

Zoning Text Amendment for Adoption:

Resolving Language & Clerical Errors in the Boston Zoning Code

Boston Zoning Commission - June 25, 2025



Planning Department

CITY of **BOSTON**

OVERVIEW

The Planning Department's Zoning Reform team proposes a text amendment to the Boston Zoning Code to correct clerical errors existing across its various articles.

Errors within zoning are identified and collected on an ongoing basis, through both staff review of the Code and public comment.

It is the intent of the Planning Department's Zoning Reform team that amendments resolving these errors be brought forth for approval and adoption, as needed.

These amendments will not establish new regulations and will not change the functioning of the Code's existing adopted regulations.

Such updates are needed to ensure the Code's accuracy and accessibility and are meant to provide a consistent pathway to amend language and clerical inaccuracies, as they are continually identified.

PROCESS TO CORRECT ERRORS

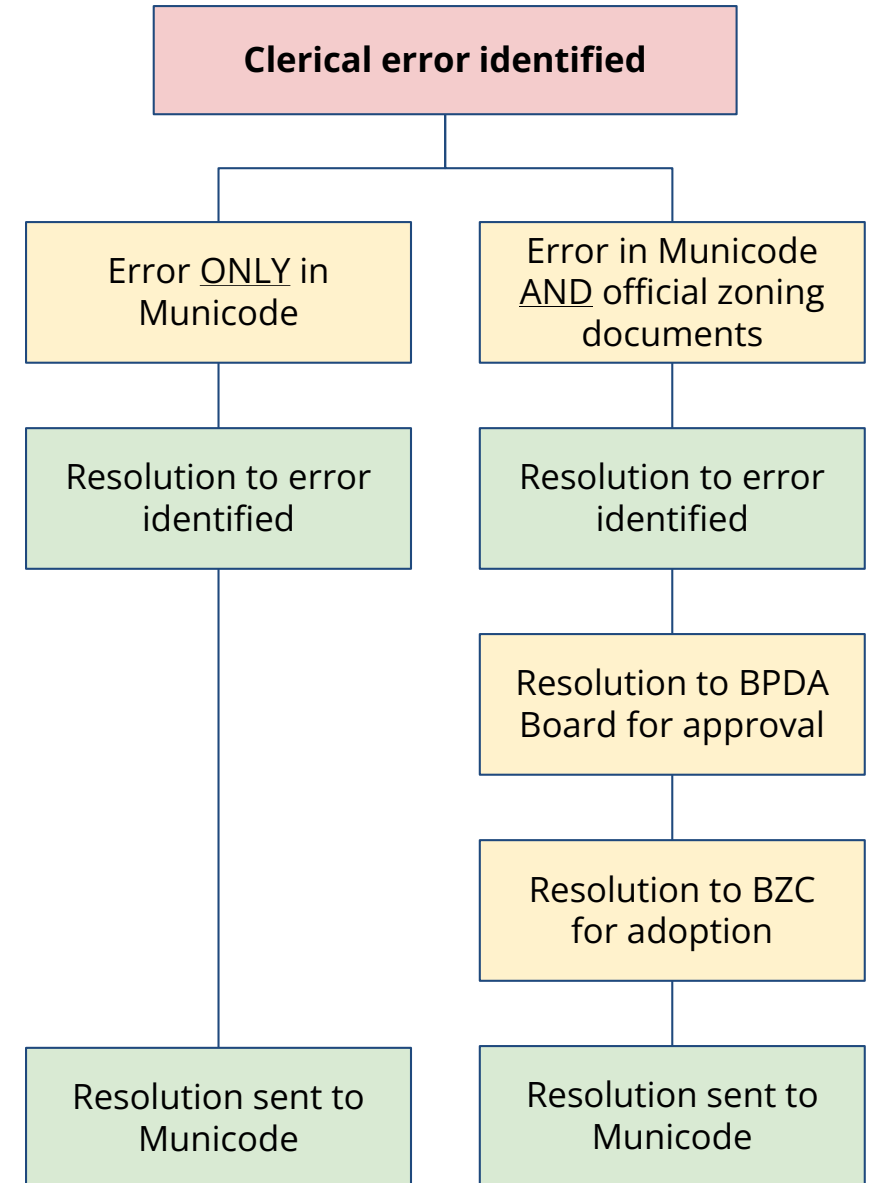
There are two pathways through which clerical errors in the Zoning Code are resolved. Which pathway is used depends on which version of the Zoning Code the error is present in.

Administrative Updates:

- Resolves errors caused by inaccurate transcriptions of officially adopted zoning amendments by Municode (*the online version of the Zoning Code*).
- These resolutions are submitted to Municode because they bring Municode into consistency with lawfully adopted zoning.

