional Regulations Applicable in Conservation Protection Subdistricts.

The minimum Lot Area, Lot Width, Lot Frontage, Front Yard, Side Yard, Rear Yard, and Usable Open Space for any Lot in a Conservation Protection Subdistrict, and the maximum Allowed Building Height and Floor Area Ratio for such Lot, are set forth in Table D of this Article.

Section 69-19. Site Plan Approval Requirement.

In order to assure that any significant new development within the Conservation Protection Subdistricts occurs in a manner that is protective of the special natural and scenic features in accordance with a plan considering the most desirable land uses for such areas, requirements for Boston Redevelopment Authority review of site plans for Proposed Projects in Conservation Protection Subdistricts apply as provided in Article 80 for the Site Plan components of Large Project Review and Small Project Review, pursuant to Section 80B-2 (Applicability of Large Project Review) and Section 80E-2 (Applicability of Small Project Review), respectively.

REGULATIONS APPLICABLE IN OPEN SPACE DISTRICTS AND SUBDISTRICTS

Section 69-20. Establishment of Open Space Subdistricts.

This Section 69-20 establishes Open Space ("OS") Subdistricts in the Hyde Park Neighborhood District. The purpose of the Open Space Subdistricts is to enhance the quality of life for Hyde Park's residents by protecting open space resources. Any Lot within any Open Space Subdistrict is subject to the applicable provisions of this Code, including without limitation Article 33 (Open Space Subdistricts). The Open Space Subdistricts designated in the Hyde Park Neighborhood District are listed in Table 1 of this Section 69-20 and are of the following types:

1. **Cemetery Open Space (OS-CM) Subdistricts**. Cemetery Open Space Subdistricts are designated for interment uses, and are subject to provisions of Section 33-14.
2. **Parkland Open Space (OS-P) Subdistricts**. 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. Parkland Open Space Subdistricts are subject to the provisions of Section 33-9.

3. **Recreation Open Space (OS-RC) Subdistricts**. Recreation Open Space Subdistricts shall consist of land appropriate 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. Recreation Open Space Subdistricts are subject to the provisions of Section 33-10.

4. **Urban Plaza Open Space (OS-UP) Subdistricts**. Urban Plaza Open Space (OS-UP) Subdistricts are designated for passive recreational uses, shall be directly accessible to the public from an adjoining Street, may be furnished with benches, and other features. Urban Plaza Open Space Subdistricts are subject to the provisions of Section 33-15.

5. **Urban Wild Open Space (OS-UW) Subdistrict**. Urban Wild Open Space Subdistricts shall consist of land not in the City's park system that includes such features as undeveloped hills, rock outcroppings, quarries, woodlands, meadows, scenic views, inland waters, freshwater wetlands, flood plains, wildlife habitat, or any estuary, creek, river, stream, pond, or lake, or any land under said waters. Urban Wild Open Space Subdistricts are subject to the provisions of Section 33-12.

TABLE 1 Open Space Subdistricts Designated in the Hyde Park Neighborhood District

Designation	Location/Name
Cemetery	Oak Lawn Cemetery
	Fairview Cemetery
Parkland	DeSantis Park
	Mother Brook Reservation
	Neponset River Reservation
	Neponset River at Hyde Park Avenue and Reservation Road
	Neponset Valley Parkway
	Stony Brook Reservation
	Truman Highway at Milton Avenue
	Walnut Street
Recreation	Amatucci Playground
	Camp Meigs
	Paul J. Colella Playground and Field
	Dooley Playground
	Doyle Playground
	Iacono/Readville Playground
	Martini Shell Park
	McGann Park
	Moynihan Playground
	Reservation Road Park
	Ross Playground
	Stonehill Park
	Stony Brook Recreation Complex
	John F. Thompson Memorial Park
	George Wright Golf Course

Urban Plaza	Cleary Square
	Shempa Square
	Jeremiah Hurley Memorial Park
Urban Wild	Blake Estate Urban Wild
	Dana Avenue Urban Wild I
	DeForest Urban Wild
	Dell Rock I Urban Wild
	Monterey Hilltop Urban Wild
	Mother Brook III Urban Wild
	Railroad Avenue Urban Wild
	Sherrin Woods I Urban Wild
	West Austin Urban Wild
	West Street Urban Wild

REGULATIONS APPLICABLE IN OVERLAY DISTRICTS

Section 69-21. Recognition of Greenbelt Protection Overlay Districts.

This Section 69-21 establishes Greenbelt Protection Overlay Districts ("GPOD") in the Hyde Park Neighborhood District shall preserve and enhance air quality by protecting the supply of vegetation and open space along the City's Greenbelt Roadways; enhance and protect the natural scenic resources of the City; protect the City's Greenbelt Roadways from traffic congestion; and abate serious and present safety concerns.

The following Greenbelt Roadways and their adjacent areas between the boundary lines shown on Map 12, entitled "Hyde Park Neighborhood District," and described in Article 29 are designated Greenbelt Protection Overlay Districts, as follows:

1. Dedham Parkway Greenbelt Protection Overlay (GPOD) District
2. Enneking Parkway Greenbelt Protection Overlay (GPOD) District
3. Neponset Valley Parkway Greenbelt Protection Overlay (GPOD) District
4. Truman Parkway Greenbelt Protection Overlay (GPOD) District
5. Turtle Pond Parkway Greenbelt Protection Overlay (GPOD) District

Any Lot within a GPOD is subject to the provisions of this Article and Code applicable to the subdistrict within which it is located and to the provisions of Article 29 (Greenbelt Protection Overlay Districts).

Section 69-22. Establishment of Riverfront Protection Overlay Districts.

This Section 69-22 establishes Riverfront Protection Overlay Districts ("RPOD") in the Hyde Park Neighborhood District. The Riverfront Protection Overlay Districts are established to preserve and enhance river resources and the natural environment by protecting the supply of vegetation and open space along the City's waterways. This district encompasses land within 200 feet of the centerline of the waterway. The Design Component of Small Project Review shall apply to Proposed Projects within the RPOD that are new non-residential buildings or existing structures adding two thousand (2,000) or more square feet of gross floor area. The RPOD requires compliance with design guidelines. Design guidelines shall respect the natural features of the area, require waterfront setbacks and encourage public access and views to the water, and require the screening of all service areas and, for

commercial buildings, encourage porches or decks facing the water. Use of impervious surfaces should be minimized to improve natural hydrology and river water quality and should include benches, adequate trash receptacles and pet waste removal stations.

The following Rivers and their adjacent areas between the boundary lines shown on Map 12, entitled "Hyde Park Neighborhood District," are Riverfront Protection Overlay Districts:

1. Neponset River Riverfront Protection Overlay (RPOD) District
2. Mother Brook Riverfront Protection Overlay (RPOD) District

Section 69-23. Establishment of Neighborhood Design Overlay Districts.

This Section 69-23 establishes Neighborhood Design Overlay Districts ("NDOD") as overlays to all or portions of certain subdistricts within the Hyde Neighborhood District and within Squares + Streets Districts. The Neighborhood Design Overlay Districts are established to protect the existing scale, quality of the pedestrian environment, character of the residential neighborhoods, and concentrations of historic buildings within the Neighborhood Design Overlay Districts. Whether through new construction or rehabilitation, development within these Neighborhood Design Overlay Districts that preserves and complements the existing character and enhances the historic quality of these neighborhoods is encouraged.

Commented [5]: Purpose: to make the existing Neighborhood Design Overlay Districts (NDODs) applicable to the newly proposed, underlying Squares + Streets Districts.

The following Neighborhood Design Overlay District is established:

1. **The Haleyville and Webster Square Design Overlay (NDOD) District.** The area of Hyde Park known in the late 19th century as Haleyville contains handsomely designed and often substantial Italianate, Queen Anne/Colonial Revival, and Colonial Revival houses dating from c. 1870 through the turn of the 20th century. Most of these residences were built by local builder/contractor Charles Haley who, for 50 years, lived at 1161 Hyde Park Avenue. Haley was an important developer in the town, and the stretch of houses along Hyde Park Avenue is indicative of the highest quality of his work and forms an important gateway to Cleary Square.

   The Webster Square section of Hyde Park, centered around and small park and continuing along and around Central Avenue, contains a mix of residential architectural styles, including some of Hyde Park's finest examples of Gothic Revival, Italianate, and Queen Anne Housing. At 17 Webster Street is the long-time home of American Impressionist landscape painter John J. Enneking. Facing the Webster Square park is the 1910-1911 Modern Gothic style First Congregational Church, designed by Kilham and Hopkins and listed on the National register of Historic Places in 1999.

