

Text Amendment Application No. 423
Boston Redevelopment Authority
Article 64, South End Neighborhood
District

TEXT AMENDMENT NO. 377

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

IN ZONING COMMISSION

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956, as amended, after due report, notice and hearing, does hereby amend the text of the Boston Zoning Code, as amended, as follows:

By amending **Article 64, South End Neighborhood District**, in the manner described below:

1. In **Section 64-7 (Establishment of Residential Subdistricts)**, in the **first paragraph**:

Delete the following text:

Section 58-7

And *insert* the following text in its place:

Section 64-7

2. In **Section 64-9 (Dimensional Regulations Applicable in Residential Subdistricts)**, in the **first paragraph**:

Delete the following text:

Table C

And *insert* the following text in its place:

Table D

3. In **Section 64-9 (Dimensional Regulations Applicable in Residential Subdistricts)**, in the second paragraph:

Delete the following text:

Table F

And insert the following text in its place:

Table G

4. In **Section 64-13 (Dimensional Regulations Applicable in Residential Subdistricts)**, in the first paragraph:

Delete the following text:

Table D

And insert the following text in its place:

Table E

5. In **Section 64-14 (Establishment of Economic Development Areas)**:

Delete the following paragraph in its entirety:

1. South End EDA. The establishment of the South End EDA recognizes the extent to which this area has historically served as an important manufacturing area providing jobs for South End and city residents. It also recognizes the development potential of the Albany Street area due, in large part, to its direct access to major regional transportation corridors such as the Southeast Expressway, the Massachusetts Turnpike, and the Seaport Access Road to the Third Harbor Tunnel. At such a prominent and central location, the South End EDA will serve to provide, opportunities for a broad range of business development, including retail, office, manufacturing, and related commercial uses that can

provide jobs and entrepreneurial opportunities. In addition, the South End EDA expands opportunities for the growing artists community in the South End.

2. Bio Square EDA. The Bio Square EDA is established to facilitate the development of a medical/ research campus in the South End to promote the development of research facilities, provide for sufficient office areas to service the medical institutional uses in the neighborhood, and provide support services such as hotel and parking uses. The establishment of research institutes and laboratories focusing on biomedical research will create significant employment opportunities for South End and Boston residents.

And *insert* the following punctuation and text:

1. EDA North. The EDA North is established to emphasize its location as the vital physical and economic link between the City's downtown, Chinatown, and South End neighborhoods with convenient access to South Boston and the regional roadway system. Future development should provide for new 18-hour uses within a pedestrian-friendly public realm that includes a finer grain of city blocks that allow for enhanced transportation access and circulation.
2. EDA Central. The EDA Central is established to maintain the existing vibrant mixed-use neighborhood. Existing historic resources and industrial character should be preserved while fostering a diverse range of uses including housing, commercial, artist space and strategically-located retail. Streetscape improvements should be focused to improve the pedestrian experience and reinforce connections to public transit.
3. EDA South. The EDA South is established to preserve the light industrial uses while encouraging complementary commercial and research uses. Future architectural character should reinforce the existing scale, incorporate new green technologies and set examples for quality contemporary design in a historic context as well

as welcome a new streetscape that improves aesthetics and safety for pedestrians and vehicles.

4. Bio Square EDA. The Bio Square EDA is established to facilitate the development of a medical/ research campus in the South End to promote the development of research facilities, provide for sufficient office areas to service the medical institutional uses in the neighborhood, and provide support services such as hotel and parking uses. The establishment of research institutes and laboratories focusing on biomedical research will create significant employment opportunities for South End and Boston residents.

6. **In Section 64-15 (Use Regulations Applicable in Economic Development Areas), in the first paragraph:**

Delete the following text wherever mentioned:

Table B

And insert the following text in its place:

Table C

7. **In Section 64-16 (Dimensional Regulations Applicable in Economic Development Areas), in the first paragraph:**

Delete the following text:

Table E

And insert the following text in its place:

Table F

8. **In Section 64-19 (Dimensional Regulations Applicable in Neighborhood Development Areas), in the first paragraph:**

Delete the following text:

Table E

And *insert* the following text in its place:

Table F

9. **In Section 64-22 (Dimensional Regulations Applicable in Community Facilities Subdistricts), in the first paragraph:**

Delete the following text:

Table D

And *insert* the following text in its place:

Table E

10. **In Section 64-26 (Dimensional Regulations Applicable in Institutional Subdistricts), in the first paragraph:**

Delete the following text:

Table E

And *insert* the following text in its place:

Table F

11. **In Section 64-29 (Planned Development Areas: Use and Dimensional Regulations):**

After paragraph number 2 and Table 2, *insert* the following punctuation and text:

3. Lot Coverage. For all Proposed Projects in a PDA, the development footprint shall not cover more than eighty percent (80%) of the lot. The remaining twenty percent (20%) shall be designed and built to ensure public access or enhance the public realm. Development features that would be counted towards the overall development footprint of eighty percent (80%) include, but are not

limited to, building footprints located on a lot, structured parking located on a lot, surface parking and service area(s). Public realm features to be built and maintained by the development or other private party that would be counted towards the overall public realm footprint of twenty percent (20%) includes, but not is not limited to: a) a street (private way) would be a through-block connection linking streets at both ends and be open to public vehicle and pedestrian access including cyclists, and would be owned and maintained by the development or other private party; b) a pedestrian way that would be open to the sky with a minimum number of minor projections over it and would be a through-block connection that is open to the public and limited to pedestrians and cyclists where feasible, with each end of a pedestrian way visible from the street, and which would be owned and maintained by the development or other private party; c) an alley that would be a through-block connection that would provide access to the development site for activities such as drop-off, parking, loading, or other service areas that would be open to public access and may be limited to vehicular traffic but may accommodate pedestrians and cyclists where feasible, and would be owned and maintained by the development or other private party; and d) a place-making space, such as a plaza , open space, or a park, that is located on the ground level and open to the public, and would be owned and maintained by the development or other private party.

A Proposed Project shall be exempt from this Section 64-29.3 if its approvals under Section 80B (Boston Redevelopment Authority Procedures for Large Project Review) of the Code have been granted prior to the first notice of hearing before the Zoning Commission for adoption of this Section 64-29.3.

12. In Section 64-29.1 (Use Regulations):

Delete the first paragraph

And insert the following text and punctuation:

1. Use Regulations. A Proposed Project within a PDA shall comply with the use regulations applicable to the underlying subdistrict for the location of the Proposed Project, except as those regulations are expressly modified by an approved Development Plan.

(a) Specific Requirements for Proposed Projects Incorporating Only Residential Uses. The Proponent of any Proposed Project within a PDA devoting one hundred percent (100%) of the Gross Floor Area to Residential Uses must construct or cause the construction of either:

1. Affordable Housing, as defined in Section 64-41.1, in an amount equivalent to no less than twenty percent (20%) of the Dwelling Units included within the Proposed Project, with all such Affordable Housing located on-site; or
2. A combination of such Affordable Housing and another significant contribution, consisting of: (a) on-site Affordable Housing in an amount equivalent to no less than ten percent (10%) of the Dwelling Units included within the Proposed Project; and (b) an equivalent contribution to the Inclusionary Development Program Fund, administered by the Authority, and/or the creation of off-site Affordable Housing, the combination of which shall be the equivalent of 10 percent (10%) of the Dwelling Units included within the Proposed Project.

