

Cleary Square
**ZONING EXISTING
CONDITIONS REPORT**

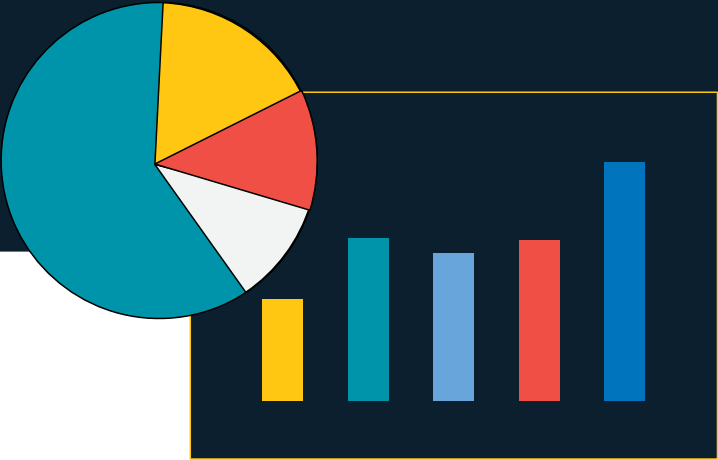


TABLE OF CONTENTS

01	INTRODUCTION	4
02	HISTORY	6
03	EXISTING ZONING SUBDISTRICTS AND OVERLAYS	12
04	LAND PARCEL AND ASSESSING DATA ANALYSIS	20
05	ZONING BOARD OF APPEAL	26
06	ARTICLE 80	35
07	STAY INVOLVED - HOW TO THINK ABOUT ZONING IN YOUR AREA!	52
08	HOW TO FIND AND READ EXISTING ZONING REGULATIONS	56
09	GLOSSARY OF KEY TERMS	60

1 INTRODUCTION

This report covers an analysis of existing land use and zoning conditions as well as small- and large-scale development patterns within the Cleary Square area. The goal is to understand how existing conditions and zoning enable or obstruct opportunities for community development that supports local needs.

Through this analysis, two key themes emerge which underline a need to rezone Cleary Square: **current zoning does not reflect what exists in Cleary Square and many existing and desired activities and uses are not allowed by zoning.**

This makes it **difficult for new businesses (especially small businesses) to open, or for existing businesses to transition to new activities.** For example, if an existing restaurant owner would like to add a take-out component, they will likely need zoning relief because take-out is not an ‘allowed use.’ In addition, existing rules about the size and shape of buildings make many of the existing buildings in Cleary Square physically illegal. **This makes it hard for business owners and homeowners to make additions or changes to their properties. It also discourages new development that would make adaptive use of existing buildings or that would be similar to the current built environment.**

As a result, projects often require zoning relief, such as a variance or a conditional use permit, from the Zoning Board of Appeal (ZBA). This makes the development process significantly more **unpredictable for residents, as well as inequitable, costly and timely for property owners.** Property owners with the least resources and technical support are the least able to navigate the ZBA process to complete projects, worsening equity issues.

Updating the zoning rules in Cleary Square can begin to **remove barriers to the development of a variety of housing, cultural, commercial and community spaces.**

This report details what the impact of those existing barriers are and **where the zoning regulations do not align with previous visions, planning goals and trends in proposed projects in the community.**

The Cleary Square community can set a vision for the possible futures of development in the area to better predict what development will look like. That vision can be supported by updates to zoning rules that reflect what we see built now and want to see in the future, and that starts with understanding the status quo of zoning and development today.

2 HISTORY

Cleary Square's first zoning was adopted in 1924 as part of the 1924 Zoning Law of the City of Boston, the City's first zoning regulations. Prior to the 1924 Zoning Law, buildings and development in Boston were only regulated by building code which included height regulations but didn't regulate the activities in buildings. The 1924 zoning for Cleary Square featured business districts along Hyde Park Avenue and River Street with residential-only districts in the surrounding area, much like today.

In the 1924 zoning, buildings were allowed to be 65 feet tall in the business districts and 40 feet tall in the residential districts (taller than today's 35-40 foot maximum in the business district and 35 foot maximum in the residential districts). This means that buildings were allowed to be larger than they are allowed to be today, which reflects some of how the vision and priorities of Boston's zoning has changed over the decades.



Map 1: 1924 Zoning Map of Cleary Square

The second version of Cleary Square's zoning was adopted in 1962 as part of the 1962 update of the Boston Zoning Code and Enabling Act. It included residential and business districts, as well as a small light manufacturing district (M-1) along the west of Hyde Park Avenue by Everett Street and Clay Street. Today, the area of the former manufacturing district contains one industrial use (the Verizon computer equipment building), but is primarily residential.

The 1962 zoning regulations set lower maximum heights at 40 feet in the B-1 district and 35 feet elsewhere. This Zoning Code also introduced floor area ratio (FAR) regulations. **The 1962 shift in the zoning was part of a trend within the greater region to downzone, reducing the scale of new buildings and thus reducing the opportunity for multifamily housing like apartments and mixed-use development.** In practice, this led to the exclusion of potential residents who could not afford or access a one-, two-, or three-family residence due to the lack of new multifamily housing supply that could offer opportunity for more affordable units.



Map 2: 1962 Zoning Map of Cleary Square

The 1962 zoning regulations for Cleary Square were replaced in 2012 with the adoption of the Boston Zoning Code's Article 69 (Hyde Park Neighborhood District), which is the zoning applicable in the area today. This zoning was adopted after the Planning Department (then the BRA) worked with an Advisory Group of thirteen Hyde Park community leaders and the broader Hyde Park community, to draft the Hyde Park Neighborhood Strategic Plan, which was adopted in 2011.

Article 69 was written as part of the neighborhood-based rezoning that Boston undertook starting in the late 1980s, rewriting much of the existing 1962 zoning. Hyde Park was the last neighborhood to be rezoned in this process.



The Hyde Park Neighborhood Strategic Plan (2011) set a series of goals for future development and recommendations related to land use and zoning for Cleary Square that stem from that planning process. **Most prominent are:**

Hyde Park Neighborhood Strategic Plan (2011)

- “maintain the small, local store character, while continuing to allow opportunities for some development of residential uses on upper floors, to create a more lively district” (p. iii)
- “provide a diversified commercial environment serving larger region” (p. ix)
- “encourages the preservation and sensitive rehabilitation of historic buildings” (p. x)
- “increased activities in Cleary and Logan Squares both day and night” (p. 12)
- “continue to allow mixed-use development (residential above /commercial below) within Cleary and Logan Squares (as well as where appropriate in other commercial districts)” (p. 12)
- “encourage moderate density Transit Oriented Development near commuter rail stations” (p. 12)
- “encourage the development of a more pedestrian-friendly environment” (p. 32)
- “prohibit drive-thrus (fast food restaurants, banks, dry cleaners), and auto-oriented uses (gas stations, auto-body services) in Cleary and Logan Squares” (p. 59)

The building dimensions allowed in the current zoning (which will be detailed more in the following section) do not conform with many of the existing historic structures in Cleary Square. Buildings such as the Hyde Park Branch of the Boston Public Library (1885), the Hyde Park Municipal Building (now a Hyde Park BCYF location) (1899), and the YMCA (1902) were built before any zoning regulations existed and would not be allowed under current zoning rules.

The following report outlines common constraints of the existing zoning in supporting stated community goals. It also provides a general overview of small- and large-scale development that has occurred in the area for reference. This information is meant to provide an understanding of why updated zoning within the Cleary Square area is necessary to better align regulations with community needs and produce more predictability for how buildings develop or change over time.

SOURCES FOR THIS CHAPTER:

- [Hyde Park Planning and Rezoning](#)
- [Historic Maps](#)



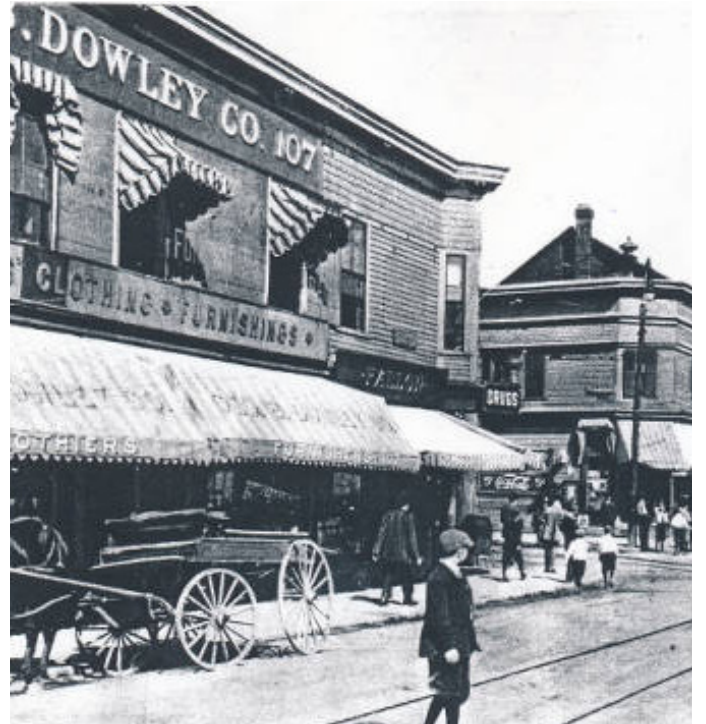
Boston Public Library (built in 1885)



Cleary Square and River St (1900)



YMCA (built in 1902)



River St at Hyde Park Ave (1970s)

3 EXISTING ZONING SUBDISTRICTS AND OVERLAYS

ZONING SUBDISTRICTS

Zoning districts or subdistricts dictate which zoning rules apply in which locations.

Cleary Square is within the **Hyde Park Neighborhood Zoning District**, which is regulated by Article 69 of the Zoning Code. This district is further split into **11 different zoning subdistricts**:

- **Three (3) neighborhood business subdistricts:** Neighborhood Shopping-1 (NS-1), Neighborhood Shopping-2 (NS-2), Local Convenience (LC)
- **Four (4) residential subdistricts and one (1) conservation protection subdistricts:** One-Family (1F-6000), Two-Family (2F-5000), Three-Family (3F-4000), Multifamily Residential (MFR), Conservation Protection (CPS)
- **Two (3) open space subdistricts:** Parkland Open Space (OS-P), Urban Wild Open Space (OS-UW), Urban Plaza Open Space (OS-UP)



Map 3: Existing Zoning Subdistricts in Cleary Square

As shown on the map above (map 3), **the majority of the Square is in an NS-2 subdistrict.** In this subdistrict, most retail, restaurant, and office uses are allowed, while other commercial uses such as hotels or entertainment spaces are conditional. Most vehicular uses (such as parking lots and gas stations) are forbidden, and parking garages are allowed only if they're underground and the ground floor is occupied by retail, hotel, service or office uses.

In the **NS-1 subdistrict** (which exists in two areas on the perimeter of the NS-2), the use regulations are the same as the NS-2, but the dimensional regulations are more restrictive. In the NS-1, the max FAR is 1.0 (2.0 in the NS-2), the max height is 35 feet (40 feet in the NS-2), and the front yard is 10 feet (none in the NS-2).

In the **LC subdistrict** (which exists in a few places further out in the square), some commercial uses are allowed, but fewer than what is allowed in the NS subdistricts. Buildings are also required to be smaller in scale and have larger yards.

In the **residential subdistricts** which surround the commercial subdistricts, most non-residential uses are forbidden, including all retail, restaurant, service, and vehicular uses. These districts vary in their dimensional regulations and number of allowed units.

The **open spaces subdistricts** are reserved for open spaces like parks, plazas, and urban wilds. These subdistricts are regulated by Article 33 of the Zoning Code, which regulates all the open space subdistricts in Boston.

The regulations for each of these subdistricts can be found in different sections and tables of Article 69*. See the ***How to Find and Read Existing Zoning Regulations (Page 56)*** for more information on how to view these subdistricts in detail.