2. **The Fairmount Historic District Design Overlay (NDOD) District.** Although sited on a steeply sloping hill, Fairmount is laid out in a fairly strict grid pattern, with the curvilinear exceptions of Williams Avenue and Pond Street. Now an area of mixed architectural character, the original settlement developed by the 20 Associates—which focused around Fairmount Avenue, and Williams, Pond, Water, and Highland Streets—consisted of a nucleus of 20 houses patterned after the same Italianate design. By 1876, the development extended from Dana to Metropolitan Avenue, and was characterized primarily by Italianate, Mansard, and Gothic Revival dwellings typical of the period. Interspersed with the many larger residences are houses of more modest dimensions, as well as cul de sac developments from the mid-20th century. While there is a substantial amount of later infill, the area retains is consistently residential character. Many of the houses from the mid-19th century through early 20th century are outstanding examples of their types and are in an excellent state of preservation. Both historically and architecturally significant, the district contains the layout of original 1856 settlement, and retains many of the original structures, including Italianate houses of the 20 Associates, Fairmount Hall, and others constructed during the same period, as well as the residential sites of notable people such as abolitionist Theodore Weld.

3. **Child Street/Sunnyside Design Overlay (NDOD) District.** Although the residential development of Sunnyside began in the mid 1850s by the Hyde Park Company just prior to the settlement of Fairmount, the earliest remaining building fabric of this district dates from the late 1860s through the early 1870s. Sunnyside housed both the town's wealthy mill owners as well as its mill workers, with the business managers and owners residing on the "hill" and the workers remaining near the river and the industrial plants. Although Child Street in particular is characterized by its retention of houses of some of the town's most affluent residents, including several architecturally notable houses in a good state of preservation dating from c.1870 through the 1890's, Sunnyside's residential development retains many examples of modest and well-designed housing characteristic of much of the area

4. **Mt Neponset Design Overlay (NDOD) District.** The area known in the 19th century as Mt. Neponset was laid out by the Hyde Park Real Estate and Building Company in 1858. The plan for the hillside slopes of Mt. Neponset included streets that reflect the contours of the land and were named after trees that formerly were located in abundance on its slopes. The curling axes of Oak, Maple, Pine, and Walnut Streets sharply contrast to the rather strict grid pattern cut through earlier on Fairmount. Building on Mt. Neponset began in the early 1860s, and by 1872 it was substantially developed with Italianate and Mansard housing. A few fine houses in the Queen Anne and Shingle styles were added into the 1890s. Mt. Neponset also provided the site for a church for Hyde Park's growing Catholic community when Most Precious Blood Church was constructed between 1880 and 1885, with its complex of a rectory, convent, and school that followed.

   Although a few lots have been subdivided and a small number of 20th-century infill houses were built, Mt. Neponset's distinctive curvilinear street pattern and original density are largely unchanged, and it is particularly rich in its intact collection of Mansard and Italianate dwellings.

5. **Hyde Park Main Streets Design Overlay (NDOD) District.** "Downtown" in Hyde Park, by the late 1860s, was already focused along the stretch of Fairmount Avenue and River Street between the two railroad stations. By the early 1870s, this part of town housed several commercial blocks, and was the location of Hyde Park's Baptist, Congregational, and Episcopal Churches. By the end of the 19th century, local building laws required that all new development in this area be of masonry construction, and during the next two decades the character of Cleary and Everett (now Logan) Squares changed from one of frame blocks and stores to a commercial center of decidedly urban character. (74-84 Fairmount Avenue represents a rare wooden survivor in the district from its earliest period of development.) Substantial brick commercial buildings such as the Fallon Building, Way Building, the Bank Block (dating from 1875 and originally Ruskinian Gothic in style but extensively remodeled in a Colonial Revival Style in the early 20th century), 1-11 Fairmount Avenue (containing the Everett Square Theatre), and French's Block (home to Riverside Theatre Works housed in the old French's Opera House) are impressive remnants of this era. Over time, these commercial buildings were joined by imposing civic and institutional buildings such as the Hyde Park Library, the YMCA, the Police Station, and the Municipal Building. Of the original churches on Fairmount Avenue and River Streets, only Christ Church (designed by the prominent architectural firm of Cram, Wentworth, and Goodhue and listed on the National Register of Historic Places) survives. Although several substantial buildings have been lost or reduced in height as a result of suburbanizing forces in the mid 20th century, the district retains much of its feel as a lively and relatively dense commercial center. Designated a Boston Main Streets district in 1995 and a Historic Neighborhood Center by Historic Boston Incorporated in 2007, future development to restore some of the district's original density and support its economic revitalization could take its cue from what is known of its lost buildings, many of which have been documented using the resources of the Hyde Park Historical Society.

   For applicability of the Design Component of Small Project Review to Proposed Projects in Neighborhood Design Overlay Districts, see Article 80E. All use, dimensional, and other provisions applicable to the underlying subdistricts are applicable within the Neighborhood Design Overlay Districts.

Section 69-24. Boston Landmarks Commission Review Requirement.

Any Proposed Project within a Neighborhood Design Overlay District is subject to review by the Boston Landmarks Commission, as set forth in this Section 69-24. Within five (5) days of its receipt of the application, the Boston Redevelopment Authority shall transmit a copy of the application to the Boston Landmarks Commission for its review. The Boston Landmarks Commission may, within thirty (30) days after its receipt of the application, file with the Boston Redevelopment Authority a report with recommendations, together with maps, plans, and other materials to aid the Boston Redevelopment Authority in determining consistency with the design guidelines set forth in Section 69-25.2 of this article. The Boston Redevelopment Authority shall not transmit its findings to the Inspectional Services Department until the Boston Redevelopment Authority has received and considered the Boston Landmarks Commission report with recommendations, provided that if the Boston Redevelopment Authority has not received such report within thirty (30) days, it may transmit the Director's certification to the Inspectional Services Department without such report.

REGULATIONS GOVERNING DESIGN

Section 69-25. Design Review and Design Guidelines.

1. **Applicability of Design Review**. To ensure that growth in the Hyde Park 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 69-25.1. In addition to those Proposed Projects specified in Section 80E-2.1, the following Proposed Projects are subject to the Design Component of Small Project Review pursuant to subsection (b) (iv) (Design Review Required by Underlying Zoning) of Section 80E-2.1:

(a) Any Proposed Project, if visible from a public street or public open space, that proposes the erection of a new Building or the addition or expansion of an existing Building or Structure by more than seven hundred fifty (750) square feet or more of Gross Floor Area. In connection with the design review for such Proposed Projects, to the extent that they are not subject to Article 80 Small or Large Project Review, the Boston Redevelopment Authority shall notify abutters, the Mayor's Office of Neighborhood Services, and the relevant District City Councilor within five (5) days of its receipt of all materials required under such review. A fourteen (14) day public comment period concerning the Proposed Project shall commence upon the issuance of this notice.

2. **Design Guidelines**. This Section 69-25 establishes the following design guidelines for the Hyde Park Neighborhood District.

1. **Site Plan**.

(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 and from a site should minimize traffic impacts on the adjacent roadways and provide safe visual access for drivers and pedestrians.

(c) Parking, storage, and disposal areas, and the entrance to accessory parking within a main Building, 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) For industrial Buildings, siting and design of new construction and rehabilitation of existing Buildings should be compatible with pedestrian activity. Where the provision of windows in the Street Wall is impracticable, articulation of the Street Wall by other means is encouraged. Where a Front Yard is required between the sidewalk edge and the Street Wall, such Front Yard should include an adequate landscaped buffer.

2. **Design and Architecture.**

(a) New or rehabilitated residential Buildings should reflect and complement the patterns of height, siting, and architectural character of the surrounding residential Structures. In this regard, Applicants are encouraged to consult the reference work, "A Pattern Book of Boston Houses," published by the Department of Neighborhood Development, which is available to the public through the Boston Redevelopment Authority. The removal or alteration of any historic architectural feature is discouraged.

(b) 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.

(c) 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, unless this is infeasible or inappropriate, on accurate duplication of original features of the Building to be rehabilitated or those of other Buildings of the same style and period.

(d) Contemporary design for residential structures is appropriate, provided that such structures are compatible with the size, material, and character of the surrounding neighborhood environment.

