

Text Amendment Application No. XXX
Boston Redevelopment Authority d / b / a
Boston Planning and Development Agency
Articles 2 (Definitions) and 53 (East Boston
Neighborhood District)

TEXT AMENDMENT NO. XXX

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 amendment, after due report, notice, and hearing, does hereby amend the text of the Boston Zoning Code as established by Chapter 665 of the Acts of 1956, as amended, as follows:

1. In **Article 2, Definitions**, insert the following text in appropriate alphabetical order:

Building Depth. The greatest distance between the frontmost and rearmost parts of a building, measured from the Building faces most closely aligned to the Front and Rear Lot lines. The measurement of Building Depth includes Bay Windows and permanently covered porches and balconies.

Solar Energy System. A renewable energy generating system that employs solar photovoltaic or solar thermal energy, and associated mounting systems.

2. Delete Article 53, East Boston Neighborhood District, in its entirety, and insert the following text:

ARTICLE 53

EAST BOSTON NEIGHBORHOOD DISTRICT

IN GENERAL

Section 53-1. Statement of Purpose, Goals, and Objectives.

The purpose of this Article is to establish the zoning regulations for the East Boston Neighborhood District. The commission hereby recognizes PLAN: East Boston, as adopted by the Boston

Redevelopment Authority on [DATE when adopted] and amended from time to time, as the general plan for the East Boston Neighborhood District, and as the portion of the general plan for the City of Boston applicable to the East Boston Neighborhood District.

Section 53-2. Physical Boundaries.

The provisions of this Article are applicable only in the East Boston Neighborhood District. The boundaries of the East Boston Neighborhood District and its subdistricts are as shown on the maps numbered 3A, 3B, and 3C and entitled "East Boston Neighborhood District", all of the series of maps entitled "Zoning Districts City of Boston," as amended.

Section 53-3. Applicability.

This Article together with the rest of this Code constitutes the zoning regulation for the East Boston Neighborhood District and applies as specified in Section 4-1 regarding the conformity of buildings and land to this Code. Zoning relief in the form of exceptions from the provisions of this Article pursuant to Article 6A is not available, except to the extent expressly provided in this Article or in Article 6A. Except where otherwise specified in this Code, where conflicts exist between the provisions of this Article and the remainder of this Code, the provisions of this Article shall govern. Except where specifically indicated in this Article, the provisions of this Article supersede Section 8-7 and Articles 13 through 24 of this Code for the East Boston Neighborhood District.

Proposed Projects are exempt from the provisions of this Article, and are governed by the rest of this Code, if application to the Inspectional Services Department for a building or use permit has been made prior to the first notice of hearing before the Zoning Commission for adoption of this Article, and (1) no Zoning Relief is required, or (2) any required Zoning Relief has been or thereafter is granted by the Board of Appeal; provided that construction work under such building permit, or occupancy under such occupancy permit, as the case may be, is commenced within six (6) months of the date of such permit and proceeds in good faith continuously so far as is reasonably practicable under the circumstances.

REGULATIONS APPLICABLE IN 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 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 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 Subdistricts allow Multifamily Dwellings and a maximum Building Height of four (4) stories.

Section 53-5. Regulations Applicable in Residential Subdistricts.

1. **Use Regulations.** See Table A of this Article for use regulations in a Residential Subdistrict.
2. **Additional Dwelling Units.** Within the East Boston Neighborhood District, an Additional Dwelling Unit shall be subject to the Use Regulations set forth in Table A of this Article; however said Additional Dwelling Unit shall be an Allowed Use where it may otherwise be Conditional or Forbidden provided that it is the addition of no more than one (1) dwelling unit to the existing structure; and shall be exempt from all requirements of this Code provided that the Additional Dwelling Unit does not involve any bump out, extension or construction to the existing envelope of the structure which results in the addition of Gross Floor Area and that the residential structure to which the conversion is occurring is owner-occupied and registered in accordance with Ch. 9-1.3 of the City of Boston Rental Registry Ordinance at the time of conversion.
3. **Dimensional Regulations.** See Table F of this Article for dimensional regulations in a Residential Subdistrict.
4. **Location of Main Entrances.** Within Residential Subdistricts, if a Dwelling is located outside the Coastal Flood Resilience Overlay District (CFROD), the main entrance of a the Dwelling shall face the Front Lot Line. For a Dwelling within the CFROD, see Section 53-19 (Applicability of CFROD in East Boston) and Section 25A-6.2(e) (CFROD Use and Dimensional Regulations).

REGULATIONS APPLICABLE IN NEIGHBORHOOD BUSINESS SUBDISTRICTS

Section 53-6. Establishment of Neighborhood Business Subdistricts.

This Section 53-6 establishes the following Neighborhood Business Subdistricts within the East Boston Neighborhood District. Neighborhood Business Subdistricts are established to encourage mixed-use development, which provides housing, job opportunities, and the delivery of essential goods and services to the larger neighborhood,

1. **Mixed-Use-4 (“MU-4”) Subdistricts.** MU-4 Subdistricts allow a maximum building height of four (4) stories.

2.. **Mixed-Use-5 ("MU-5") Subdistricts.** MU-5 Subdistricts allow a maximum building height of five (5) stories.

3. **Mixed-Use-7 ("MU-7") Subdistricts.** MU-7 Subdistricts allow a maximum building height of seven (7) stories.

Section 53-7. Regulations Applicable in Neighborhood Business Subdistricts.

1. **Use Regulations.** See Table B of this Article for use regulations in a Neighborhood Business Subdistrict.

2. **Dimensional Regulations.** See Table G of this Article for dimensional regulations in a Neighborhood Business Subdistrict.

REGULATIONS APPLICABLE ON TIDELANDS AND IN WATERFRONT SUBDISTRICTS

Section 53-8. Chapter 91 Tidelands Requirements.

In accordance with Chapter 91 of the General Laws of Massachusetts ("Chapter 91") and the regulations promulgated thereunder, certain projects located in Tidelands (as that term is defined in Chapter 91) require a license ("Chapter 91 License") from the Commonwealth's Department of Environmental Protection ("DEP"). Section 18 of Chapter 91 requires that the planning board of a municipality in which the project is located (in Boston, the Boston Redevelopment Authority) submit a written recommendation ("Section 18 Recommendation") stating whether the planning board believes the project would serve a proper public purpose and would not be detrimental to the public's rights in Tidelands (the "Section 18 Standard").

A Section 18 Recommendation with respect to a project requiring a Chapter 91 License and located in the East Boston Neighborhood District shall be made by the Boston Redevelopment Authority in accordance with the provisions of this Section 53-8. For the purposes of this Section 53-8 only, the term "Project" shall mean a development, activity, or change of use requiring a Chapter 91 License.

1. **Determination of Proper Public Purpose.** The Boston Redevelopment Authority, in making a Section 18 Recommendation regarding a Project located in the East Boston Neighborhood District, shall determine whether such Project serves a proper public purpose and would not be detrimental to the public's rights in Tidelands. The Boston Redevelopment Authority shall base such determination of the conformity of the Project to the provisions of subsections 2 through 7 of this Section 53-8, and on the extent to which the Project reasonably and appropriately preserves and enhances the public's rights in Tidelands including, without limitation, the public's:

- (a) visual access to the water, whether such Project is for a Water-Dependent or non-Water-Dependent Use on Private or Commonwealth Tidelands;
- (b) rights to fishing, fowling, and navigation and the natural derivatives thereof, if such Project is for a Water-Dependent Use or non-Water-Dependent Use on Private or Commonwealth Tidelands;
- (c) physical access to and along the water's edge for recreation, commerce, and other lawful purposes, and interest in public recreational opportunities at the water's edge and open space for public use and enjoyment, if such Project is for a Water-Dependent Use or non-Water-Dependent Use on Commonwealth Tidelands;
- (d) interest in the preservation of the historic character of the Project's site;
- (e) interest in industrial and commercial waterborne transportation of goods and persons;
- (f) interest in repair and rehabilitation of dilapidated piers that blight the East Boston Neighborhood District and limit public access; and
- (g) interest in safe and convenient navigation in Boston Harbor, including without limitation:
 - (i) navigation by water transportation Vessels, such as ferries, water taxis, water shuttles, or commuter vessels, including, without limitation, appropriate and convenient navigation by such Vessels outside of the Main Shipping Channel and other established channels;
 - (ii) navigation by deep draft Vessels, including, without limitation, appropriate navigation in the Main Shipping Channel and other established channels and the requirements of turning, anchorage, and approaches to deep water piers and berths;
 - (iii) navigation by Recreational Vessels and small Commercial Vessels outside of the Main Shipping Channel and other established channels as necessary or convenient for such Vessels to avoid interference with water transportation Vessels and deep draft shipping and as otherwise required for the purposes of harbor traffic management; and
 - (iv) navigation, as appropriate to the site, by U.S. Coast Guard, U.S. Naval, police, fire, and other public safety Vessels.

2. **Public Access to the Waterfront and Open Space.** Public access to the waterfront and Open Space is a central policy of the City of Boston Municipal Harbor Plan and the East Boston Neighborhood Plan. Pursuant to this policy, the Boston Redevelopment Authority shall not make a positive Section 18 Recommendation with respect to a Project that the Boston Redevelopment Authority determines will significantly interfere with public rights to walk or otherwise pass freely on Commonwealth Tidelands for purposes of commerce, recreation, and all other lawful activities; or

on Private Tidelands for purposes of fishing, fowling, navigation, and the natural derivatives thereof. The Boston Redevelopment Authority shall find that the Section 18 Standard is not met if the Project does not comply with the following public access conditions:

- (a) **Pedestrian Access to Flowed Private Tidelands.** To the extent that the Project site includes Flowed Private Tidelands, the Project shall allow continuous, on-foot, lateral passage by the public in the exercise of its rights therein, wherever feasible; and Pier, wharf, groin, jetty, or other structure on such Tidelands shall be designed to minimize interference with public passage, either by maintaining at least a five-foot clearance above the ground along the high water mark, or by providing a stairway for the public to pass laterally over such structures, or by providing other means of lateral access substantially consistent with the foregoing; where obstruction of continuous access below the high water mark is unavoidable, the Project shall provide free lateral passage to the public above said mark in order to mitigate interference with the public's right to pass freely on Flowed Private Tidelands.

- (b) **Pedestrian Access to Commonwealth Tidelands and Filled Private Tidelands.** To the extent that the Project site includes Flowed or Filled Commonwealth Tidelands, or Filled Private Tidelands, the Project shall include reasonable measures to provide on-foot passage on such lands for the public in the exercise of its rights therein, in accordance with the following provisions:
 - (i) if the Project is not a Water-Dependent Use Project, said Project shall provide a public Pedestrian Access Network;

 - (ii) if the Project is a Water-Dependent Use Project, the Project shall provide for public passage by such means as are consistent with the need to avoid undue interference with the Water-Dependent Use or Uses in question and to avoid any safety hazard to people working on or visiting the Project site; measures which may be appropriate in this regard include, but are not limited to, allowing the public to pass laterally along portions of the Project shoreline, or transversely across the site to a point on the Project shoreline.

- (c) **Accessibility, Maintenance, and Design of Open Space and Pedestrian Ways.** All Open Space areas established pursuant to Section 53-10.3 located on Commonwealth Tidelands, and all public access facilities described in subsections (a) and (b) of this Section 53-8.2 ("Public Access Facilities"), shall be open and accessible to the public twenty-four (24) hours a day. No gates, fences, or barriers may be placed on such Public Access Facilities or Open Space in a manner that would impede or discourage the free flow of pedestrian movement thereon. The foregoing shall not be deemed to prohibit the placing of temporary barriers as required in emergencies or in connection with construction, maintenance, or the like, provided that interference with pedestrian access and passage is minimized to the extent reasonably practicable and consistent with public safety and that such barriers are in place no longer than necessary. All such Public Access Facilities shall be Accessible to Physically

Handicapped Persons. Active pedestrian use of such Open Space areas and Public Access Facilities shall be encouraged on a year-round basis, particularly for water-related activities, through such means as appropriate ground level uses of adjacent buildings and facilities and amenities designed to be attractive to pedestrians. Maintaining, cleaning, landscaping, and managing such Open Space areas and Public Access Facilities shall at all times be the responsibility of the Chapter 91 licensee of the Project. The Applicant for any Project subject to or electing to comply with Large Project Review shall include in the urban design component of its Draft Project Impact Report, submitted pursuant to Large Project Review, an Open Space and Public Access Plan, including plans, drawings, specifications, descriptions of proposed uses, and descriptions of proposed management measures and access-related rules and regulations, if any, sufficient to permit the Boston Redevelopment Authority to determine the conformity of the Project to this Section 53-8.2 and to Section 53-10.3 (Waterfront Open Space Requirements), and to make a Section 18 Recommendation.

- (d) **Signage for Public Access Facilities.** Any Project required to provide Public Access Facilities in accordance with subsection (b) of this Section 53-8.2 shall encourage public patronage of such facilities by placing and maintaining adequate signage at all entryways and at other appropriate locations on the site. Such signage shall:
 - (i) conform to Section 53-27 (Sign Regulations);
 - (ii) conform, as applicable, to design guidelines for Harborwalk signage to be issued as regulations by the Boston Redevelopment Authority; and
 - (iii) include at least one sign, conforming to such design guidelines and placed in a prominent location, that advises the public of its access rights and discloses whatever access-related rules and regulations are in effect, if any.
- (e) **Public Access in Maritime Economy Reserve (MER) Subdistricts.** Within any Maritime Economy Reserve (MER) Subdistrict, public access shall be required as set forth above, but only to the extent to which it does not significantly interfere with or obstruct the operation of a Maritime-Dependent Industrial Use or pose a safety hazard to workers or visitors on the site of such use.