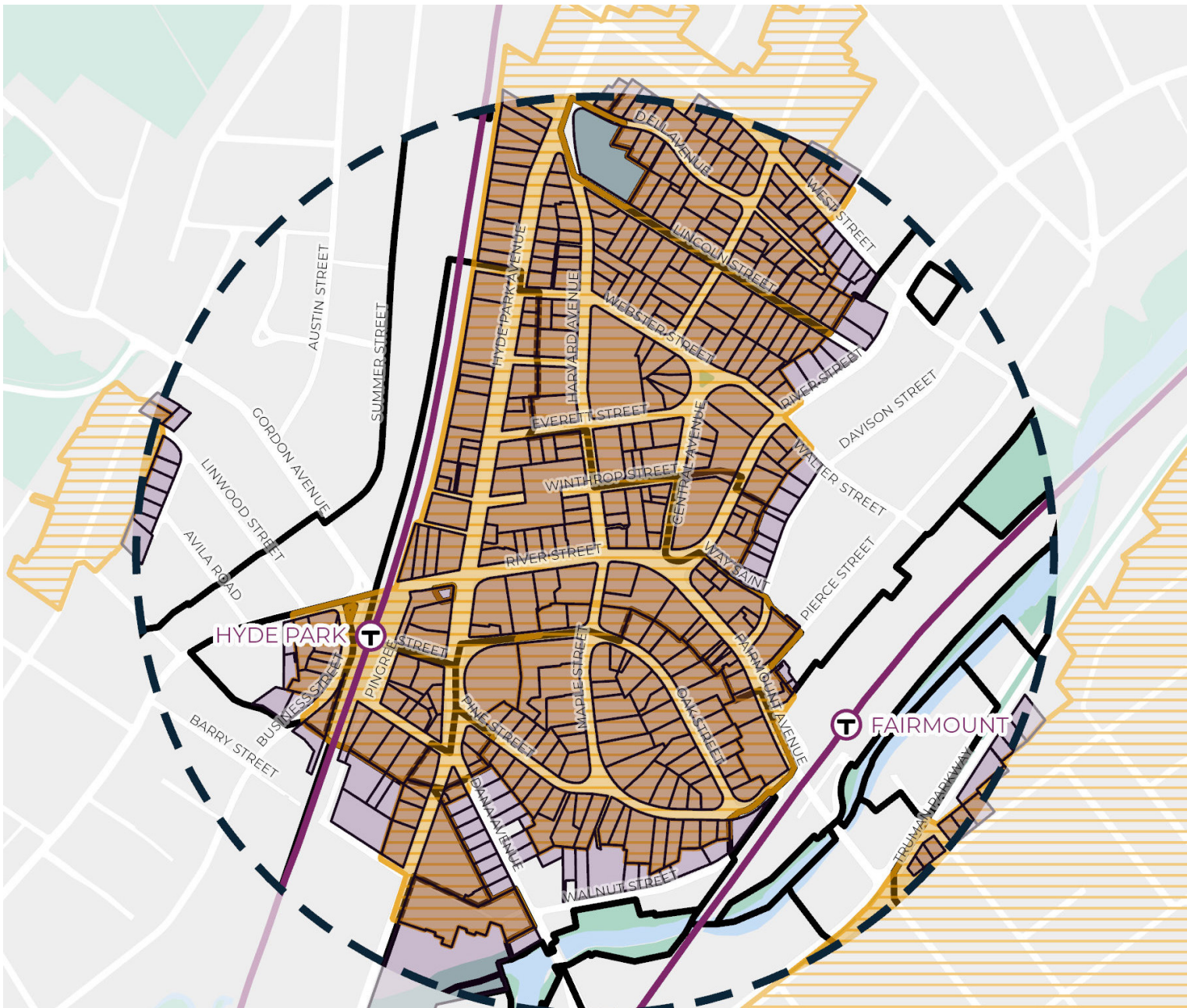
The existing zoning regulations are often not aligned with community desires as expressed through previous planning goals and as indicated by the more popular existing buildings in Cleary Square. For example, many residents expressed wanting more restaurants and coffee shops that attract pedestrian consumer activity that serve the broader region. However, “take-out restaurant” is a conditional use in all of the commercial districts, which makes it more difficult for these uses to open, and thus more difficult for an array of businesses with frequent walk-in activity to enter the Square. Ways in which the existing zoning does not match existing conditions (and community desires) is explored more deeply in the ***Land Parcel and Assessing and Zoning Board of Appeal*** sections of this report.

** Except for the Open Space subdistricts, which are regulated by Article 33.*

ZONING OVERLAY DISTRICTS

An overlay district is a zoning district that lies on top of existing (or “underlying”) zoning districts and creates additional zoning requirements. Parcels within the boundaries of overlay districts (including parcels that are only partially within the overlay boundaries) must follow the rules of both their underlying district and subdistrict and any overlay districts.

The Cleary Square study area contains **four zoning overlay districts**. Three of these zoning overlays work by requiring **additional design review** for certain projects within the overlay.



Map 4: Neighborhood Design Overlay District in Cleary Square

-  Neighborhood Design Overlay District
-  Parcels in Neighborhood Design Overlay District
-  Zoning Subdistricts

Neighborhood Design Overlay Districts (NDODs) establish procedures for design review of all projects within a specific area of a neighborhood. Within an NDOD, projects must be reviewed and approved by Urban Design staff in the Planning Department, a process known as Planning Department Design Review (previously BPDA Design Review), if they are visible from a public street or public open space and propose either 1. a change altering a roof shape or building height or 2. an alteration or new construction which is over 300 sq ft. The requirements for NDODs are found in Section 80E-2.1.iii of the Zoning Code.

Within Article 69 (Section 69-25: Design Review and Design Guidelines), there is also a requirement that any project within the Hyde Park Neighborhood District must receive design review if it is visible from a public street or public open space and proposes any addition or new construction which is more than 750 sq ft. These projects are also subject to a 14 day public comment period.

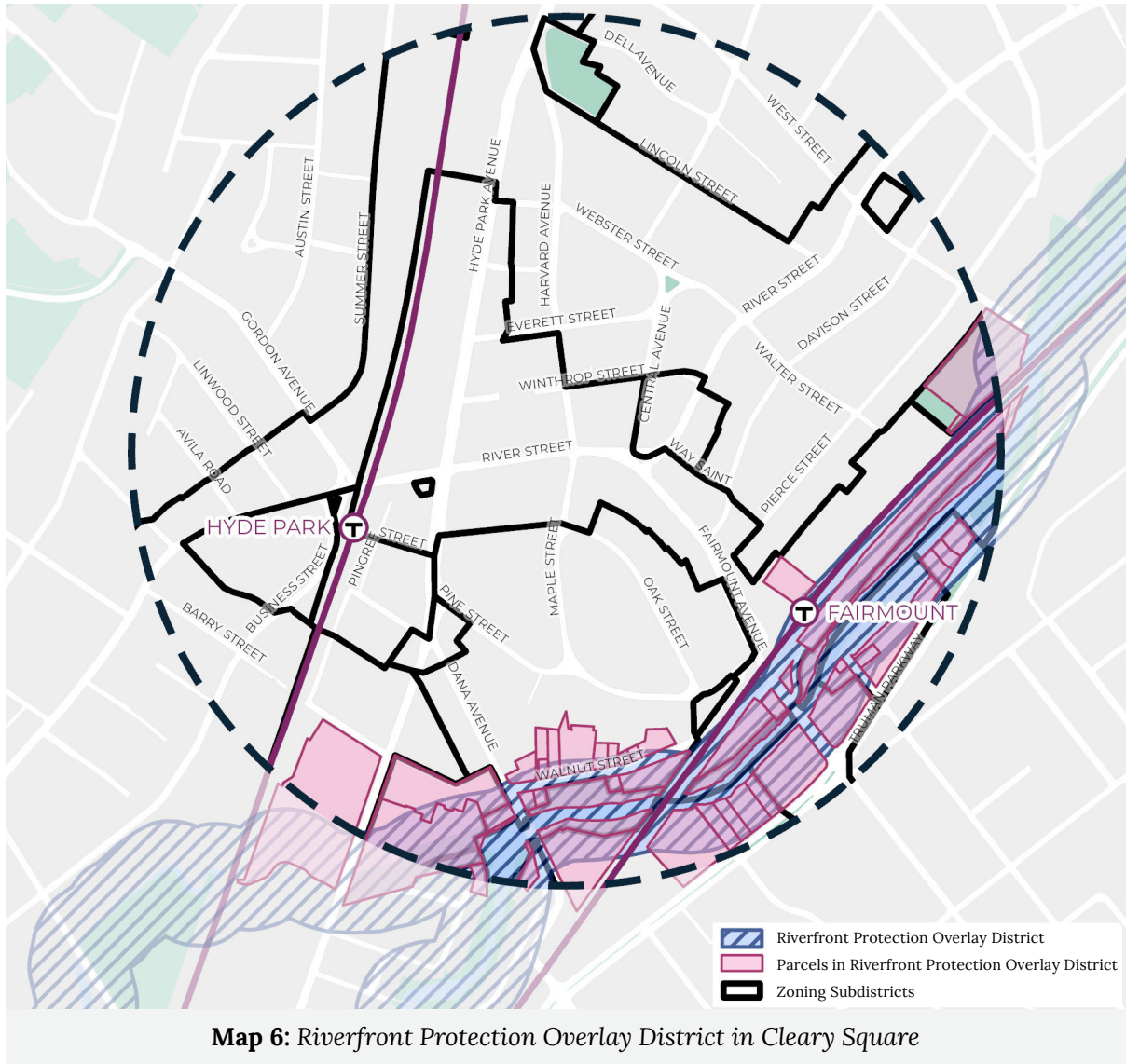
Since 2020, there have been zero projects which have triggered design review through the NDOD or the neighborhood-wide design requirement processes. This is because all the projects that these provisions applied to also required zoning relief, and so they instead triggered design review through the Zoning Board of Appeal process. This is indicative that while the NDOD is important in its intent to promote community design characteristics, it is not useful in the case where projects need zoning relief, which is common when many projects and existing buildings do not conform with the zoning requirements.



Map 5: Greenbelt Protection Overlay District in Cleary Square

Greenbelt Protection Overlay Districts (GPODs) are established to provide design review along the City's Greenbelt Roadways to protect adjacent vegetation and open space. In Hyde Park, there is a GPOD area along Truman Parkway.

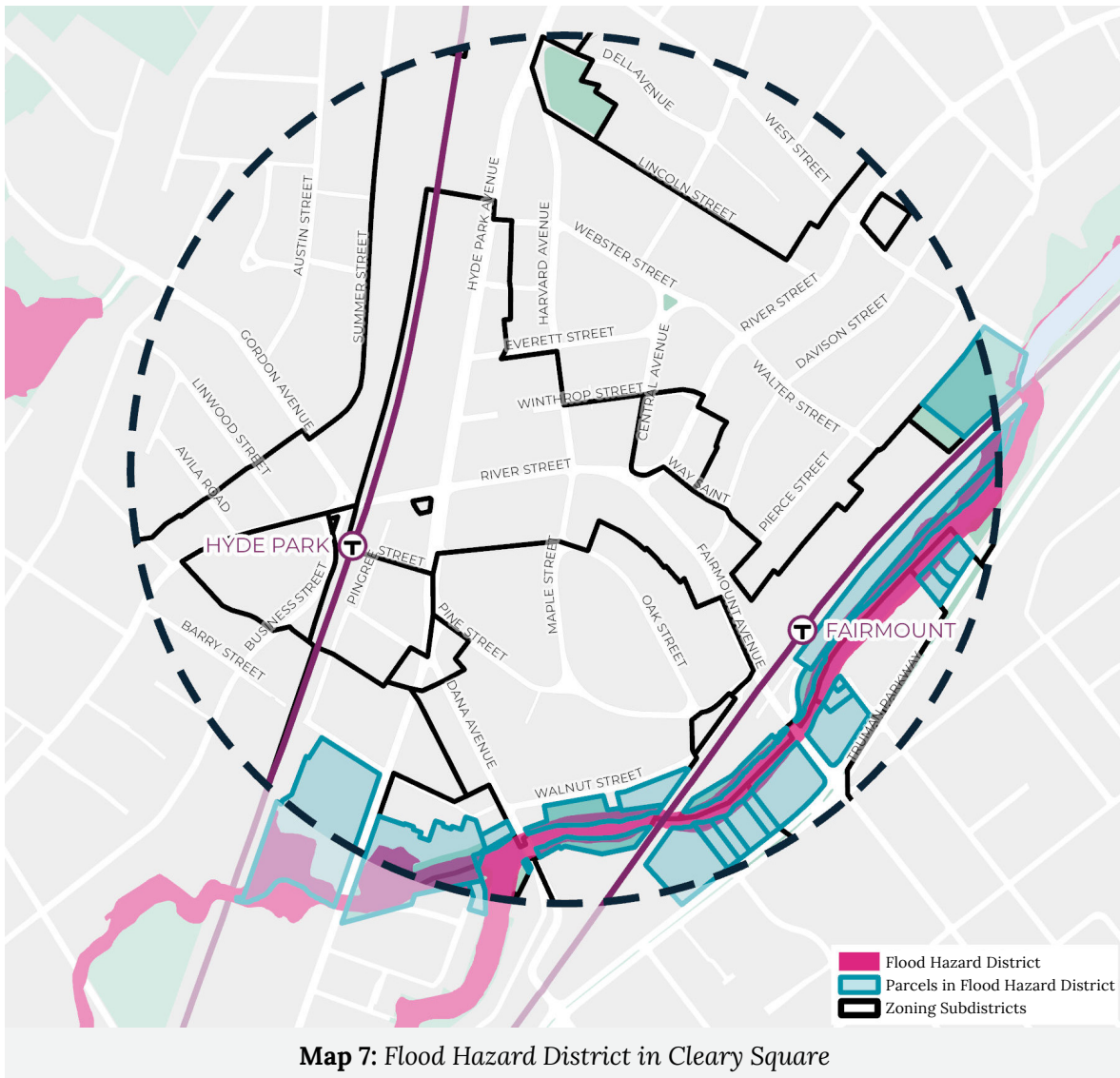
Within the GPOD, projects which are at least 5,000 sq ft, or which increase the impervious surface of a site by more than 2,000 sq ft, must receive a conditional use permit from the Zoning Board of Appeal (ZBA) and be reviewed and approved by the Boston Parks Commission (see the glossary of this document for more information on conditional use permits). The requirements for GPODs are found in Article 29 of the Zoning Code.