(e) New residential construction should reflect the traditional location and relationship of Buildings on their sites. This includes setbacks from streets, spacing among Buildings, and orientation of fa¸ades to the street and neighboring structures. A fa¸ade facing a Street should not consist of blank walls without windows. In addition, the location of Buildings should respect significant landscape features on the site.

(f) 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.

(g) 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 design. Consistency with the architecturally-significant design elements of adjoining buildings and the established local structure should be considered in the design of cornice and roof lines and wall articulation, including the design of bays and fenestration.

(h) Storefronts and display windows should be open and welcoming to the shopper and stroller. fa¸ade treatments, building materials, and design details should be in keeping with the area's finest commercial architecture. Street Wall continuity should be maintained. (Refer to Section 69-26 of this Article).

(i) Setbacks, corner treatments, and other design details should be used where appropriate to minimize the sense of bulk of structures, and ornamental and decorative elements appropriate to the urban context are encouraged.

(j) Roofs of Buildings should be designed and screened to minimize the visibility of roof structures normally built above the roof and not designed to be used for human occupancy, such as headhouses and mechanical equipment.

(k) A zone for signs on the Building fa¸ade should be established, defined by a change in fa¸ade color and/or materials, or by an articulation of the fa¸ade, and all permanent signs mounted on the Building fa¸ade 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 fa¸ade. 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. Signs should not be flood-lighted. Small, shielded sources may be used if no spill-over is visible to abutting properties. (Refer to Section 69-28 of this Article).

(l) 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.

3. **Landscape**.

(a) Where such front yard is required between the sidewalk edge and the street wall, such front yard should include an adequate landscaped buffer. (Refer to Section 69-27 of this Article).

(b) Buildings should be sited so as to respect significant landscape features on the site, such as rock outcroppings, drainage areas, and mature trees.

(c) 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.

Section 69-26. Specific Design Requirements.

Except as otherwise expressly provided in this Article or Code, the provisions of this Section 69-26 shall apply to Proposed Projects within those subdistricts specified in this Section 69-26, except to the extent that provisions for Street Walls and display windows have been addressed through Large Project Review or Small Project Review, pursuant to Article 80. The provisions of Article 6A shall be applicable to the provisions of this Section 69-26.

1. **Street Wall Continuity in Certain Subdistricts**. This Section 69-26.1 shall apply within 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.

   Except as otherwise provided in this Section 69-26.1, 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. Oriel or Bay Windows may extend from the Street Wall plane provided that such windows do not exceed more than forty percent (40%) of the Street Wall plane.

For Proposed Projects that are subject to or elect to comply with Large Project Review or Small Project Review, recesses and bays shall be permitted if appropriate to the creation of visually interesting designs or the accommodation of a specific ground level function, provided that the fa¸ade remains compatible with its historical and architectural surroundings and visual continuity in the Block front is preserved, as certified by the Boston Redevelopment Authority in accordance with the Urban Design Component of Large Project Review or the Design Component of Small Project Review.

(a) **Street Wall Continuity in Neighborhood Business Subdistricts.** In any Proposed Project that is subject to this Section 69-26.1, 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. Notwithstanding the provisions of this Section 69-26.1(a), in no case shall the Building Line be more than ten (10) feet from the Street Line.

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 69-27 of this Article (Screening and Buffering), or

(ii) six (6) feet.

2. **Display Window Area Regulations in Neighborhood Business Subdistricts and Local Industrial Subdistricts**. This Section 69-26.2 shall apply in the Neighborhood Business Subdistricts and Local Industrial Subdistricts to any Proposed Project for the uses specified in this Section 69-26.2. 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 69-26.2(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 Vehicular Uses involving the servicing or washing of vehicles, and for Industrial Uses, 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 two (2) 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 conducted on the premises.

(c) **Display Window Security Grates**. That portion of the Display Window Area required by Section 69-26.2(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. Unless not practicable, security grates shall be mounted inside the building and not on the outside of the building. If a security grate must be mounted on the outside of the building, the box or other housing for such grate shall be concealed and integrated into the façade design. Security grates should be integrated into the design of the storefront.

Section 69-27. Screening and Buffering Requirements.

In order to enhance the appearance of the Hyde Park Neighborhood District and to ensure that its business and industrial subdistricts are appropriately separated from adjacent areas, the screening and buffering requirements of this Section 69-27 shall apply to those Proposed Projects described in this Section 69-27, except where provisions for adequate screening and buffering have been established for a Proposed Project through Large Project Review or Small Project Review, pursuant to Article 80. The provisions of Article 6A shall apply to the provisions of this Section 69-27.

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 or Local Industrial 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 solid wall 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 of a Neighborhood Business Subdistrict abutting a public street or public park, the fence type must be a metal picket fence. The height of the fence 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 or a Neighborhood Business Subdistrict, shall be screened from view as provided in this Section 69-27.2. 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 and contain trees of no less than three (3) inches caliper planted no more than fifteen (15) feet apart.

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. **Interior Landscaping of Parking Areas**. Parking areas must be broken up with landscaping by planting a landscape island on the interior of parking areas. Parking areas along the perimeter must be broken up with landscaping by providing a landscape island with a minimum of one (1) deciduous tree and five (5) evergreen shrubs in a planting area no less than five (5) feet by ten (10) feet to be provided after every ten (10) contiguous parking spaces.

Parking areas not along the perimeter must have a landscape island for every row of cars that is no less than five (5) feet by ten (10) feet with a minimum of one (1) deciduous tree and five (5) evergreen shrubs in a planting area no less then five (5) feet by ten (10) feet to be provided after every ten (10) contiguous parking spaces.

4. **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 or a Neighborhood Business Subdistrict, shall be screened from view as provided in this Section 69-27.4, except that no additional screening shall be required if the disposal area, dumpster, or ground-mounted mechanical equipment is located within a Lot where screening is required along Lot lines pursuant to Section 69-27.1. 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 from view.

5. **Roof-Mounted Mechanical Equipment**. Roof-mounted mechanical equipment shall be located in the center of the roof and be painted to blend with adjacent or nearby building materials or shall be screened by wood, brick, or similar material, except that such painting or screening shall not be required for equipment in a Local Industrial Subdistrict, provided that no part of the Local Industrial Subdistrict is located within a Greenbelt Protection Overlay District, nor within a Riverfront Protection Overlay District.

6. **Materials for Screening Walls and Fences**. Screening walls and fences may be made of one or more materials, such as masonry (piers or walls), metal pickets, decorative metal, wrought iron, shadow box, vinyl coated chain link, or board-type wood. The use of chain link fencing is discouraged except on small areas not facing a public street or public park. 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.

7. **Specifications for Plantings**. Shrubs required by this Section 69-27 may be 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 69-27 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) inches to twelve (12) inches above Grade) and shall be at least twelve (12) feet tall 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 shall be maintained unless this is not possible. The use of bulbs, perennials, and annuals is also encouraged, as is the use of native plantings and other non-invasive species.

8. **Maintenance of Landscaped Areas**. Landscaping required by this Section 69-27 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 69-27.

MISCELLANEOUS PROVISIONS

Section 69-28. Sign Regulations.

The provisions of this Section 69-28 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.

1. **Sign Regulations Applicable in Residential Subdistricts, Open Space Subdistricts and Conservation Protection Subdistricts**. In all Residential Subdistricts, Open Space Subdistricts and Conservation Protection Subdistricts, there shall not be any Sign except as provided in Article 11 for Signs in residential districts.

2. **Sign Regulations Applicable in All Subdistricts Other Than Residential, Open Space, and Conservation Protection Subdistricts**. In all subdistricts other than Residential Subdistricts, Open Space Subdistricts, and Conservation Protection Subdistricts, there shall not be any Sign except as provided in Article 11 for Signs outside residential districts and as provided in this Section 69-28. Notwithstanding any provision of Section 11-2 to the contrary, the following regulations shall apply:

(a) **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 shall be located within such band whenever practicable.

(b) **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 that 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.

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 shall be located within such band whenever practicable.

(c) **Free-standing Signs**. Free-standing Signs shall be Allowed only for 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: (i) fifteen (15) square feet, if there is one use on the Lot; or (ii) thirty (30) square feet, if there are two or more uses on the Lot.

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.

(d) **Billboards**. Any billboard, signboard, or other advertising subject to the provisions of Section 11-6, except those legally in existence as of the effective date of this Article, is Forbidden in the Hyde Park Neighborhood District.

(e) **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).

(f) **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.