(b) Specific Requirements for Proposed Projects

Incorporating Only Non-Residential Uses. The Proponent of any Proposed Project within a PDA devoting one hundred percent (100%) of the Gross Floor Area to Non-Residential Uses must:

1. Construct or cause the construction on-site of not less than five percent (5%) of the total Gross Floor Area of any and all Proposed Project(s) within an approved PDA, above that allowed as-of-right in the underlying zoning subdistrict, for use by an existing or start-up business, or not for profit Affordable Cultural Space, as defined in Section 64-41.2, to be determined and agreed upon by the Proponent, the Authority and/or the Boston Local Development Corporation; or
2. A combination of such existing or start-up business or not-for-profit Affordable Cultural Space, as defined in Section 64-21.2, and another significant contribution, consisting of: 1) up to five percent (5%) of the total Gross Floor Area of any and all Proposed Project(s) within an approved PDA, above that allowed as-of-right, for on-site use by an existing or start-up business or not-for-profit Affordable Cultural Space, to be determined and agreed upon by the Proponent, the Authority and/or the Boston Local Development Corporation; and/or 2) an additional contribution to the Harrison/Albany Corridor Business and Cultural Loan Fund, administered by the Boston Local Development Corporation. Said combination shall be determined by the Authority and shall be the equivalent of five percent (5%) of the total Gross Floor Area of any and all Proposed Project(s)

within an approved PDA, above that allowed as-of-right in the underlying zoning subdistrict.

(c) Specific Requirements for Proposed Projects Incorporating Residential Uses and Non-Residential Uses. The Proponent of any Proposed Project within a PDA must construct, cause the construction of, or make an equivalent contribution as set forth below :

1. The Proponent of any Proposed Project within a PDA devoting any amount of Gross Floor Area to Residential Uses must construct or cause the construction of either:
 - a. Affordable Housing, as defined in Section 64-41.1, in an amount equivalent to no less than twenty percent (20%) of the Dwelling Units included within the Proposed Project, with all such Affordable Housing located on-site; or
 - b. A combination of such Affordable Housing and another significant contribution, consisting of: (a) on-site Affordable Housing in an amount equivalent to no less than ten percent (10%) of the Dwelling Units included within the Proposed Project; and (b) an equivalent contribution to the Inclusionary Development Program Fund, administered by the Authority, and/or the creation of off-site Affordable Housing, the combination of which shall be the equivalent of 10 percent (10%) of the Dwelling Units included in the Proposed Project; and
2. The Proponent of any Proposed Project within a PDA devoting any amount of Gross Floor Area to Non-

Residential Uses must construct or cause the construction of either:

- a. Five percent (5%) of the total Gross Floor Area allocated to non-residential uses of any and all Proposed Project(s) within an approved PDA, above that allowed as-of-right in the underlying zoning subdistrict, for on-site use by an existing or start-up business, or not-for-profit Affordable Cultural Space, as defined in Section 64-41.2, to be determined and agreed upon by the Proponent, the Authority and/or the Boston Local Development Corporation; or
- b. A combination of such existing or start-up business or not-for-profit Affordable Cultural Space, as defined in Section 64-21.2, consisting of: 1) up to two and a half percent (2 ½%) of the total Gross Floor Area of any and all Proposed Project(s) within an approved PDA for on-site use by an existing or start-up business or not for profit Affordable Cultural Space, to be determined and agreed upon, by the Proponent, the Authority and/or the Boston Local Development Corporation; and 2) an additional contribution to the Harrison/ Albany Corridor Business and Cultural Loan Fund, administered by the Boston Local Development Corporation. Said

combination shall be determined by the Authority and shall be the equivalent of five percent (5%) of the total Gross Floor Area allocated to non-residential uses of any and all Proposed Project(s) within an approved PDA, above that allowed as-of-right in the underlying zoning subdistrict.

13. In Section 64-29.2 (Dimensional Regulations):

Delete the following table in its entirety:

↑TABLE 2

**South End Neighborhood District
Planned Development Areas
Maximum Building Heights and Floor Area Ratios**

<u>Area</u>	Maximum	<u>Building Height</u>	<u>FAR</u>
South End EDA/North		110'	5.0
South End EDA/South		(1)	5.0
Bio Square EDA		(1)	5.0
Washington Street Neighborhood NDA		70'	4.0
Boston Center for the Arts/ Franklin Institute CF Subdistrict		110'	5.0
Dartmouth/Columbus CC Subdistrict		(2)	(2)
Massachusetts/Columbus CC Subdistrict		70'	4.0
Berkeley/Tremont Street CC Subdistrict		110'	N/A

- (1) Within 100 feet of the subdistrict boundary along Albany Street, the Building height shall not exceed one hundred ten (110) feet, and any portion of a Building above 70 feet in height shall be set back by no less than 10 feet from the Street Line of Albany Street. Between 100 feet and 160 feet of the subdistrict boundary along Albany Street, the Building Height shall not exceed one hundred fifty (150) feet.

- (2) Within the Dartmouth/Columbus Community Commercial Subdistrict, the Boston Redevelopment Authority may approve a Development Plan having Building Heights and FARs in excess of those set forth in Table D of this Article; provided, however, that each Proposed Project in such Development Plan shall be consistent with the design guidelines set forth in Appendix A to this Article.

And *insert* the following table in its place:

↑TABLE 2

**South End Neighborhood District
Planned Development Areas
Maximum Building Heights and Floor Area Ratios**

<u>Area</u>	<u>Maximum Building Height</u>	<u>FAR</u>
EDA North ⁽¹⁾		
Area 1	150'	6.5
Area 2	200'	6.5
EDA Central ⁽²⁾		
Area 1	70'	4.0
Area 2	70'	6.5
Area 3	120'	6.5
Area 4	200'	6.5
EDA South ⁽³⁾		
Area 1	70'	6.5
Area 2	120'	6.5
Area 3	200'	6.5
Bio Square EDA ⁽⁴⁾		
Area 1	120'	6.5
Area 2	200'	6.5
Washington Street Neighborhood NDA	70'	4.0
Boston Center for the Arts/ Franklin Institute CF Subdistrict	110'	5.0
Dartmouth/Columbus CC Subdistrict	(5)	(5)
Massachusetts/Columbus CC Subdistrict	70'	4.0
Berkeley/Tremont Street CC Subdistrict	110'	N/A

(1) See Appendices B and C to this Article.

(2) See Appendices B and D to this Article.

- (3) See Appendices B and E to this Article.
- (4) See Appendices B and F to this Article.
- (5) Within the Dartmouth/Columbus Community Commercial Subdistrict, the Boston Redevelopment Authority may approve a Development Plan having Building Heights and FARs in excess of those set forth in Table E of this Article; provided, however, that each Proposed Project in such Development Plan shall be consistent with the design guidelines set forth in Appendix A to this Article.