Formal Adoption Processes:

- Resolves errors existing in both Municode and adopted zoning amendments that relate to mis-transcribed content in official zoning documents.
- These resolutions must go through the formal BPDA approval and BZC adoption process because they fix issues present in officially adopted zoning amendments.



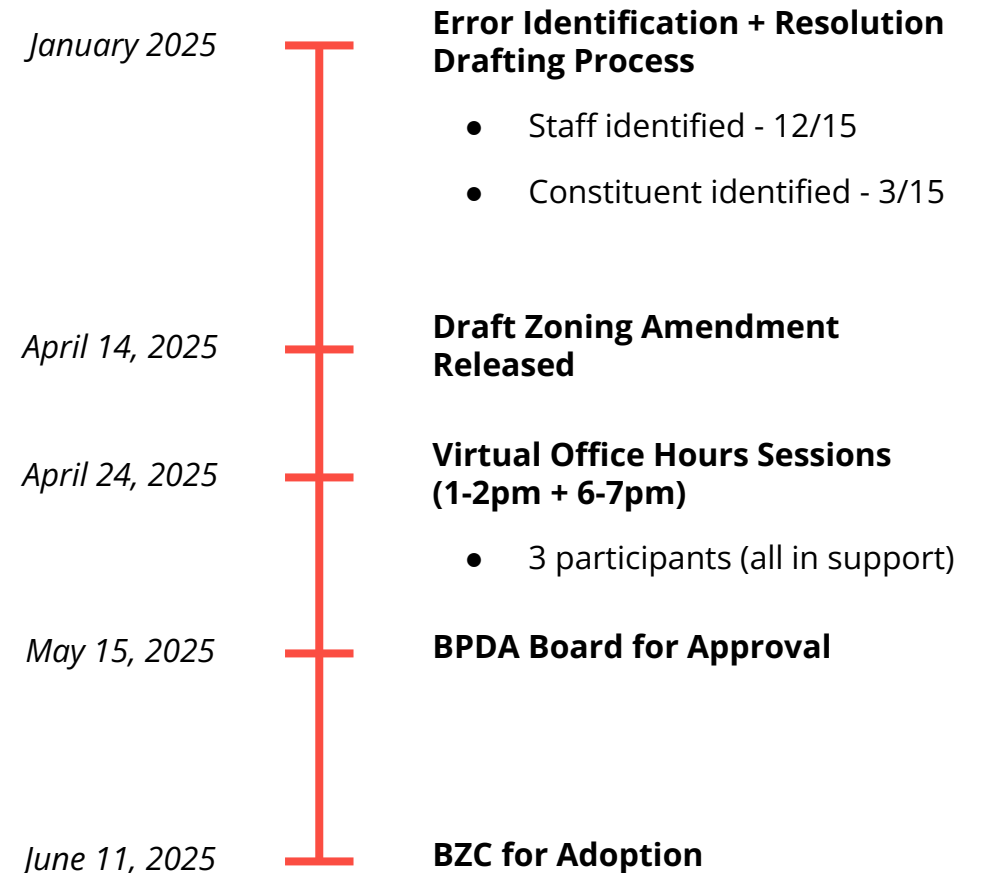
SUMMARY OF TEXT AMENDMENT

This amendment features **resolutions to fifteen (15) existing errors, spread across twenty (20) different articles of the Code.**

- Amend incorrect formatting and section/footnote citations
- Clarify misrepresented language and terms
- Insert missing or inaccurately transcribed content

This update does not establish any new regulations and does not change the functioning of the Code's existing adopted regulations.

TIMELINE OF TEXT AMENDMENT



INCORRECT CITATIONS

Multiple tables across different articles of the Zoning Code feature incorrect citations to applicable footnotes and sections. The proposed amendment resolves these by inserting appropriate references.

Table C - Fenway Neighborhood District Residential Subdistricts Dimensional Regulations

Multifamily Residential Subdistrict

	Lot Area, Minimum for Dwell. Unit(s) Specified (Sq. Ft.)	Additional Lot Area for Ea. Add'l Dwell. Unit (Sq. Ft.)	Lot Width Minimum (Feet)	Lot Frontage Minimum (Feet)	Floor Area Ratio Maximum	Building Height Maximum		Usable Open Space ⁽¹⁾ Minimum Sq. Ft. Per Dwelling Unit	Front Yard ⁽²⁾ Minimum Depth (Feet)	Side Yard Minimum Width (Feet)	Rear Yard Minimum Depth (Feet)	Rear Yard Maximum Occupancy by Accessory Building (Percent)
						Stories	Feet					
MFR-1												
Any Dwelling	none	none	none	none	4.0	N/A	60	100	(3) (2)	none	20	25
Other Use	none	none	none	none	4.0	N/A	60	N/A	(3) (2)	none	20	25