Section 69-29. 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 as set forth in Table F, and the minimum required off-street loading spaces are as set forth in Table G.

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 open-air 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 69-29. If a Lot is located in a Residential Subdistrict, a driveway may be located in that portion of the Front Yard that lies between the side yard and the Front Lot Line (see Appendix A), provided that such driveway provides access to parking spaces located in the side or rear yards and that such parking is accessory to a residential use on the Lot. In no case shall that portion of such driveway located in the front yard be used for parking. Accessory parking may be located in the Front Yard only if it is located immediately in front of a garage, provided that such garage is at least twenty (20) feet from the Lot Line.

(b) Except in the case of a Lot serviced by a common parking facility, the off-street parking facilities required by this Section 69-29 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; or (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.

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 and loading bays in the number specified by this Article, provide appropriate maneuvering areas located within the Lot and appropriate means of vehicular access to a Street, and shall be so designed as not to constitute a nuisance or a hazard or unreasonable impediment to traffic. Such facilities shall be accessible to physically disabled persons. All lighting for such facilities shall be arranged so as to shine downward and away from streets and residences.

(b) The identification and visibility of loading entrances and exits shall be achieved by the use of signs, curb cuts, and landscaping.

(c) 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.

(d) Such facilities shall not be used for automobile sales, dead storage, or repair work, dismantling, or servicing of any kind.

(e) Each car space shall be located entirely on the Lot. Fifty percent (50%) of the required car 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. All loading spaces shall be no less than twelve (12) feet in width and twenty-five (25) feet in length, and shall have a vertical clearance of not less than fourteen (14) feet.

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.

(Text Amd. No. 463, § 4, 8-16-2023)

Section 69-30. Application of Dimensional Requirements.

1. **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.

2. **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.

3. **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.

4. **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 69-30. 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.

5. **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 that 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.

6. **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 seven (7) 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.

7. **Accessory Buildings in Side or Rear Yard**. Accessory Buildings may be erected in a Side or 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 or rear Lot line, or closer than sixty-five (65) feet to the front Lot line.

8. **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.

9. **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.

10. **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 fifteen (15) feet deep.

11. **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.

12. **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 69-30.12 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 69-30.12 were met.

13. **Two or More Buildings on One Lot**. If on one Lot there are two or more Main Buildings other than 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 69-31. 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 69-32. Regulations.

The Boston Redevelopment Authority may promulgate regulations to administer this Article.

Section 69-33. 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 69-34. Definitions.

Words and phrases in this Article have the meanings set forth in Article 2.

(Text Amd. No. 461, § 2, 6-22-2023)

Section 69-35. Tables.

The following tables are hereby made part of this Article:

Tables A—B Use Regulations

A	Residential Subdistricts
	Conservation Protection Subdistricts
B	Neighborhood Business Subdistricts
	Local Industrial Subdistricts

Tables C—E Dimensional Regulations

C	Residential Subdistricts
D	Conservation Protection Subdistricts
	Local Industrial Subdistricts
E	Neighborhood Business Subdistricts

Tables F—G Parking and Loading Regulations

F	Off-Street Parking
G	Off-Street Loading

ARTICLE 69
APPENDIX

APPENDIX A to ARTICLE 69 HYDE PARK NEIGHBORHOOD DISTRICT

Map 12 Hyde Park

ARTICLE 69
TABLES

TABLE A Hyde Park Neighborhood District Use Regulations Residential Subdistricts and Conservation Protection Subdistricts

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

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

Banking and Postal Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Automatic teller machine	F	F	F	F	F
Bank	F	F	F	F	F
Drive-in bank	F	F	F	F	F
Post office	F	F	F	F	F

Community Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Adult education center	C	C	C	C	C
Community center	C	C	C	C	C
Child care center	A	A	A	A	A
Day care center, elderly	C	C	C	A	C
Library	A	A	A	A	C
Place of worship; monastery; convent; parish house	A	A	A	A	A

(Text Amd. No. 464, §§ 3k., 3l., 11-8-2023.)

Cultural Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Art gallery	F	F	F	F	F
Art use	C	C	C	C	F
Auditorium	F	F	F	F	F
Cinema	F	F	F	F	F
Concert hall	F	F	F	F	F
Museum	F	F	F	F	F
Public art, display space	F	F	F	F	F
Studios, arts	F	F	F	F	F
Studios, production	F	F	F	F	F
Theatre	F	F	F	F	F
Ticket sales	F	F	F	F	F

Dormitory and Fraternity Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Dormitory not accessory to a use	F	F	F	F	F
Fraternity	F	F	F	F	F

Educational Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
College or university[(1)]	F	F	F	F	F
Elementary or secondary school[(2)]	A	A	A	A	A
Kindergarten	A	A	A	A	A

Professional school	F	F	F	F	F
Trade school	F	F	F	F	F

Entertainment and Recreational Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Adult entertainment	F	F	F	F	F
Amusement game machines in commercial establishment	F	F	F	F	F
Amusement game machines in non-commercial establishment	F	F	F	F	F
Bar	F	F	F	F	F
Bar with live entertainment	F	F	F	F	F
Bowling alley	F	F	F	F	F
Billiard parlor	F	F	F	F	F
Dance hall	F	F	F	F	F
Drive-in theatre	F	F	F	F	F
Fitness center or gymnasium	F	F	F	F	F
Private club not serving alcohol	F	F	F	F	F
Private club serving alcohol	F	F	F	F	F
Restaurant with live entertainment, not operating after 10:30 p.m.	F	F	F	F	F
Restaurant with live entertainment, operating after 10:30 p.m.	F	F	F	F	F

Funerary Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Cemetery	F	F	F	F	C
Columbarium	F	F	F	F	C
Crematory	F	F	F	F	C
Funeral home	F	F	F	F	F
Mortuary chapel	F	F	F	F	F

Health Care Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Clinic	F	F	F	F	F
Custodial care facility	F	F	F	F	F
Group residence, general	F	F	F	F	F
Hospital[1]	F	F	F	F	F
Nursing or convalescent home[1]	F	F	F	A	C

(Text Amd. No. 432, § 3, 4-13-2018; Text Amd. No. 459, § A.17., 4-14-2023)

Hotel and Conference Center Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Bed and breakfast	C	C	C	C	C
Conference center	F	F	F	F	F
Executive suites	F	F	F	F	F
Hotel	F	F	F	F	F
Motel	F	F	F	F	F

Industrial Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Artists' mixed-use	F	F	F	C	F
Cleaning plant	F	F	F	F	F
General manufacturing use	F	F	F	F	F
Light manufacturing use	F	F	F	F	F
Printing plant	F	F	F	F	F
Restricted industrial use	F	F	F	F	F

Office Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Agency or professional office	F	F	F	F	F
General office	F	F	F	F	F
Office of wholesale business	F	F	F	F	F

Open Space Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Golf driving range	F	F	F	F	C
Grounds for sports, private	C	C	C	C	C
Open space	A	A	A	A	A

Open space recreational building	C	C	C	C	C
Outdoor place of recreation for profit	F	F	F	F	C
Stadium	F	F	F	F	F

Public Service Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Automatic telephone exchange or or telecommunications data distribution center[(2)]	C	C	C	C	C
Courthouse[(2)]	F	F	F	F	F
Fire station[(2)]	A	A	A	A	C
Outdoor payphone	C	C	C	C	C
Penal institution	F	F	F	F	F
Police station[(2)]	A	A	A	A	C
Pumping station[(2)]	C	C	C	C	C
Recycling facility (excluding toxic waste)	F	F	F	F	F
Solid waste transfer station	F	F	F	F	F
Sub-station[(2)]	C	C	C	C	C
Telephone exchange	F	F	F	F	F

Research and Development Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)

Research laboratory	F	F	F	F	F

(Text Amd. No. 459, § A.17., 4-14-2023)

Residential Uses

See Table Footnotes: (3), (11)

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Congregate living complex	F	F	F	C	C
Elderly housing	F	F	F	A	A
Group residence, limited	A	A	A	A	A
Lodging house	F	F	C	C	C
Mobile home	F	F	F	F	F
Mobile home park	F	F	F	F	F
Multi-family dwelling	F	F	F	A	C
One family detached dwelling	A	A	A	A	C
One family semi-attached dwelling	F	A	A	A	C
Orphanage	F	F	F	C	C
Rowhouse	F	F	A	A	C
Temporary dwelling structure	C	C	C	C	C
Three family detached dwelling	F	F	A	A	A
Townhouse	F	F	A	A	A
Transitional housing or homeless Shelter	F	F	F	C	C