14. In **Section 64-41 (Definitions)**, insert the following text and punctuation:

- 1. **Housing, Affordable**, housing affordable to households earning between eighty percent (80%) and one hundred percent (100%) of the Boston Metropolitan Statistical Area median income, allocated in such proportion within this range as is determined during Article 80 Large or Small Project Review.
- 2. **Cultural Space, Affordable**, space to be provided on site for occupancy and use by a 501c3 organization that has received funding from the Massachusetts Cultural Council within five years prior to occupancy, or whose cultural use has been determined by the Authority to meet the City’s goals for creative economy. Cultural use must also be in compliance with Article 2A of the Code.

15. In **Section 64-42 (Tables and Appendix)**, *delete* this Section in its entirety and *insert* in its place:

<u>Tables A-C</u>	<u>Use Regulations</u>
A -	Residential Subdistricts Community Facilities Subdistricts
B -	Neighborhood Business Subdistricts Neighborhood Development Areas Institutional Subdistricts
C -	Economic Development Areas

<u>Tables D-G</u>	<u>Use Regulations</u>
D -	Residential Subdistricts
E -	Neighborhood Business Subdistricts Community Facilities Subdistricts
F -	Economic Development Areas
G -	Neighborhood Development Areas Institutional Subdistricts
<u>Tables H-I</u>	<u>Use Regulations</u>
H -	Off-Street Parking
I -	Off-Street Loading
<u>Appendix A</u> -	Design Guidelines for Planned Development Area Development Plans in Dartmouth/Columbus Community Commercial Subdistrict
<u>Appendix B</u> -	Design Guidelines for Planned Development Area Development Plans in Economic Development Areas
<u>Appendix C</u> -	EDA North
<u>Appendix D</u> -	EDA Central
<u>Appendix E</u> -	EDA South
<u>Appendix F</u> -	BioSquare EDA

16. **In Table B (Use Regulations Applicable in Economic Development Areas, Neighborhood Development Areas and Institutional Subdistricts):**

Delete the column headed “Economic Development Areas” and all designations (“A, F, or C”) and any footnotes related to said designations in that column.

And *Insert* a new use item table entitled “**Table C (Use Regulations in Economic Development Areas)**” as shown on the attached Appendix A.

17. *Rename* the remaining Tables in appropriate alphabetical order.
18. *Delete* the newly renamed Table F (Economic Development Areas, Neighborhood Development Areas, and Institutional Subdistricts Dimensional Regulations) in its entirety, and *insert* a new Table F as shown on the attached Appendix B.
19. In the newly renamed Table G (Off Street Parking Requirements), *insert* the following number and punctuation:

(6)

Next to the “Hotel and Conference Center Uses” and “Other Residential Uses” in appropriate numerical order; and *insert* the following footnote in appropriate numerical order:

6. Except in the Economic Development Areas, the minimum ratio for off street parking requirement for Hotel and Conference Center Uses shall be 0.3 and the maximum ratio for off street parking requirement for Hotel and Conference Center Uses shall be 0.5, and for Other Residential Uses the maximum ratio for off street parking shall be 1.0.

APPENDIX B TO ARTICLE 64

Design Guidelines for Planned Development Area Development Plans in the Economic Development Area Sub-districts

The following design guidelines apply to any Planned Development Area Development Plan within the Economic Development Area North, Central and South Subdistricts.

A. Design Guidelines

1. Proposed Projects in the South End Landmark District must be reviewed and approved by the South End Landmark District Commission.
2. Building design should express a building's uses and function.
3. Newly constructed Street Walls should be built to match the existing Street Wall line found on the Block on which the Street Wall faces. If there is no determinable Street Wall line on the Block, then the Street Wall should match the Street Wall Line of the adjacent Blocks.
4. Ground floor facades, especially for commercial uses, should be open and transparent.
5. Open spaces, building entrances, shop fronts, shop windows, shop entrances, and similar elements should be designed to enhance pedestrian activity and encourage an active street life. Blank walls without windows facing onto pedestrian areas should be avoided..
6. A zone for signs on the Building facade should be established, defined by a change in facade color and/or materials, or by an articulation of the facade, and all permanent signs mounted on the Building facade should be located within such zone. In Buildings with multiple stores, the sign zone should be subdivided so that each section clearly relates to an individual store. Signs should be designed and located so as not to obscure architectural elements or ornamental details of the building facade. Internally-lit signs should be designed so as not to create a hazard or nuisance through excessive brightness, and such signs should be constructed so that bulbs, wires, and other lighting equipment located inside the sign are not visible through the face of the sign. (Refer to Section 64-35 of this Article.)
7. Temporary banners or signs need to be submitted to the BRA for review and approval prior to installation.
8. If a security grate is to be used on a Building, it should be a see-through grille with decorative elements rather than a roll-up steel door. Such security grate should be mounted inside of the storefront

B. Massing

1. In EDA Central and South, New or rehabilitated Buildings should reflect and complement the scale and architectural character of historically-distinctive Buildings in the surrounding area.
2. In EDA Central, Building massing within Area 3 should be designed to transition from the higher scale of Area 4 and the lower scale of Areas 1 and 2.