Correct "(3)" to "(2)" to reflect appropriate footnote citation (also found in the column's title)

Correct "Section 67-32" - which cites the wrong zoning article - to "Section 68-33"

Article 68: Table G (Off-Street Parking and Loading Requirements Footnotes)

Table G - South Boston Neighborhood District Off-Street Parking Requirements

Footnotes to Table G

1. The provisions of this Table F do not apply to Proposed Projects that are subject to Large Project Review See Section 67-32 Section 68-33 (Off-Street Parking and Loading Requirements).

TRANSCRIPTION ERRORS

Numerous transcription errors can be found scattered across the Zoning Code. The proposed amendment resolves these by correcting typos and amending language inconsistencies.

Amend descriptions of residential subdistricts in Section 53-4 to correct inconsistencies in subdistrict naming conventions

Article 79: Section 4 - Table A (Required Inclusionary Zoning Unit Contributions)

A. Required Percentages.

	Zone A	Zone B	Zone C
Rental - Covered Projects with 7 or ore more Dwelling Units, including Small Projects (Article 80E) and not Planned Development Areas (Article 80C)			
On Site	17% of total Dwelling Units or 17% of the Usable Square Footage of the Covered Project. Such IZ Units shall be set aside for households with an average of 60% of AMI (Max 70% of AMI).		
Off Site	Not allowed		

Correct "ore" to "more"

Article 53: Section 4 (Establishment of Residential Subdistricts)

Section 53-4. - Establishment of Residential Subdistricts.

This Section 53-4 establishes the following Residential Subdistricts within the East Boston Neighborhood District. Residential Subdistricts are established to preserve existing residential areas, provide for new infill construction appropriate to the existing fabric, and to allow minor changes to residences to occur as of right. Additionally, Residential Subdistricts allow for limited commercial development on Corner Lots and certain mid-block lots.

1. **East Boston Residential-2.5 ("EBR-2.5") Subdistricts.** ~~EBR-1~~ EBR-2.5 Subdistricts allow a maximum of two (2) Dwelling Units and a maximum building height of two and a half (2.5) stories.
2. **East Boston Residential-3 ("EBR-3") Subdistricts.** ~~EBR-2~~ EBR-3 Subdistricts allow a maximum of three (3) Dwelling Units and a maximum Building Height of three (3) stories.
3. **East Boston Residential-4 ("EBR-4") Subdistricts.** ~~EBR-3~~ EBR-4 Subdistricts allow Multifamily Dwellings and a maximum Building Height of four (4) stories.

FORMATTING ERRORS

Existing formatting errors (such as the incorrect ordering of content) can create consistency issues in zoning, and confusion regarding what regulations apply and how they should be interpreted. This amendment remedies these conditions to improve accessibility to the Code.

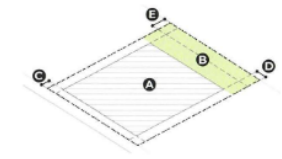
Place bullet "E" below bullet "D"

Place "Figure 1" title above illustrated lot and building standards diagrams

Section 26-2. - Establishment of squares + streets districts

Capitalize "Squares + Streets Districts"

- A. This [Section 26-2](#), together with [Section 3-1](#) (Establishment of Zoning Districts) establishes six Squares + Streets Districts (S0, S1, S2, S3, S4, and S5). A Squares + Streets District is indicated by the designation "S0", "S1", "S2", "S3", "S4", or "S5" on any official zoning map of the City of Boston. The provisions of [Article 26](#) and the remainder of this Code constitute the zoning regulations in a Squares + Streets District. Unless otherwise specified in this Article, where conflicts exist between a provision of this Article and the remainder of this Code, the provision of this Article shall govern.
- B. **Use Regulations Applicable in Squares + Streets Districts.** Use regulations for Squares + Streets districts are set forth in [Article 8](#) (Regulation of Uses) and in Table A of this Article. (Additional Use and Performance Standards)
- C. **Dimensional Regulations Applicable in Squares + Streets Districts.** Dimensional Regulations for Squares + Streets districts are set forth in Table B of this Article. The illustrations included in Figure 1 of this Article depict the dimensional standards set forth in Table B. Where conflicts exist between an illustration or other graphic and the text of any provision of this Code, the text shall govern.
- D. **Parking and Loading Regulations Applicable in Squares + Streets Districts.** Parking regulations for Squares + Streets districts are set forth in [Article 23](#) (Off-Street Parking). Loading regulations for Squares + Streets are set forth in [Article 24](#) (Off-Street Loading).