Map 6: Riverfront Protection Overlay District in Cleary Square

Riverfront Protection Overlay Districts (RPODS) are established to provide design review to protect the vegetation and open space along the City's waterways. In Hyde Park, there is an RPOD area around the Neponset River.

Within an RPOD, projects proposing new non-residential buildings or existing structures adding 2,000 or more sq ft of gross floor area must be reviewed and approved by urban design staff in the Planning Department, following specific design requirements outlined in the zoning. The requirements for RPODs are found in Section 69-22 and Section 80E-2 of the Zoning Code.



Map 7: Flood Hazard District in Cleary Square

Flood Hazard Districts (also called special hazard flood areas) are lands in a floodplain that are subject to a one percent probability of flooding in any given year. In Hyde Park, there is a Flood Hazard District along the Neponset River.

Article 25 of the Zoning Code sets regulations for parcels within Flood Hazard Districts to promote the health and safety of occupants from the hazards of flooding, to preserve and protect streams and other water courses, to protect the community against detrimental use and development, and to minimize flood losses. This includes restricting or prohibiting uses and structures which are dangerous to health, safety or property because of water hazards or which cause damaging increases in flood heights or flood velocities and considering floodplain management in neighboring areas. Flood Hazard districts derive from federal and state law, and are very strict; they are a set of rules that must be followed, not a design review process.

SOURCES FOR THIS CHAPTER: [Boston Zoning Code](#)

4 LAND PARCEL AND ASSESSING DATA ANALYSIS

While it is difficult to determine exact zoning conformity for an entire area due to the complexity of existing zoning regulations, we can use available data to estimate zoning conformity based on three existing zoning requirements that are easy to measure based on available data: occupancy and land use, height, and floor area ratio (FAR). This analysis shows that the current zoning regulations do not align with the majority of existing buildings and uses in Cleary Square

Notes: *The calculations for this analysis are limited by the amount of property-level data that is available to the City of Boston Assessing Department. The following analytics are approximations based on that data and may not capture the occupancy and compliance of each unique parcel in the study area. In addition to assessing data, existing building height was also estimated using Lidar data.*

Government-owned parcels were treated the same as private parcels in this analysis, even though most government entities are not required to comply with zoning regulations. This is to help the reader understand how existing zoning aligns with the current built form throughout the study area.

Land area that was assessed as 'unusable' was omitted from this analysis.



Map 8: Floor Area Ratio Conformity

An estimated **56% of parcels in the study area exceed the regulations for maximum floor area ratio** (see the glossary of this document for more information on floor area ratio). This means that the current zoning does not align with the built conditions for the majority of parcels, even when taking only a single zoning regulation into account.



Map 9: Height Conformity

An estimated **3% of parcels exceed the zoning regulations for maximum height**. This is unsurprising given the prevalence of single story buildings in the area. However, it is important to note that other regulations, primarily floor area ratio, will often prevent land owners from building up to the allowed zoning height, because even though a taller building is allowed, a larger building (in terms of floor area ratio), may not be.



Map 10: Use Conformity

Using Land Use accessing data to approximate zoning uses, we can determine that approximately 27% of the parcels in the Cleary Square study area contain uses which are forbidden in their current zoning.

The most common forbidden uses are two- and three-family dwellings, which are forbidden (but currently exist) in the single-family and two-family zoning subdistricts. In the business districts, the most common forbidden uses are ground floor residential, followed by vehicular uses such as parking lots and repair garages.

There are also existing uses in the area that are conditionally allowed. This means the owners either received a conditional use permit from the Zoning Board of Appeal, or the use existed before current zoning was adopted. These uses include take-out restaurants, ancillary parking, and bars. For the purpose of this analysis, conditional uses were considered conforming, but it's important to note that these are different from allowed uses in that it would require approval from the Zoning Board of Appeal for any new conditional use to open.

Many parcels which contain non-conforming uses do conform with the height and FAR requirements. For example, 17% of parcels with two-and three-family houses which are forbidden due to their number of units conform with the floor area ratio and height requirements (while the other 83% are not conforming with one or both of these dimensional requirements). Zoning regulations layer on top of one another in complex ways like this. **Any parcel can be conforming with some aspects of zoning, while not conforming with another.**

SOURCES FOR THIS CHAPTER:

[Property Assessment FY2024](#)

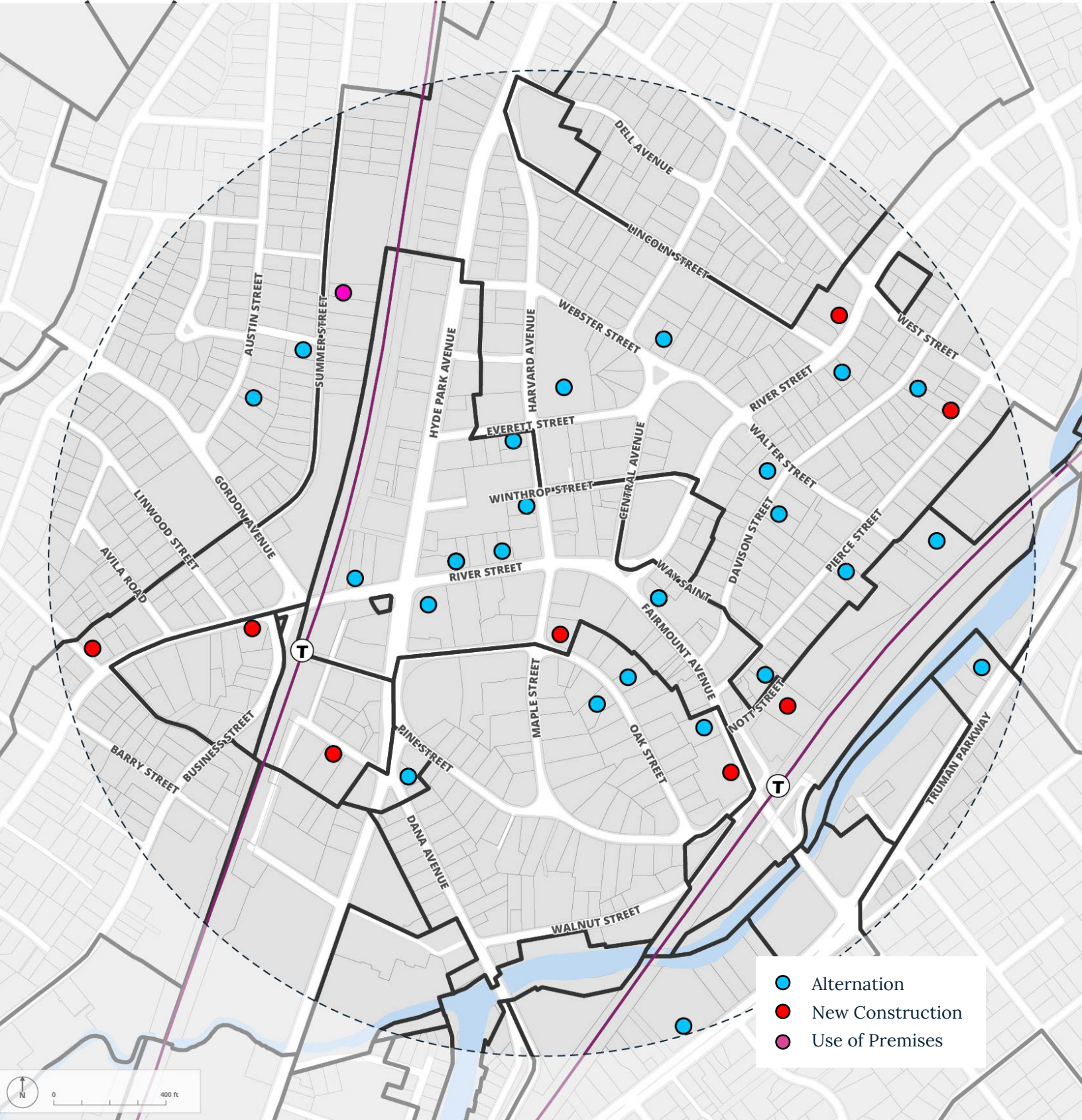
5 ZONING BOARD OF APPEAL

Between January 2013 and December 2022, **166 projects in the Cleary Square study area received zoning approval without the need for zoning relief.** This means that these projects proposed alterations or developments that adhere to the existing zoning regulations.

The vast majority of these projects were ‘alterations’ (95.6%). These alteration projects include interior renovations, the installation of commercial signage, changing a zoning use with no renovation, and small building additions.

There were **only nine new construction projects approved without zoning relief** in the study area over the ten-year period. Another **five new construction projects were approved or approved with provisos through the ZBA process.**

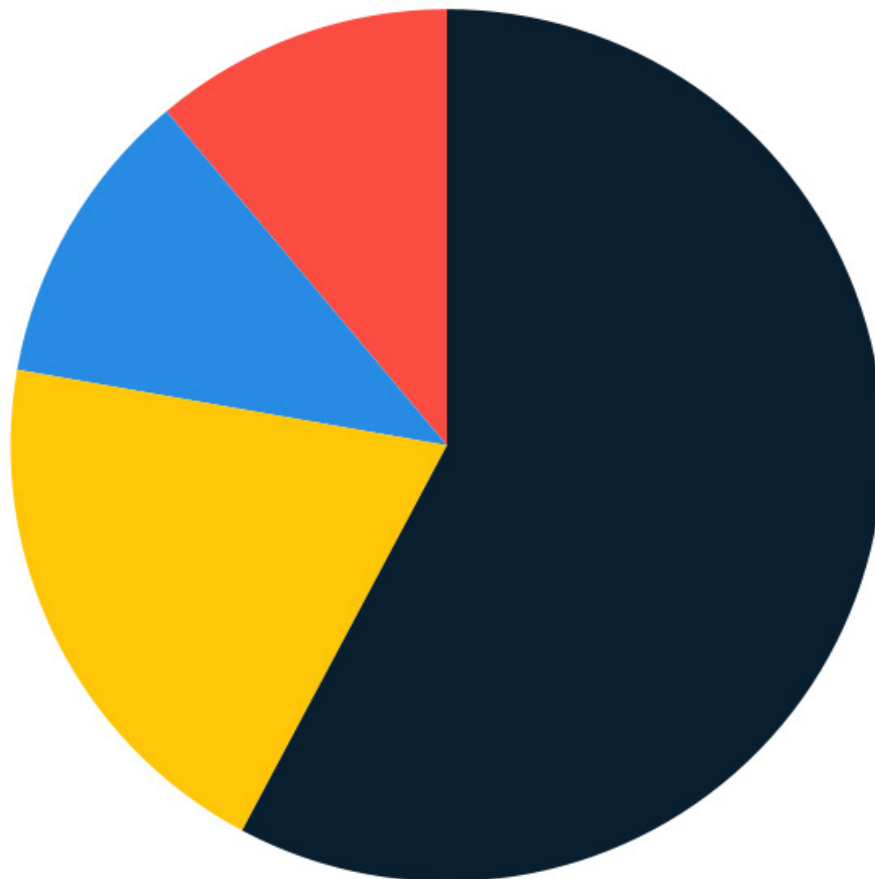
Notes: This analysis is based on both Zoning Board of Appeal data and building permit tracker data, which does not have accurate data for every single parcel or project proposed within this time period. Therefore, this analysis is an approximation based on available data. Additionally, Zoning is just one part of the approval process – this does not reflect what was ultimately approved or built and the end of the development review processes.



Map 11: Zoning Board of Appeal (ZBA) Projects in Cleary Square from 2013 to 2022

Between January 2013 and December 2022, 45 projects went through the ZBA process within the Cleary Square study area.

Notes: The following summarizes the 45 cases which occurred in Cleary Sq over the available time frame. Because this is a small geographic area, the sample size is small, and therefore generalizations based on this data should be limited.



● Approved with Proviso ● Approved ● Denied ● Denied with Prejudice

Figure 1: ZBA decisions for Zoning Board of Appeal (ZBA) Projects in Cleary Square from 2013 to 2022

Of the 45 cases that went through the ZBA process, **most were approved with proviso/s** (Figure 1). This means that most projects that go to the ZBA are deemed to be appropriate with some level of additional review or condition on approval.

