

Article 66 - Fenway Neighborhood District: DRAFT Amendments (~~REDLINED~~)

[Edits **underlined and in RED** in dictate new language to be inserted, edits in **~~STRIKETHROUGH~~** are to be deleted, language in **BLACK** is existing and to be retained]

Section 66-27. - Establishment of Areas within Which Planned Development Areas May Be Permitted.

Planned Development Areas ("PDAs"), as described in Section 3.1A.a, are permitted within the North Boylston Street Neighborhood Shopping Subdistrict~~s~~, the Fenway Triangle Neighborhood Development Area Subdistrict, the Brookline Avenue Community Commercial Subdistrict, and the Cultural Facilities Subdistricts. PDAs may also be established in the South Boylston Street Neighborhood Shopping Subdistrict~~s~~ for a time period not to exceed eight (8) years from the effective date of this Article. A PDA within a Cultural Facilities subdistrict may include contiguous land within an adjacent Neighborhood Shopping subdistrict, provided that the provisions of the PDA Development Plan setting forth the use and dimensional controls applicable to the area located within such adjacent subdistrict are consistent with the requirements of the underlying zoning for that subdistrict. PDAs are not permitted elsewhere in the Fenway Neighborhood District.

The purposes of establishing the subdistricts specified above as ones within which a PDA may be permitted are to provide for a more flexible zoning law; to enable integrated and well-designed development of projects of a more significant scope; to provide public benefits to the Fenway community, including the creation of additional housing options, with a particular emphasis on affordable housing, home ownership, and new job opportunities; and to encourage economic development within the Fenway Neighborhood District.

The following requirements shall not affect PDA Development Plans previously approved by the Boston Zoning Commission, which shall remain in full force and effect.

([Text Amd. No. 376, § 2, 12-15-11](#))

Section 66-28. - Planned Development Areas: Use and Dimensional Regulations.

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.

Notwithstanding any contrary provision of this Article or Code, such Proposed Projects shall also comply with the provisions of Table F of this Article, as well as the following specific requirements, to the extent applicable:

a) Specific Requirements for Proposed Projects Located within the North and South Boylston Street Neighborhood Shopping Subdistricts. Proposed Projects within a PDA located within the North Boylston Street Neighborhood "NS-3" Shopping Subdistrict must devote at least forty percent (40%) of the Gross Floor Area included to Residential Uses, and the North Boylston Street "NS-2" and South Boylston Street Neighborhood Shopping Subdistricts must devote at least seventy percent (70%) of the Gross Floor Area included to Residential Uses, provided, however, that this required residential component may be reduced on a pro rata basis, to a minimum of sixty percent (60%), to the extent that a portion of such a Proposed Project is devoted to one of the specific community facility uses enumerated in Section 66-28.1(b), below.

b) Specific Requirements for Proposed Projects Incorporating Residential Uses. The proponent of any Proposed Project within a PDA incorporating one or more Residential Uses must construct or cause the construction of either:

1. Affordable Housing, as defined in Section 66-47.1, in an amount equivalent to no less than twenty percent (20%) of the Dwelling Units included within the Proposed Project, with the appropriate on-site proportion of such Affordable Housing (which shall in no event be less than fifty percent (50%)) to be determined through the Article 80 Large Project Review process; or
2. A combination of such Affordable Housing and another significant community benefit, consisting at a minimum of (a) on-site Affordable Housing in an amount equivalent to no less than ten percent (10%) however, said amount shall be no less than seven and one-half percent (7.5%) in the North Boylston Street Neighborhood Shopping "NS-3" Subdistrict, of the Dwelling Units included within the Proposed Project, and one of the following (a) a contribution towards an on-site community facility or facilities, to be operated by non-profit organizations providing community healthcare, job skills training, or child or elderly daycare, or (b) a contribution towards a community benefit to be determined, and agreed upon, by the proponent and the Authority.

Said additional contribution(s) shall equal the difference required to obtain a twenty percent (20%) contribution.

c) Parking Ratios for Proposed Projects Incorporating Home Ownership Opportunities. To the extent that a Proposed Project offers home ownership opportunities, the maximum number of off-street parking spaces allocated per such Dwelling Unit may, if good cause is demonstrated, be increased to 1.0.

2. Dimensional Regulations. The dimensional requirements for a proposed Project within a PDA shall be as set forth in the applicable approved Development Plan, provided that Proposed Projects within the North and South Boylston Street Neighborhood Shopping and Fenway Triangle NDA Subdistricts shall be subject to the requirements of Footnote 5 to Table E of this Article, where applicable, and that the Building Height, Floor Area Ratio ("FAR"), Street Wall Height, and Setback above Street Wall Height for such Proposed Projects shall not exceed the limits set forth in Table 2, below:

TABLE 2: Fenway Neighborhood District Planned Development Areas Maximum Building Height, FAR, Street Wall Height, and Setback above Street Wall Height

Area	Maximum Building Height (1)	Max. FAR (1)	Street Wall Height	Setback above St. Wall Ht.
Cultural Facilities Subdistricts	90'	5.0	(2)	(2)
<u>South Boylston NS-1</u> , North Boylston St. NS-2, South Boylston St. NS-2, Fenway	150'	7.0	(2)	(2)

Triangle NDA, and Brookline Ave. CC Subdistricts				
North and South Boylston St. NS-3	190'	7.0	(2)	(2)
Fenway Triangle NDA	250'	7.0	(2)	(2)
Brookline Ave. CC	300'	7.0	(2)	(2)

1. A PDA established within, or such portion extended into, a Gateway Development Area shall be subject to the height and FAR limitations applicable to such Gateway Development Area.

2. Consistent with adjacent Buildings, as determined through the Article 80 Small or Large Project Review process.

([Text Amd. No. 374, §§ 2—4, 10-24-11](#); [Text Amd. No. 376, § 3, 12-15-11](#); [Text Amd. No. 383, § 1, 10-14-12](#))

Zoning Map 1Q - Fenway Neighborhood District