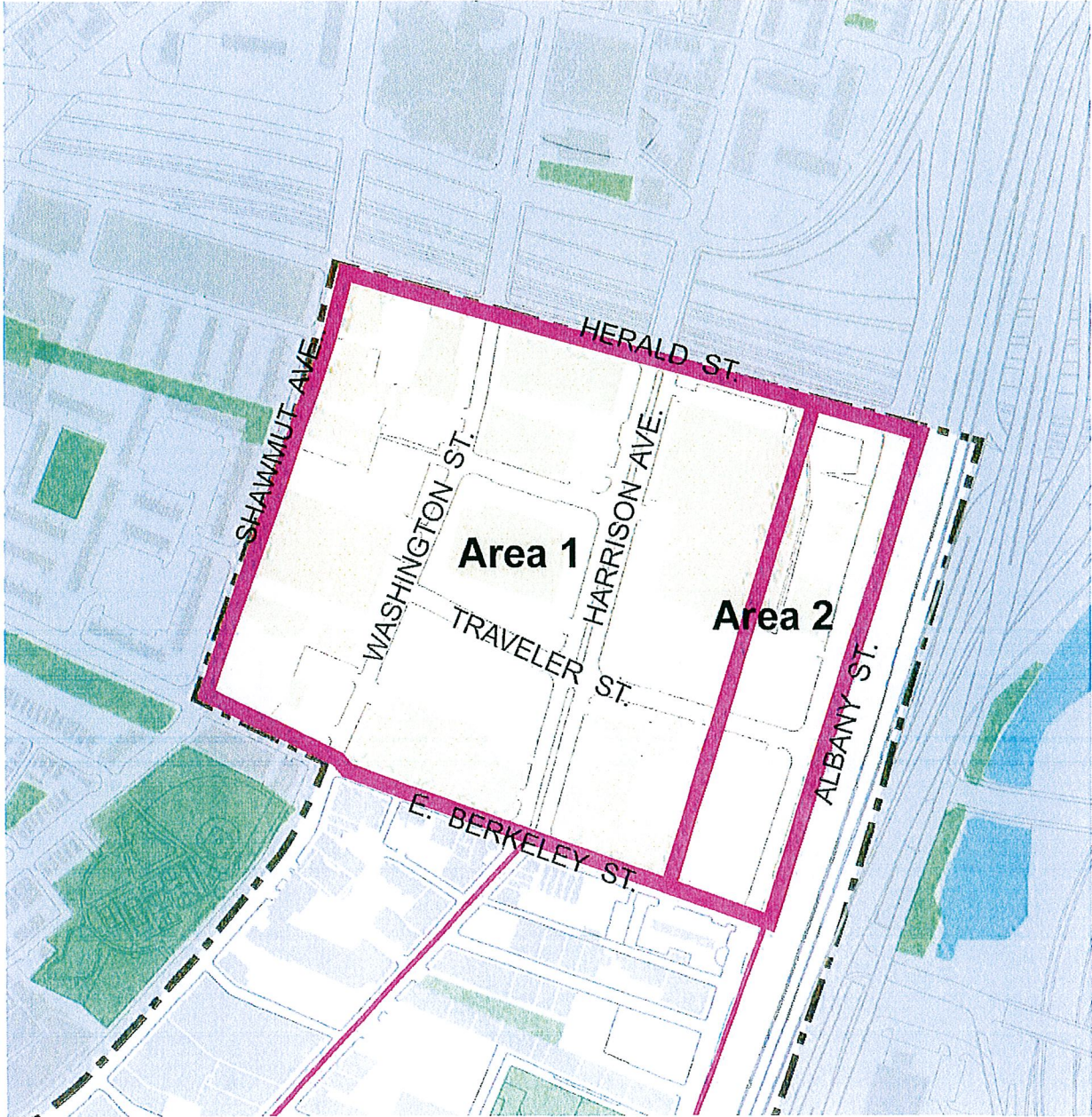
3. For industrial Buildings in EDA South, design of new construction and rehabilitation of existing Buildings should be compatible with pedestrian activity, where practicable. Loading zones should be clearly marked both at the ground plane and through the use of architectural features, such as canopies and the like. Where the provision of windows in the Street Wall is impracticable, articulation of the Street Wall by other means is encouraged.
4. In EDA South, building massing along East Canton Street should acknowledge the height, massing and design scale of the residential buildings across the street.

C. Site Plan

1. Site planning, including location and orientation of Building footprint, open space, and vehicular access should be designed to provide new through-block connections to enhance circulation within the subdistrict and reinforce the historic East – West street pattern (See Section 64-29.3 on Lot Coverage Requirements for PDA Projects).
2. Vehicular access to and egress from a site should minimize traffic impacts on adjacent roadways and provide visual access for drivers and pedestrians.
3. Parking, storage and disposal areas, and the entrance to accessory parking within a main Building should not be located in the front of Buildings. Such areas should be located within Buildings and on secondary elevations. If such areas are visible from a public way they should be appropriately screened and buffered.
4. Shawmut Avenue, Washington Street and Harrison Avenues should be avoided as points of access for loading and servicing.
5. Projects with frontage on Traveler Street will be required to provide an enhanced landscaped edge which may include the following: tree plantings, landscape furniture such as benches and like, planting beds, way-finding elements Appropriate hardscape surface elements for pedestrians.

APPENDIX C TO ARTICLE 64

EDA NORTH



APPENDIX C TO ARTICLE 64

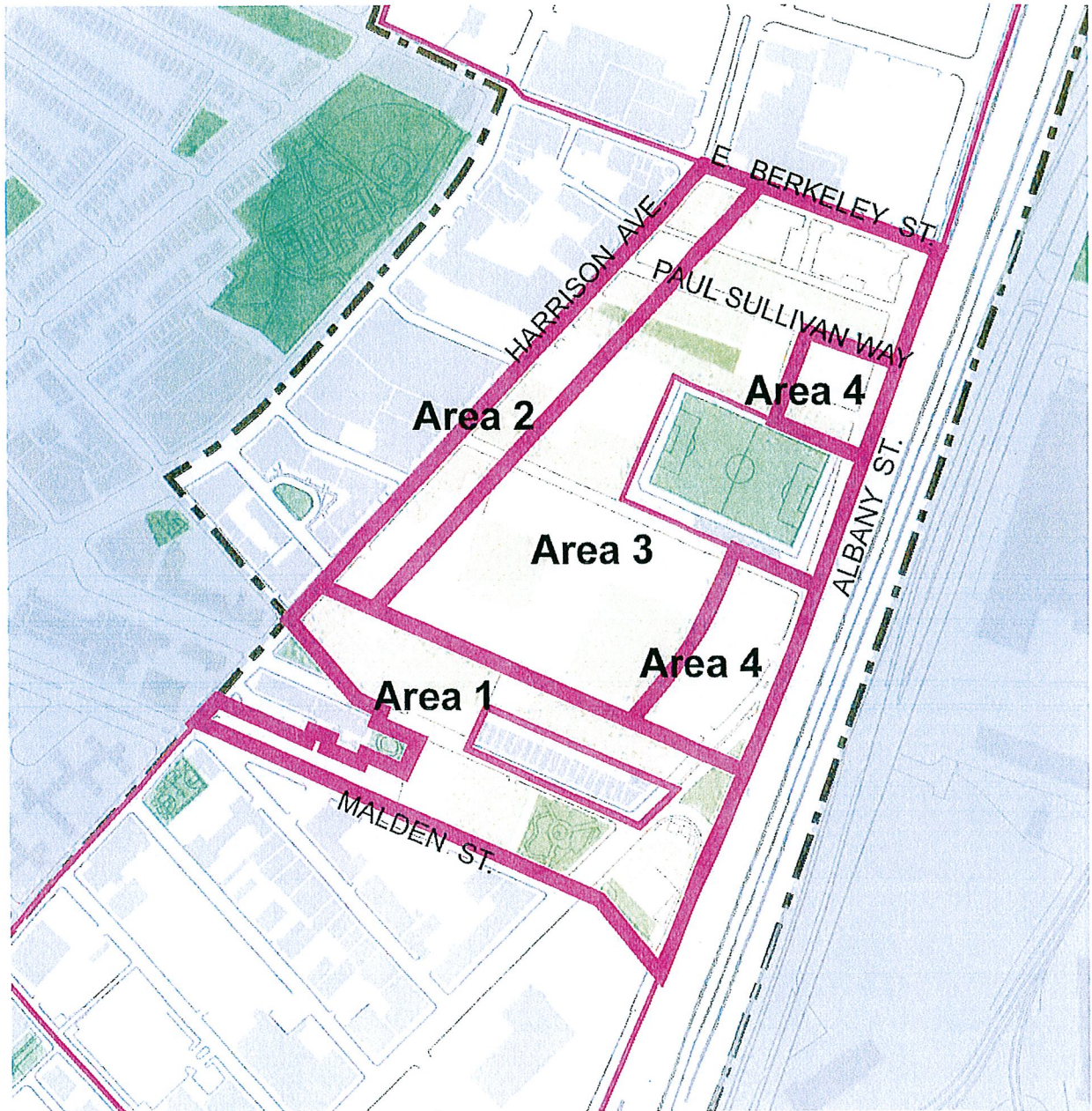
EDA NORTH

Area 1: Within that portion of the subdistrict that is beyond 165 feet from Albany Street.