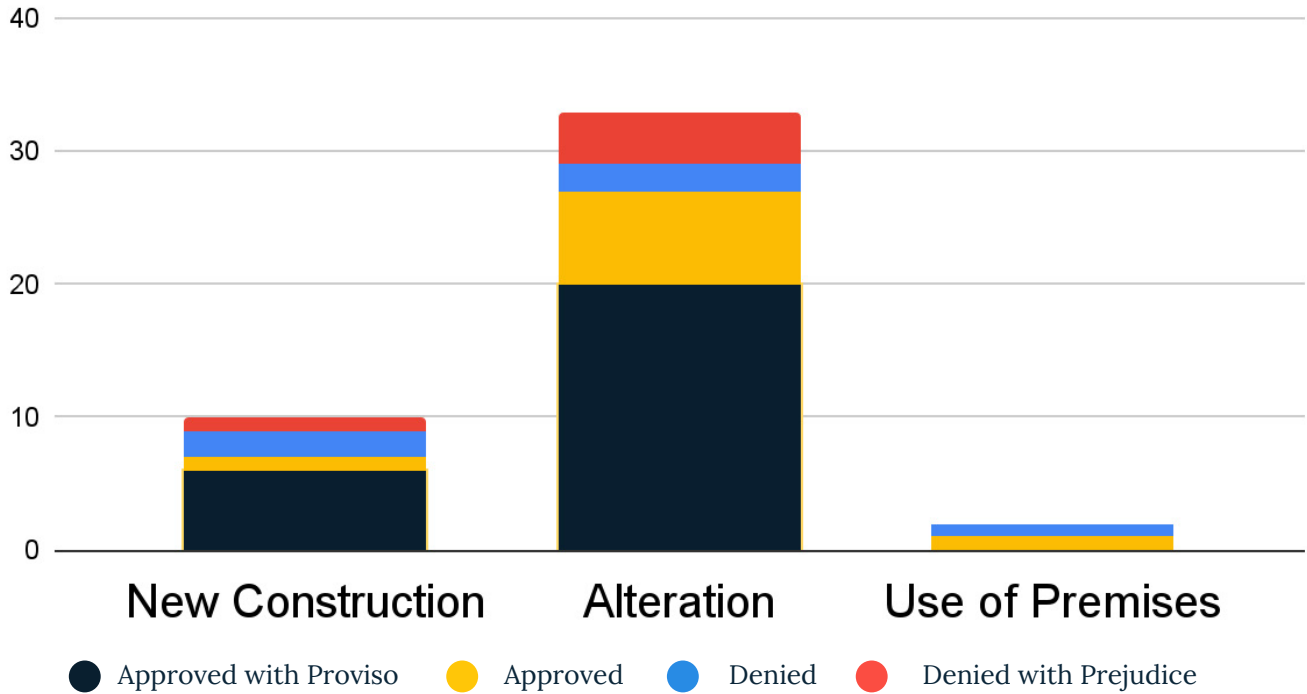


Figure 2: ZBA decisions for Zoning Board of Appeal (ZBA) Projects in Cleary Square from 2013 to 2022

In neighborhood business districts alone and across all zoning districts, **most projects that sought zoning relief were for alteration** (Figure 2). Alterations were also more likely to be approved and new construction was more likely to be denied.

This demonstrates that relatively **few new buildings were approved for construction through the ZBA process**, while **many building owners have to go through the ZBA process for more simple renovations**.

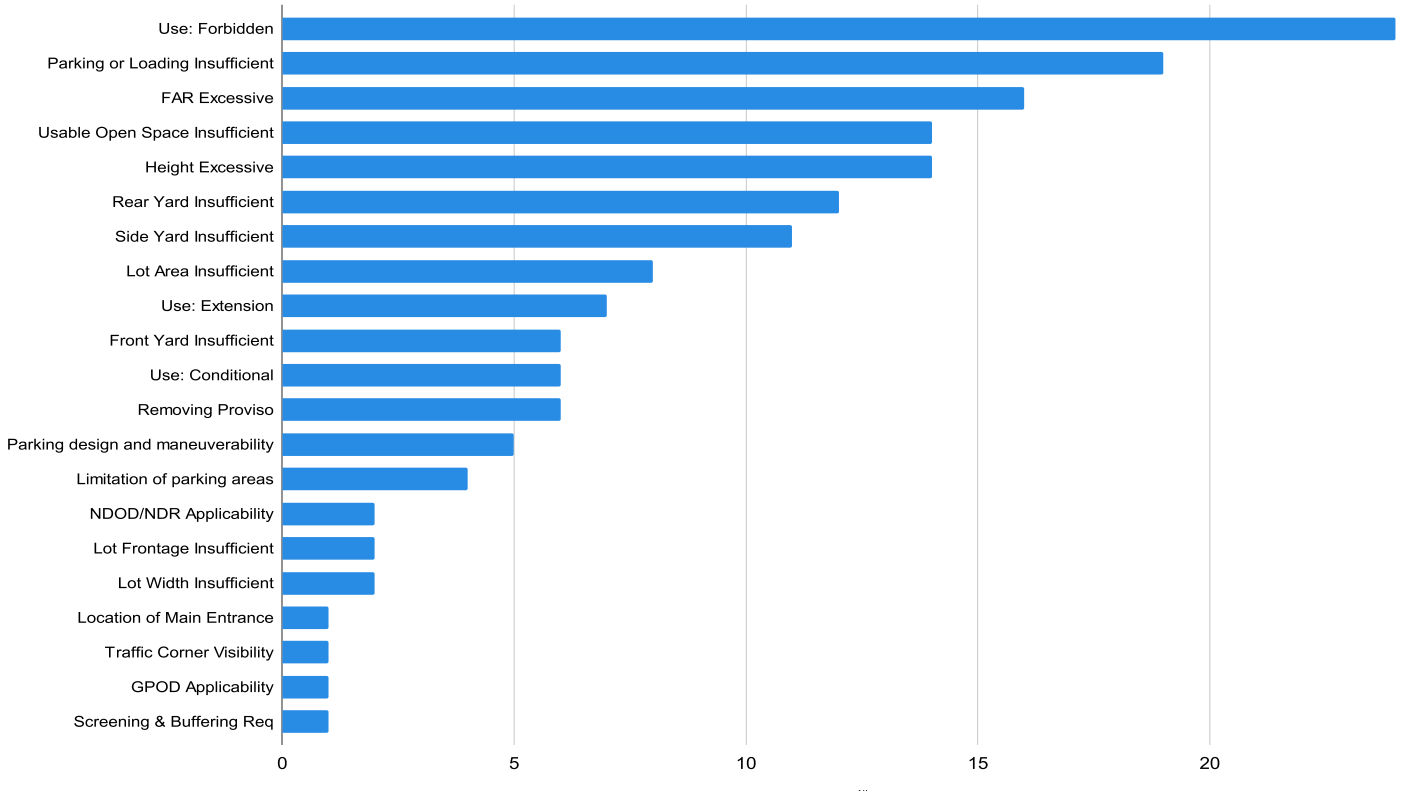


Figure 3: Zoning Violations across all ZBA Projects in Cleary Square from 2013 to 2022

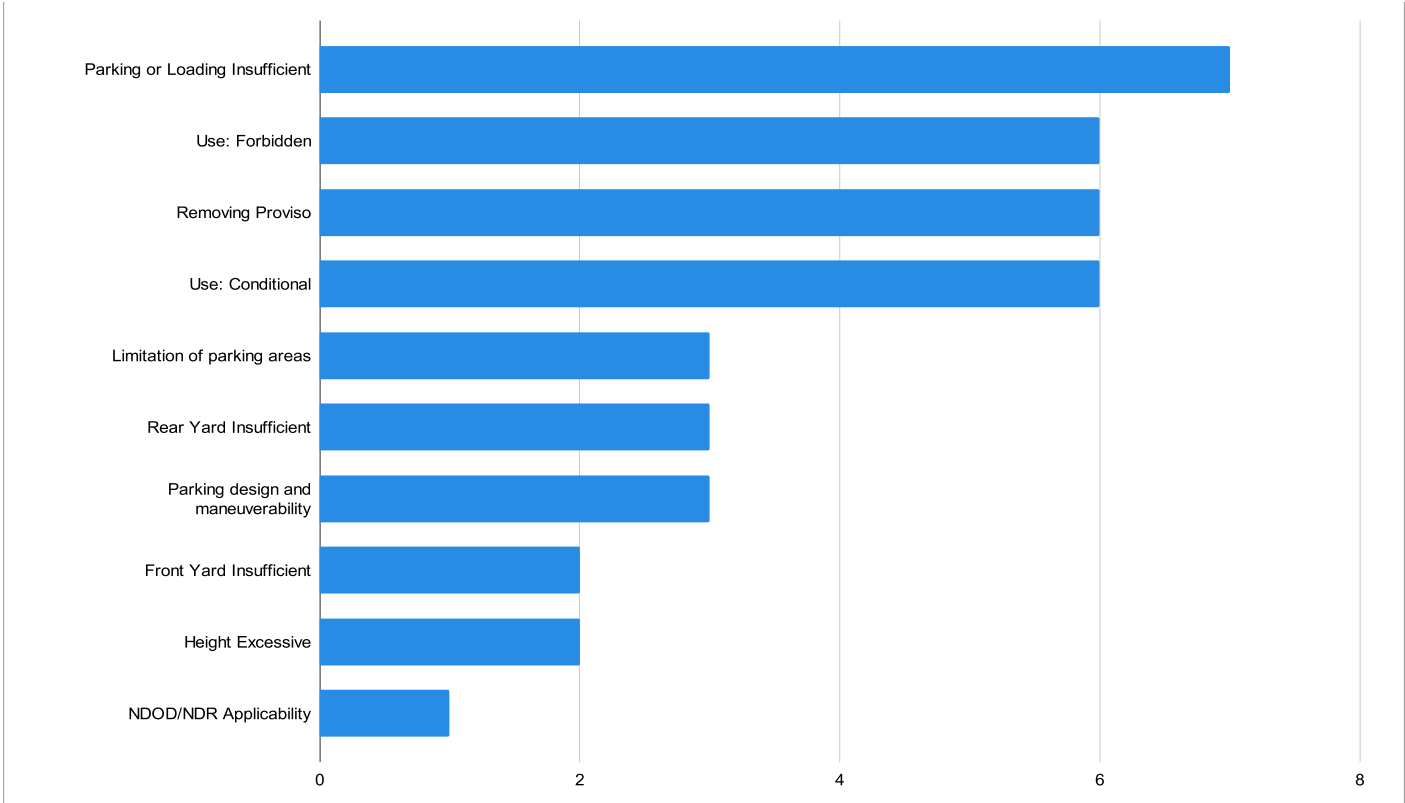


Figure 4: Zoning Violations across ZBA Projects from 2013 to 2022 in only Cleary Square Neighborhood Business Zoning Subdistricts

The most common violations overall were **forbidden use, insufficient parking or loading, and excessive FAR** (Figure 3).

When looking only at the projects within the neighborhood business subdistricts, the most common violations were **insufficient parking or loading, followed by forbidden and conditional uses, and removing provisos** (Figure 4).

Learn More

REMOVING PROVISOS: Take-out restaurants are currently a conditional use in all of Cleary Square’s business subdistricts. This means that a restaurant that wants to offer takeout has to go to the ZBA for a conditional use permit in order to operate. In the past, the ZBA placed a proviso on take-out restaurants which says that the conditional use permit only applies to the current applicant. This meant that if a take-out restaurant closes and a new one tries to open in the same location, the new restaurant would have to return to the ZBA to have this proviso removed, which can take several months.