***3. Creation of Housing on Lots Containing Commonwealth Tidelands.**

- (a) **Lots Not Owned by a Public Agency.** For a Project to construct ten (10) or more units of housing on a Lot not owned by a Public Agency, which Lot includes Commonwealth Tidelands, the Boston Redevelopment Authority shall find that the Section 18 Standard is not met unless at least ten percent (10%) of the proposed Dwelling Units are Affordable.
- (b) **Lots Owned by a Public Agency.** For a Project to construct four (4) or more units of housing on a Lot owned by a Public Agency, which Lot includes Commonwealth Tidelands, the Boston

Redevelopment Authority shall find that the Section 18 Standard is not met unless at least twenty-five percent (25%) of the proposed Dwelling Units are Affordable.

For purposes of this Section 53-8.3, the date for determining ownership of a Lot is the date on which a Project Notification Form for the Project is filed pursuant to Large Project Review, or if no Project Notification Form is required, the date on which a building permit application for the Project is filed.

4. **Provision of Water Transportation Facilities.** To promote an effective water transportation system, and to ensure use of the waterfront and full access to recreational, commuting, and economic activities, the Boston Redevelopment Authority shall find that the Section 18 Standard for a Project is not met unless the Project conforms to the applicable requirements for water transportation facilities set forth below:

(a) **Water Transportation Facility Requirement.** In making a Section 18 Recommendation with respect to a Project, the Boston Redevelopment Authority shall consider the extent to which provision is made on the Project site for waterborne passenger transportation facilities, including, without limitation, terminals and landings for water ferries, water shuttles, or water taxis, and free public landings, as appropriate to the scale, use, and location of the Project.

(b) **Provision of Dockage at Seawalls and Bulkheads.** In order to provide adequate docking areas for both emergency use and routine harbor activities, any reconstruction of seawalls or bulkheads along those portions of the Project shoreline that line waters accessible by Vessels shall, to the extent reasonably practicable, accommodate dockage of Vessels alongside such seawalls or bulkheads.

5. **Additional Regulations Applicable to Tidelands Proposed to be Filled.** This Section 53-8.5 governs Tidelands that are filled after the date of the first notice of hearing before the Zoning Commission on this Article. Piles are not considered "fill" for the purpose of this Article.

New fill is prohibited in any area where Pier construction or extension is prohibited by this Code.

No portion of a Project located on Tidelands that are subject to this Section 53-8.5 shall be erected, used, or arranged or designed to be used except for a Water-Dependent Use otherwise allowed, or conditionally permitted subject to the provisions of Article 6, for such location, except as otherwise provided in this Section 53-8.5. In making a Section 18 Recommendation with respect to a Project involving such new fill, the Boston Redevelopment Authority shall find that the Section 18 Standard is not met unless such new fill is limited to the extent reasonably practicable by measures such as substituting pile-supported or floating structures for new fill or relocating the use to a position above the High Tide Line. The foregoing shall not, however, prohibit or limit the use of new fill the purpose of which is to eliminate irregularities in or to repair previously altered portions of the shoreline included in the Project, provided that such new fill replaces previously authorized fill elsewhere along such shoreline on a one-to-one square foot basis (new fill to removed fill). The

foregoing also shall not prohibit or limit the use of new fill the purpose of which is to accommodate mechanical elements of the Project that enter the seabed, such as, without limitation, elevator shafts, ventilation shafts, utility conduits, or the like, and any associated structural elements, provided that such fill is limited to that reasonably required under the circumstances, and provided further that all such mechanical elements, structural elements, and fill are wholly contained within the edges of a Pier.

6. **Uses Allowed on Floating Structures.** No floating Structure, other than a Vessel, shall be used or arranged or designed to be used except for a Water-Dependent Use otherwise allowed for the location of such Structure, or conditionally permitted subject to the provisions of Article 6.

7. **Regulations Governing Piers.** No portion of any Pier shall extend beyond the Pierhead Line.

8. **Facilities of Public Accommodation.** In any Project that has a Gross Floor Area of ten thousand (10,000) or more square feet and involves new construction or a change of use on the First Story, the use of at least forty percent (40%) of the Gross Floor Area of the First Story shall be for indoor Facilities of Public Accommodation that are otherwise allowed for such Project or are conditional and permitted pursuant to Article 6; provided, however, that the provisions of this Section 53-8.8 shall not apply to any Project located in a Maritime Economy Reserve Subdistrict or a Waterfront Manufacturing Subdistrict.

Section 53-9. Establishment of Waterfront Subdistricts.

This Section 53-9 establishes Waterfront Subdistricts within the East Boston Neighborhood District.

1. **Waterfront Mixed-Use ("WMU") Subdistricts.** WMU Subdistricts provide a mix of residential, commercial, and service establishments to the Neighborhood's waterfront.

2. **Waterfront Economy ("WE") Subdistricts.** WE Subdistricts provide a mix of commercial and water-dependent economic activity to the Neighborhood's waterfront.

Section 53-10. Regulations Applicable in Waterfront Subdistricts.

1. **Use Regulations.** See Table C of this Article for use regulations in Waterfront Subdistricts.

2. **Dimensional Regulations.** See Table H of this Article for dimensional regulations in a Waterfront Subdistrict.

3. **Waterfront Open Space Requirements.** Notwithstanding any contrary provisions of this Article, the Open Space requirements of this Section 53-10 apply to any Proposed Project involving new construction at grade and located on Tidelands subject to Chapter 91 or in a Waterfront Service, Waterfront Commercial, Waterfront Residential, or Waterfront Community Facilities Subdistrict, except for any Proposed Project with a Gross Floor Area of 2,500 square feet or less used exclusively for one or more Water-Dependent Uses.

Any Proposed Project to which the Open Space requirements of this Section 53-10.3 apply shall devote to Open Space at least fifty percent (50%) of the Lot Area of such Proposed Project.

For the purposes of those regulations in this Article governing Waterfront Subdistricts and Tidelands, the term "Open Space" shall mean land areas and areas on Piers excluding (a) any area occupied by a building or roofed structure; (b) any parking lot or parking area; (c) any street; (d) any private road or area devoted to motor vehicle use; (e) any salt-water area below the mean High Tide Line, other than areas on Piers; (f) any fresh water area more than ten (10) feet from the shoreline; (g) marina slips or floats or other floating structures; (h) swimming pools, and (i) tennis courts.

The foregoing notwithstanding, the following areas shall be deemed "Open Space":

- a. any area occupied by a building not exceeding a Building Height of fifteen (15) feet and a Gross Floor Area of four hundred (400) square feet and reserved exclusively for use as a Water-Dependent Use or a recreational use allowed, or permitted as a conditional use, pursuant to the table of uses of this Article applicable to the location of such use;
- b. any area occupied by a street or private way open only to pedestrians and emergency vehicles; and
- c. any area, at Grade, otherwise meeting the definition of Open Space, as set forth in this Section 53-10.3, but covered by a pedestrian skywalk or skybridge, provided that an exception allowing the designation of such area as Open Space is granted by the Board of Appeal, subject to the requirements of Article 6A.

All Open Space areas shall be Accessible to Physically Handicapped Persons, as defined in Article 2.

The Open Space requirements of this Section 53-10.3 shall not prohibit occasional access to or over Open Space by service vehicles reasonably required to construct or maintain the structures on the Lot or by emergency vehicles. However, routine access to or over Open Space areas by vehicles transporting, loading, or unloading passengers or supplies for the normal operation of buildings and uses is not consistent with the foregoing definition.

4. **Waterfront Yard Area Requirements.** Except as otherwise expressly provided in this Article, the Waterfront Yard Area requirements of this Section 53-10.4 apply to any Lot located on Tidelands subject to Chapter 91, or in a Waterfront Subdistrict, if such Lot is adjacent to or includes the High Tide Line. Any such Lot shall include a Waterfront Yard Area adjacent to and landward of such High Tide Line, excluding portions of the High Tide Line occupied by Piers. A Waterfront Yard Area also shall be required along the edges of any Pier. The required Waterfront Yard Area landward of the High Tide Line and the required Waterfront Yard Area on Piers shall be connected so as to provide a continuous path along the waterfront, with a minimum width at the places of connection

of no less than twelve (12) feet. The dimensions of the required Waterfront Yard Areas are set forth in Table 1, below:

TABLE 1 Required Depth of Waterfront Yard Area

	Required Setback (Shoreline, excluding Piers)	Required Setback (Sides of Piers)	Required Setback (Ends of Piers)
	35'	12'	35'

The following additional provisions shall apply to the Waterfront Yard Area requirement:

- a. **Waterfront Yard Area Measurements.** The depth of the Waterfront Yard Area shall be measured perpendicularly from the High Tide Line in the case of bulkheads, rip rap, fill, or shoreline and from the Ends and Sides of Piers. In locating the Waterfront Yard Area, the actual High Tide Line may be smoothed with such curves and chords as may be accessory to achieve a reasonably regular landward boundary. However, in no instance shall the Waterfront Yard Area be narrower than the required dimension measured perpendicularly from the actual High Tide Line. For the limited purpose of applying the Waterfront Yard Area requirements of this Article, a filled area or a structure consisting of both fill and Pier, projecting seaward of the prevailing shoreline, and having the form of a wharf or Pier, shall be treated as Pier.
 - b. **Setback Requirements.** No portion of any building or structure (including, without limitation, mechanical facilities associated with a building) shall be located in any Waterfront Yard Area, except walkways, landscape furniture, guardrails, cleats, bollards, pilings, boat ramps, and other structures that do not materially interfere with pedestrian use of the Waterfront Yard Area or that are required for operational or safety reasons to be located at the water's edge, provided that any resulting interference with pedestrian use of the Waterfront Yard Area is minimized to the extent economically practicable.
 - c. **Exception to Waterfront Yard Area Setback Requirement.** Any building or structure used for a Water Dependent Use, including, without limitation, drydocks, enclosed or covered wet dock sheds, davits, hoists, mast markers, and the structures listed in Section 53-10.4(b), shall be permitted within the Waterfront Yard Area as necessary to avoid interference with any direct access to the water required for such Water-Dependent Use.
 - d. **Floating Structures.** No portion of any Waterfront Yard Area shall be located on any floating structure.
5. **Urban Design Guidelines.** Review and analysis of a Proposed Project pursuant to the Urban Design Component of either Small Project Review or Large Project Review shall include review and

analysis of such Proposed Project in accordance with the urban design guidelines set forth in this Section 53-10.5. The issuance of an Adequacy Determination by the Boston Redevelopment Authority approving the Applicant's Final Project Impact Report pursuant to Large Project Review, or the certification by the Boston Redevelopment Authority's director that the Proposed Project is consistent with the standards of Section 80E-4 (Small Project Review), shall constitute the Boston Redevelopment Authority's determination of compliance with this Section 53-10.5 and the guidelines in Sections 7 and 8 of the East Boston Municipal Harbor Plan (approved July 15, 2002 and amended December 17, 2008 and March 4, 2009), as it may be amended from time to time, subject to any conditions as may expressly be set forth in said Adequacy Determination or certification.

- (a) Buildings and spaces shall direct views and pedestrian movements toward the water.
- (b) Open areas and buildings at or near the Ends of Piers shall offer opportunities for public views of the water and public amenities that attract the public to the water's edge.
- (c) A Proposed Project should promote and enhance the quality of the pedestrian environment, by means such as: (a) pedestrian pathways connecting to the waterfront and, where appropriate, linking the waterfront and mass transit stations; (b) spaces accommodating pedestrian activities and public art; (c) use of materials, landscaping, public art, lighting, and furniture that enhance the pedestrian and waterfront environment; (d) pedestrian systems that encourage more trips on foot to replace vehicular trips; (e) other attributes that improve the pedestrian environment and pedestrian access to the waterfront and Boston Harbor; and (f) appropriate management and maintenance of pedestrian access within the Proposed Project.
- (d) Inland buildings shall avoid continuous walls parallel to the water's edge.
- (e) Blank walls, without windows or entrances facing onto pedestrian areas, shall be avoided to the extent practicable in building designs.
- (f) New development and rehabilitation shall reinforce the contextual patterns, heights, and massings of the urban waterfront.

REGULATIONS APPLICABLE IN ECONOMIC DEVELOPMENT AREAS

Section 53-11. Establishment of Economic Development Areas.

This Section 53-11 establishes the following Economic Development Areas ("EDAs") within the East Boston Neighborhood District. Economic Development Areas are established to support essential economic activity to create opportunities for employment-focused development and, where applicable, the development of housing.

1. **McClellan Highway EDA.** The McClellan Highway EDA is shown on Map C. It is located between the William F McClellan Highway, Addison Street, and Boardman Street, and borders the Brandywyne Village.
2. **Saratoga Street EDA.** The Saratoga Street EDA is shown on Map 3C. It is located between the Orient Heights MBTA Station and the Suffolk Downs MBTA Station and borders the MDC's Belle Isle Marsh Reservation and Saratoga Street. Where indicated in Table D (EDA Use Regulations), certain residential uses are permitted in the Saratoga Street EDA.
3. **Suffolk Downs EDA.** The Suffolk Downs EDA is shown on Map 3C. It is located between McClellan Highway, Bennington Street, Waldemar Avenue, and the City of Revere boundary.
4. **Porter Street EDA.** The Porter Street EDA is shown on Map 3A/3B. It is located between Bremen Street, Gove Street, Orleans Street, Porter Street, and Thompson Drive. Where indicated in Table D (EDA Use Regulations), certain residential uses are permitted in the Porter Street EDA.
5. **Bremen Street EDA.** The Bremen Street EDA is shown on Map 3A/3B. It is located between the William F McClellan Highway, Bremen Street, and Bennington Street, and borders the East Boston Greenway. Where indicated in Table D (EDA Use Regulations), certain residential uses are permitted in the Bremen Street EDA.

Section 53-12. Regulations Applicable in EDAs.

1. **Uses.** See Table D of this Article for use regulations in EDAs.
2. **Dimensions.** See Table J of this Article for dimensional regulations in an EDA.

REGULATIONS APPLICABLE IN CONSERVATION PROTECTION SUBDISTRICTS

Section 53-13. Establishment of Conservation Protection Subdistricts.

This Section 53-13 establishes Conservation Protection Subdistricts ("CPS") in the East Boston Neighborhood District. CPS Subdistricts promote proper siting of development in areas with special natural or scenic features.

Section 53-14. Regulations Applicable in Conservation Protection Subdistricts.