Area 2: Within that portion of the subdistrict that is within 165 feet from Albany Street.

APPENDIX D TO ARTICLE 64

EDA CENTRAL



APPENDIX D TO ARTICLE 64

EDA CENTRAL

Area 1: Within that portion of the subdistrict that is shown in this Appendix D as Area 1 and that is between the western Street Line of Albany Street and the eastern Street Line of Harrison Avenue.

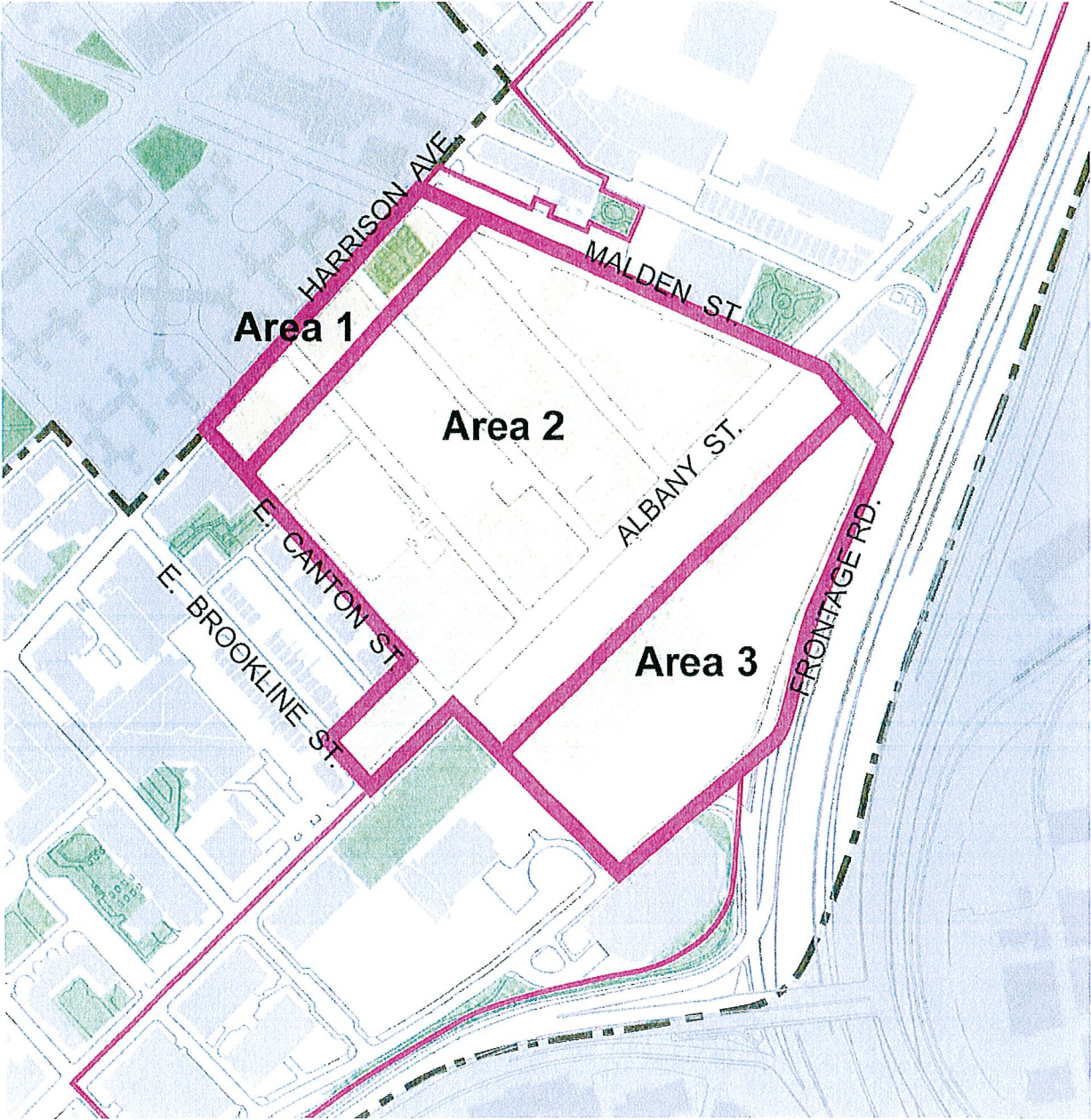
Area 2: Within that portion of the subdistrict that is within 100 feet of the eastern Street Line of Harrison Avenue.

Area 3: Within that portion of the subdistrict that is beyond 100 feet from the eastern Street Line of Harrison Avenue.

Area 4: Within 165 feet from Albany Street running from the centerline between Paul Sullivan Way on the north and the southern parcel boundary for the existing MBTA operations site to the south.