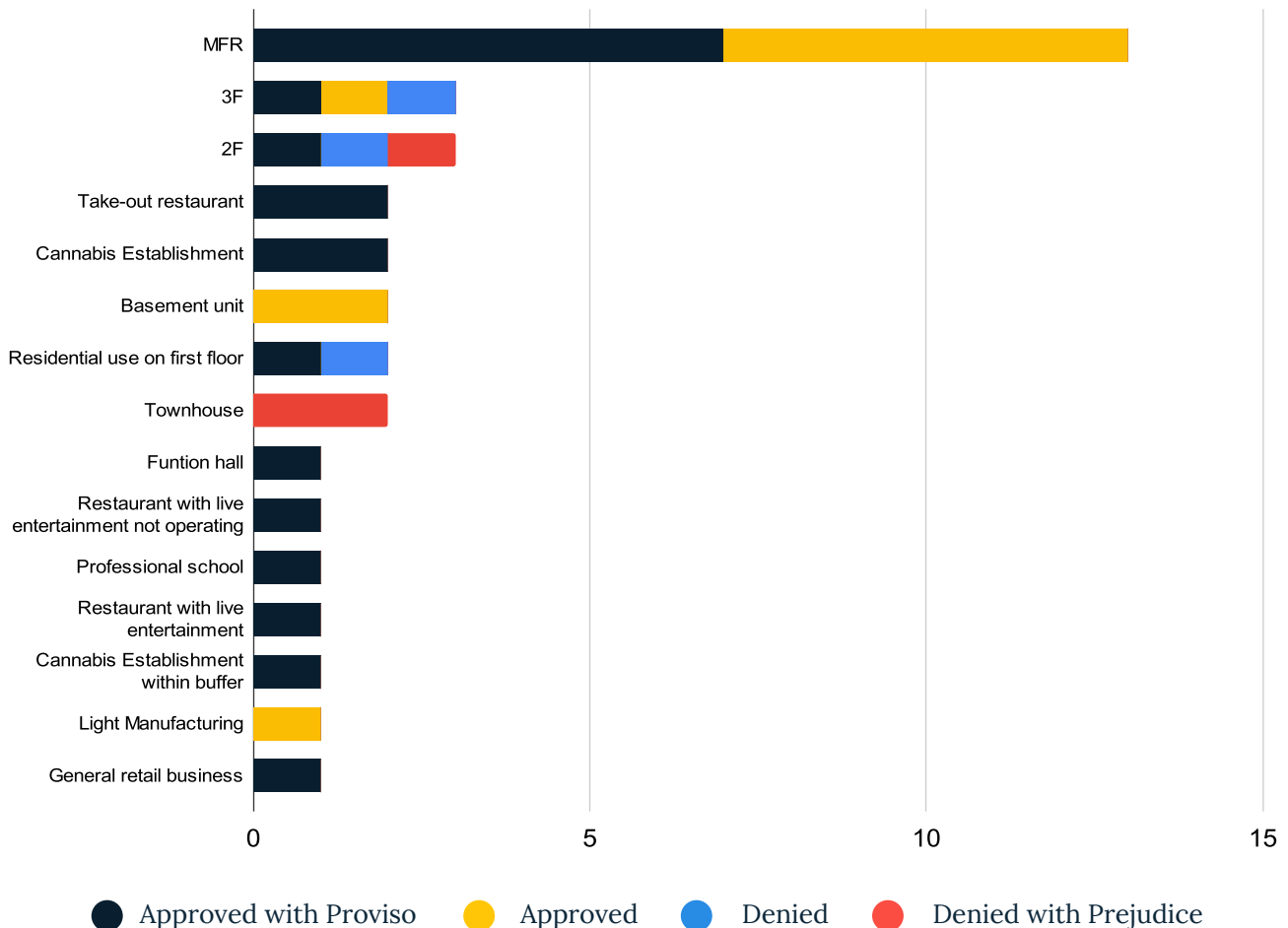


Figure 5: Use Violations for all ZBA Projects in Cleary Square from 2013 to 2022

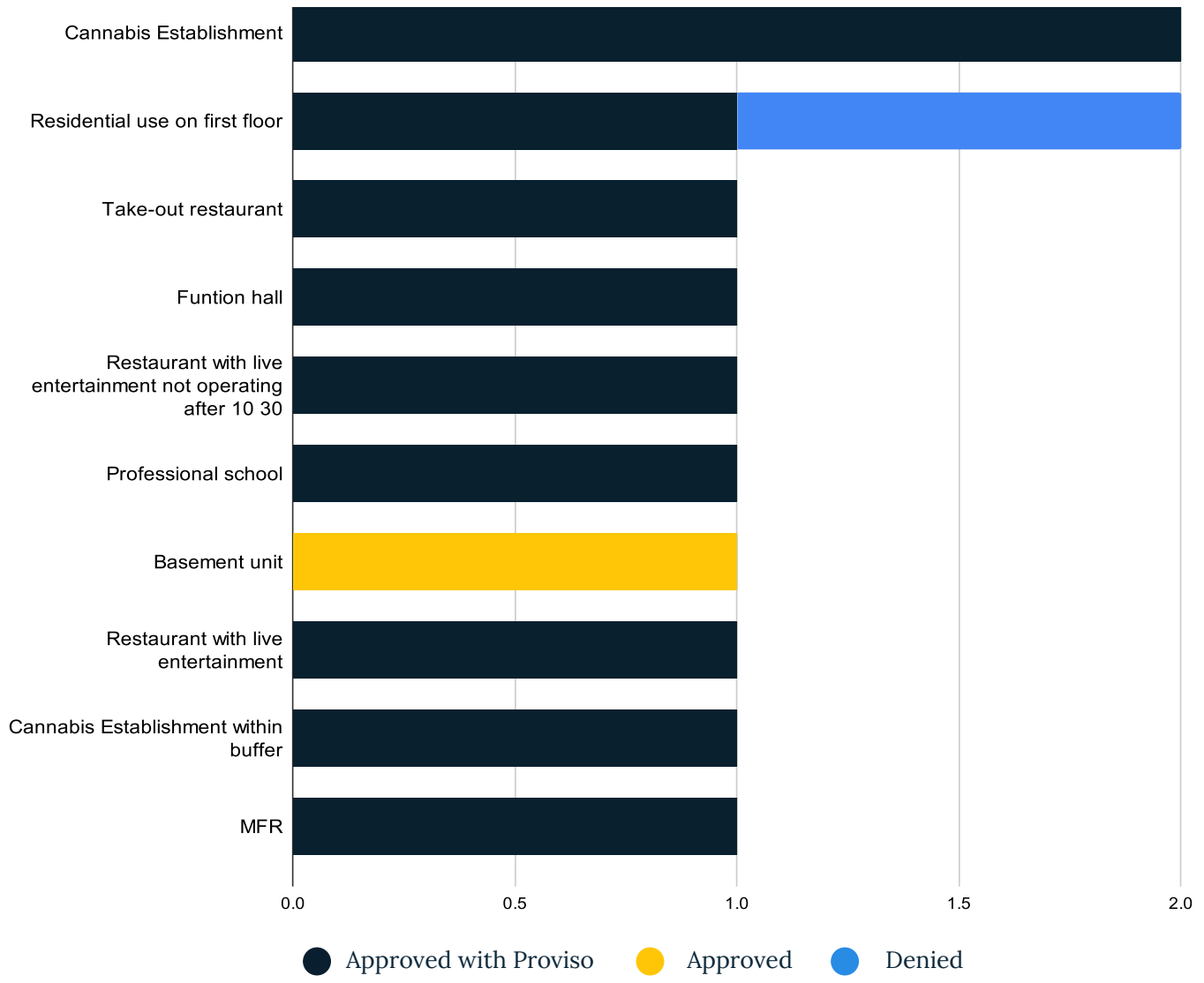


Figure 6: Use Violations for ZBA Projects from 2013 to 2022 in only Cleary Square Neighborhood Business Zoning Subdistricts

Within the entire study area, projects which were flagged by ISD as conditional or non-conforming uses were **most likely to be multifamily residential projects (31% of use violations)** (Figure 5). 100% of these projects were approved or approved with a proviso.

Looking at only the business districts, the most common uses to be flagged as conditional or non-conforming were **Cannabis Establishments (conditional), Take-out Restaurants (conditional), residential dwellings on the first story (forbidden), and basement dwelling units (forbidden)** (Figure 6).

CASE STUDY – CHANGING TO A CONDITIONAL USE



NextHome Unlimited Realty Solutions

In 2017, NextHome Unlimited Realty Solutions, **a real estate agency and real estate school**, opened in the vacant storefront at 10 Fairmount Avenue. The Inspectional Services Department (ISD) classified the business as a “Professional School,” which is **a conditional use in the NS-2 Subdistrict** where the property is located. Therefore, the business required a conditional use permit.

The ZBA **approved the project with a proviso** that the school be limited to 12 students. This case serves as an example of a project that went through the ZBA process with **no proposed exterior changes to the building (only a change in use)**.

CASE STUDY – EXISTING NON-CONFORMING USE



Home with Woodworking Workshop in Cleary Square

In 2019, a homeowner in Cleary Square went through the ZBA process in order to legalize a **woodworking workshop which had been in their home** for many years. ISD determined the workshop to be a “Light Manufacturing” use. Because **this use is forbidden in Cleary Square**, the homeowner needed a **variance** in order to legalize their **existing** workshop.

This case serves as an example of a project which had **an existing non-conformity** and was not proposing any change, as well as the difficulty of fitting certain uses (such as some home occupations) into the existing land use definitions.

SOURCES FOR THIS CHAPTER:

- [Zoning Board of Appeal \(ZBA\) Tracker](#)
- Infor Public Sector (internal permitting database)

6 ARTICLE 80

[Article 80 Development Review](#) is the City of Boston's process for reviewing development projects that **build more than 20,000 sq ft or 15 dwelling units**. The guidelines for this review process are outlined within [Article 80 \(Development Review and Approval\) of the Boston Zoning Code](#) and the review process is coordinated by the [Planning Department's Development Review Division](#).

As this section illustrates, the existing zoning in the area does not have regulations suitable for the scale of multifamily housing and mixed-use development projects.

The following section summarizes the analysis of **Article 80 projects in Cleary Square** that have gone through the Article 80 Development Review process between January 2014 and December 2023 (a 10-year period). **This analysis highlights the status, zoning conditions, land use proposals, and amenities proposed by these projects to identify unique and common traits about Article 80 projects within Cleary Square.**

The analysis focuses on projects with the following project statuses:

1

BOARD APPROVED

Following extensive public review, Planning Department Development Review staff will recommend a project to the BPDA Board for approval. Board approval is required before a developer can secure building permits and break ground for construction.

2

UNDER CONSTRUCTION

The developer has begun development on their project and has acquired permits to build.

3

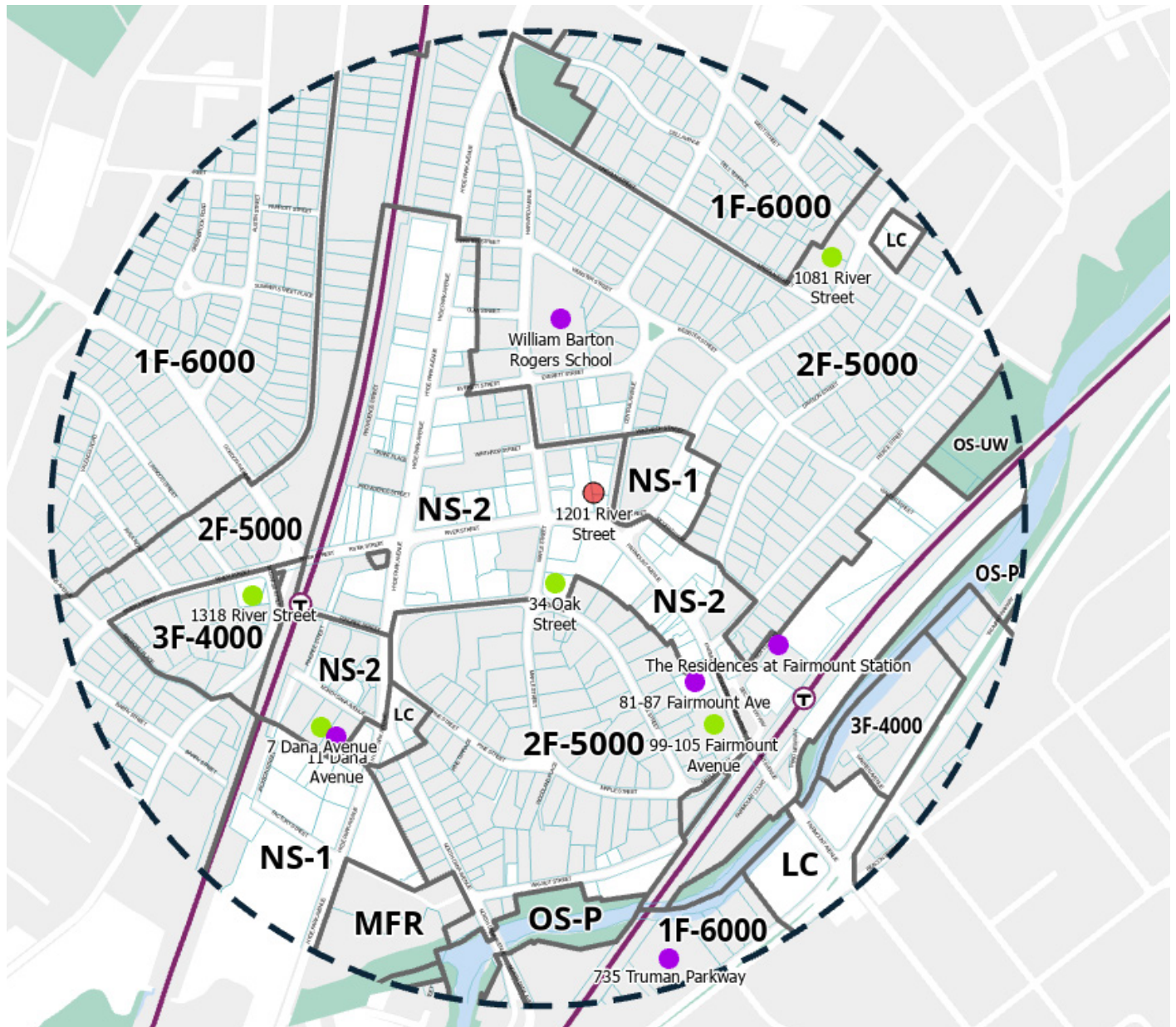
CONSTRUCTION COMPLETE

The project is officially developed and considered “complete.”

Notes: *This analysis focuses on projects **after** they have received board approval to showcase existing and confirmed development projects that represent finalized projects that have gone through review processes with communities as well as design, zoning compliance, and environmental review processes.*

Since the sample size is small for this analysis, generalizations based on this data should be limited and summaries are based solely on what information is available for this set of projects.