1. **Uses.** See Table D of this Article for use regulations in Conservation Protection Subdistricts.
2. **Dimensions.** See Table I of this Article for dimensional regulations in a Conservation Protection Subdistrict.

3. **Site Plan Approval.** Requirements for Boston Redevelopment Authority review of site plans for Proposed Projects in Conservation Protection Subdistricts apply as provided in Article 80 for the Site Plan components of Large Project Review and Small Project Review, pursuant to Section 80B-2 (Applicability of Large Project Review) and Section 80E-2 (Applicability of Small Project Review), respectively.

REGULATIONS APPLICABLE IN OPEN SPACE SUBDISTRICTS

Section 53-15. Establishment of Open Space Subdistricts.

This Section 53-15 establishes Open Space ("OS") Subdistricts in the East Boston Neighborhood District. Lots within Open Space Subdistricts are subject to the provisions of Article 33 (Open Space Subdistricts).

1. **Cemetery Open Space (OS-CM) Subdistrict.**
2. **Community Garden Open Space (OS-G) Subdistrict.**
3. **Parkland Open Space (OS-P) Subdistrict.**
4. **Recreation Open Space (OS-RC) Subdistrict.**
5. **Shoreland Open Space (OS-SL) Subdistrict.**
6. **Urban Plaza Open Space (OS-UP) Subdistrict.**
7. **Urban Wild Open Space (OS-UW) Subdistricts.**
8. **Waterfront Access Area Open Space (OS-WA) Subdistrict.**

REGULATIONS APPLICABLE IN THE LOGAN INTERNATIONAL AIRPORT SUBDISTRICT

Section 53-16. Establishment of Logan International Airport Subdistrict.

This Section 53-16 establishes the Logan International Airport ("LIA") Subdistrict within the East Boston Neighborhood District.

Section 53-17. Regulations Applicable in the Logan International Airport Subdistrict.

1. **Use Regulations.** See Table E of this Article for use regulations in the Logan International Airport Subdistrict.

2. **Dimensional Regulations.** See Table K of this Article for dimensional regulations for any Lot in the Logan International Airport Subdistrict.

3. **Screening and Buffering Requirements.** In order to ensure that airport uses are appropriately separated from adjacent areas, the screening and buffering requirements of this Section 53-17.3 shall apply to all Proposed Projects for an airport use, except where provisions for adequate screening and buffering have been established for such Proposed Project through Large Project Review, pursuant to Article 80, or where a screening and buffering plan for such Proposed Project has been submitted to the Boston Redevelopment Authority for approval. The provisions of Article 6A shall apply to the provisions of this Section 53-17.3.

Where any Lot line of a Proposed Project abuts another subdistrict, other than an Economic Development Area or Waterfront Subdistrict, the portion of such Lot located within twenty-five (25) feet of such Lot line shall be devoted to open space, and such Proposed Project shall provide and maintain, within such open space, a strip of shrubs and trees of sufficient thickness and height to provide an appropriate noise buffer and visual screen, together with a fence or wall of appropriate size and materials to protect passersby and surrounding property from the airport use.

The width of the planting strip shall be appropriate for the species and quantities of plant materials necessary to provide adequate screening, and the selection of species shall be designed to provide adequate screening and buffering throughout all seasons. Landscaping required by this Section 53-17.3 shall be maintained in a healthy growing condition, free of refuse and debris. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic.

There shall be no parking of vehicles in areas used for screening and buffering. Outside storage of any materials, supplies, or products is not permitted within any landscaped area required by this Section 53-17.3.

REGULATIONS APPLICABLE IN OVERLAY DISTRICTS

Section 53-18. Establishment of Neighborhood Design Overlay Districts.

This Section 53-18 establishes Neighborhood Design Overlay Districts ("NDOD") as overlays to certain Subdistricts within the East Boston Neighborhood District. The Neighborhood Design Overlay Districts are established to protect the existing scale, quality of the pedestrian environment, character of the residential neighborhoods, and concentration of historic buildings within the Neighborhood Design Overlay Districts.

For applicability of the Design Component of Small Project Review to Proposed Projects in Neighborhood Design Overlay Districts, see Article 80. All use, dimensional and other provisions

applicable to the underlying Subdistricts are applicable within a Neighborhood Design Overlay District.

Section 53-19. Applicability of Coastal Flood Resilience Overlay District (CFROD) in East Boston.

Where the East Boston Neighborhood District is covered by the Coastal Flood Resilience Overlay District (CFROD), as shown on Map 3A/3B and Map 3C, the following regulations apply:

1. **Proposed Projects Subject to CFROD.** See Article 25A (CFROD) for regulations applicable to a Proposed Project that is subject to or elects to comply with the CFROD regulations, under Section 25A-4 (Applicability).

2. **Regulations Applicable to Certain Small Projects for Residential Uses and Additional Dwelling Units.** For a Proposed Project that is not subject to and has not elected to comply with the regulations of the CFROD, under Section 25A-4, and proposes the addition or extension of Residential Uses, the regulations of Section 25A-6 shall apply.

For such Proposed Projects, the addition or extension of Residential Uses below the Sea Level Rise-Design Flood Elevation (SLR-DFE), as defined in Article 25A-6.1(a), is prohibited.

REGULATIONS APPLICABLE IN PLANNED DEVELOPMENT AREAS

Section 53-20. Establishment of Areas Within Which Planned Development Areas May be Permitted.

Within the East Boston Neighborhood District, no Planned Development Area shall be permitted, except within Conservation Protection Subdistricts, Economic Development Areas, and Waterfront Mixed-Use Subdistricts.

Section 53-21. Regulations Applicable in Planned Development Areas

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.

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 the Building Height and Floor Area Ratio (FAR) for such Proposed Project shall not exceed the limits set forth in Table 2 of this Section 53-21.2:

TABLE 2 East Boston Neighborhood District Planned Development Areas Dimensional Regulations

	Maximum Building Height (Stories)	Maximum Building Height (Feet)	FAR
McClellan Highway EDA	7 stories	85'	3.0
Saratoga Street EDA	5 stories	65'	2.5
Porter Street EDA	4 stories	50'	2.0
Bremen Street EDA	5 stories	65'	2.0
Suffolk Downs EDA	See footnote (1)	See footnote (1)	2.3
Conservation Protection Subdistricts	45'	45'	0.5
Waterfront Mixed-Use Subdistricts	5 stories ⁽²⁾	65'	2.0 ⁽²⁾

Footnotes to Table 2

- (1) As used in this footnote (1), concerning the Suffolk Downs EDA:
- The “Special Restricted Height Area” is the area of the Suffolk Downs EDA located within one hundred twenty-five (125) feet of the EDA’s southern boundary.
 - The western boundary of the Suffolk Downs EDA is the centerline of McClellan Highway.
 - “FAA Height Limits” are the height limits set forth in the MassPort Boston-Logan International Airport Composite Critical Airspace Surfaces Map, Version 2.0, dated December 2011.

Suffolk Downs EDA: Maximum Building Height Within the Special Restricted Height Area. Within the Special Restricted Height Area, the Maximum Building Heights are as follows:

- (a) for a Building located more than 1,250 feet from the western boundary of the Suffolk Downs EDA, the Maximum Building Height is forty (40) feet; and
- (b) for a Building located within 1,250 feet of the western boundary of the Suffolk Downs EDA, the Maximum Building Height is eighty-five (85) feet.

Suffolk Downs EDA: Maximum Building Height Outside the Special Restricted Height Area. Outside the Special Restricted Height area, the Maximum Building Height within the Suffolk Downs EDA is the lower of: (a) two hundred twenty (220) feet, or (b) “FAA Height Limits.” A Proposed Project issued a Determination of No Hazard to Air Navigation (or similar determination) by the Federal Aviation Administration (“FAA”) shall be deemed consistent with the FAA Height Limits, although such a determination shall not be a zoning requirement.

(2) See subsection 53-21.3 for regulations for PDAs in Waterfront Mixed-Use Subdistricts.

3. **Regulations for PDAs in Waterfront Mixed-Use Subdistricts.** In a Waterfront Mixed-Use Subdistrict, a Proposed Project within a PDA must be consistent with the use and dimensional regulations of any approved Municipal Harbor Plan applicable to its location. Consistency with the Municipal Harbor Plan shall be determined through Large Project Review.

Section 53-22. Planned Development Area Review Requirement.

See Article 80 concerning the applicability of Planned Development Area Review to the approval of PDA Development Plans, PDA Master Plans, and Proposed Projects in Planned Development Areas.

Section 53-23. Planned Development Areas: Public Benefits.

The Boston Redevelopment Authority may approve a Development Plan for a Proposed Project as meeting the requirement of Section 80C-4 (Standards for Planned Development Area Review) for compliance with the applicable planning and development criteria of this Article if the Development Plan proposes a plan for public benefits that advance the goals and recommendations of the plan recognized in Section 53-1 as PLAN: East Boston. Such benefits shall include two or more of the following: (a) diversification and expansion of East Boston's economy and job opportunities through private investment in commercial and cultural uses, research and development, and professional or technical training programs for such fields; (b) provision of Affordable Housing, available to East Boston and Boston residents, exceeding that which is required by City policy; (c) improvements to existing open space and creation of new open space, especially that which supports and furthers connections to the waterfront-and the planting of street trees and other improvements to the public realm; (d) preservation of historically significant buildings through adaptive reuse; (e) significant mobility improvements through the addition or enhancement of items such as streets, sidewalks, and bike lanes.

MISCELLANEOUS PROVISIONS

Section 53-24. Design Review and Design Guidelines.

1. **Applicability of Design Review.** Design Review is required in the East Boston Neighborhood District for a Proposed Project that is subject to Small Project Review or Large Project Review under Article 80.

To determine whether a Proposed Project is subject to Large Project Review, see Section 80B-2 (Applicability of Large Project Review). To determine whether a Proposed Project is subject to Small Project Review, see Section 80E-2.1 (Applicability of Small Project Review: Design Component) and this Section 53-24.1.

2. **Design Guidelines.** The Design Guidelines for the East Boston Neighborhood District are set forth in the plan recognized in Section 53-1 as PLAN: East Boston. Design Guidelines for Proposed Projects in Waterfront Subdistricts are set forth in Section 53-10.5 of this Article.

Section 53-25. Roof Structure Restrictions.

1. General Rule. Except as allowed in Section 53-25.2, no roofed structure designed or used for human occupancy, access, or storage, and no roof structure, headhouse, or mechanical equipment normally built above the roof and not designed or used for human occupancy, shall be erected or enlarged on the roof of an existing residential Building, or on the roof of a Building not in residential use but originally built as a residential Building, if such construction relocates or alters the profile and/or configuration of the roof or mansard, unless after public notice and hearing and subject to Sections 6-2, 6-3, and 6-4, the Board of Appeal grants a conditional use therefor. In reaching its decision, the Board of Appeal shall consider whether such roof structure has the potential of damaging the uniformity of height or architectural character of the immediate vicinity.

2. Allowed Roof Structures. The following roof structures are allowed and shall not be included in the calculation of Building Height:

(a) Open roof decks, provided that:

- (i) the deck is be erected on the main roof of a Building with a flat roof or a roof with a slope of less than five (5) degrees;
- (ii) the deck is less than one (1) foot above the highest point of such roof;
- (iii) access is: (a) by a roof hatch or bulkhead no more than thirty (30) inches in height above the deck; or (b) by a stairway headhouse no greater than ten (10) feet in height, eight (8) feet in width, and ten (10) feet in length, setback horizontally at least ten (10) feet from the roof edge(s) facing the public right of way; and
- (iv) any appurtenant hand rail, balustrade, hatch, or bulkhead is set back horizontally at least five (5) feet from all roof edges.

(b) Solar Energy Systems, provided that:

- (i) they do not extend more than 48 inches above the top of the highest point of the roof beams of a flat roof, and
- (ii) all elements are set back at least five (5) feet from all roof edges.

Section 53-26. Screening and Buffering Requirements.

The screening and buffering requirements of this Section 53-26 shall apply to those Proposed Projects described in this Section 53-26, except where provisions for adequate screening and

buffering have been established for a Proposed Project through Large Project Review or Small Project Review, pursuant to Article 80. The provisions of Article 6A shall apply to the provisions of this Section 53-26.

1. **Screening and Buffering Along Property Lines Abutting Public Streets, Public Parks, and Certain Subdistricts and Uses.** The requirements of this Section 53-26.1 apply to a Proposed Project in a location specified in this Section 53-26.1:

- (a) a Neighborhood Business Subdistrict or a Waterfront Mixed-Use Subdistrict, where the Proposed Project abuts: (i) a public park, or (ii) a Residential Subdistrict or Residential Use, or,
- (b) an Economic Development Area or Waterfront Economy Subdistrict, where the Proposed Project abuts: (i) a public street, (ii) a public park, (iii) a Residential Subdistrict or Residential Use, or (iv) a Neighborhood Business Subdistrict or Waterfront Mixed-Use Subdistrict.

The Proposed Project shall provide and maintain a strip of densely planted shrubs and trees along each Lot line abutting the applicable street, park, or subdistrict. The width of the planting strip shall be appropriate for the species and quantities of plant materials necessary to provide adequate screening, but shall in no event be less than five (5) feet wide.

2. **Screening and Buffering of Parking, Loading, and Storage Areas.** Any off-street parking facility or lot, off-street loading area, or accessory storage area that abuts (a) a public street, (b) a public park, (c) a Residential Subdistrict or Residential Use, or (d) a Neighborhood Business Subdistrict or Waterfront Mixed-Use Subdistrict, shall be screened from view as provided in this Section 53-26.2. Screening shall consist of fencing no lower than three (3) feet and no higher than six (6) feet. Buffering shall consist of a strip of densely planted trees and shrubs no less than five (5) feet wide.

3. **Screening of Disposal Areas and Certain Equipment.** Disposal areas, dumpsters, and ground-mounted mechanical equipment that abut (a) a public street, (b) a public park, (c) a Residential Subdistrict or Residential Use, or (d) a Neighborhood Business Subdistrict or Waterfront Mixed-Use Subdistrict, shall be screened from view as provided in this Section 53-26.3. Disposal areas and dumpsters shall be screened with an opaque wall or fence at least six (6) feet high or by vegetation. Ground-mounted mechanical equipment shall be screened with an opaque wall or fence sufficiently high to provide effective screening.