APPENDIX E TO ARTICLE 64

EDA SOUTH



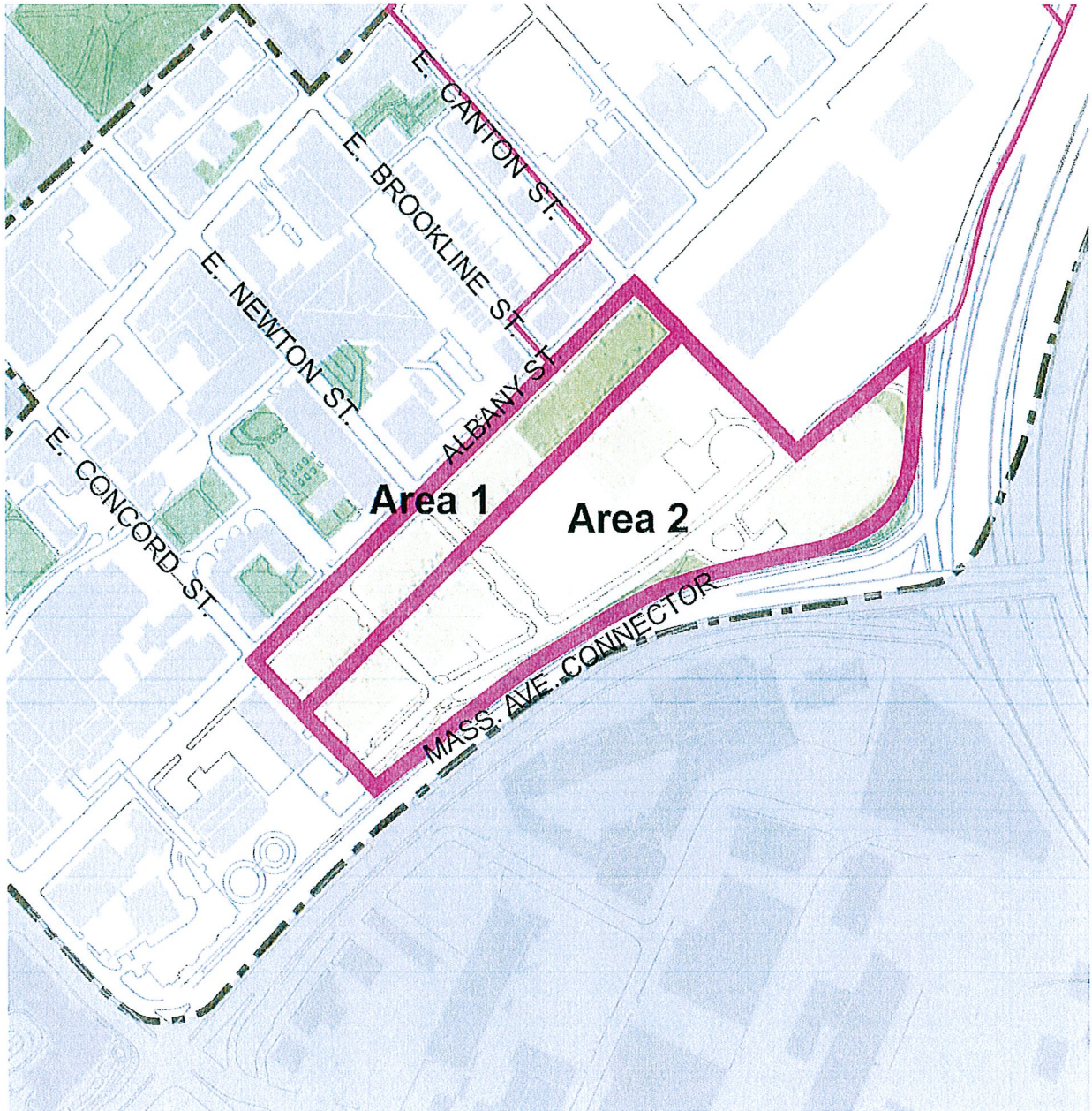
APPENDIX E TO ARTICLE 64

EDA SOUTH

- Area 1: Within that portion of the subdistrict that is within 100 feet from the eastern Street Line of Harrison Avenue.
- Area 2: Within that portion of the subdistrict that is beyond 100 feet from the eastern Street Line of Harrison Avenue.
- Area 3: Within that portion of the subdistrict that is beyond 100 feet from the eastern Street Line of Albany Street and toward the Expressway.

APPENDIX F TO ARTICLE 64

BIOSQUARE EDA



APPENDIX F TO ARTICLE 64

BIOSQUARE EDA

Area 1: Within that portion of the subdistrict that is within 100 feet from the eastern Street Line of Albany Street.

Area 2: Within that portion of the subdistrict that is beyond 100 feet from the eastern Street Line of Albany Street.

TABLE C

**South End Neighborhood District
Use Regulations in
Economic Development Areas**

Key: A = Allowed, C = Conditional, F = Forbidden
For definitions of use categories and certain specific uses, see Article 2A.
For summary of requirements applicable to Institutional Uses, see Note 1.

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Banking and Postal Uses</u>				
Automatic teller machine	A	A	A	A
Bank	A	A	A	A
Drive-in bank	F	F	F	F
Post office	A	A	A	A
<u>Community Uses</u>				
Adult education center	A	A	A	A
Community center	A	A	A	A
Day care center	A	A	A	A
Day care center, elderly	A	A	A	A
Library	A	A	A	A
Place of worship; monastery; convent; parish house	A	A	A	A

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Cultural Uses</u>				
Art gallery	A	A	A	C
Art use	A	A	A	C
Auditorium	C	C	C	C
Cinema	C	C	C	C
Concert hall	C	C	C	C
Museum	C	C	C	C
Public art, display space	A	A	A	A
Studios, arts	A	A	A	C
Studios, production	A	A	A	C
Theatre	C	C	C	C
Ticket sales	C	C	C	C
<u>Dormitory and Fraternity Uses</u>				
Dormitory not accessory to a use	F	F	F	F
Fraternity	F	F	F	F
<u>Educational Uses</u>				
College or university ¹	F	F	F	C
Elementary or secondary school ²	A	A	A	A
Kindergarten	A	A	A	A
Professional school	A	A	A	A
Trade school	A	A	A	A

TABLE C – Continued

	EDA North Subdistrict	EDA Central Subdistrict	EDA South Subdistrict	EDA BioSquare Subdistrict
<u>Entertainment and Recreational Uses</u>				
Adult entertainment	F	F	F	F
Amusement game machines in commercial establishment	F	F	F	F
Amusement game machines in non-commercial establishment	F	F	F	F
Bar ³	C	C	C	F
Bar with live entertainment ¹	C	C	C	F
Bowling alley	C	C	C	F
Billiard parlor	C	C	C	F
Dance hall	C	C	C	F
Drive-in theatre	F	F	F	F
Fitness center or gymnasium ¹⁵	C	C	C	C
Private club not serving alcohol	F	F	F	F
Private club serving alcohol	F	F	F	F
Restaurant with live entertainment, not operating after 10:30 p.m. ³	C	C	C	C
Restaurant with live entertainment, operating after 10:30 p.m. ³	C	C	C	C
<u>Funerary Uses</u>				
Cemetery	F	F	F	F
Columbarium	F	F	F	F
Crematory	F	F	F	F
Funeral home	C	C	C	C
Mortuary chapel	F	F	F	F

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Health Care Uses</u>				
Clinic	C	C	C	C
Clinical laboratory	C	C	C	C
Custodial care facility	C	C	F	C
Group care residence, general	F	F	F	F
Hospital ¹	F	F	F	F
Nursing or convalescent home ¹	C	C	C	C
<u>Hotel and Conference Center Uses</u>				
Bed and breakfast	A	A	C	A
Conference center	A	A	C	A
Executive suites	A	A	C	A
Hotel	A	A	A	A
Motel	F	F	F	F
<u>Industrial Uses</u>				
Artists' mixed-use	A	A	C	C
Cleaning plant	F	F	C	C
General manufacturing use	C	C	C	C
Light manufacturing use	A	A	A	A
Printing plant	C	C	A	C
Restricted industrial use ²⁰	F	F	F	F

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Office Uses</u>				
Agency or professional office	A	A	A	A
General office	A	A	A	A
Office of wholesale business	A	A	A	A
<u>Open Space Uses</u>				
Golf driving range	F	F	F	F
Grounds for sports, private	C	C	F	F
Open space	A	A	A	A
Open space recreational building	C	C	C	C
Outdoor place of recreation for profit	C	C	F	F
Stadium	F	F	F	F
<u>Public Service Uses²</u>				
Automatic telephone exchange or telecommunications data distribution center	C	C	C	C
Courthouse	A	A	A	A
Fire station	A	A	A	A
Outdoor payphone	F	F	F	F
Penal institution	F	F	F	F
Police station	A	A	A	A
Pumping station	C	C	C	C
Recycling facility (excluding facilities handling toxic waste)	C	C	C	C

