Text Amendment Application No. XXX

Boston Redevelopment Authority, d/b/a/ Boston Planning and Development Agency

Article 64-29 Planned Development Areas: Use and Dimensional Regulations and 64-41 Definitions

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority, d/b/a/ Boston Planning and Development Agency hereby petitions the City of Boston Zoning Commission to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956, as amended, as follows:

1. **In Article 2, DEFINITIONS,** insert the following new definition:

**FAR.** Floor area ratio.

1. **In Article 2, DEFINITIONS,** insert the following new definition:

**Filled Tidelands.** Former submerged lands and tidal flats which are no longer subject to tidal action due to the presence of fill.”

1. **In Article 2, DEFINITIONS,** delete the definition of "Floor area ratio" and insert the following new definition:

**Floor Area Ratio**. The ratio of gross floor area of a structure to the total area of the lot. Except as otherwise provided in this Code, the ratio which the gross floor area of all structures on a lot exclusive of floor area required to meet the off-street parking requirements of this Code bears to the lot area shall not exceed the maximum floor area ratio specified in this Code. In calculating the lot area for the purpose of determining floor area ratio, the following parts of the lot shall be excluded:

(a) every part required by any other structure or use to comply with any requirements of this Code, and

(b) every part the ownership of which is transferred subsequent to the effective date of this Code if such part is required for compliance with the provisions of this Code concerning minimum lot size, lot width, lot frontage, minimum usable open space per dwelling unit, and front yard, side yard, and rear yard inclusive, applicable to the lot from which such transfer is made. (Illustrated in Appendix 2 of this Code.), and

(c) any area of water and associated submerged land or tidal flat lying below the

high water mark of any navigable river or stream, any Great Pond, or any portion of the Atlantic Ocean within Boston.

1. **In Article 2, DEFINITIONS,** delete the term “Floor area, gross” and insert “Floor Area, Gross” with the same definition.
2. **In Article 2, DEFINITIONS, in the definition of “Floor area, gross”, subsection (a),** after the words “in the case of garage space accessory to a dwelling, is at grade,” insert the following:

however above grade parking shall be included in gross floor area,

1. **In Article 2, DEFINITIONS, in the definition of “Floor area, gross”, subsection (b),** after the words “basement and cellar areas devoted exclusively to uses accessory to the operation of the structure,” delete the following:

, and

1. **In Article 2, DEFINITIONS, in the definition of “Floor area, gross”, subsection (c),** after the last sentence, insert the following:

, and

(d) public transit improvements by or for a Public Agency within the Lot, above or below grade, including head houses and/or structures designated for use by, access to or egress from public transit services, provided that any exterior changes are subject to Small Project Review.

1. **In Article 2, DEFINITIONS,** insert the following new definition:

**Flowed Tidelands.** Present submerged lands and tidal flats which are subject to tidal action at the time of license application under Chapter 91.

1. **In Article 2a, DEFINITIONS APPLICABLE IN NEIGHBORHOOD DISTRICTS and in ARTICLE 80, DEVELOPMENT REVIEW AND APPROVAL, in the definition of “Floor Area, Gross”, subsection (a),** after the words “in the case of garage space accessory to a dwelling, is at grade,” insert the following:

however above grade parking shall be included in gross floor area,

1. **Article 2a, DEFINITIONS APPLICABLE IN NEIGHBORHOOD DISTRICTS and in ARTICLE 80, DEVELOPMENT REVIEW AND APPROVAL, in the definition of “Floor Area Ratio”, subsection (b),** after the last sentence, insert the following:

, and

(c) any area of water and associated submerged land or tidal flat lying below the

high water mark of any navigable river or stream, any Great Pond, or any portion of the Atlantic Ocean within Boston.

\* \* \*

Petitioner: Boston Redevelopment Authority d/b/a/ Boston Planning and Development Agency

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Date: .

as authorized by the BPDA Board at its meeting of