4. **Roof-Mounted Mechanical Equipment.** Roof-mounted mechanical equipment shall be designed to minimize the visibility of roof structures and penthouses normally built above the roof and not designed to be used for human occupancy.

Section 53-27. Sign Regulations.

The provisions of this Section 53-27 shall apply to all Proposed Projects except to the extent that sign requirements have been established through Large Project Review or Small Project Review, pursuant to Article 80.

1. **Sign Regulations Applicable in Residential Subdistricts, Conservation Protection Subdistricts and Open Space Subdistricts.** In all Residential, Conservation Protection Subdistricts, and Open Space Subdistricts, there shall not be any Sign except as provided in Article 11 for Signs in residential districts.

2. **Sign Regulations Applicable in All Other Subdistricts.** In all subdistricts not subject to subsection 1 of this Section 53-27, there shall not be any Sign except as provided in Article 11 for Signs outside residential districts and as provided in this Section 53-27. Notwithstanding any provision of Section 11-2 to the contrary, the following regulations shall apply:

(a) **Signs Parallel to Building Wall.** For Signs parallel to a Building wall, including Signs painted on or affixed to awnings, canopies, marquees, security grate housings, or other Building projections, but not including Signs on windows above the first floor, free-standing Signs, directional Signs, and public purpose Signs listed in items (g) through (k) of Section 11-1, the total Sign Area, in square feet, shall not exceed the lesser of the Sign Frontage multiplied by two (2), or forty-five (45) square feet. No such Sign shall measure more than thirty (30) inches from top to bottom. No part of any such Sign shall be located less than two (2) feet from either edge of the Building wall to which such Sign is parallel, provided that, if the Sign Frontage is shorter than the length of such Building wall, no part of any such Sign shall be located less than two (2) feet from either end of that portion of such Building wall that is used to measure the Sign Frontage.

The bottom of any such Sign should be at least eight (8) feet above Grade. Where the Building wall includes a Sign band, Signs parallel to such wall should be located within such band whenever practicable.

(b) **Signs Attached at Right Angles to Building.** A Sign attached at right angles to a Building shall not have a Sign Area in excess of four (4) square feet on either face; except that an additional four (4) square feet on each face is allowed for a Sign which incorporates a public service message device, such as a time and temperature Sign, provided such public service message device operates no less than seventy-five percent (75%) of every hour.

(c) **Free-standing Signs.** Free-standing Signs shall be permitted only for (a) uses located in a Community Commercial Subdistrict, Local Industrial Subdistrict, or Economic Development Area, and (b) Gasoline Stations. Where such free-standing Signs are permitted, there shall be only one (1) free-standing Sign on a Lot. Such free-standing Sign shall not have a Sign Area in excess of: (i) fifteen (15) square feet, if there is one use on the Lot, or (ii) thirty (30) square feet, if there are two or more uses on the Lot. The bottom of such Sign shall not be higher

than ten (10) feet above Grade nor lower than eight (8) feet above Grade, and the top of such Sign shall not be higher than eighteen (18) feet above Grade.

- (d) **Billboards.** Any billboard, signboard, or other advertising subject to the provisions of Section 11-6, except those in existence on the effective date of this Article, is forbidden in the East Boston Neighborhood District.
- (e) **Total Sign Area.** The total Sign Area, in square feet, of all permanent Signs, except for signs on windows above the first floor, directional signs, and public purpose signs listed in items (g) through (k) of Section 11-1, shall not exceed the Sign Frontage multiplied by two (2).
- (f) **Display of Permit Number and Posting Date.** Each permanent Sign, including any Sign painted on or affixed to an awning, a canopy, or a marquee, shall display the Sign's building permit number clearly but unobtrusively, in letters and numbers not exceeding one (1) inch in height. Temporary signs shall display the date of posting.

Section 53-28. Off-Street Parking and Loading.

For any Proposed Project that is subject to or has elected to comply with Large Project Review or Small Project Review, required off-street parking spaces and off-street loading facilities shall be determined through such review in accordance with the provisions of Article 80. For all other Proposed Projects, the minimum required off-street parking spaces are set forth in Table L, and the minimum required off-street loading facilities are set forth in Table M.

1. **Outdoor Uses.** For the purpose of computing required off-street parking spaces, where a main use on a Lot is an open-air use not enclosed in a Structure, the area of the part of the Lot actually devoted to such use shall constitute floor area.
2. **Pre-Code Structures.** If a Structure existing on the effective date of this Article is altered or extended so as to increase its Gross Floor Area or the number of Dwelling Units, only the additional Gross Floor Area or the additional number of Dwelling Units shall be counted in computing the off-street parking facilities required.
3. **Mixed Uses.** If a Lot includes multiple uses, then the required number of off-street parking spaces for such Lot shall be the total of the required number of off-street parking spaces for each use, and the required number of off-street loading spaces for such Lot shall be the total of the required number of off-street loading spaces for each use.
4. **Location.**
 - (a) Off-street parking and loading spaces shall not be located in any part of a landscaped area required by this Article or in any part of a Front Yard, except as specifically provided in this Section 53-28. If a Lot is located in a Residential Subdistrict, a total of two (2) accessory parking spaces serving residential uses on such Lot may be located in that portion of the

Front Yard that lies between the side yard and the Front Lot Line, provided that the total width of such Front Yard area used for parking does not exceed ten (10) feet.

- (b) Except in the case of a Lot serviced by a common parking facility, the off-street parking facilities required by this Section 53-28 shall be provided on the same Lot as the main use to which they are accessory; provided, however, that if the Board of Appeal shall be of the opinion that this is impractical with respect to a particular Lot, said Board, after public notice and hearing and subject to the provisions of Sections 6-2, 6-3, and 6-4, may grant permission for such facilities to be on another Lot in the same ownership in either of the following cases: (1) where the main use on a Lot is for Residential Uses, and the other Lot is within four hundred (400) feet of that Lot; and (2) where the main use on a Lot is for non-residential uses, and the other Lot is within twelve hundred (1,200) feet of that Lot.
- (c) After public notice and hearing and subject to the provisions of Sections 6-2, 6-3 and 6-4, the Board of Appeal may grant permission for a common parking facility cooperatively established and operated to service two or more uses of the same or different types; provided that there is a permanent allocation of the requisite number of spaces for each use, and that the total number of spaces is not less than the aggregate of the number of spaces required for each use, unless the Board of Appeal determines that a reduction in the total number of required off-street parking spaces is appropriate because shared parking arrangements, in which parking spaces are shared by different uses for which peak parking use periods are not coincident, will adequately meet the parking demand associated with the Proposed Project.
- (d) The off-street parking spaces required by this Article for a Dwelling Unit should be used by the vehicles for which such parking spaces are required.

5. **Design.** All off-street parking facilities provided to comply with this Article shall meet the following specifications:

- (a) Such facilities shall have car spaces to the number specified by this Article, maneuvering areas and appropriate means of vehicular access to a street, shall be so designed as not to constitute a nuisance or a hazard or unreasonable impediment to traffic, and shall be accessible to physically handicapped persons. All lighting shall be so arranged as to shine downward and away from streets and residences.
- (b) Such facilities, whether open or enclosed in a Structure, shall be so graded, surfaced, drained, and maintained as to prevent water and dust therefrom from going upon any street or another Lot.
- (c) Such facilities shall not be used for automobile sales, dead storage, or repair work, dismantling, or servicing of any kind.

- (d) Each car space shall be located entirely on the Lot. Fifty percent (50%) of the provided spaces may be no less than seven (7) feet in width and eighteen (18) feet in length, and the remainder shall be no less than eight and one half (8-½) feet in width and twenty (20) feet in length, in both instances exclusive of maneuvering areas and access drives.
- (e) The width of a curb cut for a driveway in a Residential Subdistrict shall not exceed twelve (12) feet.
- (f) The width of a curb cut for a driveway in all other Subdistricts shall not exceed twenty-four (24) feet.

6. **Maintenance.** All off-street parking facilities provided to comply with this Article shall be maintained exclusively for the parking of motor vehicles so long as a use requiring them exists. Such facilities shall be used in such a manner as at no time to constitute a nuisance or a hazard or unreasonable impediment to traffic.

Section 53-29. Application of Dimensional Requirements.

1. **Conformity with Existing Building Alignment.** If at any time in the same Block as a Lot required by this Article to have a minimum Front Yard there exist two or more Buildings fronting on the same side of the same Street as such Lot, instead of the minimum Front Yard depth specified in this Article, the minimum Front Yard depth shall be in conformity with the Existing Building Alignment of the Block.
2. **Traffic Visibility Across Corner.** Whenever a minimum Front Yard is required and the Lot is a Corner Lot, no Structure or planting interfering with traffic visibility across the corner, or higher, in any event, than two and one-half (2-½) feet above the curb of the abutting Street, shall be maintained within that part of the required Front Yard that is within the triangular area formed by the abutting side lines of the intersecting Streets and a line joining points on such lines twenty (20) feet distant from their point of intersection.
3. **Front Wall of Building Not Parallel to Front Lot Line.** If the front wall of a Building is not parallel to the Front Lot Line, but the average distance between such wall and such Lot Line is no less than the minimum Front Yard depth otherwise required by this Article, and the distance between such wall and such Lot line is at no point less than three-fourths (3/4) of the minimum Front Yard depth so otherwise required, the Front Yard requirements of this Article shall be deemed to be met.
4. **Special Provisions for Corner Lots.** If a Lot abuts more than one Street, the requirements for Front Yards shall apply along every Street Line except as otherwise provided in this Section ~~53-57~~ 53-27. The Front Yard requirements of this Article, and not the Side Yard requirements, shall apply to that part of a side Lot line that is also a Street Line extending more than one hundred (100) feet from the intersection of such line with another Street.

5. **Side Wall of Building Not Parallel to Side Lot Line.** If the side wall of a Building is not parallel to the side Lot line nearest to it, but the average distance between such wall and such Lot line is no less than the minimum Side Yard width otherwise required by this Article, and the distance between such wall and such Lot line is at no point less, in the case of a side Lot line that is not also a Street Line, than three-fourths (3/4) of the minimum Side Yard width so otherwise required, and in the case of a side Lot line that is also a Street Line, than one-half (½) of the minimum Side Yard width so otherwise required, the Side Yard requirements of this Article shall be deemed to be met.

6. **Side Yards of Certain Narrow Lots.** For each full foot by which a Lot existing at the time this Article takes effect is narrower than (i) the minimum Lot Width specified for such Lot in this Article, or (ii) fifty (50) feet if no minimum Lot Width is so specified, a deduction of one and one-half (1-½) inches shall be made from the width otherwise required by this Article for each Side Yard of such Lot; provided that in no event shall either Side Yard of any such Lot be less than five (5) feet wide. No Side Yard in which there is a driveway providing access to off-street parking or off-street loading facilities required by this Article shall be less than ten (10) feet wide.

7. **Accessory Buildings in Rear Yards.** Accessory Buildings may be erected in a Rear Yard; provided that no such Accessory Building is more than fifteen (15) feet in height or nearer than four (4) feet to any side Lot line.

8. **Rear Wall of Building Not Parallel to Rear Lot Line.** If the rear wall of a Building is not parallel to the Rear Lot Line, and the Rear Lot Line is not also a Street Line, but the average distance between such wall and such Lot Line is no less than the minimum Rear Yard depth otherwise required by this Article, and the distance between such wall and such Lot line is at no point less than three-fourths (3/4) of the minimum Rear Yard depth so otherwise required, the Rear Yard requirements of this Article shall be deemed to be met.

9. **Rear Yards of Through Lots.** The Front Yard requirements of this Article, and not the Rear Yard requirements, shall apply to that part of a Rear Yard that is also a Street Line, except in the case of a Rear Yard that abuts a Street less than twenty (20) feet in width.

10. **Rear Yards of Certain Shallow Lots.** For each full foot by which a Lot existing at the time this Article takes effect is less than one hundred (100) feet deep, six (6) inches shall be deducted from the depth otherwise required by this Article for the Rear Yard of such Lot; provided that in no event shall the Rear Yard of any such Lot be less than ten (10) feet deep.

11. **Underground Encroachments in Yards.** Any garage or other accessory Structure erected underground within any Rear Yard or Side Yard required by this Article, including the piers, railings, and parapets of such Structure, shall not extend more than five (5) feet above Grade.

12. **Two or More Dwellings on Same Lot.** Where a Dwelling (other than a temporary Dwelling) designed for occupancy or occupied by one or more families is on the same Lot as, and to the side of, another Dwelling or other Main Building, the distance between such Dwelling and such other

Dwelling or Main Building shall be not less than twice the minimum Side Yard depth required by this Article for such other Dwelling or Main Building; and the requirements of this Article with respect to Lot Area, Lot Width, Lot Frontage, Usable Open Space, Front Yard, Rear Yard, and Side Yards shall apply as if such Dwelling were on a separate Lot. A Dwelling shall not be built to the rear of another Dwelling, Accessory Building, or Main Building. After public notice and hearing and subject to the provisions of Section 6-2, the Board of Appeal may grant permission for a variation from the requirements of this Section 53-29.13 if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy, will not be less than would be provided if the requirements of this Section 53-29.13 were met.

13. **Two or More Buildings on One Lot.** If on one Lot there are two or more Main Buildings or Dwellings, including temporary Dwellings, the yard requirements of this Article shall apply at each actual Lot line and not as if each Building were on a separate Lot.

14. **Measurement of Lot Frontage on Corner Lot.** The Lot Frontage on a Corner Lot shall be measured along one Lot line abutting a public right of way. Where more than one Lot line abuts a public right of way, the Lot Frontage shall be measured along the Lot line on which the Building's main entrance fronts.

Section 53-30. Nonconformity as to Dimensional Requirements.