PROJECT LOCATIONS + ZONING CONTEXTS



● Board Approved
 ● Construction Complete
 ● Permitted / Under Construction

Map 11: Article 80 Project Locations and Project Status for projects from 2014 to 2023 in Cleary Square

There were ten Article 80 projects approved by the BPDA Board and/or built within Cleary Square between January 2014 and December 2023. **All ten projects include multifamily housing.** They vary in terms of their building scale as well as their uses.

PROJECT PROFILES

These projects are in order of when they were approved for development by the BPDA Board from oldest to most recent.

THE RESIDENCES AT FAIRMOUNT STATION

Status: Construction Complete – BPDA Board-approved in September 2014



Address	15 2nd New Way, Hyde Park, MA 02136		
Project Length (from application to COMPLETED CONSTRUCTION)	Five (5) Years – Nov 2013 to Nov 2018		
Zoning Subdistrict:	NS-2	Project Gross Floor Area:	33,388 sq ft
Parcel Size:	19,925 sq ft (combined parcels)		
Number of Residential Units	<ul style="list-style-type: none"> • 27 • Three studios, three one-bedroom units, 16 two-bedroom units, and five three bedroom units • Including 21 income-restricted units affordable to households with incomes at or below 60% AMI and three income-restricted units at or below 30% AMI through the Inclusionary Development Policy 		
Number of Parking Spaces	27		
Notable Features:	Child play space and open green space		
Previous Land Use(s):	Storage, Repair Garage, General Office		
Proposed/Built Land Use(s):	Multifamily Dwelling		
Zoning Relief Needed:	<ul style="list-style-type: none"> • Use: Forbidden – Multifamily Dwelling Use on First Floor • Off-Street Parking Design and Maneuverability 		

735 TRUMAN APARTMENTS

Status: Construction Complete – BPDA Board-approved in May 2017



Address	735 Truman Pkwy, Hyde Park, MA 02136		
Project Length (from application to COMPLETED CONSTRUCTION)	2.5 Years – April 2017 to Oct 2019		
Zoning Subdistrict:	1F-6000	Project Gross Floor Area:	49,805 sq ft
Parcel Size:	55,329 sq ft		
Number of Residential Units	<ul style="list-style-type: none"> • 46 • Eight studios, 26 one-bedroom units, and 12 two-bedroom units • Including six income-restricted units affordable to households with incomes at or below 70% AMI through the Inclusionary Development Policy 		
Number of Parking Spaces	62, including two shared parking spaces		
Notable Features:	Adaptive reuse of an existing building		
Previous Land Use(s):	Nursing Home		
Proposed/Built Land Use(s):	Multifamily Dwelling		
Zoning Relief Needed:	<ul style="list-style-type: none"> • Floor Area Ratio (FAR) Excessive • Greenbelt Protection Overlay District (GPOD) – this project required review by the Boston Parks Commission <ul style="list-style-type: none"> ◦ GPODs are explained in the “Existing Zoning Subdistricts and Overlays” section of this report. • Off-Street Parking Insufficient • Usable Open Space Insufficient • Use: Forbidden – Multifamily Residential (MFR) 		

Learn More:

SHARED PARKING: This project includes **shared parking spaces**, which are parking spaces for the occupants, employees, customers, students, and visitors of one or more lawful uses on other lots which would be lawful accessory parking if it were for only the main use of the lot. This type of parking increases parking supply and flexibility within an area by making spaces available to a wider set of users than typical private parking.

11 DANA AVENUE

Status: Construction Complete – BPDA Board-approved in March 2019



Address	11 Dana Ave, Hyde Park, MA 02136		
Project Length (from application to COMPLETED CONSTRUCTION)	Two Years and Seven Months – Jan 2019 to Aug 2022		
Zoning Subdistrict:	NS-2	Project Gross Floor Area:	28,643 sq ft
Parcel Size:	14,322 sq ft		
Number of Residential Units	<ul style="list-style-type: none"> • 24 • All two-bedroom units 		
Number of Parking Spaces	24, plus 39 bike parking spaces		
Previous Land Use(s):	Multifamily Dwelling (Four-unit building)		
Proposed/Built Land Use(s):	Multifamily Dwelling, General Office		
NO Zoning Relief Needed			

Notes: 11 Dana Avenue is the only Article 80 project in Cleary Square that was not required to provide income-restricted residential units because the **Inclusionary Development Policy (IDP)** did not apply to it. This is because that version of IDP (dated December 2015) only applied to developments that required zoning relief (a variance or conditional use permit). This project was built without the need for zoning relief and was therefore not required to provide income-restricted units.

Learn More

INCLUSIONARY ZONING: The [new Article 79 \(Inclusionary Zoning\)](#) that was adopted into the Boston Zoning Code on November 8, 2023 has now incorporated the City’s Inclusionary Development Policy (IDP) within zoning and updated the policy to apply to all projects with seven or more units, including projects that do not require zoning relief.

Article 79 took effect on October 1, 2024. Now all newly proposed projects with 7 or more dwelling units have to follow the regulations of Inclusionary Zoning and provide income-restricted units or contribute to the Inclusionary Development Fund.

THE LOGAN AT FAIRMOUNT

Status: Board Approved – approved in November 2019



Address	99-105 Fairmount Ave, Hyde Park, MA 02136		
Project Length (from application to BOARD APPROVAL):	Two Months – Sept 2019 to Nov 2019		
Zoning Subdistrict:	2F-5000	Project Gross Floor Area:	49,950 sq ft
Parcel Size:	29,326 sq ft		
Number of Residential Units:	<ul style="list-style-type: none"> • 47 • One studio, 29 one-bedroom units, and 17 two-bedroom units • Including six income-restricted units affordable to households with incomes at or below 70% AMI through the Inclusionary Development Policy 		
Number of Parking Spaces:	33, plus 47 bike parking spaces		
Notable Features:	Two ground-floor commercial retail spaces		
Previous Land Use(s):	Four Two-Family Dwellings		
Proposed/Built Land Use(s):	Multifamily Dwelling, Retail		
Zoning Relief Needed:	<ul style="list-style-type: none"> • Floor Area Ratio (FAR) Excessive • Height Excessive (stories) • Height Excessive (feet) • Off-Street Parking Insufficient • Side Yard Insufficient • Usable Open Space Insufficient • Use: Forbidden – Multifamily Residential (MFR) • Use: Forbidden – General Retail Business 		

THE PRYDE (FORMER WILLIAM BARTON ROGERS SCHOOL)

Status: Construction Complete – BPDA Board-approved in August 2020



Address	15 Everett St, Hyde Park, MA 02136 / 55-59 Harvard Ave, Boston, MA 02136		
Project Length (from application to BUILDING PERMITS GRANTED)	One Year and Two Months – Nov 2019 to April 2022		
Zoning Subdistrict:	2F-5000	Project Gross Floor Area:	93,156 sq ft
Parcel Size:	73,586 sq ft		
Number of Residential Units:	<ul style="list-style-type: none"> • 74 • 27 studios, 3 one-bedroom units, and nine two-bedroom units • All age-restricted housing and income-restricted units designed to meet the needs of LGBTQ+ seniors: 11 income-restricted units affordable to households with incomes at or below 30% AMI, seven units for incomes at or below 50% AMI, 32 units for incomes at or below 60% AMI, eight (8) units for incomes at or below 80% AMI, and 16 units for incomes at or below 100% AMI 		
Number of Parking Spaces:	Five		
Notable Features:	Adaptive reuse of an existing building; indoor public community spaces and publicly accessible courtyard		
Previous Land Use(s):	School		
Proposed/Built Land Use(s):	Multifamily Dwelling, Community Uses		
Zoning Relief Needed:	<ul style="list-style-type: none"> • Floor Area Ratio (FAR) Excessive • Off-Street Parking Insufficient • Usable Open Space Insufficient • Use: Forbidden – Multifamily Residential (MFR) 		

Notes: The Pryde is the only Article 80 Large Project within Cleary Square from this sample of projects and was required to comply with Article 80 Large Project Review because the existing school building had a gross floor area above 50,000 sq ft.

1318 RIVER STREET (FORMER JUNIOR'S AUTOMOTIVE)

Status: Board Approved – approved in December 2021



Address	1318 River St, Hyde Park, MA 02136		
Project Length (from application to BOARD APPROVAL)	One Year and Three Months – Sept 2020 to Dec 2021		
Zoning Subdistrict:	3F-4000	Project Gross Floor Area:	29,892 sq ft
Parcel Size:	10,732 sq ft (combined parcels)		
Number of Residential Units	<ul style="list-style-type: none"> • 30 • Nine studios, 12 one-bedroom units, and nine two-bedroom units • Including four income-restricted units affordable to households with incomes at or below 70% AMI through the Inclusionary Development Policy 		
Number of Parking Spaces	30 including stacked parking spaces, plus 38 bike parking spaces		
Notable Features:	Ground-floor commercial retail space		
Previous Land Use(s):	Repair Garage		
Proposed/Built Land Use(s):	Multifamily Dwelling, Retail		
Zoning Relief Needed:	<ul style="list-style-type: none"> • Floor Area Ratio (FAR) Excessive • Height Excessive (stories) • Height Excessive (feet) • Off-Street Parking Design and Maneuverability – Stacked Parking • Off-Street Parking Insufficient • Off-Street Loading Insufficient • Conformity with Existing Building Alignment • Rear Yard Insufficient • Side Yard Insufficient • Traffic Corner Visibility • Usable Open Space Insufficient • Use: Forbidden – Multifamily Residential (MFR) • Use: Forbidden – Take-out Restaurant (Small) 		

Learn More:

STACKED PARKING: This project includes stacked parking spaces, which are parking spaces on mechanical lift systems that allow for vehicles to be parked on platforms and arranged on top of each other, thus changing how much surface space all the cars in those spaces take up.

B'NAI B'RITH SENIOR HOUSING DEVELOPMENT

Status: Permitted / Under Construction – BPDA Board-approved in January 2022



Address	1201 River St, Hyde Park, MA 02136		
Project Length (from application to BUILDING PERMITS GRANTED):	Two Years and Two Months – Nov 2021 to Jan 2024		
Zoning Subdistrict:	NS-2	Project Gross Floor Area:	49,900 sq ft
Parcel Size:	27,427 sq ft (combined parcels)		
Number of Residential Units	<ul style="list-style-type: none"> • 63 • All one-bedroom units • All age-restricted housing and income-restricted units for seniors: 16 income-restricted units affordable to households with incomes at or below 30% AMI, four units for incomes at or below 50% AMI, and 43 units for incomes at or below 60% AMI 		
Number of Parking Spaces	40, plus 32 bike parking spaces		
Notable Features:	Ground-floor commercial retail space; all-electric, Passive House Certified building		
Previous or Current Land Use(s):	Two Retail buildings and a Repair Garage		
Proposed/Built Land Use(s):	Multifamily Dwelling		
NO Zoning Relief Needed			

34 OAK STREET (FORMER LAUGHLIN NICHOLS PENNACCHIO FUNERAL HOME) Status: Board Approved – approved in January 2022; denied by ZBA



Notes: Although this project was approved by the BPDA Board, it was denied by the ZBA in August 2022 and the proponent did not move forward with proposing the same project. The proponent did propose a new project that is currently being constructed: a fourteen (14) unit multifamily residential development. That new project did not meet the threshold to require Article 80 Development Review.