Two family detached dwelling	F	A	A	A	A
Two family semi-attached dwelling	F	A	A	A	A

Restaurant Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Drive-in restaurant	F	F	F	F	F
Restaurant	F	F	F	F	F
Take-out restaurant Small[(4)]	F	F	F	F	F
Large[(4)]	F	F	F	F	F

Retail Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Adult bookstore	F	F	F	F	F
Bakery	F	F	F	F	F
Cannabis establishment[10] (Text Amd. No. 432, § 3, 4-13-2018)	F	F	F	F	F
General retail business	F	F	F	F	F
Liquor store	F	F	F	F	F
Local retail business	F	F	F	F	F
Outdoor sale of garden supplies	F	F	F	F	F
Pawnshop	F	F	F	F	F

Service Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Animal hospital	F	F	F	F	F
Barber or beauty shop	F	F	F	F	F
Body art establishment	F	F	F	F	F
Caterer's establishment	F	F	F	F	F
Check cashing business	F	F	F	F	F
Container redemption center	F	F	F	F	F
Dry-cleaning shop	F	F	F	F	F
Kennel	F	F	F	F	F
Laundry, retail service	F	F	F	F	F
Laundry, self-service	F	F	F	F	F
Photocopying establishment	F	F	F	F	F
Shoe repair	F	F	F	F	F
Tailor shop	F	F	F	F	F

Storage Uses, Major

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Enclosed storage of solid fuel or minerals	F	F	F	F	F
Outdoor storage of solid fuel or minerals	F	F	F	F	F
Outdoor storage of new materials	F	F	F	F	F

Outdoor storage of damaged or disabled vehicles	F	F	F	F	F
Outdoor storage of junk and scrap	F	F	F	F	F
Storage of flammable liquids and gases Small[5]	F	F	F	F	F
Large[5]	F	F	F	F	F
Storage or transfer of toxic waste	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
Warehousing	F	F	F	F	F
Wrecking yard	F	F	F	F	F

Trade Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection

					Subdistrict (CPS)
Carpenters shop	F	F	F	F	F
Electrician's shop	F	F	F	F	F
Machine shop	F	F	F	F	F
Photographer's studio	F	F	F	F	F
Plumber's shop	F	F	F	F	F
Radio/television repair	F	F	F	F	F
Upholsterer's shop	F	F	F	F	F
Welder's shop	F	F	F	F	F

Transportation Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Airport	F	F	F	F	F
Bus terminal	F	F	F	F	F
Garage with dispatch	F	F	F	F	F
Helicopter landing facility	F	F	F	F	F
Motor freight terminal	F	F	F	F	F
Rail freight terminal	F	F	F	F	F
Railroad passenger station	C	C	C	C	C
Water terminal	F	F	F	F	F

Vehicular Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)

Airport-related remote parking facility	F	F	F	F	F
Bus servicing or storage	F	F	F	F	F
Carwash	F	F	F	F	F
Gasoline station	F	F	F	F	F
Indoor sale, with or without installation, of automotive parts, accessories and supplies	F	F	F	F	F
Indoor sale of motor vehicles	F	F	F	F	F
Outdoor sale of new and used motor vehicles	F	F	F	F	F
Parking garage	F	F	F	F	F
Parking lot	F	F	F	F	F
Rental agency for cars	F	F	F	F	F
Rental agency for trucks	F	F	F	F	F
Repair garage	F	F	F	F	F
Truck servicing or storage	F	F	F	F	F

Wholesale Uses

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Wholesale business	F	F	F	F	F

Accessory and Ancillary Uses

In each subdistrict of the Hyde Park Neighborhood District, an accessory use ordinarily incident to a lawful main use is Allowed, subject to the provisions of Section 8-2.5 (Accessory Uses) and Section 23-9.a (Location of Accessory Parking), 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 in 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.

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)	Conservation Protection Subdistrict (CPS)
Accessory amusement game machines (not more than four) in commercial or non-commercial establishment	F	F	F	F	F
Accessory art use[8]	A	A	A	A	A
Accessory automatic teller machine	F	F	F	F	C
Accessory bus servicing or storage	F	F	F	F	F
Accessory cafeteria	F	F	F	F	F
Accessory cultural uses	F	F	F	F	C
Accessory dormitory	F	F	F	F	F
Accessory drive-through restaurant	F	F	F	F	F
Accessory drive-through retail	F	F	F	F	F
Accessory family child care home	A	A	A	A	A
Accessory home occupation	A	A	A	A	C
Accessory indoor maintenance and operation of a payphone[9]	F	F	F	C	C
Accessory industrial use	F	F	F	F	F
Accessory keeping of animals other	F	F	F	F	F

than laboratory animals					
Accessory keeping of laboratory Animals	F	F	F	F	F
Accessory machine shop	F	F	F	F	F
Accessory manufacture of products	F	F	F	F	F
Accessory offices	F	F	F	F	C
Accessory outdoor café	F	F	F	F	C
Accessory parking	A	A	A	A	A
Accessory personnel quarters	F	F	F	C	C
Accessory printing	F	F	F	F	F
Accessory professional office in a Dwelling	A	A	A	A	A
Accessory railroad storage yard	F	F	F	F	F
Accessory repair garage	F	F	F	F	F
Accessory retail	F	F	F	F	F
Accessory recycling	F	F	F	F	F
Accessory services for apartment and hotel residents	F	F	F	A	A
Accessory services incidental to educational uses other than a college or university use	C	C	C	C	C
Accessory service uses	F	F	F	F	C

Accessory storage of flammable liquids and gases Small[5]	A	A	A	A	C
Large[5]	C	C	C	C	F
Accessory storage or transfer of toxic waste	F	F	F	F	F
Accessory swimming pool or tennis court[6]	A	A	A	A	A
Accessory trade use	F	F	F	F	F
Accessory truck servicing or storage	F	F	F	F	F
Accessory wholesale business	F	F	F	F	F
Ancillary use[7]	C	C	C	C	C

Text Amd. No. 464, §§ 3n., 3o., 11-8-2023; Text Amd. No. 471, § 14c., 4-3-2024.)

Footnotes to Table A

1. Notes regarding Institutional Uses. The Institutional categories "Colleges or University Use", "Hospital Use", and "Nursing or Convalescent Home Use", are defined in Article 2A to include subuses (office, parking, etc.) that also appear as main uses in this Table A. If part of an Institutional Use, pursuant to the provisions of this Article and Article 2A, any such subuse shall be regulated as is the pertinent Institutional Use. To determine whether the substitution of a single such subuse for another constitutes a Proposed Institutional Project, and to determine whether a subuse is a High Impact Subuse, see the definition of the pertinent Institutional Use in Article 2A.
2. Provided that, where such use is located in an area where residential uses are permitted: (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 storage building or yard is maintained in connection with such use.
3. Where designated "A" or "C," provided that Dwelling Units are Forbidden in Basements.
4. Small: total gross floor area not exceeding one thousand (1,000) square feet per restaurant; Large: total gross floor area exceeding one thousand (1,000) square feet per restaurant.
5. 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.

6. 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 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.

7. Provided that any such use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which is it ancillary.

8. Where designated "A," provided that art classes as part of an accessory art use are Conditional in a Residential Subdistrict.

9. Provided that such use shall be Forbidden unless located within a building at least ten (10) feet from an entrance.

10. Cannabis Establishment, provided that any cannabis establishment shall be sited at least one-half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only.

11. For Additional Dwelling Units, See Section 69-8. (Text Amd. No. 421, § 2, 11-18-16; Text Amd. No. 432, § 3, 4-13-2018; Text Amd. No. 440, § 17B., 5-8-2019.)

TABLE B Hyde Park Neighborhood District Use Regulations Neighborhood Business Subdistricts and Local Industrial Subdistricts

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

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

Banking and Postal Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Automatic teller machine	A	A	A
Bank	A	A	A[(1)]
‡Drive-in bank	F	C[(23)] [(28)]	C
Post office	A	A	A

(‡As amended on May 22, 2014)

Community Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Adult education center	A	A	A
Community center	A	A	A
Child care center	A	A	A
Day care center, elderly	A	A	A
Library	A	A	C
Place of worship; monastery; convent; parish house	A	A	A

(Text Amd. No. 464, §§ 3k., 3l., 11-8-2023.)