1. General Rule. A Building or use existing on the effective date of this Article and not conforming to any such applicable dimensional requirements specified in other provisions of this Article may nevertheless be altered, enlarged, or extended, provided that, unless otherwise provided in subsection 2 of this Section 53-30, any enlargement itself:

- (a) does not increase any such dimensional nonconformity; and
- (b) otherwise conforms to the dimensional requirements of this Article.

2. Exceptions.

- (a) Horizontal Extensions. A nonconforming Side Yard or Rear Yard may be extended horizontally, provided that the extension:
 - (i) does not encroach any farther than the Side Yard or Rear Yard established by the existing nonconformity into the same Side Yard or Rear Yard; and
 - (ii) does not encroach farther than the existing Building into a required Front Yard.
- (b) Vertical Extensions. A nonconforming dimension, including, but not limited to, a Front Yard, Side Yard, Rear Yard, Building Floor Plate, or Lot Coverage, may be extended vertically, provided that the extension:
 - (i) does not extend beyond the existing Building Floor Plate; and

- (ii) does not exceed the greater of: (1) the Building's maximum existing Building Height or (2) the maximum Building Height allowed by zoning; and
- (iii) complies with any Stepback or reduction in Building Floor Plate required by the provisions of this Article.

Section 53-31. Regulations.

The Boston Redevelopment Authority may promulgate regulations to administer this Article.

Section 53-32. Severability.

The provisions of this Article are severable, and if any provision of this Article shall be held invalid by any decision of any court of competent jurisdiction, such decision shall not impair or otherwise affect any other provision of this Article.

Section 53-33. Definitions.

Words and phrases in this Article have the meanings set forth in Appendix A to this Article and in Article 2 (Definitions). Where a term is defined in both articles, the definition in Appendix A to this Article governs.

Section 53-34. Tables and Appendix.

The following tables and appendix are hereby made part of this Article:

Tables A—E Use Regulations

- A Residential Subdistricts
- B Neighborhood Business Subdistricts
- C Waterfront Subdistricts
- D Conservation Protection Subdistricts
Economic Development Areas
- E Logan International Airport Subdistrict

Tables F—K Dimensional Regulations

- F Residential Subdistricts
- G Neighborhood Business Subdistricts

- H Waterfront Subdistricts
- I Conservation Protection Subdistricts
- J Economic Development Areas
- K Logan International Airport Subdistrict

Tables L—M Parking and Loading Regulations

- L Off-Street Parking Requirements
- M Off-Street Loading Requirements

Appendix A Definitions Applicable to Article 53, East Boston Neighborhood District

**ARTICLE 53
APPENDIX A**

APPENDIX A TO ARTICLE 53 - Definitions Applicable to Article 53, East Boston Neighborhood District

1. Definitions Applicable on Tidelands and in Waterfront Subdistricts in the East Boston Neighborhood District.

Facilities of Public Accommodation. A "Facility of Public Accommodation" means a facility, including a commercial facility, at which goods or services are made available directly to the general public. Facilities of Public Accommodation include, but are not limited to:

Lunch room, restaurant, cafeteria or other place for the service or sale of food or drink for on-premises consumption, provided that there is no dancing nor entertainment other than phonograph, radio, and television;

Place for sale and consumption of food and beverages (other than drive-in restaurant) providing dancing or entertainment or both, provided that such establishment is customarily open to the public at large and does not exclude any minor by reason of age as a prevailing practice;

Theater;

Lobbies and public areas of a hotel or motel;

Library, museum, aquarium, educational, historical, or cultural institution open to the public;

Adult education center, community center, or other interior space dedicated to the programming of community meetings, informational displays, special recreational events, or other public activities;

Store primarily serving the local retail business needs of the residents of the neighborhood, including, but not limited to, store retailing one or more of the following: food, baked goods, groceries, drugs, tobacco products, clothing, dry goods, books, flowers, paint, hardware, and minor household appliances, but not including packaged alcoholic beverages;

Department store, furniture store, general merchandise mart, or other store serving general retail business needs of a major part of the city, including accessory storage;

Barber shop, beauty shop, shoe repair shop, self-service laundry, pick-up and delivery station of laundry or dry-cleaner, or similar use;

Tailor shop or hand laundry;

Caterer's establishment, photographer's studio, upholsterer's shop, carpenter's shop, or electrician's shop;

Day care facility;

Sports or physical fitness facility open to the public; and

Interior facility for waterborne public transportation facilities, recreational marina, boat rental establishment, recreational sailing or boating school, or other recreational boating facility or establishment.

Water-Dependent Uses.

Water-Dependent industrial uses;

Facilities for fishing, swimming, diving, and other water-based recreational activities;

Parks, esplanades, boardwalks, and other pedestrian facilities that promote public use and enjoyment of the water and are located at or near the water's edge;

Aquariums and other cultural, educational, research, or training facilities dedicated primarily to marine purposes;

Aquaculture facilities;

Navigation aids, marine police and fire stations, and other waterways public safety and law enforcement facilities;

Shore protection structures, such as seawalls, bulkheads, revetments, dikes, breakwaters, rip rap, water deflectors, and the like;

Waterborne passenger transportation facilities, such as those serving ferries, cruise ships, commuter and excursion boats, and water shuttles and taxis;

Marinas, boat basins, Boat Rental Establishments, boating or sailing school, channels, storage areas, and other facilities and establishments for commercial or recreational boating.

**ARTICLE 53
TABLES**

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

Key: A=Allowed, C=Conditional, F=Forbidden

Any use identified as conditional in Table A is subject to the provisions of Article 6.

For definitions of use categories and certain specific uses, see the Table A Definitions of Article 8; except in the case of Waterfront Uses, see Article 2.

Open Space Uses

Applicable Footnotes: (1), (5)

	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
Cemetery	F	F	F	F	F	F
Private Open Space	C	C	C	C	C	C
Publicly Accessible Open Space	A	A	A	A	A	A

Civic Uses

Applicable Footnotes: (1)

	East Boston	East Boston Residential-3	East Boston Residential-4

	Residential-2.5 (EBR-2.5)		(EBR-3)		(EBR-4)	
	Corner Lot	Mid-Block Lot	Corner Lot	Mid-Block Lot	First Story & Basement	2nd Story & Above
Child Care/Adult Day Health Center	A	A	A	A	A	A
Municipal Use	A	A	A	A	A	A
Place of Worship	A	A	A	A	A	A
School, K through 12	A	A	A	A	A	A

Residential Uses

Applicable Footnotes: (1), (3), (4)

	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
Artists' Live-Work	A	F	A	F	A	A
Fraternity or Sorority	F	F	F	F	F	F
Household Living - 1-2 Dwelling Units	A	A	A	A	A	A
Household Living - 3-6 Dwelling Units	F	F	A (2)	A (2)	A	A
Household Living - 7+ Dwelling Units	F	F	F	F	A	A
Lodging House	F	F	F	F	F	F
Mobile Home Establishment	F	F	F	F	F	F

Shelter Facility	F	F	F	F	F	F
Supportive Housing	C	C	C	C	A	A

Active Uses

Applicable Footnotes: (1), (5)

	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
Community Center	A	A	A	A	A	A
Grocery Store - Small	A	F	A	F	A	F
Grocery Store - Large	F	F	F	F	F	F
Entertainment/Events - Extra Small	F	F	F	F	F	F
Entertainment/Events - Small	F	F	F	F	F	F
Entertainment/Events - Medium	F	F	F	F	F	F
Entertainment/Events - Large	F	F	F	F	F	F
Entertainment/Events - Extra Large	F	F	F	F	F	F
Makerspace	F	F	F	F	A	F
Museum	A	F	A	F	A	F
Restaurant - Small	A	F	A	F	A	F
Restaurant - Large	F	F	F	F	A	F
Retail Cannabis Establishment	F	F	F	F	F	F

Retail Store - Small	A	F	A	F	A	F
Retail Store - Medium	F	F	F	F	A	F
Retail Store - Large	F	F	F	F	F	F
Retail Store - Extra Large	F	F	F	F	F	F
Indoor Recreation	F	F	F	F	F	F
Service Establishment - Small	A	F	A	F	A	F
Service Establishment - Large	F	F	F	F	F	F
Social Club	F	F	F	F	F	F

Commercial Uses

Applicable Footnotes: (1), (5)

	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
Adult Entertainment	F	F	F	F	F	F
Arts Studios	A	F	A	F	A	F
Bank	F	F	F	F	C	F
Check Casher	F	F	F	F	F	F
Drive-in	F	F	F	F	F	F
Funeral Home	C	F	C	F	C	F
Hotel - Small	F	F	F	F	F	F
Hotel - Large	F	F	F	F	F	F

Office - Small	A	F	A	F	A	F
Office - Medium	F	F	F	F	F	F
Office - Large	F	F	F	F	F	F
Research Laboratory	F	F	F	F	F	F
Standalone ATM	F	F	F	F	F	F

Higher Education Uses

Applicable Footnotes: (1), (5)

	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
College or University Use	F	F	F	F	F	F
School, Trade or Professional	F	F	F	F	F	F

Health Care Uses

Applicable Footnotes: (1), (5)

	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
Clinic	F	F	F	F	C	F
Hospital Use	F	F	F	F	F	F
Nursing Home Use	C	C	C	C	C	C

Transportation Uses

Applicable Footnotes: (1), (5)

	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
Airport-Related Remote Parking Facility	F	F	F	F	F	F
Gasoline Station	F	F	F	F	F	F
Major Transportation Facility	F	F	F	F	F	F
Motor Vehicle Rentals	F	F	F	F	F	F
Motor Vehicle Sales	F	F	F	F	F	F
Standalone Parking Garage	F	F	F	F	F	F
Standalone Parking Lot	F	F	F	F	F	F
Vehicular Services	F	F	F	F	F	F

Industrial and Storage Uses

Applicable Footnotes: (1), (5)

	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
Crematory	F	F	F	F	F	F
Food and Beverage Production	F	F	F	F	F	F
General Industrial	F	F	F	F	F	F

Light Industrial or Trade Establishment	F	F	F	F	F	F
Non-Retail Cannabis Establishment	F	F	F	F	F	F
Restricted Industrial	F	F	F	F	F	F
Self-Storage	F	F	F	F	F	F
Storage of Fuel or Minerals	F	F	F	F	F	F
Storage of Supplies and Scrap	F	F	F	F	F	F
Urban Agriculture	See Article 89	See Article 89	See Article 89	See Article 89	See Article 89	See Article 89
Warehouse or Distribution Center	F	F	F	F	F	F

Waterfront Uses

Applicable Footnotes: (1), (5)

	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
Aquaculture Facility	F	F	F	F	F	F
Boatyard	F	F	F	F	F	F
Boat and marine motor service and repair or sales and display	F	F	F	F	F	F
Boat rental establishment	F	F	F	F	F	F
Dock, slip, pier,	F	F	F	F	F	F

wharf anchorage, or moorage for commercial or recreational vessels awaiting servicing, provisioning, off-loading, or delivery						
Drydocks and other facilities related to the construction, servicing, storage, maintenance, or repair of vessels and other marine structures	F	F	F	F	F	F
Enclosed storage or wholesaling of fish and seafoods, provided such use is not within fifty (50) feet of a Residential Subdistrict	F	F	F	F	F	F
Facilities associated with marine terminals for the storage of goods transported in waterborne commerce	F	F	F	F	F	F
Flood, water level, or tidal control facility	F	F	F	F	F	F
Groin, breakwater, wave deflector, or other structure that protects an area used for dockage or moorage	F	F	F	F	F	F
Hoist, lift, ramp,	F	F	F	F	F	F

davit, or other structure to haul or move a vessel between water and land and not used by the public generally						
Installation, repair, or servicing of boating accessories, marine equipment, marine instruments, or marine motors	F	F	F	F	F	F
Manufacturing facilities relying on the bulk receipt of shipments of goods by waterborne commerce	F	F	F	F	F	F
Marine research and training institute	F	F	F	F	F	F
Marine shop, electrical shop, or similar use for the repair and maintenance of vessels	F	F	F	F	F	F
Navigation aids and facilities	F	F	F	F	F	F
Non-seasonal dry storage of vessels	F	F	F	F	F	F
Other docks, piers, wharves, berths, dolphins, or mooring facilities for tow boats, barges, dredges, ferries, commuter	F	F	F	F	F	F

boats, water buses, water taxis, or other vessels engaged in waterborne commerce, port operations, or marine construction						
Public boat ramp	F	F	F	F	F	F
Recreational marina, rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels; provided that the number of slips and spaces associated with any such facility does not exceed twenty (20)	F	F	F	F	F	F
Recreational marina, or rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels, if the number of slips and spaces associated with such facility exceeds twenty (20)	F	F	F	F	F	F
Sale of marine fuel, marine hardware, or boating or diving supplies and equipment	F	F	F	F	F	F
Use, hire, or charter of any commercial Vessel	F	F	F	F	F	F

Wet or dry storage or berthing of any commercial vessel	F	F	F	F	F	F
Water terminal - freight	F	F	F	F	F	F
Water terminal - passenger	F	F	F	F	F	F
Wharves, piers, docks, and storage facilities for the commercial fishing industry	F	F	F	F	F	F

Accessory and Ancillary Uses

Applicable Footnotes: (1), (5)

	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
Accessory Drive-Through	F	F	F	F	F	F
Accessory Dwelling Unit (Detached)	F	F	F	F	F	F
Accessory Dwelling Unit (non-Detached)	F	F	F	F	F	F
Accessory Electrical Vehicle Charging	A	A	A	A	A	A
Accessory Entertainment/Events	F	F	F	F	A	F
Accessory Family Day Care Home	A	A	A	A	A	A
Accessory	F	F	F	F	F	F

Helicopter Landing						
Accessory Home Occupation	A	A	A	A	A	A
Accessory Keeping of Animals	F	F	F	F	F	F
Accessory Keeping of Laboratory Animals	F	F	F	F	F	F
Accessory Motor Vehicle Rentals	F	F	F	F	A	F
Accessory Office	F	F	F	F	F	F
Accessory Parking	A	A	A	A	A	F
Accessory Personnel Quarter	F	F	F	F	A (4)	A (4)
Accessory Smoking	F	F	F	F	F	F
Shared Parking	A	F	A	F	A	F

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. For Corner Lots, see also Section 53-29.14 (Measurement of Lot Frontage on Corner Parcels).
3. For Additional Dwelling Units, see Section 53-5.2 (Additional Dwelling Units).
4. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-19 (Applicability of CFROD in East Boston).
5. In EBR-2.5 and EBR-3 Subdistricts, non-residential uses shall have a maximum Gross Floor Area up to 2,500 square feet; otherwise forbidden. Civic Uses are exempt from this requirement.

