

Draft Zoning Text Amendment for Approval to Petition: Resolving Clerical Errors and Clarifications in the Boston Zoning Code

BPDA Board Meeting



Planning Department

CITY of BOSTON

OVERVIEW

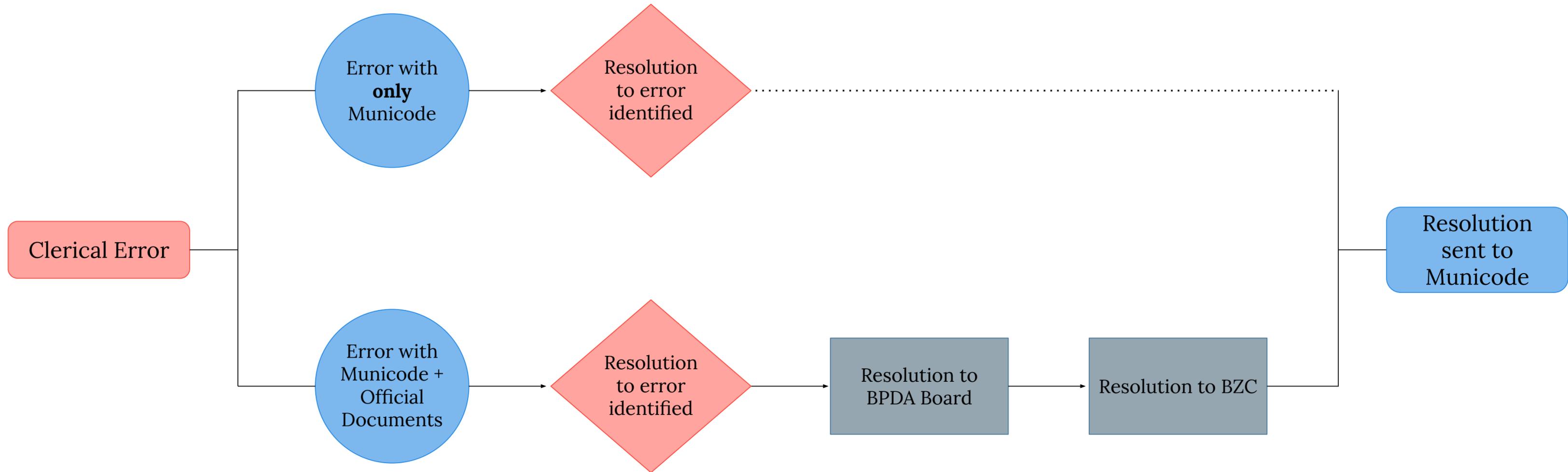


The Planning Department's Zoning Reform team will be making amendments to the Boston Zoning Code on an ongoing basis, to resolving clerical errors and clarifications existing across its various articles. This amendment features resolutions to five (5) existing errors, spread across four (4) different articles of the Code.

These resolutions clarify misrepresented terms and language, and correct instances of incorrectly cited or missing footnote/section references. This update does not establish any new regulations and does not change the functioning of the Code's existing regulations.

Errors within the Zoning Code are identified and collected continuously, through both staff review of the Code and public comment. If you find an error in the Zoning Code, please reach out to planningzoningqs@boston.gov.

PROCESS OF IDENTIFYING AND CORRECTING ERRORS



INCORRECT INFORMATION



Section 31-6. - - Establishment of Areas within which a Planned Development Area May Be Permitted.

This [Section 31-6](#), establishes areas within which Planned Development Areas (PDA) ~~as described in Section 3.2-E,~~ may be permitted within the Skyline Districts and sets forth applicable development criteria specific to Skyline Districts. For additional approval standards for Planned Development Area Development Plans, see [Section 80C-4](#) (Standards for Planned Development Area Review Approval).