Cultural Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Art gallery	A	A	A
Art use	A	A	A
Auditorium	F	C	C
Cinema	F	C	C
Concert hall	F	C	C
Museum	C	A	C
Public art, display space	A	A	A
Studios, arts	A[(24)]	A[(24)]	A
Studios, production	A[(24)]	A[(24)]	A
Theatre	C	A	C
Ticket sales	C	A	C

Dormitory and Fraternity Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Dormitory not accessory to a use	F	F	F
Fraternity	F	F	F

Educational Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
College or university[2]	F	F	F
Elementary or secondary school[4]	A	A	C
Kindergarten	A	A	C
Professional school	C	C	A
Trade school	C	C	A

Entertainment and Recreational Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Adult entertainment	F	F	F
Amusement game machines in commercial establishment	C	C	C
Amusement game machines in non-commercial establishment	C	C	C
Bar[5]	C	C	C
Bar with live entertainment[5]	C	C	C
Bowling alley	C	C	C
Billiard parlor	F	C	C
Dance hall	F	C	C
Drive-in theatre	F	F	C
Fitness center or gymnasium	A	A	A
Private club not serving alcohol	C	C	C
Private club serving alcohol	C	C	C

‡Restaurant with live entertainment, not operating after 10:30 p.m.[5]	F	C[28]	C
‡Restaurant with live entertainment, operating after 10:30 p.m.[5]	F	C[28]	C

(‡As amended on May 22, 2014)

Funerary Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Cemetery	F	F	F
Columbarium	F	F	F
Crematory	F	F	F
Funeral home	F	C	F
Mortuary chapel	F	C	F

Health Care Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Clinic	C	A	A
Custodial care facility	F	F	C
Group care residence, general	F	F	C
Hospital[2]	F	F	C
Nursing or convalescent home[2]	C	C	C

(Text Amd. No. 432, § 3, 4-13-2018; Text Amd. No. 459, § A.17., 4-14-2023)

Hotel and Conference Center Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Bed and breakfast	C	C	F
Conference center	F	C	F
Executive suites	F	C	F
Hotel	F	C	F
Motel	F	C	F

Industrial Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Artists' mixed-use	C	C	C
Cleaning plant	F	F	A
General manufacturing use	F	F	A
Light manufacturing use	F	F	A
Printing plant	F	F	A
Restricted industrial use	F	F	F[25]

Office Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Agency or professional office	A	A	A[6]
General office	A	A	A[6]
Office of wholesale business	F	C	A[6]

Open Space Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Golf driving range	F	F	C
Grounds for sports, private	F	F	C
Open space	A	A	A
Open space recreational building	C	C	A
Outdoor place of recreation for profit	F	F	A
Stadium	F	F	F

Public Service Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Automatic telephone exchange or	C	C	C

telecommunications data distribution center[4]			
Courthouse[4]	C	C	C
Fire station[4]	A	A	A
Outdoor payphone	C	C	C
Penal institution	F	F[4]	F[4]
Police station[4]	A	A	A
Pumping station[4]	C	C	C
Recycling facility (excluding facilities handling toxic waste)	F	F	C
Solid waste transfer station	F	F	F
Sub-station[4]	C	C	C
Telephone exchange	C	C	A

Research and Development Uses

See Table Footnote: (7)

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Research laboratory	F	C	A

(Text Amd. No. 459, § A.17., 4-14-2023)

Residential Uses

See Table Footnotes: (8), (9), (30)

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Congregate living complex	A	A	F
Elderly housing	A	A	F
Group residence, limited	A	A	F
Lodging house	C	C	F
Mobile home	F	F	F
Mobile home park	F	F	F
Multi-family dwelling	A	A	F
One family detached dwelling	A	C	F
One family semi-attached dwelling	A	A	F
Orphanage	C	C	F
Rowhouse	A	A	F

Temporary dwelling structure	C	C	F
Three family detached dwelling	A	A	F
Townhouse	A	A	F
Transitional housing or homeless shelter	C	C	F
Two family detached dwelling	A	C	F
Two family semi-attached dwelling	A	A	F

Restaurant Uses

See Table Footnote: (10)

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
‡Drive-in restaurant	F	F[28]	F
Restaurant	A	A	A
Take-out restaurant			
‡ Small[11]	C	C[28]	C
‡ Large[11]	C	C[28]	C

(‡As amended on May 22, 2014)

Retail Uses

See Table Footnote: (12)

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Adult bookstore	F	F	F
Bakery	A	A	A
Cannabis establishment[29] (Text Amd. No. 432, § 3, 4-13-2018)	C	C	C
General retail business	A	A[13]	C[13]
Liquor store	A	A	C
Local retail business	A	A	A
Outdoor sale of garden supplies	C	A	A
Pawnshop	C	C	C

Service Uses

See Table Footnote: (12)

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Animal hospital	F	C	A
Barber or beauty shop	A	A	A[(1)]
Body art establishment	C	C	C
‡Caterer's establishment	C	C[(28)]	A
Check cashing business	F	C	C
Container redemption center[(14)]	F	C	A
Dry-cleaning shop	A	A	A[(1)]
Kennel	F	C	A
Laundry, retail service	A	A	A[(1)]
Laundry, self-service	A	A	A
Photocopying establishment	A	A	A
Shoe repair	A	A	A[(1)]
Tailor shop	A	A	A[(1)]

(‡As amended on May 22, 2014)

Storage Uses, Major

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Enclosed storage of solid fuel or minerals	F	F	A
Outdoor storage of solid fuel or minerals	F	F	C
Outdoor storage of new materials	F	F	C
Outdoor storage of damaged or disabled vehicles	F	F	C
Outdoor storage of junk and scrap	F	F	C
Storage of flammable liquids and gases Small[(15)]	F	F	C
Large[(15)]	F	F	C
Storage or transfer of toxic waste	F	F	F

Trade Uses

See Table Footnote: (12)

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
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
Warehousing	F	F	A
Wrecking yard	F	F	F
Carpenters shop	F	C	A
Electrician's shop	C	A	A
Machine shop	F	F	A
Photographer's studio	A	A	A
Plumber's shop	A	A	A
Radio/television repair	A	A	A
Upholsterer's shop	A	A	A
Welder's shop	F	C	A

Transportation Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Airport	F	F	F
Bus terminal	F	F	C
Garage with dispatch	F	F	C
Helicopter landing facility	F	F	F
Motor freight terminal	F	F	A
Rail freight terminal	F	F	A
Railroad passenger station	A	A	A

Vehicular Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Airport-related remote parking facility	F	F	F
Bus servicing or storage	F	F	A[26]
Carwash	F	F	C[(16)]
Gasoline station	F	C[23]	A[(16) (17)]
Indoor sale, with or without installation, of automotive parts, accessories and supplies	F	C[23]	A
Indoor sale of motor vehicles	F	C[23]	C
Outdoor sale of new and used motor vehicles	F	C[23]	C
Parking garage	F	A[27]	C
Parking lot	F	F	C
Rental agency for cars	F	C	A
Rental agency for trucks	F	F	A
Repair garage	F	F	A[(16)]
Truck servicing or storage	F	F	A[26]

Wholesale Uses

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Wholesale business	F	F	A

Accessory and Ancillary Uses

In each subdistrict of the Hyde Park Neighborhood District, an accessory use ordinarily incident to a lawful main use is Allowed, subject to the provisions of Section 8-2.5 (Accessory Uses) and Section 23-9.a (Location of Accessory Parking), 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.

	Local Convenience	Neighborhood Shopping	Local Industrial Subdistricts
Accessory amusement game machines (not more than four) in commercial	C	A	A

or non-commercial establishment			
Accessory art use	A	A	A
Accessory automatic teller machine	A	A	A
Accessory bus servicing or storage	F	F	A[17]
Accessory cafeteria	A	A	A
Accessory cultural uses	A	A	A
Accessory dormitory	F	F	F
‡Accessory drive-through restaurant	F	F[28]	F
Accessory drive-through retail	F	F	F
Accessory family child care home	A	A	A
Accessory home occupation	A	A	C
Accessory indoor maintenance and operation of a payphone[18]	A	A	A
Accessory industrial use	F	F	A
Accessory keeping of animals other than laboratory animals	F	F	C
Accessory keeping of laboratory animals[7]	F	C	A
Accessory machine shop	F	C	A
Accessory manufacture of products	C	C	A
Accessory offices	A	A	A
Accessory offices for university	F	F	F
Accessory outdoor café	A[19]	A[19]	A[19]
Accessory parking	A	A	A
Accessory personnel quarters	C	A	C
Accessory printing	A	A	A
Accessory professional office in			
a dwelling	A	A	A
Accessory railroad storage yard	F	F	A
Accessory recycling	C	C	A
Accessory repair garage	F	F	A

Accessory retail	A	A	A
Accessory service uses	A	A	A
Accessory services for apartment and hotel residents	A	A	F
Accessory services incidental to educational uses other than college or university use	A	A	A
Accessory storage of flammable liquids and gases Small[15]	A	A	A
Large[15]	C	C	C
Accessory storage or transfer of toxic waste	F	F	C
Accessory swimming pool or tennis court[20]	A	A	A
Accessory trade uses	A	A	A
Accessory truck servicing or storage	F	F	A[17]
Accessory wholesale business	C	C	A
Ancillary use[21]	C	C	C

(‡As amended on May 22, 2014)

Text Amd. No. 464, §§ 3n., 3o., 11-8-2023; Text Amd. No. 471, § 14c., 4-3-2024.)