TABLE B East Boston Neighborhood District - Neighborhood Business Subdistricts - Use Regulations

Key: A=Allowed, C=Conditional, F=Forbidden

Any use identified as conditional in Table B is subject to the provisions of Article 6.

For definitions of use categories and certain specific uses, see the Table A Definitions of Article 8; except in the case of Waterfront Uses, see Article 2.

Open Space Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Cemetery	F	F	F
Private Open Space	C	C	C
Publicly Accessible Open Space	A	A	A

Civic Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Child Care/Adult Day Health Center	A	A	A
Municipal Use	A	A	A
Place of Worship	A	A	A
School, K through 12	A	A	A

Residential Uses

Applicable Footnotes: (1), (2), (3)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Artists' Live-Work	A	A	A
Fraternity or Sorority	F	F	F
Household Living - 1-2 Dwelling Units	A	A	A

Household Living - 3-6 Dwelling Units	A	A	A
Household Living - 7+ Dwelling Units	A	A	A
Lodging House	F	F	C
Mobile Home Establishment	F	F	F
Shelter Facility	F	F	F
Supportive Housing	A	A	A

Active Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Community Center	A	A	A
Grocery Store - Small	A	A	A
Grocery Store - Large	F	C	C
Entertainment/Events - Extra Small	A	A	A
Entertainment/Events - Small	A	A	A
Entertainment/Events - Medium	F	C	A
Entertainment/Events - Large	F	F	C
Entertainment/Events - Extra Large	F	F	F
Makerspace	A	A	A
Museum	A	A	A
Restaurant - Small	A	A	A
Restaurant - Large	A	A	A

Retail Cannabis Establishment	C	C	C
Retail Store - Small	A	A	A
Retail Store - Medium	A	A	A
Retail Store - Large	F	C	A
Retail Store - Extra Large	F	F	F
Indoor Recreation	F	F	A
Service Establishment - Small	A	A	A
Service Establishment - Large	F	C	A
Social Club	A	A	A

Commercial Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Adult Entertainment	F	F	F
Arts Studios	A	A	A
Bank	C	C	C
Check Casher	F	F	F
Drive-in	F	F	F
Funeral Home	C	C	C
Hotel - Small	F	C (3)	A (3)
Hotel - Large	F	F	C (3)
Office - Small	A	A	A
Office - Medium	A	A	A
Office - Large	F	F	C

Research Laboratory	F	F	F
Standalone ATM	C	C	C

Higher Education Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
College or University Use	C	C	C
School, Trade or Professional	C	A	A

Health Care Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Clinic	A	A	A
Hospital Use	F	F	F
Nursing Home Use	C	C	A

Transportation Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Airport-Related Remote Parking Facility	F	F	F
Gasoline Station	F	F	F
Major Transportation Facility	C	C	C
Motor Vehicle Rentals	F	F	F
Motor Vehicle Sales	F	F	F
Standalone Parking Garage	F	F	F

Standalone Parking Lot	F	F	F
Vehicular Services	F	F	F

Industrial and Storage Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Crematory	F	F	F
Food and Beverage Production	A (4)	A (4)	A (4)
General Industrial	F	F	F
Light Industrial or Trade Establishment	F	F	F
Non-Retail Cannabis Establishment	F	F	F
Restricted Industrial	F	F	F
Self-Storage	F	F	F
Storage of Fuel or Minerals	F	F	F
Storage of Supplies and Scrap	F	F	F
Urban Agriculture	See Article 89	See Article 89	See Article 89
Warehouse or Distribution Center	F	F	F

Waterfront Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Aquaculture Facility	F	F	F
Boatyard	F	F	F
Boat and marine	F	F	F

motor service and repair or sales and display			
Boat rental establishment	F	F	F
Dock, slip, pier, wharf anchorage, or moorage for commercial or recreational vessels awaiting servicing, provisioning, off-loading, or delivery	F	F	F
Drydocks and other facilities related to the construction, servicing, storage, maintenance, or repair of vessels and other marine structures	F	F	F
Enclosed storage or wholesaling of fish and seafoods, provided such use is not within fifty (50) feet of a Residential Subdistrict	F	F	F
Facilities associated with marine terminals for the storage of goods transported in waterborne commerce	F	F	F
Flood, water level, or tidal control facility	F	F	F
Groin, breakwater, wave deflector, or other structure that protects an area used for dockage or moorage	F	F	F
Hoist, lift, ramp, davit,	F	F	F

or other structure to haul or move a vessel between water and land and not used by the public generally			
Installation, repair, or servicing of boating accessories, marine equipment, marine instruments, or marine motors	F	F	F
Manufacturing facilities relying on the bulk receipt of shipments of goods by waterborne commerce	F	F	F
Marine research and training institute	F	F	F
Marine shop, electrical shop, or similar use for the repair and maintenance of vessels	F	F	F
Navigation aids and facilities	F	F	F
Non-seasonal dry storage of vessels	F	F	F
Other docks, piers, wharves, berths, dolphins, or mooring facilities for tow boats, barges, dredges, ferries, commuter boats, water buses, water taxis, or other vessels engaged in waterborne commerce, port operations, or marine construction	F	F	F

Public boat ramp	F	F	F
Recreational marina, rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels; provided that the number of slips and spaces associated with any such facility does not exceed twenty (20)	F	F	F
Recreational marina, or rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels, if the number of slips and spaces associated with such facility exceeds twenty (20)	F	F	F
Sale of marine fuel, marine hardware, or boating or diving supplies and equipment	F	F	F
Use, hire, or charter of any commercial Vessel	F	F	F
Wet or dry storage or berthing of any commercial vessel	F	F	F
Water terminal - freight	F	F	F
Water terminal - passenger	F	F	F
Wharves, piers, docks, and storage facilities for the commercial fishing industry	F	F	F

Accessory and Ancillary Uses

Applicable Footnotes: (1)

	Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Accessory Drive-Through	F	F	F
Accessory Dwelling Unit (Detached)	F	F	F
Accessory Dwelling Unit (non-Detached)	F	F	F
Accessory Electrical Vehicle Charging	A	A	A
Accessory Entertainment/Events	A	A	A
Accessory Family Day Care Home	A	A	A
Accessory Helicopter Landing	F	F	F
Accessory Home Occupation	A	A	A
Accessory Keeping of Animals	C	C	C
Accessory Keeping of Laboratory Animals	F	F	F
Accessory Motor Vehicle Rentals	A	A	A
Accessory Office	A	A	A
Accessory Parking	A	A	A
Accessory Personnel Quarter	C (3)	C (3)	C (3)
Accessory Smoking	F	F	C
Shared Parking	A	A	A

Footnotes to Table B

1. Notwithstanding any contrary provision of this Table B, 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. For Additional Dwelling Units, see Section 53-5.2 (Additional Dwelling Units).
3. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-19 (Applicability of CFROD in East Boston).
4. Must include accessory Restaurant or Retail Store.

TABLE C East Boston Neighborhood District - Waterfront Mixed-Use Subdistricts and Waterfront Economy Subdistricts - Use Regulations

Key: A = Allowed, C = Conditional, F = Forbidden

Any use identified as conditional in Table C is subject to the provisions of Article 6.

For definitions of use categories and certain specific uses, see the Table A Definitions of Article 8; except in the case of Waterfront Uses, see Article 2.

Open Space Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Cemetery	F	F
Private Open Space	C	C
Publicly Accessible Open Space	A	A

Civic Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Child Care/Adult Day Health Center	A	A
Municipal Use	A	A

Place of Worship	A	A
School, K through 12	A	F

Residential Uses

Applicable Footnotes: (1), (2), (3), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Artists' Live-Work	A	F
Fraternity or Sorority	F	F
Household Living - 1-2 Dwelling Units	A	F
Household Living - 3-6 Dwelling Units	A	F
Household Living - 7+ Dwelling Units	A	F
Lodging House	C	F
Mobile Home Establishment	F	F
Shelter Facility	F	F
Supportive Housing	A	F

Active Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Community Center	A	A
Grocery Store - Small	A	A
Grocery Store - Large	A	A
Entertainment/Events - Extra Small	A	A
Entertainment/Events - Small	A	A
Entertainment/Events - Medium	A	A

Entertainment/Events - Large	C	A
Entertainment/Events - Extra Large	F	F
Makerspace	A	A
Museum	A	A
Restaurant - Small	A	A
Restaurant - Large	A	A
Retail Cannabis Establishment	C	C
Retail Store - Small	A	A
Retail Store - Medium	A	A
Retail Store - Large	A	C
Retail Store - Extra Large	F	F
Indoor Recreation	A	A
Service Establishment - Small	A	A
Service Establishment - Large	A	A
Social Club	A	A

Commercial Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Adult Entertainment	F	F
Arts Studios	A	A
Bank	C	C
Check Cashier	F	F
Drive-in	F	F
Funeral Home	C	C
Hotel - Small	A (3)	F

Hotel - Large	C (3)	F
Office - Small	A	A
Office - Medium	A	A
Office - Large	C	C
Research Laboratory	C	A
Standalone ATM	C	C

Higher Education Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
College or University Use	C	C
School, Trade or Professional	A	A

Health Care Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Clinic	A	C
Hospital Use	C	C
Nursing Home Use	A	F

Transportation Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Airport-Related Remote Parking Facility	F	F
Gasoline Station	F	F
Major Transportation Facility	C	C
Motor Vehicle Rentals	F	F
Motor Vehicle Sales	F	F

Standalone Parking Garage	F	F
Standalone Parking Lot	F	F
Vehicular Services	F	F

Industrial and Storage Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Crematory	F	F
Food and Beverage Production	A	A
General Industrial	F	A
Light Industrial or Trade Establishment	A	A
Non-Retail Cannabis Establishment	F	C
Restricted Industrial	F	C
Self-Storage	F	F
Storage of Fuel or Minerals	F	C
Storage of Supplies and Scrap	F	C
Urban Agriculture	See Article 89	See Article 89
Warehouse or Distribution Center	F	C

Waterfront Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Aquaculture Facility	A	A
Boatyard	A	A
Boat and marine motor service and repair or sales and display	A	A

Boat rental establishment	A	A
Dock, slip, pier, wharf anchorage, or moorage for commercial or recreational vessels awaiting servicing, provisioning, off-loading, or delivery	A	A
Drydocks and other facilities related to the construction, servicing, storage, maintenance, or repair of vessels and other marine structures	C	A
Enclosed storage or wholesaling of fish and seafoods, provided such use is not within fifty (50) feet of a Residential Subdistrict	C	A
Facilities associated with marine terminals for the storage of goods transported in waterborne commerce	C	A
Flood, water level, or tidal control facility	A	A
Groin, breakwater, wave deflector, or other structure that protects an area used for dockage or moorage	A	A
Hoist, lift, ramp, davit, or other structure to haul or move a vessel between water and land and not used by the public generally	A	A
Installation, repair, or servicing of boating accessories, marine equipment, marine instruments, or marine motors	A	A
Manufacturing facilities relying on the bulk receipt of	C	A

shipments of goods by waterborne commerce		
Marine research and training institute	A	A
Marine shop, electrical shop, or similar use for the repair and maintenance of vessels	A	A
Navigation aids and facilities	A	A
Non-seasonal dry storage of vessels	A	A
Other docks, piers, wharves, berths, dolphins, or mooring facilities for tow boats, barges, dredges, ferries, commuter boats, water buses, water taxis, or other vessels engaged in waterborne commerce, port operations, or marine construction	C	A
Public boat ramp	A	A
Recreational marina, rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels; provided that the number of slips and spaces associated with any such facility does not exceed twenty (20)	A	A
Recreational marina, or rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels, if the number of slips and spaces associated with such facility exceeds twenty (20)	A	A
Sale of marine fuel, marine hardware, or boating or diving supplies and equipment	A	A

Use, hire, or charter of any commercial Vessel	A	A
Wet or dry storage or berthing of any commercial vessel	A	A
Water terminal - freight	C	A
Water terminal - passenger	A	A
Wharves, piers, docks, and storage facilities for the commercial fishing industry	C	A

Accessory and Ancillary Uses

Applicable Footnotes: (1), (4)

	Waterfront Mixed-Use (WMU)	Waterfront Economy (WE)
Accessory Drive-Through	F	F
Accessory Dwelling Unit (Detached)	F	F
Accessory Dwelling Unit (non-Detached)	F	F
Accessory Electrical Vehicle Charging	A	A
Accessory Entertainment/Events	A	A
Accessory Family Day Care Home	A	F
Accessory Helicopter Landing	F	F
Accessory Home Occupation	A	F
Accessory Keeping of Animals	F	F
Accessory Keeping of Laboratory Animals	C	A
Accessory Motor Vehicle Rentals	A	A
Accessory Office	A	A

Accessory Parking	A	A
Accessory Personnel Quarter	A (3)	F
Accessory Smoking	C	C
Shared Parking	A	A

Footnotes to Table C

1. Notwithstanding any contrary provision of this Table C, the provisions of Sections 53-8 through 53-10 (Regulations Applicable on Tidelands and in Waterfront Subdistricts) apply to any use that is located (a) on Tidelands subject to Chapter 91 of the Massachusetts General Laws or (b) in a Waterfront Subdistrict.

2. For Additional Dwelling Units, see Section 53-5.2 (Additional Dwelling Units).

3. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-19 (Applicability of CFROD in East Boston).

4. See Section 53.21.3 (Regulations for PDAs in Waterfront Mixed-Use Subdistricts) concerning Proposed Projects within PDAs in Waterfront Mixed-Use Subdistricts.

