

ARTICLE 45

**GOVERNMENT CENTER/MARKETS DISTRICT**

SECTION 45-6. **Establishment of Restricted Growth Areas.** This Section establishes the following Restricted Growth Areas in order to protect existing moderately scaled development. The two Restricted Growth Areas are designated on Map 1H of this Code and identified below. Proposed Projects within a Restricted Growth Area are limited to the building height and FAR specified for such Restricted Growth Area, as follows:

1. Sudbury Street Restricted Growth Area. Within that portion of the Government Center/Markets District depicted on Map 1H of this Code as the "Sudbury Street Restricted Growth Area," a maximum building height of eighty (80) feet and a maximum FAR of six (6) are allowed; provided that any Proposed Project shall be allowed a maximum building height of one hundred (100) feet and a maximum FAR of seven (7) if such Proposed Project is subject to or has elected to comply with Large Project Review and has received a Certification of Compliance pursuant to Section 80B-6.
2. India Street Restricted Growth Area. Within that portion of the Government Center/Markets District depicted on Map 1H of this Code as the "India Street Restricted Growth Area," a maximum building height of eighty (80) feet and a maximum FAR of six (6) are allowed; provided that any Proposed Project shall be allowed a maximum building height of one hundred (100) feet and a maximum FAR of seven (7) if such Proposed Project is subject to or has elected to comply with Large Project Review and has received a Certification of Compliance pursuant to Section 80B-6.

**NEW TEXT TO BE ADDED:**

3. Wharf Street Restricted Growth Area. Within that portion of the Government Center/Markets District depicted on Map 1H of this Code as the "Wharf Street Restricted Growth Area," a maximum building height of one hundred (100) feet and a maximum FAR of eight (8) are allowed; provided that any Proposed Project shall be allowed a maximum building height of one hundred and thirty (130) feet and a maximum FAR of thirteen (13) if such Proposed Project is subject to or has elected to comply with Large Project Review and has received a Certification of Compliance pursuant to Section 80B-6.

SECTION 45-16. **Specific Design Requirements.** Proposed Projects within the Government Center/Markets District shall comply with the specific design requirements established in this Section. The provisions of Article 6A shall be applicable to the requirements of this Section.

1. Area for Recyclable Materials. The provisions of this Subsection apply only to a Proposed Project for which off-street loading facilities are being constructed as part of said Proposed Project or which includes a Residential Use of twelve (12) or more dwelling units. Any such Proposed Project shall provide an area located within the vicinity of a loading bay, if any, or trash storage area for the separation, temporary storage, and collection of recyclable materials.
2. Street Wall Continuity. The provisions of this Subsection apply to all Proposed Projects except for a Proposed Project located adjacent to the City Hall Plaza OS-UP or Pemberton Square (OS-UP Subdistrict or within the Custom House Medium Density Area. The Street Wall of any Proposed Project subject to the provisions of this Subsection shall be built to be coextensive with the building line, as defined in Clause 7A of Section 2-1, of the block on which the Street Wall faces. If there is no determinable building line of said block, then said Street Wall shall be built at a depth from the curb line equal to that of the building line farthest from the curb line of the two blocks adjacent to said block, facing onto the same street. If there is no determinable building line of either of said adjacent blocks, then (i) if the Proposed Project is subject to or elects to comply with Large Project Review, an appropriate Street Wall location shall be determined in Large Project Review, or (ii) otherwise, the Proposed Project shall be deemed subject to the Design Component of Small Project Review for the limited purpose of determining an appropriate Street Wall location. The foregoing notwithstanding, within a PDA a Street Wall of any Proposed Project shall be built at the depth from the curb line stipulated in the applicable Development Plan. A Proposed Project shall comply with the requirements of this Section 45-16.2 with respect to each facade facing a public street, but excluding alleys and private ways.

Except as otherwise provided in this Section 45-16.2, Street Walls shall be continuous across a lot. However, design articulation involving deviations for the Street Wall Plane of two (2) feet or less shall be permitted across the Street Wall. Larger recesses and bays in street walls shall be permitted as follows. For Proposed Projects neither subject to nor electing to comply with Large Project Review, the Street Wall may be recessed by ten (10) feet for up to fifty percent (50%) of the maximum aggregate surface area of the Street Wall below the ground floor ceiling height. Above the ground floor ceiling height the Street Wall may be recessed by ten (10) feet for up to fifty percent (50%) of the maximum aggregate surface area of the Street Wall, or up to fifteen (15)

feet for up to thirty percent (30%) of the maximum aggregate surface area of the Street Wall. The areas within which recesses are permitted are not cumulative, so that the maximum aggregate surface area that may be affected by recesses, whether of ten (10) or fifteen (15) feet, is fifty percent (50%). Bay windows shall be permitted to extend from the Street Wall Plane above the ground floor ceiling height provided that such bay windows do not affect more than forty percent (40%) of the Street Wall Plane.

**TEXT TO BE DELETED:**

For Proposed Projects that are subject to or elect to comply with Large Project Review, recesses and bays shall be permitted if appropriate to the creation of visually interesting designs, provided that the facade 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.

**TO BE REPLACED WITH:**

For Proposed Projects that are subject to or elect to comply with Large Project Review, notwithstanding anything to the contrary elsewhere in this Code, recesses, bays, cantilevers, and other design articulation shall be permitted if appropriate to the creation of visually interesting designs, provided that the façade 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.