Remove mention of nonexistent Section 3.2-E

- A. Regulations for PDAs in SKY-LOW-DT.** Planned Development Areas are permitted in the SKY-LOW-DT and shall include at least one Landmark. The purpose of establishing SKY-LOW-DT as an area in which a PDA may be permitted is to provide a more flexible zoning regulation; to provide public benefits to the City of Boston; and to encourage strategic development and housing growth that protects and enhances the historic character and buildings, Landmarks, and vitality of areas within the Downtown Historic Dimensional Overlay.
 - a. Use Regulations.** A Proposed Project within a PDA shall comply with the use regulations of the underlying zoning district, except as those regulations are expressly modified by an approved Development Plan. At least 60% of the Gross Floor Area of such an approved Development Plan shall be a Residential Use.
 - b. Dimensional Regulations.** The dimensional regulations of a Proposed Project within a PDA shall be as set forth in the applicable approved Development Plan.
 - c. Requirement for Investment in Landmark(s) and Historic Buildings.** A Development Plan shall include investment in the Landmark(s) and Historic Buildings within the PDA. Such investment shall provide physical improvements that exceed routine maintenance and are necessary to restore, preserve, or adapt the structure for continued or new use and long-term preservation. Any physical improvements to a Landmark shall be subject to review and approval by the Boston Landmarks Commission.
 - d. Recommendation of the Office of Historic Preservation.** The Director of the Office of Historic Preservation, or its successor agency, shall review and provide a recommendation to the Boston Redevelopment Authority on any Proposed Project within a PDA proposed in conformance with this [Section 31-6](#).
- B. Regulations for Existing PDAs in SKY or SKY-LOW.** A PDA may be permitted in SKY or SKY-LOW if it is in existence on the effective date of this [Article 31](#).
 - a. The approved Development Plan for such PDA may only be amended in accordance with [Section 80C-7](#) (Amendment of Planned Development Area Plans) of the Code. Any proposed amendment may increase the maximum Building Height allowed in such approved PDA by no more than fifteen (15) feet, and such approved PDA as so modified shall supersede any contrary provision for maximum Building Height in this [Article 31](#).

STRIKE ENTIRE ARTICLE

- > ARTICLE 38 - MIDTOWN CULTURAL DISTRICT
- > ARTICLE 38 - APPENDICES

Remove all mentions of Midtown Cultural Districts due to new regulations for Downtown based on the Skyline Districts

LANGUAGE CLARIFICATIONS AND INACCURATE INFORMATION



TABLE G - East Boston Neighborhood District - Neighborhood Business Subdistricts - Dimensional Regulations

		Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Maximum Height (Stories)		4	5	7
		50'	65'	85'
Maximum Building Lot Coverage (%)	Lot Area <11,000 sq ft	70%	70%	90%
	Lot Area >11,000 sq ft	70%	70%	70%
Maximum Building Width (Feet)		120'	150'	150'
Maximum Building Floor Plate (Square Feet)		8,000 sq ft	15,000 sq ft	20,000 sq ft
Minimum Ground Floor Ceiling Height, Non-Residential (Feet)		None	14'	14'
Minimum Ground Floor Active Use Requirements (%)		None	None	50% (4)
Maximum Active Use Depth (Feet) Minimum Active Use Depth (Feet)		None	None	20'

Change from “Maximum” to “Minimum” - no longer limiting the active use depth - Article 53, Table G

LANGUAGE CLARIFICATIONS AND INACCURATE INFORMATION (CONT'D)



TABLE G - East Boston Neighborhood District - Neighborhood Business Subdistricts - Dimensional Regulations

Maximum Blank Wall of Facade (Feet)		None	15'	15'
Minimum Rear Stepback, Abutting Residential - 5th Story and Above (Feet)		None	7'	7'
Multiple Buildings Allowed Per Lot (Y/N)		No	Yes	Yes
Minimum Permeable Area of Lot (%)	Lot Area <11,000 sq ft	15%	15%	None
	Lot Area >11,000 sq ft	15%	15%	15%
Minimum Outdoor Amenity Space (%)		None	20%	20%
Minimum Front Yard (Feet)		6'	2' (3)	2' (3)
Minimum Side Yard (Feet)	Abutting Residential Subdistrict	14' Total (3' Minimum Per Side)	15'	15'
	Abutting Non-Residential Subdistrict Without Party Wall	10' Total (3' Minimum Per Side)	5'	5'
	Abutting Non-Residential Subdistrict With Party Wall	None	None	None
Minimum Rear Yard (Feet)	Abutting Residential Subdistrict	15'	15'	15'
	Abutting Non-Residential Subdistrict	10'	10'	5'