TABLE D East Boston Neighborhood District - Conservation Protection Subdistricts and Economic Development Areas - Use Regulations

Key: A = Allowed, C = Conditional, F = Forbidden

Any use identified as conditional in Table D is subject to the provisions of Article 6.

For definitions of use categories and certain specific uses, see the Table A Definitions of Article 8; except in the case of Waterfront Uses, see Article 2.

Open Space Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Cemetery	A	F
Private Open Space	A	C

Publicly Accessible Open Space	A	A
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Civic Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Child Care/Adult Day Health Center	A	A
Municipal Use	A	A
Place of Worship	A	A
School, K through 12	A	A

Residential Uses

Applicable Footnotes: (1), (2), (3)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Artists' Live-Work	F	A
Fraternity or Sorority	F	F
Household Living - 1-2 Dwelling Units	A (5)	F
Household Living - 3-6 Dwelling Units	A (5)	F
Household Living - 7+ Dwelling Units	A (5)	A (4)
Lodging House	F	F
Mobile Home Establishment	F	F
Shelter Facility	F	F
Supportive Housing	A (5)	A (4)

Active Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Community Center	A	A
Grocery Store - Small	F	A
Grocery Store - Large	F	A
Entertainment/Events - Extra Small	F	A
Entertainment/Events - Small	F	A
Entertainment/Events - Medium	F	A
Entertainment/Events - Large	F	C
Entertainment/Events - Extra Large	F	F
Makerspace	F	A
Museum	C	A
Restaurant - Small	F	A
Restaurant - Large	F	A
Retail Cannabis Establishment	F	C
Retail Store - Small	F	A
Retail Store - Medium	F	A
Retail Store - Large	F	C
Retail Store - Extra Large	F	F
Indoor Recreation	F	A
Service Establishment - Small	F	A
Service Establishment - Large	F	A
Social Club	F	A

Commercial Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Adult Entertainment	F	F
Arts Studios	C	A
Bank	F	C
Check Cashier	F	F
Drive-in	F	F
Funeral Home	F	C
Hotel - Small	F	A (4)
Hotel - Large	F	C (4)
Office - Small	F	A
Office - Medium	F	A
Office - Large	F	C
Research Laboratory	F	A
Standalone ATM	F	C

Higher Education Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
College or University Use	C	C
School, Trade or Professional	F	A

Health Care Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Clinic	F	A
Hospital Use	F	C

Nursing Home Use	A	A
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Transportation Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Airport-Related Remote Parking Facility	F	F
Gasoline Station	F	F
Major Transportation Facility	F	C
Motor Vehicle Rentals	F	F
Motor Vehicle Sales	F	F
Standalone Parking Garage	F	F
Standalone Parking Lot	F	F
Vehicular Services	F	F

Industrial and Storage Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Crematory	F	F
Food and Beverage Production	F	A
General Industrial	F	C
Light Industrial or Trade Establishment	F	A
Non-Retail Cannabis Establishment	F	C
Restricted Industrial	F	F
Self-Storage	F	F
Storage of Fuel or Minerals	F	C

Storage of Supplies and Scrap	F	F
Urban Agriculture	See Article 89	See Article 89
Warehouse or Distribution Center	F	C

Waterfront Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Aquaculture Facility	F	F
Boatyard	F	F
Boat and marine motor service and repair or sales and display	F	F
Boat rental establishment	F	F
Dock, slip, pier, wharf anchorage, or moorage for commercial or recreational vessels awaiting servicing, provisioning, off-loading, or delivery	F	F
Drydocks and other facilities related to the construction, servicing, storage, maintenance, or repair of vessels and other marine structures	F	F
Enclosed storage or wholesaling of fish and seafoods, provided such use is not within fifty (50) feet of a Residential Subdistrict	F	F
Facilities associated with marine terminals for the storage of goods transported in waterborne commerce	F	F
Flood, water level, or tidal	F	F

control facility		
Groin, breakwater, wave deflector, or other structure that protects an area used for dockage or moorage	F	F
Hoist, lift, ramp, davit, or other structure to haul or move a vessel between water and land and not used by the public generally	F	F
Installation, repair, or servicing of boating accessories, marine equipment, marine instruments, or marine motors	F	F
Manufacturing facilities relying on the bulk receipt of shipments of goods by waterborne commerce	F	F
Marine research and training institute	F	F
Marine shop, electrical shop, or similar use for the repair and maintenance of vessels	F	F
Navigation aids and facilities	F	F
Non-seasonal dry storage of vessels	F	F
Other docks, piers, wharves, berths, dolphins, or mooring facilities for tow boats, barges, dredges, ferries, commuter boats, water buses, water taxis, or other vessels engaged in waterborne commerce, port operations, or marine construction	F	F
Public boat ramp	F	F
Recreational marina, rack, dry	F	F

stack, or landslide facility for seasonal dry storage of private pleasure craft vessels; provided that the number of slips and spaces associated with any such facility does not exceed twenty (20)		
Recreational marina, or rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels, if the number of slips and spaces associated with such facility exceeds twenty (20)	F	F
Sale of marine fuel, marine hardware, or boating or diving supplies and equipment	F	F
Use, hire, or charter of any commercial Vessel	F	F
Wet or dry storage or berthing of any commercial vessel	F	F
Water terminal - freight	F	F
Water terminal - passenger	F	F
Wharves, piers, docks, and storage facilities for the commercial fishing industry	F	F

Accessory and Ancillary Uses

Applicable Footnotes: (1)

	Conservation Protection (CPS)	Economic Development Area (EDA)
Accessory Car-Share	A	A
Accessory Drive-Through	F	F
Accessory Dwelling Unit (Detached)	F	F
Accessory Dwelling Unit	F	F

(non-Detached)		
Accessory Electrical Vehicle Charging	A	A
Accessory Entertainment/Events	F	A
Accessory Family Day Care Home	A	A
Accessory Helicopter Landing	F	F
Accessory Home Occupation	A	A
Accessory Keeping of Animals	F	F
Accessory Keeping of Laboratory Animals	F	A
Accessory Motor Vehicle Rentals	A	A
Accessory Office	F	A
Accessory Parking	A	A
Accessory Personnel Quarter	A (3)	A (3), (4)
Accessory Smoking	F	C
Shared Parking	A	A

Footnotes to Table D

1. Notwithstanding any contrary provision of this Table D, 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. For Additional Dwelling Units, see Section 53-5.2 (Additional Dwelling Units).
3. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-19 (Applicability of CFROD in East Boston).
4. Allowed in Saratoga Street EDA, Porter Street EDA, and Bremen Steet EDA; otherwise forbidden.

5. To determine maximum allowed occupancy, see Table I (Conservation Protection Subdistricts - Dimensional Regulations) of this Article.

TABLE E East Boston Neighborhood District - Logan International Airport (LIA) Subdistrict - Use Regulations

Key: A = Allowed, C = Conditional, F = Forbidden

Any use identified as conditional in Table E is subject to the provisions of Article 6.

For definitions of use categories and certain specific uses, see the Table A Definitions of Article 8; except in the case of Waterfront Uses, see Article 2.

Open Space Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Cemetery	F
Private Open Space	C
Publicly Accessible Open Space	A

Civic Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Child Care/Adult Day Health Center	A
Municipal Use	A
Place of Worship	A
School, K through 12	C

Residential Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Artists' Live-Work	F
Fraternity or Sorority	F

Household Living - 1-2 Dwelling Units	F
Household Living - 3-6 Dwelling Units	F
Household Living - 7+ Dwelling Units	F
Lodging House	F
Mobile Home Establishment	F
Shelter Facility	F
Supportive Housing	F

Active Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Community Center	A
Grocery Store - Small	A
Grocery Store - Large	A
Entertainment/Events - Extra Small	A
Entertainment/Events - Small	A
Entertainment/Events - Medium	A
Entertainment/Events - Large	A
Entertainment/Events - Extra Large	A
Makerspace	A
Museum	A
Restaurant - Small	A
Restaurant - Large	A
Retail Cannabis Establishment	C
Retail Store - Small	A
Retail Store - Medium	A
Retail Store - Large	A

Retail Store - Extra Large	A
Indoor Recreation	A
Service Establishment - Small	A
Service Establishment - Large	A
Social Club	A

Commercial Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Adult Entertainment	F
Arts Studios	A
Bank	A
Check Casher	F
Drive-in	F
Funeral Home	C
Hotel - Small	A (2)
Hotel - Large	A (2)
Office - Small	A
Office - Medium	A
Office - Large	A
Research Laboratory	A
Standalone ATM	A

Higher Education Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
College or University Use	C
School, Trade or Professional	C

Health Care Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Clinic	C
Hospital Use	C
Nursing Home Use	C

Transportation Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Airport-Related Remote Parking Facility	A
Gasoline Station	A
Major Transportation Facility	A
Motor Vehicle Rentals	A
Motor Vehicle Sales	C
Standalone Parking Garage	C
Standalone Parking Lot	C
Vehicular Services	A

Industrial and Storage Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Crematory	F
Food and Beverage Production	A
General Industrial	A
Light Industrial or Trade Establishment	A
Non-Retail Cannabis Establishment	C
Restricted Industrial	F

Self-Storage	F
Storage of Fuel or Minerals	A
Storage of Supplies and Scrap	A
Urban Agriculture	See Article 89
Warehouse or Distribution Center	A

Waterfront Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Aquaculture Facility	A
Boatyard	A
Boat and marine motor service and repair or sales and display	A
Boat rental establishment	A
Dock, slip, pier, wharf anchorage, or moorage for commercial or recreational vessels awaiting servicing, provisioning, off-loading, or delivery	A
Drydocks and other facilities related to the construction, servicing, storage, maintenance, or repair of vessels and other marine structures	A
Enclosed storage or wholesaling of fish and seafoods, provided such use is not within fifty (50) feet of a Residential Subdistrict	A
Facilities associated with marine terminals for the storage of goods transported in waterborne commerce	A
Flood, water level, or tidal control facility	A
Groin, breakwater, wave deflector, or other structure that protects an area used for dockage or moorage	A
Hoist, lift, ramp, davit, or other structure to haul or move a vessel between water and land	A

and not used by the public generally	
Installation, repair, or servicing of boating accessories, marine equipment, marine instruments, or marine motors	A
Manufacturing facilities relying on the bulk receipt of shipments of goods by waterborne commerce	A
Marine research and training institute	A
Marine shop, electrical shop, or similar use for the repair and maintenance of vessels	A
Navigation aids and facilities	A
Non-seasonal dry storage of vessels	A
Other docks, piers, wharves, berths, dolphins, or mooring facilities for tow boats, barges, dredges, ferries, commuter boats, water buses, water taxis, or other vessels engaged in waterborne commerce, port operations, or marine construction	A
Public boat ramp	A
Recreational marina, rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels; provided that the number of slips and spaces associated with any such facility does not exceed twenty (20)	A
Recreational marina, or rack, dry stack, or landslide facility for seasonal dry storage of private pleasure craft vessels, if the number of slips and spaces associated with such facility exceeds twenty (20)	A
Sale of marine fuel, marine hardware, or boating or diving supplies and equipment	A
Use, hire, or charter of any commercial Vessel	A
Wet or dry storage or berthing of any commercial vessel	A
Water terminal - freight	A

Water terminal - passenger	A
Wharves, piers, docks, and storage facilities for the commercial fishing industry	A

Accessory and Ancillary Uses

Applicable Footnotes: (1)

	Logan International Airport (LIA)
Accessory Drive-Through	C
Accessory Dwelling Unit (Detached)	F
Accessory Dwelling Unit (non-Detached)	F
Accessory Electrical Vehicle Charging	A
Accessory Entertainment/Events	A
Accessory Family Day Care Home	A
Accessory Helicopter Landing	A
Accessory Home Occupation	F
Accessory Keeping of Animals	F
Accessory Keeping of Laboratory Animals	A
Accessory Motor Vehicle Rentals	A
Accessory Office	A
Accessory Parking	A
Accessory Personnel Quarter	A (2)
Accessory Smoking	F
Shared Parking	A

Footnotes to Table E

1. Notwithstanding any contrary provision of this Table E, the provisions of Sections 53-8 through 53-10 (Regulations Applicable on Tidelands and in Waterfront Subdistricts) apply to any use that is located (a) on Tidelands subject to Chapter 91 of the Massachusetts General Laws or (b) in a Waterfront Subdistrict.

2. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-19 (Applicability of CFROD in East Boston).

TABLE F East Boston Neighborhood District - Residential Subdistricts - Dimensional Regulations

For definitions of dimensional categories, see Article 2.

Applicable Footnotes: (1), (5)

		East Boston Residential-2.5 (EBR-2.5)	East Boston Residential-3 (EBR-3)	East Boston Residential-4 (EBR-4)
Maximum Building Height (Stories)		2.5 stories (2)	3 stories	4 stories
Maximum Building Height (Feet)		35'	35'	50'
Maximum Building Lot Coverage (%)	Mid-Block Lot	40%	60%	60%
	Corner Lot	50%	75%	75%
Maximum Building Width (Feet)		50'	50'	120'
Maximum Building Depth (Feet)		50'	70'	70'
Maximum Building Floor Plate (Square Feet)		1,800 sqft	3,000 sqft	8,000 sqft
Maximum Total Gross Floor Area (Square Feet)		5,000 sqft	none	none
Minimum Permeable Area of Lot (%)	Mid-Block	50%	30%	30%
	Corner	40%	15%	15%
Front Yard (Feet)	Maximum	20' (3)	5' (3)	5' (3)
	Minimum	5' (3)	3' (3)	3' (3)
Minimum Side Yard (Feet)		5' (4)	3' (4)	5' (4)
Minimum Rear Yard (Feet)		1/3 lot depth	1/3 lot depth	1/3 lot depth

Footnotes to Table F

1. Notwithstanding any contrary provision of this Table F, the provisions of Sections 53-8 through 53-10 (Regulations Applicable on Tidelands and in Waterfront Subdistricts) apply to any Lot located on Tidelands subject to Chapter 91 of the Massachusetts General Laws.
2. For the purpose of determining Building Height, see Article 2 for the definition of "Story, Half."
3. A Bay Window may protrude into a Front Yard.
4. Semi-attached Dwellings, Town House Buildings, and Row House Buildings are only required to have side yards on sides that are not attached to another Dwelling.
5. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-19 (Applicability of CFROD in East Boston).