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Public Service Uses cont.</u> ²				
Solid waste transfer station	F	F	F	F
Sub-station	C	C	C	C
Telephone exchange	C	C	C	C
<u>Research and Development Uses</u> ⁴				
Research laboratory	A	A	A	A
Product development; prototype manufacturing	A	A	A	A
<u>Residential Uses</u> ⁵				
Congregate living complex	C	C	C	C
Elderly housing	A	A	C	C
Group residence, limited	A	A	C	C
Lodging house	C	C	C	F
Mobile home	F	F	F	F
Mobile home park	F	F	F	F
Multi-family dwelling	A	A	C	C
One family detached dwelling	F	F	F	F
One family semi-attached dwelling	F	F	F	F
Orphanage	C	C	C	C
Rowhouse	A	A	C	F
Temporary dwelling structure	C	C	C	C
Three family detached dwelling	F	F	F	F

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Residential Uses cont.⁵</u>				
Townhouse	A	A	C	C
Transitional housing or homeless shelter	C	C	F	C
Two family detached dwelling	F	F	F	F
Two family semi-attached dwelling	F	F	F	F
<u>Restaurant Uses</u>				
Drive-in restaurant	F	F	F	F
Restaurant	A	A	A	A
Take-out restaurant	A	A	A	A
Small ⁶	C	C	C	C
Large ⁷				
<u>Retail Uses⁸</u>				
Adult bookstore	F	F	F	F
Bakery	A	A	A	A
General retail business ¹³	A	A	A	C
Liquor store	C	C	C	C
Local retail business	A	A	A	A
Outdoor sale of garden supplies	A	A	A	A
Pawnshop	C	C	C	C

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Service Uses</u> ⁸				
Animal hospital	C	C	C	C
Barber or beauty shop	A	A	A	A
Body art establishment	C	C	C	C
Caterer's establishment	A	A	A	A
Check cashing business	F	F	F	F
Container redemption center ⁹	C	C	C	C
Dry-cleaning shop	A	A	A	A
Kenel	F	F	F	F
Laundry, retail service	A	A	A	A
Laundry, self-service	A	A	A	A
Photocopying establishment	A	A	A	A
Shoe repair	A	A	A	A
Tailor shop	A	A	A	A
<u>Storage Uses, Major</u>				
Enclosed storage of solid fuel or minerals	F	F	F	F
Outdoor storage of solid fuel or minerals	F	F	F	F
Outdoor storage of new materials	F	F	F	F
Outdoor storage of damaged or disabled vehicles	F	F	F	F
Outdoor storage of junk and scrap	F	F	F	F
Storage of certain materials	F	F	F	F

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Storage Uses, Major cont.</u>				
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
Storage of flammable liquids and gases	C	C	F	F
Small ¹⁰	F	F	F	F
Large ¹⁰	F	F	F	F
Storage or transfer of toxic waste	C	C	A	C
Warehousing	F	F	F	F
Wrecking yard				

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Trade Uses</u> ⁸				
Carpenters shop	A	A	A	C
Electrician's shop	A	A	A	C
Machine shop	A	A	A	C
Photographer's studio	A	A	A	C
Plumber's shop	A	A	A	C
Radio/television repair	A	A	A	C
Upholsterer's shop	A	A	A	C
Welder's shop	A	A	C	C
<u>Transportation Uses</u>				
Airport	F	F	F	F
Bus terminal	F	F	F	F
Garage with dispatch	F	F	F	F
Helicopter landing facility	F	F	F	F
Motor freight terminal	F	F	F	F
Rail freight terminal	F	F	F	F
Railroad passenger station	F	F	F	F
<u>Vehicular Uses</u>				
Airport-related remote parking facility	F	F	F	F
Bus servicing or storage	F	F	F	F
Carwash ¹¹	F	F	F	F
Gasoline station ¹¹	C	C	C	C

TABLE C – Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Vehicular Uses cont.</u>				
Indoor sale, with or without installation, of automotive parts, accessories and supplies	C	C	C	C
Indoor sale of motor vehicles	C	C	F	F
Outdoor sale of new and used motor vehicles	F	F	F	F
Parking garage ^{16, 17, 19}	C	C	C	C
Parking lot ^{17, 19}	C	C	C	C
Rental agency for cars	C	C	C	C
Rental agency for trucks	C	C	C	C
Repair garage ¹¹	C	C	C	C
Truck servicing or storage	F	F	F	F
<u>Wholesale Uses</u>				
Wholesale business	A	A	A	A
<u>Accessory and Ancillary Uses</u>				
In each subdistrict of the South End Neighborhood District, an accessory use ordinarily incident to a lawful main use is allowed, subject to the provisions of Article 10, unless such use is (i) specifically forbidden as a main use for such subdistrict in this Table B and (ii) not designated "A" or "C" for such subdistrict 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.				

TABLE C -- Continued

	<u>EDA North Subdistrict</u>	<u>EDA Central Subdistrict</u>	<u>EDA South Subdistrict</u>	<u>EDA BioSquare Subdistrict</u>
<u>Accessory and Ancillary Uses (cont'd)</u>				
Accessory amusement game machines not more than four) in commercial or non-commercial establishment	F	F	C	F
Accessory art use	A	A	A	A
Accessory automatic teller machine	A	A	A	A
Accessory bus servicing or storage	F	F	F	F
Accessory cafeteria	A	A	A	A
Accessory cultural uses	A	A	A	C
Accessory dormitory	C	F	F	C
Accessory drive-through restaurant	F	F	F	F
Accessory drive-through retail	F	F	F	F
Accessory family day care home	C	C	C	C
Accessory home occupation	A	A	A	A
Accessory indoor maintenance and operation of a payphone ¹⁸	A	A	A	A
Accessory industrial use	A	A	A	A
Accessory keeping of animals, other than laboratory animals	C	C	C	C
Accessory keeping of laboratory Animals ⁴	C	C	C	A
Accessory machine shop	A	A	A	A
Accessory manufacture of products	A	A	A	A
Accessory offices	A	A	A	A
Accessory offices for university	C	C	C	C
Accessory outdoor cafe	A	A	A	A
Accessory parking ^{16, 17}	A	A	A	A
Accessory personnel quarters	A	A	A	A

Accessory printing	A	A,	A	A
Accessory professional office in a dwelling	A	A	A	A
Accessory railroad storage yard	F	F	F	F
Accessory recycling	C	C	C	C
Accessory repair garage	C	C	C	C
Accessory retail	A	A	A	A
Accessory service uses	C	C	C	C
Accessory services for apartment and hotel residents	A	A	C	C
Accessory services incidental to educational uses other than college or university use	A	A	A	A
Accessory storage of flammable liquids and gases	C	C	C	C
small ¹⁰	C	C	C	C
Large ¹⁰	C	C	C	C
Accessory storage or transfer of toxic waste	C	C	C	C
Accessory swimming pool or tennis court ¹²	A	A	A	A
Accessory trade uses	A	A	A	A
Accessory truck servicing or storage	C	C	C	C
Accessory wholesale business	A	A	A	A
Ancillary use ¹⁴	C	C	C	C

1. Note regarding Institutional Use. The Institutional Use categories "College 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 B. If part of an Institutional Use, pursuant to the provisions of this Article and Article 2A, any such subuse shall be regulated as the pertinent Institutional Use. To determine whether the substitution of one 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.