Footnotes to Table B

1. Where designated "A," provided total gross floor area does not exceed one thousand (1,000) square feet per use; otherwise Conditional.
2. "College or University," "Hospital," and "Nursing or Convalescent Home" (collectively, "Institutional Uses") are defined in Article 2A to include subuses (offices, parking, etc.) that also appear as main uses in this Table B. Pursuant to the provisions of Article 2A, the subuses of an Institutional Use are regulated as part of that Institutional Use and not as a separate main use or an accessory or ancillary use. Where any portion of a Proposed Institutional Project is for Institutional subuses that are not High Impact Subuses, each Institutional subuse shall be Allowed, Conditional, or Forbidden as provided in this Table B for the use category (other than an Institutional use) that most closely describes such subuse.
3. Where an Institutional Use is designated "A," a Proposed Institutional Project for such use is Allowed, provided that such Proposed Institutional Project does not result in the addition of an aggregate gross floor area of fifty thousand (50,000) or more square feet, and provided further that such area is not a phase of another Proposed Institutional Project; otherwise Conditional.
4. Provided that, where such use is located in an area where residential uses are permitted:

(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 storage building or yard is maintained.

5. Provided that, where such use is designated "C," any expansion of seating or standing capacity of such use is Conditional, and where such use is designated "F," any expansion of seating or standing capacity of such use is Forbidden.

6. Provided that such use shall not exceed forty percent (40%) of the gross floor area Allowed within a Lot.

7. Provided that such use shall comply with: 1) all the guidelines and standards promulgated by the National Institutes of Health ("NIH") concerning the care and use of laboratory animals; and 2) all applicable federal and state requirements and regulations for operating labs as classified by the Center for Disease Control and Prevention ("CDC"); otherwise Forbidden..

8. Where designated "A" or "C," provided that Dwelling Units are Forbidden in Basements.

9. Where designated "A" in a Neighborhood Shopping Subdistrict or a Local Convenience Subdistrict, provided that such use is Forbidden on the first story.

10. Where a Restaurant Use is designated "A" or "C," it shall be Forbidden if such establishment is open to the public after 1:00 a.m. or before 6:00 a.m.

11. Small: total gross floor area not more than two thousand five hundred (2,500) square feet per restaurant in a Neighborhood Business Subdistrict or one thousand (1,000) square feet per restaurant in a Local Industrial Subdistrict . Large: total gross floor area exceeding two thousand five hundred (2,500) square feet per restaurant in a Neighborhood Business Subdistrict or one thousand (1,000) square feet per restaurant in a Local Industrial Subdistrict.

12. Where a Retail, Service or Trade Use is designated "A," it shall be Conditional if merchandise is sold or displayed out-of-doors or if such establishment is open to the public after midnight or before 6:00 a.m.

13. 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; (c) enlarges a General Retail Business so as to increase its gross floor area by seventy-five thousand (75,000) or more square feet.

14. 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.

15. 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.

16. 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.

17. Except Conditional if within one hundred (100) feet of a Residential Subdistrict.

18. Provided that such use shall be Forbidden unless located within a building at least ten (10) feet from an entrance.
19. Except Conditional in Rear Yard abutting a Residential Subdistrict.
20. 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 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.
21. 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.
22. Provided that any such use shall be operated in connection with an institutional use, otherwise Forbidden.
23. ~~Except Forbidden in the Cleary/Logan Square NS-2 Subdistrict.~~

(As amended on May 22, 2014)

24. Where designated "A" in a Neighborhood Shopping Subdistrict or a Local Convenience Subdistrict, such use is allowed only on the ground floor; otherwise, Conditional.
25. Except Conditional for "Energy Production Facilities" where a) energy generated (electric or thermal) is eligible for the Commonwealth of Massachusetts Renewable Portfolio Standard (Class I) or Alternative Portfolio Standard prior to occupancy as determined and documented by the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA).
26. Provided that use is associated with an interior working truck or bus servicing facility; otherwise Conditional.
27. Provided that such parking is located: (1) underground, or (2) above the ground floor in a structure in which the ground floor is occupied by retail, hotel, service or office uses; otherwise Forbidden.
28. Except Allowed in the River/Wood NS-2 Subdistrict. (As inserted on May 22, 2014)
29. Cannabis Establishment, provided that any cannabis establishment shall be sited at least one-half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only.
30. For Additional Dwelling Units, see Section 69-8. (Text Amd. No. 421, § 2, 11-18-16; Text Amd. No. 432, § 3, 4-13-2018; Text Amd. No. 440, § 17B., 5-8-2019.)

Commented [6]: Purpose: Remove named neighborhood business subdistricts from Article 69 that will be replaced with Squares + Streets districts

TABLE C Hyde Park Neighborhood District Residential Subdistricts Dimensional Regulations

One-Family Residential Subdistrict

	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[2] Height Maximum		Usable Open Space Minimum Sq. Ft. Per Dwelling Unit[3]	Front Yard Min. Depth (Feet)[4]	Side Yard Min. Depth (Feet)[5]	Rear Yard Min. Depth (Feet)[4]	Rear Yard Maximum Occupancy by Accessory Buildings (Percentage)
						Stories	Feet					
***1F-9,000[1]**												
1 Family Detached	9,000	N/A	70	70	.3	2½	35	1,800	25	10	40	25
Other Use	9,000	N/A	70	70	.3	2½	35	1,800	25	10	40	25
1F-6,000[1]												
1 Family Detached	6,000	N/A	60	60	.5	2½	35	1,800	25	10	40	25
Other Use	6,000	N/A	60	60	.5	2½	35	1,800	25	10	40	25

Two-Family Residential Subdistrict

	Lot Area, Minimum For Dwell. Unit(	Additional Lot Area for Ea. Addit'l	Lot Width Minimum (Feet)	Lot Frontage Minimum (Feet)	Floor Area Ratio Maximum	Building[2] Height Maximum	Usable Open Space Minimum	Front Yard Min. Depth (Feet)[4]	Side Yard Min. Depth (Feet)[5]	Rear Yard Min. Depth (Feet)[4]	Rear Yard Maximum Occupancy by Accessory

	s) Specified (Sq. Ft.)	Dwell. Unit (Sq. Ft.)						Sq. Ft. Per Dwelling Unit[3]				Buildings (Percentage)
						Stories	Feet					
2F-5,000[1]												
1 Family Detached or Semi-Attached or 2 Family Detached	5,000 for	3,000	50	50	.5	2½	35	1,750	20	10	40	25
Other Use	8,000	N/A	50	50	.5	2½	35	1,750	20	10	40	25

Three-Family Residential Subdistrict

	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[2] Height Maximum		Usable Open Space Minimum Sq. Ft. Per Dwelling Unit[3]	Front Yard Min. Depth (Feet)[5]	Side Yard Min. Depth (Feet)[4]	Rear Yard Min. Depth (Feet)[4]	Rear Yard Maximum Occupancy by Accessory Buildings (Percentage)
						Stories	Feet					

3F-4,000[1]													
Row House Building or Town House Building	4,000 for 1 unit	2,000	40	40	8	3	35	800 s.f. per unit	20		10	40	25
Semi-Attached or Detached Dwelling	4,000 for 1 unit	2,000	40	40	.8	3	35	800 s.f. per unit	20	10		40	25
Any Other Use	8,000	N/A	45	45	.8	3	35	800 s.f per Lot	20	10		40	25

Multifamily Residential Subdistrict

	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[2] Height Maximum		Usable Open Space Minimum Sq. Ft. Per Dwelling Unit[3]	Front Yard Min. Depth (Feet)[4]	Side Yard Min. Depth (Feet)[5]		Rear Yard Min. Depth (Feet)[4]	Rear Yard Maximum Occupancy by Accessory Buildings (Percentage)
						Stories	Feet						
MFR[1]	5,000	2,500	none	none	2	3	35	400 s.f.	20		10	40	25

								per Unit					

Footnotes to Table C

1. See Map 12 and Section 69-7. 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).
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. The minimum usable open space requirement is applicable only to Residential Uses and Dormitory/Fraternity Uses.