Adding "subdistrict" to clarify what the regulations apply to

INCORRECT CITATIONS



TABLE A - Greater Mattapan Neighborhood District - Residential Subdistricts - Use Regulations

Residential Uses

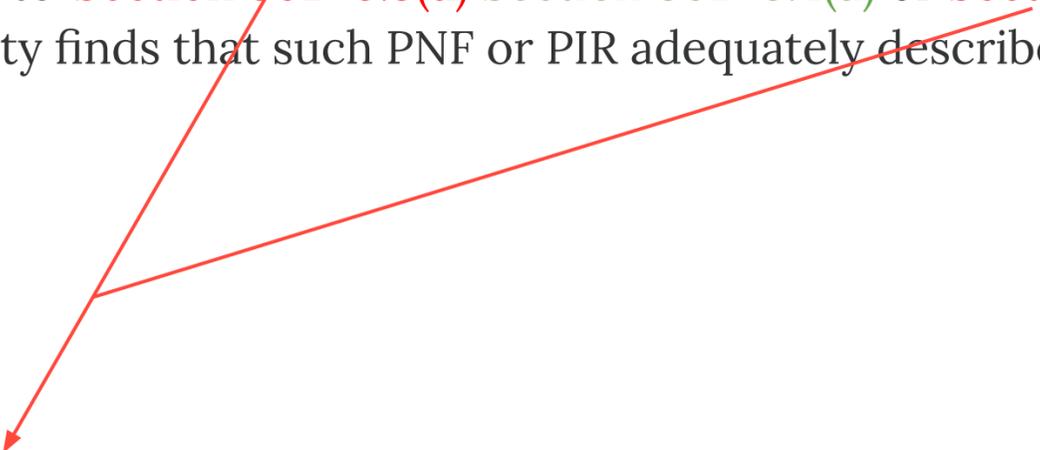
See Table Footnotes: (4) ~~(12)~~ → Footnote #12 no longer exists

	Residential-1 (R1)	Residential-2 (R2)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)
Congregate living complex	F	F	F	F	C
Elderly housing	F	F	F	F	A
Group residence, limited	A	A	A	A	A
Lodging house	F	F	F	F	F
Mobile home	F	F	F	F	F
Mobile home park	F	F	F	F	F
Multifamily dwelling	F	F	F	F	A
One family detached dwelling	A	A	A	A	A
One family semiattached dwelling	A	A	A	A	A
Rowhouse	F	F	F	F	A
Temporary dwelling structure	F	F	F	F	F
Three family detached dwelling	F	A	F	A	A
Townhouse	A	A	F	A	A
Transitional housing or homeless shelter	F	F	F	F	F
Two family detached dwelling	A	A	A	A	A
Two family semiattached dwelling	A	A	F	A	A

REPLACE MENTION

Section 80A-2. - Public Notice and Comment.

(iv) **Possible Waiver of Further Review.** If such notice concerns the receipt of a Project Notification Form or Project Impact Report for Large Project Review, such notice shall contain a statement indicating that the Boston Redevelopment Authority, in the Scoping Determination or Adequacy Determination for such PNF or PIR, may waive further review, pursuant to ~~Section 80B-5.3(d)~~ Section 80B-5.4(d) or ~~Section 80B-5.4(iv)~~ Section 80B-5.5(c)(iv), if, after reviewing public comments, the Authority finds that such PNF or PIR adequately describes the Proposed Project's impacts; and



Replace and reference the correct subsections within Article 80

CONCLUSION

The Planning Department's Zoning Reform team continues to implement a review process to reduce the reduction of errors in our zoning adoption process.

THANK YOU



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