TABLE G East Boston Neighborhood District - Neighborhood Business Subdistricts - Dimensional Regulations

For definitions of dimensional categories, see Article 2.

Applicable Footnotes: (1), (2)

		Mixed-Use-4 (MU-4)	Mixed-Use-5 (MU-5)	Mixed-Use-7 (MU-7)
Maximum Building Height (Stories)		4	5	7
Maximum Building Height (Feet)		50'	65'	85'
Maximum Building Lot Coverage (%)	Lot Area <11,000 sqft	70%	70%	90%
	Lot Area >11,000 sqft	70%	70%	70%
Maximum Building Width (Feet)		120'	150'	150'
Maximum Building Floor Plate (Square Feet)		8,000 sqft	15,000 sqft	20,000 sqft
Minimum Ground Floor Ceiling		None	14'	14'

Height, Non-Residential (Feet)				
Minimum Ground Floor Active Use Requirement (%)		None	None	50% (4)
Maximum Active Use Depth (Feet)		None	None	20'
Maximum Blank Wall of Facade (Feet)		None	15'	15'
Minimum Rear Stepback, Abutting Residential - 5th Story and Above (Feet)		None	7'	7'
Multiple Buildings Allowed Per Lot (Y/N)		No	Yes	Yes
Minimum Permeable Area of Lot (%)	Lot Area <11,000 sqft	15%	15%	None
	Lot Area >11,000 sqft	15%	15%	15%
Minimum Outdoor Amenity Space (%)		None	20%	20%
Minimum Front Yard (Feet)		6'	2' (3)	2' (3)
Minimum Side Yard (Feet)	Abutting Residential	14' Total (3' Minimum Per Side)	15'	15'
	Abutting Non-Residential Without Party Wall	10' Total (3' Minimum Per Side)	5'	5'
	Abutting Non-Residential With Party Wall	None	None	None
Minimum Rear Yard (Feet)	Abutting Residential	15'	15'	15'
	Abutting Non-Residential	10'	10'	5'

Footnotes to Table G

1. Notwithstanding any contrary provision of this Table G, the provisions of Sections 53-8 through 53-10 (Regulations Applicable on Tidelands and in Waterfront Subdistricts) apply to any Lot located on Tidelands subject to Chapter 91 of the Massachusetts General Laws.

2. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-19 (Applicability of CFROD in East Boston).

3. Residential Uses require a minimum Front Yard setback of 4'.

4. Active Uses, as defined in Article 53 Table B, are required to occupy a minimum of 50% of the building width on the primary lot frontage on the ground floor, at the minimum active use depth specified in Table G, except when the principal use(s) is a Civic Use or Open Space Use, as defined in Article 8 Table A, or an affordable housing development project with at least 60% of units income restricted at 100% or below of AMI and reviewed under Article 80 Small or Large Project. Active use frontage meeting this requirement may be approved on any lot frontage that is not the primary lot frontage for any proposed project that is subject to or has elected to comply with Large Project Review or Small Project Review in accordance with the provisions of Article 80.

TABLE H East Boston Neighborhood District - Waterfront Mixed-Use (WMU) Subdistricts and Waterfront Economy (WE) Subdistricts - Dimensional Regulations

For definitions of dimensional categories, see Article 2.

See Table Footnotes: (1), (6)

	Waterfront Economy (WE) Subdistrict	Waterfront Mixed-Use (WMU) Subdistrict
Maximum Floor Area Ratio	2.0 (5)	2.0 (5)
Maximum Building Height (Stories)	5 stories (2), (5)	5 stories (5)
Maximum Building Height (Feet)	65' (2), (5)	65' (2), (5)
Minimum Lot Size (Square Feet)	None	None

Minimum Lot Area per Dwelling Unit (Square Feet)	None	None
Minimum Lot Width (Feet)	None	None
Minimum Lot Frontage (Feet)	None	None
Minimum Front Yard (Feet)	None (3)	None (3)
Minimum Side Yard (Feet)	None (3)	None (3)
Minimum Rear Yard (Feet)	None (3)	None (3)
Minimum Open Space (Square Feet)	(4)	(4)

Footnotes to Table H

1. Notwithstanding any contrary provision of this Table H, the provisions of Sections 53-6 through 53-8 (Regulations Applicable on Tidelands and in Waterfront Subdistricts) apply to any Lot located (a) on Tidelands subject to Chapter 91 of the Massachusetts General Laws, or (b) in any Waterfront Subdistrict.
2. Except for cranes, silos, storage facilities, or other mechanical devices or facilities used for the transfer of goods from land to waterborne vessels or for the processing of such goods.
3. Provided that, in Waterfront Economy Subdistricts, a lot adjacent to a Residential Subdistrict shall have a setback of 35 feet on any front, side, or rear yard that abuts a Residential Subdistrict. For all Waterfront Subdistricts, see also Section 53-8.4 (Waterfront Yard Area Requirements).
4. See Section 53-8.3 (Waterfront Open Space Requirements).
5. See Table 2 in Section 53-19 for maximum Building Heights and Floor Area Ratios for Planned Development Areas.
6. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-17 (Applicability of CFROD in East Boston).

TABLE I East Boston Neighborhood District - Conservation Protection Subdistricts - Dimensional Regulations

For definitions of dimensional categories, see Article 2.

Applicable Footnotes: (1), (2), (7)

		Conservation Protection (CP) Subdistricts
Maximum Floor Area Ratio		0.3 (6)
Maximum Building Height (ft.)		35' (6)
Maximum number of dwelling units/acre		3 (3)
Minimum Lot Size (sq. ft.)	Residential use	1 acre (3)
	Other use	None
Minimum Lot Width (ft.)		None
Minimum Lot Frontage (ft.)		None
Minimum Front Yard (ft.)		50' (5)
Minimum Side Yard (ft.)		50' (5)
Minimum Rear Yard (ft.)		50' (5)

Footnotes to Table G

1. Notwithstanding any contrary provision of this Table I, the provisions of Sections 53-6 through 53-8 (Regulations Applicable on Tidelands and in Waterfront Subdistricts) apply to any Lot located on Tidelands subject to Chapter 91 of the Massachusetts General Laws.

2. A Proposed Project in a Conservation Protection Subdistrict may be subject to the Site Plan Component of Large Project Review or Small Project Review, pursuant to Section 80B-2 or 80E-2. See also Section 53-12.3 (Site Plan Approval).

3. For a Proposed Project in a Planned Development Area, the number of dwelling units per acre are as follows:

Maximum number of dwelling units per acre:

4 units/acre if the Lot contains less than 15 acres; and

6 units/acre if the Lot contains 15 acre or more;

provided, however, that for a Proposed Project to establish a residential use in a building legally in existence prior to March 3, 2000, the Planned Development Area Development Plan may provide for a greater number of dwelling units/acre.

4. If a Lot is assessed as a separate parcel or in separate ownership of record (by plan or deed) as of March 3, 2000 does not meet the minimum Lot Size requirement, the Board of Appeal may

authorize the construction of: (a) on dwelling unit, if the Lot meets at least one-third of the minimum Lot Size requirement, or (b) two units, if the Lot meets at least two-thirds the minimum Lot Size requirement.

5. Except where the Site Plan Component of Small Project Review or Large Project Review determines that a smaller yard dimension would more effectively protect the significant natural features on the Lot without substantially increasing the Proposed Project's impacts outside the Lot.

6. See Table 2 in Section 53-19 for maximum Building Heights and Floor Area Ratios for Planned Development Areas.

7. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-17 (Applicability of CFROD in East Boston).

TABLE J East Boston Neighborhood District - Economic Development Areas - Dimensional Regulations

For definitions of dimensional categories, see Article 2.

See Table Footnotes: (1), (5)

	Saratoga Street EDA	McClellan Highway EDA	Suffolk Downs EDA	Porter Street EDA	Bremen Street EDA
Maximum Floor Area Ratio	2.5 (2)	2.0 (2)	2.0 (2)	2.0 (2)	2.0 (2)
Maximum Building Height (Stories)	5 stories (2)	5 stories (2)	4 stories (2), (4)	4 stories (2)	5 stories (2)
Maximum Building Height (Feet)	65' (2)	65' (2)	45' (2), (4)	50' (2)	65' (2)
Minimum Lot Size (Square Feet)	None	None	None	None	None
Minimum Lot Width (Feet)	None	None	None	None	None

Minimum Lot Frontage (Feet)	None	None	None	None	None
Minimum Front Yard (Feet)	None	None	None	None	None
Minimum Side Yard (Feet)	None (3)	None (3)	None (3)	None (3)	None (3)
Minimum Rear Yard (Feet)	20'	20'	20'	20'	20'

Footnotes to Table J

1. Notwithstanding any contrary provision of this Table J, the provisions of Sections 53-6 through 53-8 (concerning regulations applicable on Tidelands) apply to any Lot located on Tidelands subject to Chapter 91 of the Massachusetts General Laws.

2. For maximum Building Heights and Floor Area Ratios for Planned Development Areas, see Table 2 in Section 53-19.

3. In an Economic Development Area, no side yard is required except in the case of a lot with a side lot line abutting a Residential Subdistrict, which shall have side yards as if it were in such abutting district. Every side yard so required that does not abut a street line shall, along every lot line on which such yard abuts, be at a level no higher than that of the lowest window sill of the lowest room designed for human occupancy or so occupied, and relying upon natural light or natural ventilation from windows opening on such yard.

4. Except that the maximum Building Height within the Suffolk Downs EDA shall be one hundred twenty-five (125') for any buildings that lie completely within the portion of the Suffolk Downs EDA that is located both (a) at least 350 feet and not more than 900 feet from the eastern boundary of the Suffolk Downs EDA (which boundary, for the avoidance of doubt, is the centerline of Bennington Street), and (b) not more than 1,155 feet from the Boston/Revere city line.

5. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-17 (Applicability of CFROD in East Boston).

TABLE K East Boston Neighborhood District - Logan International Airport Subdistrict - Dimensional Regulations

For definitions of dimensional categories, see Article 2.

See Table Footnote: (1), (4)

	Logan International Airport Subdistrict
Maximum Floor Area Ratio	2.0
Maximum Building Height (Feet)	None (2)
Minimum Lot Size (Square Feet)	None
Minimum Lot Width (Feet)	None
Minimum Lot Frontage (Feet)	None
Minimum Front Yard (Feet)	None (3)
Minimum Side Yard (Feet)	None (3)
Minimum Rear Yard (Feet)	None (3)

Footnotes to Table K

1. Notwithstanding any contrary provision of this Table I, the provisions of Sections 53-6 through 53-8 (concerning regulations applicable on Tidelands) apply to any Lot located on Tidelands subject to Chapter 91 of the Massachusetts General Laws.
2. Except that the maximum Building Height is 55 feet within 100 feet of the mean high tide line.
3. No Front, Side or Rear Yard is required except in the case of a Lot adjacent to (a) a public street, (b) a public park, or (c) another subdistrict, in which case Section 53-15.3 shall apply.
4. For Proposed Projects in the Coastal Flood Resilience Overlay District, see Section 53-17 (Applicability of CFROD in East Boston).

TABLE L East Boston Neighborhood District - Off-Street Parking Requirements

For definitions of use categories and certain specific uses, see the Table A Definitions of Article 8; except in the case of Waterfront Uses, see Article 2.

Non-Residential Uses

Applicable Footnotes: (1), (4)

	Off-Street Parking Space(s) Per 1,000 Square Feet of Gross Floor Area
Health Care Uses	0.6

Open Space Uses		None
Civic Uses	Child Care/Adult Day Health Center	None
	Municipal Use	None
	Place of Worship	0.1
	School, K through 12	0.6
Higher Education Uses		0.6
Active Uses	Community Center	None
	Grocery Store	0.4
	Entertainment/Events	0.3
	Makerspace	0.2
	Museum	0.2
	Restaurant	0.3
	Retail Cannabis Establishment	0.4
	Retail Store	0.4
	Indoor Activities	0.3
	Service Establishment	0.4
	Social Club	0.3
Commercial Uses	Adult Entertainment	0.4
	Arts Studios	0.2
	Bank	0.4
	Check Casher	0.4
	Drive-in	None
	Funeral Home	0.1
	Hotel	0.2

	Office	0.8
	Research Laboratory	0.5
Transportation Uses		0.2
Industrial and Storage Uses		0.2
Waterfront Uses		0.2

Residential Uses

Applicable Footnotes: (1), (2), (3), (4)

	Off-Street Parking Space(s) Per Dwelling Unit
Household Living - 1-3 Dwelling Units	None
Household Living - 4+ Dwelling Units	1
Fraternity or Sorority	0.5
Lodging House	0.5
Mobile Home Establishment	None
Student Housing	0.5
Supportive Housing	0.25

Footnotes to Table L

1. The provisions of this Table L do not apply to Proposed Projects that are subject to Large Project Review or Small Project Review. See Section 53-28 (Off-Street Parking and Loading Requirements).

2. Where a use is not divided into Dwelling Units:

(a) if sleeping rooms have accommodations for not more than two (2) persons, each group of two (2) sleeping rooms shall constitute a Dwelling Unit;

(b) if sleeping rooms have accommodations for more than two (2) people, each group of four (4) beds shall constitute a Dwelling Unit.

3. For Dwelling Units qualifying as Affordable Housing, the off-street parking requirement for Proposed Projects under 50,000 square feet of gross floor area shall be 0.7 parking spaces per Dwelling Unit.

4. Proposed Projects in Mixed-Use Subdistricts are exempt from, but may elect to conform with the provisions of this Table L.

TABLE M East Boston Neighborhood District - Off Street Loading Requirements

Applicable Footnotes: (1)

Gross Floor Area	Required Off-Street Loading Bays
0-19,999 square feet	None

Footnotes to Table **M**

1. The provisions of this Table M do not apply to Proposed Projects that are subject to Large Project Review or Small Project Review. See Section 53-26 (Off-Street Parking and Loading Requirements)