Address	34 Oak St, Hyde Park, MA 02136		
Project Length (from application to BOARD APPROVAL):	Six Months – July 2021 to Jan 2022		
Zoning Subdistrict:	NS-2	Project Gross Floor Area:	12,721 sq ft
Parcel Size:	9,747 sq ft		
Number of Residential Units	<ul style="list-style-type: none"> • 20 • Including three income-restricted units affordable to households with incomes at or below 70% AMI and one income-restricted unit at or below 100% AMI through the Inclusionary Development Policy 		
Number of Parking Spaces	10, plus 24 bike parking spaces		
Previous or Current Land Use(s):	Funeral Home		
Proposed/Built Land Use(s):	Multifamily Dwelling		
Zoning Relief Needed:	<ul style="list-style-type: none"> • Conformity with Existing Building Alignment • Off-Street Parking Insufficient • Off-Street Loading Insufficient • Use: Forbidden – Multifamily Dwelling Use on First Floor 		

7 DANA AVENUE

Status: Board Approved – approved in June 2022



Address	7 Dana Ave, Hyde Park, MA 02136		
Project Length (from application to BOARD APPROVAL)	Eight Months – Oct 2021 to June 2022		
Zoning Subdistrict:	NS-2	Project Gross Floor Area:	22,166 sq ft
Parcel Size:	13,633 sq ft		
Number of Residential Units	<ul style="list-style-type: none"> • 27 • 18 one-bedroom units and nine two-bedroom units • Including five income-restricted units affordable to households with incomes at or below 70% AMI through the Inclusionary Development Policy 		
Number of Parking Spaces	27 stacked parking spaces, plus 34 bike parking spaces		
Previous or Current Land Use(s):	Multifamily Dwelling (Four-unit building)		
Proposed/Built Land Use(s):	Multifamily Dwelling		
Zoning Relief Needed:	<ul style="list-style-type: none"> • Off-Street Parking Design and Maneuverability – Stacked Parking 		

1081 RIVER STREET

Status: Board Approved – approved in August 2023



Address	1081 River St, Hyde Park, MA 02136		
Project Length (from application to BOARD APPROVAL)	Five Months – March 2023 to August 2023		
Zoning Subdistrict:	2F-5000	Project Gross Floor Area:	27,854 sq ft
Parcel Size:	15,043 sq ft		
Number of Residential Units	<ul style="list-style-type: none"> • 28 • Nine studios, three one-bedroom units, 13 two-bedroom units, and three three-bedroom units • Including six income-restricted units affordable to households with incomes between 70% and 100% AMI through the Inclusionary Development Policy 		
Number of Parking Spaces	Fifteen (15)		
Notable Features:	Ground-level community patio		
Previous or Current Land Use(s):	Two-Family Dwelling		
Proposed/Built Land Use(s):	Multifamily Dwelling		
Zoning Relief Needed:	<ul style="list-style-type: none"> • Floor Area Ratio (FAR) Excessive • Front Yard Insufficient • Height Excessive (stories) • Height Excessive (feet) • Off-Street Parking Insufficient • Rear Yard Insufficient • Side Yard Insufficient • Usable Open Space Insufficient • Use: Forbidden – Multifamily Residential (MFR) • Use: Forbidden – Maximum Number of Allowed Dwelling Units on a Lot 		

PROJECTS SUMMARY

ZONING CONDITIONS AND ZONING RELIEF

Half (five) of these projects were proposed in a neighborhood business zoning district, specifically the NS-2 (Neighborhood Shopping) Subdistrict, while the other half (five) were spread across the 1F-6000, 2F-6000 and 3F-4000 residential subdistricts. The projects were also spread geographically throughout the study area.

Article 80 projects are **still required to appeal for a variance or conditional use permit from the Zoning Board of Appeal (ZBA)** if the development project proposal includes a zoning violation or a use that requires a conditional use permit in the given zoning district. Of the ten Article 80 projects, **eight were required to go through the ZBA process to appeal for zoning relief**. One project was approved by the ZBA, six projects were approved with provisos, and one was denied.

The two projects that did not require zoning relief from the ZBA (**11 Dana Avenue** and **B'nai B'rith Senior Housing Development**), were in the NS-2 subdistrict, which, in general, has the least restrictive zoning regulations.

ARTICLE 80 ZBA PROJECT TYPES

Of the eight projects that required zoning relief, **six were new construction projects** and the remaining two projects – **The Pryde (William Barton Rogers School)** and **735 Truman Apartments** – were alterations.

Both The Pryde and 735 Truman Apartments are also examples of **adaptive reuse projects** that convert existing buildings into residential units while maintaining some of the space or amenities of that site, like the building's exterior or large spaces for community use. The Pryde was a school building originally built in 1899 (prior to the 1924 Zoning Law) while 735 Truman Apartments was a nursing home built in 1968 (after the 1962 Zoning Code update). These adaptive reuse projects align with priorities set in the Hyde Park Strategic Plan related to the sensitive rehabilitation of historic and existing buildings.

COMMON LAND USE VIOLATIONS

As noted above, all ten projects included multifamily housing. **For half of the projects, multifamily housing was a forbidden use in the given subdistrict and required zoning relief.** These were all for projects in the existing 1F-6000, 2F-6000 and 3F-4000 residential subdistricts.

Other forbidden use violations that were triggered throughout these projects include **“General Retail Business,” “Take-out Restaurant,” and Multifamily Dwelling use specifically on the first floor.** The General Retail Business and Take-out Restaurant restrictions do not align with the priorities set in the Hyde Park Strategic Plan (as mentioned above) because they restrict opportunities for commercial development that would meet local needs and bring visitors to Cleary Square. Cleary Square has many ground-floor retail and restaurant spaces, so these uses are more contextually appropriate than the zoning currently allows.

Two projects were proposed in the NS-2 subdistrict that included a **forbidden multifamily dwelling use on the first floor** (34 Oak Street and The Residences at Fairmount Station). This presents a question on where it seems appropriate in different parts of the Square for ground-floor housing to be allowed, conditional, or forbidden moving forward, especially if it impacts the previously mentioned goal of promoting an active, commercial area.

COMMON DIMENSIONAL REGULATION VIOLATIONS

The most common dimensional regulation violations across these projects were **excessive FAR, insufficient parking spaces per unit or square foot, and insufficient usable open space per dwelling unit.**

All of these violations showed up in six projects; five of those projects were in residential subdistricts and only one was in a neighborhood business (NS-2) subdistrict. This indicates that **the residential subdistricts have dimensional barriers to the development of housing that can physically accommodate multifamily residential uses at this scale.**

OFF-STREET PARKING VIOLATIONS

All ten projects proposed off-street parking spaces and six of those projects proposed bike parking spaces. These include compact, stacked, shared, and short-term visitor parking spaces. In many instances, the Planning Department asked the proponents of these projects to reduce the number of parking spaces being proposed.

The Planning Department and Boston Transportation Department's requests for reduction of parking during the review period are aligned with citywide priorities: climate goals to reduce dependency on private vehicles and related emissions, standards set by the Boston Transportation Department around maximum parking ratios based on an area's strength of mobility options, and site analysis by the Planning Department's transportation planners with attention to proximity to an MBTA station.

For projects in the NS-2 neighborhood business subdistrict, **three projects required zoning relief for an off-street parking violation**, either for the parking design, maneuverability, and/or an insufficient number of parking and loading spaces. In particular, the off-street parking space requirements within the NS-2 district seem to conflict with the priorities mentioned in the Hyde Park Strategic Plan to encourage development of a more pedestrian-friendly environment and encourage moderate density near the commuter rail station.

The board memos for these projects highlight that they advance the City's **transit-oriented development goals to bring housing near transit**; this goal is also repeated in the Hyde Park Strategic Plan. Most of the memos emphasized the proximity of projects within walking distance of existing train and bus routes. These include the Hyde Park MBTA Commuter Rail Station, the Fairmount MBTA Commuter Rail Station, and several bus lines (24, 32, 33, 39, 40, and 50).

PROJECT PROGRAM AND AMENITY TRENDS

All ten projects are multifamily residential projects with 20 or more residential units; together they total 386 units in the area.

Nine projects include income-restricted units affordable to households between 30% and 100% AMI, including units required through the Inclusionary Development Policy (IDP). These projects proposed **192 units in total of income-restricted housing, almost 50% of the total number of proposed units.**

Two of the projects, **The Pryde** (15 Everett St, Hyde Park, MA 02136) and the **B'nai B'rith Housing Development** (1201 River St, Hyde Park, MA 02136), have proposed **100% affordable housing for seniors** which supports opportunities for seniors to age in their community within Cleary Square.

These projects align with the **goals of the Hyde Park Strategic Plan** in encouraging **moderate density and transit-oriented development** as well as **encouraging mixed-use development** within the Square, though **both use and dimensional regulations served as regulatory barriers** in their proposal processes.

Three projects include ground-floor commercial space, one proposed in the neighborhood business NS-2 subdistrict and two proposed in the 2F-5000 and 3F-4000 residential zoning districts. The low number of ground-floor commercial spaces proposed in these projects does indicate **a potential trend towards developers not proposing those uses in their buildings**, which is not supportive of the goals in strengthening this commercial activity of this district.

As seen in the **various project length periods**, it is difficult to establish a trend for project length with this sample because each project varies in their zoning, permitting and construction needs that can result in faster or slower approvals and overall development.

SOURCES FOR THIS CHAPTER:

- [BPDA Development Projects and Plans Database](#)
- [BPDA Board Memos](#)
- [Article 80 Records Library](#)
- [Zoning Board of Appeal \(ZBA\) Tracker](#)

7 STAY INVOLVED

How to Think about Zoning in Your Area!

As stated, this report is meant to help **start** conversations around zoning in your area and how updates to zoning can work well with other policies and programs to meet your community's needs! Thinking about zoning when you're going through your day doesn't require all of this data though, and we encourage you to take some of these steps to think about and talk about zoning and development in your area:

Look at the WHOLE building!

If there's a building that you think is interesting, take some time to think about all parts of it. How much of the lot does it cover and how does it compare to other nearby buildings? How big does the lot that it's on look and is there space to gather on the lot? What kind of activities are happening in the building and how active is it with people going in and out?

When you can look at a building for more than just one dimension like height or front yard space, you can think more about the type of building forms and uses that you would want to see in your area – this ultimately relates back to what zoning regulations like land uses and dimensional regulations can impact.



Take a second look at where you go the most in the area and WHY!

Do you spend a lot of time at nearby stores or near your house? Are there spaces for you to meet up with people during different seasons? Who do you see often in the area in some of the local businesses and who do you not see? What about the look, feel and resources around you makes that area one that you visit often?

All of these questions and ones like them can get you and your neighbors thinking about what you want to uplift in the neighborhood and what feels missing for you or other members of your community.





Think BACK and think AHEAD!

Whether you are a newer resident or have been in the area for years, think about places you have lived and visited in the past and try to name what it seemed like some priorities were for the way those areas were built and felt for those residents at the time. Did you have a role in helping set those priorities?

Think about where you live now and imagine a generation ahead of you. What priorities would you set today for what the neighborhood includes and how it feels? When you can imagine past and future priorities, then you can think about zoning as a living document that adjusts to the needs and vision of people in the present while setting up building blocks for visions of the future.

8

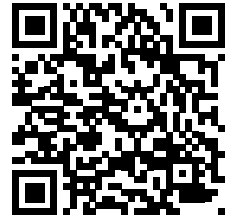
HOW TO FIND AND READ EXISTING ZONING REGULATIONS

This section is meant to be a high-level reference guide to see the zoning regulations in the neighborhood business zoning subdistricts **at a glance**. This **does not** serve as a replacement for the Boston Zoning Code, so please make sure to refer to the official Boston Zoning Code for detailed regulations as well as specific standards and details that are not outlined in this quick reference guide.

When looking for where specific zoning district regulations and where they are mapped within your area, you can use the following tools:

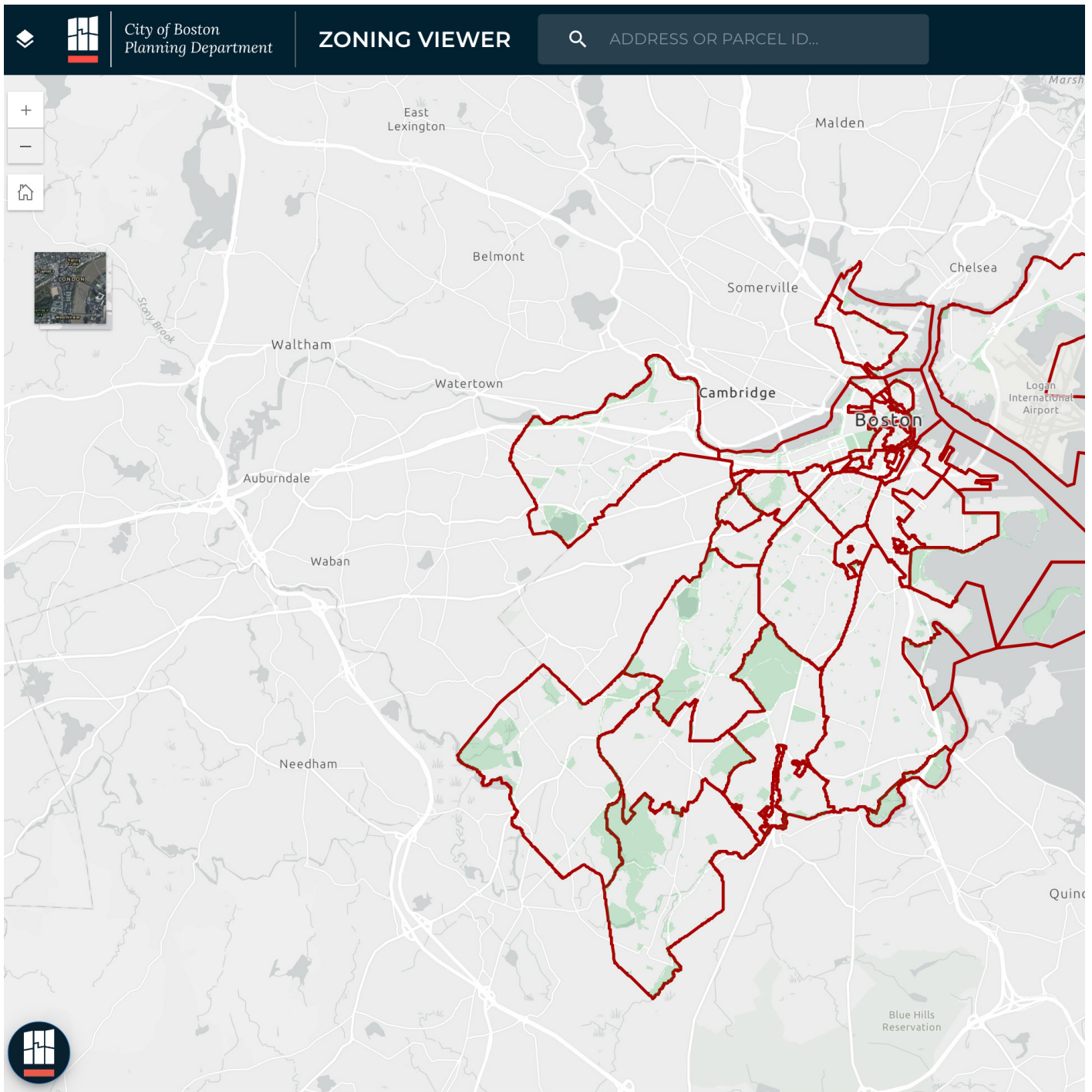
ZONING VIEWER:

An interactive online map where you can search for specific addresses and view zoning information about individual properties and larger areas.