Illustrated Lot Standards		
	A	Building Lot Coverage
	B	Permeable Area of Lot
	C	Front Yard
	D	Side Yard
	E	Rear Yard

E. Within a Squares + Streets District, no Planned Development Area shall be permitted.

Illustrated Building Envelope Standards		
	A	Building Floor Plate
	B	Building Width
	C	Building Height
	D	Highest Story Rear Stepback
	E	Ground Floor Ceiling Height
	F	Ground Floor Active Use Requirement

FIGURE 1: ILLUSTRATED LOT AND BUILDING ENVELOPE STANDARDS

LANGUAGE CLARIFICATIONS

The interpretation of certain regulations within the Zoning Code can be difficult to determine, due to overly concise drafting and confusing formatting. The proposed text amendment resolves instances of this by clarifying the language and intended meaning of the existing regulations.

Amend to "Accessory Family Child Care Home"

	East Boston Residential-2.5 (EBR-2.5)		East Boston Residential-3 (EBR-3)		East Boston Residential-4 (EBR-4)	
	Corner Lot	Mid-Block Lot	Corner Lot	Mid-Block Lot	First Story & Basement	2nd Story & Above
Household Living - 3-6 Dwelling Units	F	F	A (2)	A (2)	A	A

Table A - East Boston Neighborhood District - Residential Subdistricts - Use Regulations

Footnotes to Table A

1. Notwithstanding any contrary provision of this Table A, the provisions of Sections 53-8 through 53-10 (Regulations Applicable on Tidelands and in Waterfront Subdistricts) apply to any use that is located on Tidelands subject to Chapter 91 of the Massachusetts General Laws
2. Where designated "A," and the Lot Frontage is over fifty-five (55) feet, up to six (6) dwelling units are allowed. Where designated "A," and the Lot Frontage is fifty-five (55) feet or less, up to three (3) dwelling units are allowed. For Corner Lots, see also Section 53-29.14 (Measurement of Lot Frontage on Corner Parcels).

In Table A of the Article 53 Tables, update the language of footnote 2 to provide additional clarification explaining the existing regulations relating to maximum residential occupancy in EBR-3 subdistricts.

Accessory Family Day Care Home. Subject to the provisions of Section 8-2.5 (Accessory Uses), the use of a dwelling unit for receiving, on a regular basis, temporary custody and care during part or all of the day, children under seven (7) years of age, or children under sixteen (16) years of age if those children have special needs, and receiving for temporary custody and care for a limited number of hours children of school age under regulations adopted by the Board of Early Education and Care as defined in Massachusetts General Laws; provided, however, in either case that:

MISSING CONTENT

Across the past 10 years, there have been several instances where adopted zoning has failed to be appropriately transcribed or implemented into the Code. This amendment resolves these instances by inserting the adopted regulations in their appropriate locations.

Insert the highlighted footnotes and footnote references, rectifying inconsistencies in initial transcription of adopted Text Amendment No. 454

Article 63: Table D - Bay Village Neighborhood District - Residential and Related Uses - Off-Street Parking Requirements

See Table Footnote: (1)

	Off Street Parking Requirement (space per dwelling unit) ^{2,3}
Dormitory/Fraternity Uses	0.5
Hotel and Conference Center Uses	0.7
Residential Uses ⁽³⁾	
Elderly Housing	0.5
Group Residence Limited	0.5
Lodging House	0.5
Transitional Housing	0.25
Other Residential Uses ^{4, 5, 6}	0.7

Footnotes to Table D

3. Any dwelling converted for more families in separate dwelling units must meet not less than one-half the off-street parking requirements of this Table D.
4. Off-street parking facilities are not required unless more than two car spaces are required by this Table D.
5. For Dwelling Units qualifying as Affordable Housing, the off-street parking requirement shall be 0.7 parking spaces per Dwelling Unit.
6. or, in the case of affordable residential housing, no parking shall be required. Affordable residential housing shall be considered to describe those projects where at least 60% of the proposed residential units are at or below 100% of Area Median Income (AMI), as by the U.S. Department of Housing and Urban Development.

PREVENTING FUTURE ERRORS

Coordination between Municode and Planning Department staff has uncovered **opportunities for process improvement in zoning adoption.**

- Changing document type submitted to Municode
- Altering formatting of tables / figures in submitted amendments
- Pre-BZC review of amendments for clerical errors
- Post-implementation review of online zoning updates

While we recognize errors will continue to happen, through these efforts (and consistent oversight of them), Planning Department staff **expect to see a reduction in the proliferation of errors** in future zoning updates.

Thank You!



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