   For any lot that exceeds the minimum lot area specified in this Table C, the required number of square feet of usable open space per dwelling unit shall be calculated by adding: (a) the minimum usable open space per dwelling unit specified in this Table C, and (b) twenty-five percent (25%) of the lot area in excess of the required minimum lot area specified in this Table C for the lot.

   All ground level open space used to satisfy the minimum usable open space requirements specified in this Table C must have been an unobstructed length of not less than ten (10) feet and an unobstructed width of not less than ten (10) feet, except that, for yards used to meet the open space requirements of this Table C, shorter or narrower dimensions are Allowed where specifically permitted by the provisions of Section 69-9 (Applicable Dimensional Requirements).

   In MFR Subdistricts, up to twenty-five percent (25%) of the usable open space requirement may be met by unenclosed porches (with or without roofs) or 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, provided that any such space on a porch, balcony, or roof has an unobstructed length of not less than six (6) feet and an unobstructed width of not less than six (6) feet.
4. See Section 69-30.1, Conformity with Existing Building Alignment. A bay window may protrude into a Front Yard.
5. 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.

(*As amended on August 1, 2012)

TABLE D Hyde Park Neighborhood District Conservation Protection Subdistricts and Local Industrial Subdistricts Dimensional Regulations

	Conservation Protection Subdistricts[(1)]	Local Industrial Subdistricts	
		LI-1	LI-2

Maximum Floor Area Ratio	0.3	1.0	2.0
Maximum Building Height	35	35	35
Maximum number of dwelling units/acre	3	N/A	N/A
Minimum Lot Size			
Residential use	1 acre[2]	N/A	N/A
Other use	none	none	none
Minimum Lot Width	none	none	none
Minimum Lot Frontage	none	none	none
Minimum Front Yard	50[3]	5[4]	5[4]
Minimum Side Yard	50[3]	none	none
Minimum Rear Yard	50[3]	10[5]	10[5]

Footnotes to Table D

1. A Proposed Project in a Conservation Protection Subdistrict may be subject to the Site Plan Component of Large Project Review or Small Project Review, pursuant to Section 80B-2 or 80E-2.
2. If a Lot assessed as a separate parcel or in separate ownership of record (by plan or deed) as of the effective date of this article does not meet the minimum Lot Size requirement, the Board of Appeal may authorize the construction of: (a) one dwelling unit, if the Lot meets at least one-third of the minimum Lot Size requirement, or (b) two units, if the Lot meets at least two-thirds of the minimum Lot Size requirement.
3. Except where the Site Plan Component of Small Project Review or Large Project Review determines that a smaller yard dimension would more effectively protect the significant natural features on the Lot without substantially increasing the Proposed Project's impacts outside the Lot.
4. The Front Yard Setback shall be determined through Small or Large Project Review if applicable, but shall be a minimum of 5 feet along Hyde Park Avenue to provide additional pedestrian right of way. There is no minimum Front Yard Setback requirements on other streets.
5. Except 20' where the lot abuts a residential subdistrict.

TABLE E Hyde Park Neighborhood District Neighborhood Business Subdistricts Dimensional Regulations

(As amended on May 22, 2014)

	Local Convenience Subdistricts	Neighborhood Shopping Subdistricts	
		NS-1	NS-2
Maximum Floor Area Ratio	0.5	1.0	2.0
Maximum Building Height	35 feet/2½ floors	35 feet/3 floors	40 feet[6]
Minimum Lot Size	none	none	none
Minimum Lot Area Per Dwelling Unit	N/A	N/A	N/A

Minimum Usable Open Space per Dwelling Unit (sq. ft.)[1]	none	none	none
Minimum Lot Width	none	none	none
Minimum Lot Frontage	none	none	none
Minimum Front Yard[2]	15[3]	10 feet[3]	none[3]
Minimum Side Yard[4]	none	none	none
Minimum Rear Yard[5]	20	10	10

Footnotes to Table E

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. 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 Subdistrict, every front yard required by this code shall be at grade level along every lot line on which such yard abuts.
3. See Section 69-33.1, Conformity with Existing Building Alignment. A bay window may protrude into a front yard.
4. In a Neighborhood Business Subdistrict, 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 Subdistrict, 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.
6. In the River/Wood NS-2 Subdistrict, the maximum Building Height shall be "50 feet".

TABLE F Hyde Park Neighborhood District Off-Street Parking Requirements

See Table Footnote: (1)

	Space(s) Per 1,000 Square Feet of Gross Floor Area
Banking and Postal Uses	2.0
Community Uses	1.0
Educational Uses	
Elementary or Secondary School	0.7
Kindergarten	0.7
Other Educational Uses	1.0
Health Care Uses	1.0
Industrial Uses	0.5

Office Uses	2.0
Public Service Uses	
Police Station	1.0
Fire Station	1.0
All other Public Service Uses	0
Research and Development Uses	0.5
Retail Uses	2.0
Service and Trade Uses	2.0
Storage Uses, Major	0.5
Transportation Uses	0.25
Vehicular Uses	0.5
Wholesale Uses	0.25

(Text Amd. No. 464, § 4a., 11-8-2023.)

Footnotes to Table F

1. The provisions of this Table F do not apply to Proposed Projects that are subject to Large Project Review. See Section 69-29 (Off-Street Parking and Loading Requirements).

TABLE F - Continued

Hyde Park Neighborhood District Off-Street Parking Requirements[1]

	If there are seats (spaces per seat)[2]	If there are no seats (spaces per 1,000 square feet of public floor area in structures)
Cultural Uses	0.2	2.0
Entertainment Uses	0.3	4.0
Funerary Uses		
Funeral home	0.1	3.0
Mortuary chapel	0.1	3.0
All other funerary uses	none	none
Places of Worship	0.25	4.0
Restaurant Uses		
Restaurant	0.3	4.0
Other Restaurant Uses	0.15	0.5
Open Space Uses		
Stadium	0.2	N/A
Other Open Space Uses	0.2	2.0

Footnotes to Table F — Continued

1. The provisions of this Table F do not apply to Proposed Projects that are subject to Large Project Review. See Section 69-29 (Off-Street Parking and Loading Requirements).
2. Where benches are used, each two (2) linear feet of bench shall constitute one (1) seat.

TABLE F - Continued

Hyde Park Neighborhood District Off-Street Parking Requirements Residential and Related Uses[1]

	Spaces per Dwelling Unit[2]
Dormitory/Fraternity Uses	0.5
Hotel and Conference Center Uses	0.7
Bed and Breakfast	0.7
Conference Center	0.7
Executive Suites	0.7
Hotel	0.7
Motel	1.0
Residential Uses	
Elderly Housing	0.5
Group Care, Limited	0.5
Lodging House	0.5
Transitional Housing or Homeless Shelter	0.25
Other Residential Uses[2] [3]	2.0

Footnotes to Table F — Continued

1. The provisions of this Table F do not apply to Proposed Projects that are subject to Large Project Review. See Section 69-29 (Off-Street Parking and Loading Requirements).

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

(a) if sleeping rooms have accommodations for not more than two (2) persons, each group of two (2) sleeping rooms shall constitute a Dwelling Unit;

(b) if sleeping rooms have accommodations for more than two (2) people, each group of four (4) beds shall constitute a Dwelling Unit.

3. ~~For residential uses in the Cleary and Logan Square Neighborhood Shopping (NS-2) Subdistrict, the required number of spaces per Dwelling Unit shall be 1.0.~~

Commented [7]: Purpose: Remove named neighborhood business subdistricts from Article 69 that will be replaced with Squares + Streets districts

TABLE G Hyde Park Neighborhood District Off Street Loading Requirements

See Table Footnote: (1)

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

Footnotes to Table G

1. The provisions of this Table G do not apply to Proposed Projects that are subject to Large Project Review. See Section 69-29 (Off-Street Parking and Loading Requirements).