TABLE C - Continued

See Section 64-4 (Applicability), Section 8013-2.4 (Regulations Applicable to Exempt Projects), and Section 80D-11 (Institutional Master Plan Review: Effect on Applicability of Other Zoning Requirements) concerning the applicability of the use regulations of this Table B to Institutional Uses. See also Section 64-24 (Institutional Master Plan Review Requirement) and Section 80D-2 (Applicability of Institutional Master Plan Review) concerning the applicability of Institutional Master Plan Review to such uses.

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. 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.
4. Provided that, where applicable, such Research and Development 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") and Boston Public Health Commission ("BPHC"). If such Research and Development Use is subject to and does not satisfy the requirements of items 1 and 2 of Footnote 4, such Research and Development Use shall be forbidden.
5. Provided that Dwelling Units are forbidden in Basements.
6. Total gross floor area not more than 1,000 square feet per restaurant.
7. Total gross floor area exceeding 1,000 square feet per restaurant.
8. In an Economic Development Area, 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 12 midnight or before 6:00 a.m.

TABLE C – Continued

9. 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.
10. Small: storage of less than thirty thousand (30,000) gallons of flammable liquids or less than ten thousand (10,000) cubic feet of gases; Large: storage of thirty thousand (30,000) gallons or more of flammable liquids or ten thousand (10,000) cubic feet or more of gases.
11. Where such use is designated "A," or "C," provided that all washing, painting, lubricating, and making of repairs is carried on inside a building; that such establishment is sufficiently sound insulated to confine all noise to the lot; that all flashing, fumes, gases, smoke and vapor are effectively confined to the lot; and that there is no-outdoor storage of damaged, disabled or unregistered motor vehicles for a period of more than one month; otherwise forbidden.
12. 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.
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 sixty-five thousand (65,000) or more square feet; or (b) changes to a General Retail Business the use of a gross floor area of sixty-five thousand (65,000) or more square feet; or (c) enlarges a General Retail Business so as to result in a total gross floor area of sixty-five thousand (65,000) or more square feet.
14. 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.
15. Provided Allowed if 2,000 square feet or less.
16. Provided that such parking is effectively screened, as determined by the Authority, from abutting streets, and is located:
(1) underground, or (2) at or above the ground floor in a structure in which the ground floor along any Street Line is occupied by residential, hotel, retail, service or office uses; otherwise forbidden.

TABLE C – Continued

17. See Map 1P and Section 3-1A.c concerning regulations applicable in a Restricted Parking District.
18. Provided that such use shall be forbidden unless located within a building at least ten (10) feet from an entrance.
19. Provided that the parking facility is not open to the general public and otherwise conforms to the City of Boston's "Downtown Park Freeze" administered by the Air Pollution Control Commission.
20. Except Conditional for "Energy Production Facilities" where energy generated 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).

TABLE F

South End Neighborhood District

Economic Development Areas
Dimensional Regulations (1)

	<u>EDA North</u>	<u>EDA Central</u>	<u>EDA South</u>	<u>EDA BioSquare</u>
Maximum Floor Area Ratio (2)	4.0	4.0	4.0	4.0
Maximum Building Height (2)	100	70 (4)	70(5)	110(6)
Maximum Street Wall Height	(3)	n/a	(7)	n/a
Residential Use	none	none	none	none
Other Use				
Minimum Usable Open Space Per Dwelling Unit (sq. ft.) (12)	50	50	50	50
Minimum Lot Size	none	none	none	none
Minimum Lot Width	none	none	none	none
Minimum Lot Frontage	none	none	none	none
Minimum Front Yard	none(8)	none(9)	none(10)	none
Minimum Side Yard	none	none	none	none
Minimum Rear Yard	20 (11)	20 (11)	20 (11)	20 (11)

TABLE F - Continued

1. For applicability of the dimensional regulations of this Table F to buildings and structures used for Institutional Uses, see Section 64-4 (Applicability), Section 64-24 (Institutional Master Plan Review Requirement), Section 8OD-2.4 (Regulations Applicable to Exempt Projects), and Section 8OD-11 (Institutional Master Plan Review: Effect on Applicability of Other Zoning Requirements). See also Section 64-24 (Institutional Master Plan Review Requirement) and Section 8OD-2 (Applicability of Institutional Master Plan Review) concerning the applicability of Institutional Master Plan Review to such buildings and structures.
2. For maximum Building Heights and Floor Area Ratios for Planned Development Areas, see Section 64-29. See also Section 64-28 (Establishment of Areas in which Planned Development Areas May be Permitted).
3. The maximum street wall height shall be 70 feet on Shawmut Avenue. Any portion of a building taller than 70 feet must step back no less than 10 feet from the street wall.
4. Except that within 165 feet of the Albany Street public right-of-way running from the centerline of Paul Sullivan Way on the north and the southern parcel boundary for the existing MBTA operations site to the south, the maximum Building Height shall be one hundred (100) feet.
5. 70 feet within the area bounded by Plympton Street on the north, Albany Street to the east, East Canton Street to the south, and Harrison Avenue to the west. In the area bounded by Maiden Street to the north, Albany Street to the east, Plympton Street to the south and 100 feet to the east of Harrison Avenue to the west, the maximum Building Height shall be 100 feet. Within the eastern portion of the subdistrict that is to the east of, and within 100 feet of, the Albany Street right-of-way, the maximum Building Height shall be one hundred ten (110) feet and shall be one hundred fifty (150) feet after 100 feet east of the Albany Street right-of-way.
6. Except that after 100 feet to the east of the Albany Street right-of-way centerline, the maximum Building Height shall be one hundred fifty (150) feet.
7. The maximum street wall height on the north side of East Canton Street shall be 70 feet. Any portion of a building taller than 70 feet must step back no less than 10 feet from the street wall.
8. Ten (10) feet along the north side of Traveler Street.
9. Ten (10) feet along Albany Street.

10. Ten (10) feet along the north side of East Canton Street.
11. Except that any Rear Yard for any Proposed Project that is subject to or has elected to comply with the provisions of Large Project Review shall be determined through such review.
12. In an Economic Development Area, 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 the roofs of wings of main buildings, or on the roofs of accessory buildings.

Robert Jordan

Chairman

James C. Clark

Vice Chairman

John McFarland

John Guy Bray

Kevin G. Waisher

ADH

Wesley Brown

In Zoning Commission


Adopted: January 18, 2012

Attest:

Gregory H. Hays
Secretary

Text Amendment Application No. 423

Text Amendment No. 377



Mayor, City of Boston

Date: 1/18/12

The foregoing amendment was presented to the Mayor on JANUARY 18, 2012, and was signed by him on JANUARY 18, 2012, whereupon it became effective on JANUARY 18, 2012, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Secretary to the Zoning Commission