WEBSITE:

maps.bostonplans.org/zoningviewer/



BOSTON ZONING CODE ON MUNICODE:

The legal and regulatory text document that holds Boston’s zoning rules.



WEBSITE:

library.municode.com/ma/boston/codes/redevelopment_authority

This screenshot shows the City of Boston Planning Department website interface. The top navigation bar includes the City of Boston logo, a search bar, and links for NOTIFICATIONS, SIGN IN, and HELP. The main content area is titled "ARTICLE 1 - TITLE, PURPOSE AND SCOPE". On the left, a sidebar menu lists various zoning articles, with "ARTICLE 1 - TITLE, PURPOSE AND SCOPE" selected. The main text area contains the following sections:

- Section 1-1. - Title.** This regulation shall be known and may be cited as the "Boston Zoning Code."
- Section 1-2. - Purpose.** The purposes of this code are hereby declared to be: to promote the health, safety, convenience, morals and welfare of the inhabitants of the City; to encourage the most appropriate use of land throughout the City; to prevent overcrowding of land; to conserve the value of land and buildings; to lessen congestion in the streets; to avoid undue concentration of population; to provide adequate light and air; to secure safety from fire, panic and other dangers; to facilitate adequate provision for transportation, water, sewerage, schools, parks and other public requirements; and to preserve and increase the amenities of the City.
- Section 1-3. - Scope.** In their interpretation and application, the provisions of this code shall not be construed to repeal, abrogate, annul or in any way impair or interfere with the provisions of other regulations, laws or ordinances except Chapter 488 of the Acts of 1924, as amended, which is repealed on the effective date of this code, or with provisions of private restrictions placed upon property by covenant, deed or other private agreement, or with provisions of restrictive covenants running with the land to which the City is a party. Where this code imposes a greater restriction than is imposed or required by any of the aforesaid provisions, the provisions of this code shall prevail.

This screenshot shows the City of Boston Planning Department website interface. The top navigation bar is identical to the previous screenshot. The main content area is titled "All Zoning Maps". On the left, the sidebar menu lists various zoning articles, with "All Zoning Maps" selected. The main text area contains a list of zoning maps with their respective amendment numbers and dates:

- [Citywide Zoning Districts](#)
- [Map 1 Boston Proper](#) (Map Amd. No. 606, 10-26-2015; Map Amd. No. 670, 10-26-2021)
- [Map 1A Midtown](#) (Map Amd. No. 670, 10-26-2021)
- [Map 1B-1J-1K-1L Bullfinch and North End](#) (Map Amd. No. 670, 10-26-2021)
- [Map 1C-1G-1N Leather District and South Station FDA, Chinatown, Bay Village Neighborhood Districts](#) (Map Amd. No. 670, 10-26-2021)
- [Map 1D Huntington and Prudential](#) (Map Amd. No. 601, 10-6-2015; Map Amd. No. 670, 10-26-2021)
- [Map 1E-1F Harborpark and North End](#) (Map Amd. No. 656, § 1, 11-15-2019; Map Amd. No. 670, 10-26-2021)
- [Map 1H Government Center](#) (Map Amd. No. 670, 10-26-2021)
- [Map 1M Audubon Circle](#)

BOSTON ZONING MAPS:

Visual formal maps (PDFs) of zoning districts as they currently are mapped across the City.



WEBSITE:

bostonplans.org/3d-data-maps/map-library/zoning-maps

CITY of BOSTON | Mayor Michelle Wu
An official website of the City of Boston

City of Boston
Planning Department

[About Us](#) |
 [Contact Us](#) |
 [Careers](#) |
 [Get Involved](#) |
 [News](#) |
 [Calendar](#) |
 [Translate Page](#)

NEIGHBORHOODS
PLANNING & ZONING
URBAN DESIGN
DEVELOPMENT
RESEARCH
3D DATA & MAPS
REAL ESTATE
PROCUREMENT

3D DATA & MAPS

3D Smart Model

Map Library

- Citywide Maps
- Electoral Maps
- Map Atlases
- Neighborhood Maps
- Urban Renewal
- Zoning Maps

GIS Data & Mapping Resources

MAP LIBRARY

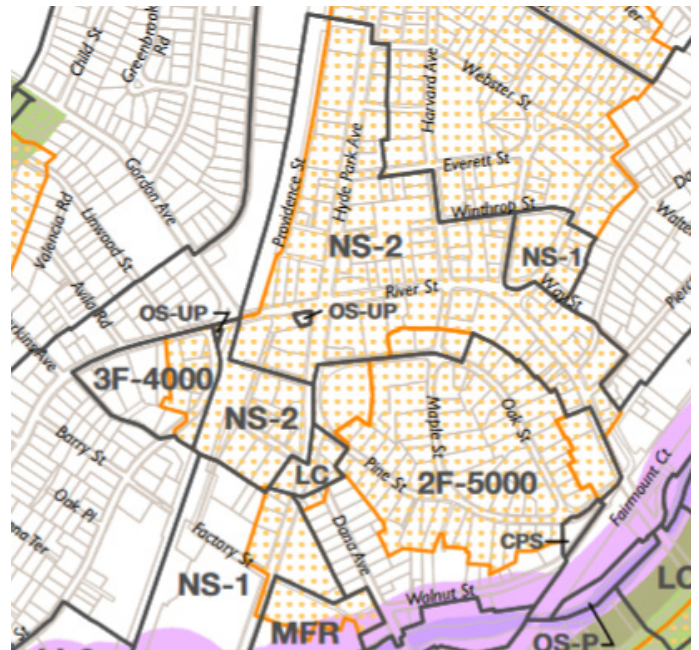
ZONING MAPS

Explore maps illustrating Boston's Zoning regulations. Also use the Zoning Viewer or check out the Zoning Code page for more information.

<p>Citywide Zoning Districts</p> <p>Overview map of Boston Zoning Districts. 11/2015 34x44"</p> <p>PDF, 1.8 MB</p> <p>View Now</p>	<p>Map 1 Boston Proper</p> <p>Volume 1: General Code (Boston Proper). Last update 06/2024. 22x34"</p> <p>PDF, 2.7 MB</p> <p>View Now</p>	<p>Map 1A Midtown</p> <p>Volume 2 - Districts (Midtown). Last update 01/07/2022. 22x34"</p> <p>PDF, 981 KB</p> <p>View Now</p>
---	---	---

WEBSITE:

bostonplans.org/3d-data-maps/map-library/zoning-maps

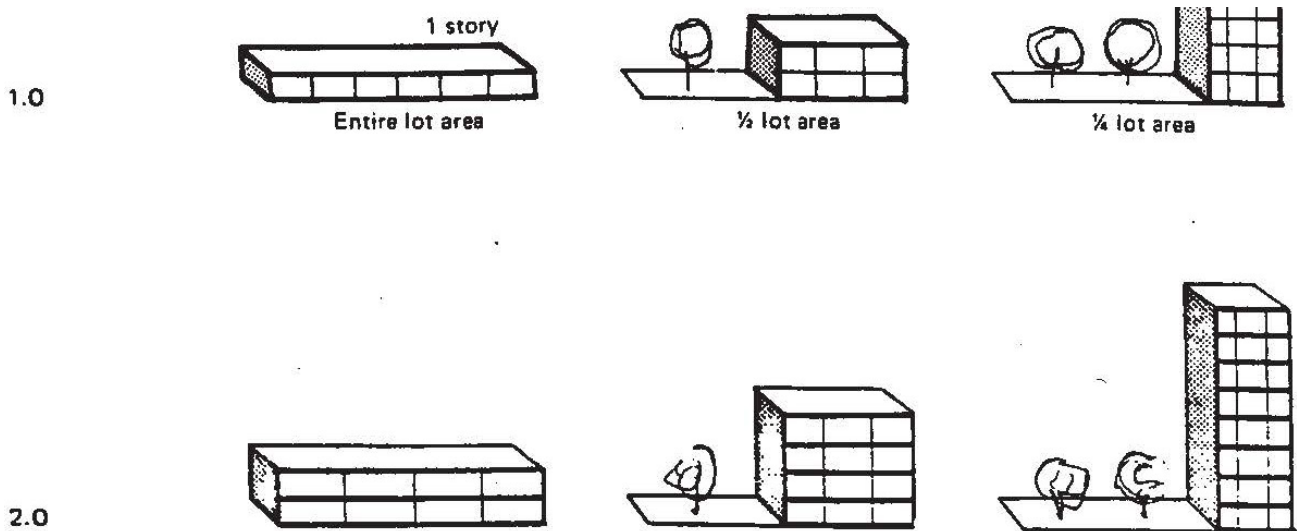


9 GLOSSARY OF KEY TERMS

Many of these terms will come up throughout this report. You can always refer back to this section for a reminder. There are some concepts specific to certain development projects or administrative processes that are also explained in “**Learn More**” pop-up boxes throughout the document.

- **AMI OR AREA MEDIAN INCOME (AMI):** the midpoint of a specific area's income distribution. The AMI applicable to Boston is calculated on an annual basis by the Boston Redevelopment Authority using data from the U.S. Department of Housing and Urban Development (HUD). AMI, or a percentage thereof, is used to determine the maximum income that a given household size may receive before becoming ineligible for an Inclusionary Development Unit.

- **ARTICLE 80 DEVELOPMENT REVIEW:** the City of Boston’s process for reviewing larger-scale development projects. The guidelines for this review process are outlined within [Article 80 \(Development Review and Approval\) of the Boston Zoning Code](#) and the review process is coordinated by the [Planning Department’s Development Review Division](#).
- **FAR OR FLOOR AREA RATIO:** the ratio between a building’s **gross floor area** and the size of the lot it sits on. For example, a building with a gross floor area of 4,000 sq ft which sits on a lot of 2,000 sq ft has a FAR of 2 (4,000/2,000). The diagram below shows examples of buildings with FARs of 0.5, 1, and 2.



- **GROSS FLOOR AREA:** the floor area of a building excluding some non-occupiable areas, such as at-grade parking garages or areas used for mechanical equipment and storage.
- **USE OF PREMISES:** A use of premises permit is required in order to add certain outdoor features to land, such as new parking areas.
- **ZBA OR ZONING BOARD OF APPEAL:** is a quasi-judicial body of seven members who are appointed by the Mayor. The ZBA hears requests for conditional use permits, variances, and similar zoning relief.

- **ZONING RELIEF:** Any zoning variance, exception, conditional use permit, interim planning permit, zoning map or text change, PDA Development Plan or PDA Master Plan approval, Institutional Master Plan approval, or any other relief granted by the Zoning Commission or the Zoning Board of Appeal. The most common type of Zoning Relief are conditional use permits and variances, which are granted by the Zoning Board of Appeal.
 - **A conditional use permit** is required for uses that are considered by the Zoning Code to need some extra review. The conditions for receiving a conditional use permit can be found in Article 6 (Conditional Uses) of the Zoning Code, and include that it is placed in an appropriate location and does not cause any nuisance.
 - **A variance** is required for projects that do not comply with some zoning regulation, such as dimensional requirements (including height or minimum yards), minimum parking spaces, or because the proposed use is forbidden. The conditions for receiving variance can be found in Article 7 (Variances) of the Zoning Code, and include that the variance is necessary for the landowner to make reasonable use of the land or structure.

Although conditional use permits and variances have different requirements, they are both granted by the ZBA and usually take similar amounts of time to receive.

- **ZBA DECISIONS:**
 - Denied vs Denied without prejudice :** When the ZBA denies a project, the applicant does not receive zoning relief and they cannot file an application for the same project for one year. When the ZBA denies a project without prejudice, it still means that the applicant does not receive the zoning relief, but the applicant does not have to wait a year to be able to file another application for the same project.
 - **Approved with proviso:** A “proviso” is a condition placed on a legal agreement. When a project is “approved with proviso” by the ZBA, it means that the project can be built IF it meets some condition placed by the ZBA. The most common proviso used by the ZBA is “Planning Department Design Review,” which means that the project’s design must be reviewed and approved by Urban Design staff in the Planning Department before it can be built.

SQUARES + STREETS

CITY of BOSTON



Planning Department