

Compiled Draft Text Amendment for Squares + Streets

Last revised: February 12, 2024

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How To Read This Document

What is this document?

This is an updated Squares + Streets Zoning Draft Text Amendment that incorporates feedback received over the public engagement process, and **includes annotations to explain these changes.**

We heard that many residents found that the length of the draft released in December made it challenging to review. Much of that length came from the fact that we included the entire articles of the existing zoning text everywhere where we are proposing changes. To limit the length of this version, **we are only including here the sections of articles where we are proposing changes**, as opposed to the entire articles.

You'll see many annotations and highlighted texts, but in many instances it's because it required multiple text changes in order to make a single zoning change. For example, we decided to make a change to include art galleries within retail stores. This means we had to change the term "museum and art gallery" to just "museum" in both the table and the definitions, and add "art" to the definition of "retail store." That's three text edits for one zoning change!

Articles included:

Primary Additions

2. Article 26 (Squares and Streets) - **with updates**
3. Article 8 (New Use Table) - **with updates**
4. Article 23 (Parking) - **with updates**

Smaller Changes

5. Article 2 (Definitions) - **with updates**
6. Article 3 (Establishment of Zoning Districts) - **with updates**
7. Article 4 (Application of Regulations) - **new addition**
8. Article 6 (Conditional Uses) - **with updates**
9. Article 11 (Signs)
10. Article 13 (Dimensional Requirements) - **with updates**
11. Article 18 (Front Yards)
12. Article 19 (Side Yards) - **with updates**
13. Article 22 (Yard Regulations) - **with updates**
14. Article 24 (Off-Street Loading) - **with updates**

- 15. Article 79 (Inclusionary Zoning) - **new addition**
- 16. Article 80B-7 (Development Impact Project Exactions) - **new addition [only included in the summary in the December draft]**
- 17. Article 89 (Urban Agriculture) - **new addition [only included in the summary in the December draft]**

How do I read this document?

1. **The color and formatting of the text** indicates what is additional, what is removed, and what remains unchanged.

RED AND STRUCK TEXT = removals proposed to the Zoning Code as part of this amendment

GREEN TEXT = additions proposed to the Zoning Code as part of this amendment

BLACK TEXT = current text within the Zoning Code that we have not changed***

*****EXCEPTION:** The NEW Article 26 (which creates the Squares + Streets zoning rules) is also in **BLACK** because it is an entirely new chapter being added to the Zoning Code.

ARTICLE 22
YARD REGULATIONS

Section 22-1. Residential Districts.

In ~~S~~ and R districts every yard required by this code, and in H districts every yard so required except rear yards and except also side yards not abutting a street line, shall, along every lot line on which such yard abuts, be at a level no higher than grade level or, if the grade level of the abutting lot is higher be at a level no higher than such higher level. Rear yards in H districts and also side yards in such districts not abutting a street line shall, along every lot line on which they abut, be at a level no higher than five feet above grade level.

ARTICLE 2

Add: Blank wall of facade: The continuous width of a portion of the ground floor building facade that fronts a Primary Lot Frontage which does not have windows or entrances that pedestrians can pass through.

Amend: Story, First. The lowest story of which sixty-five percent (65%) or more of the height is above grade. See also Ground Floor.

Add: Ground Floor. The lowest story of which sixty-five percent (65%) or more of the height is above grade. See also Story, First.

In some instances, text that is **removed** from one area may be **added** to a different section to make that part of Zoning Code easier to read. (**Example:** Moving and updating the list of neighborhood districts from one place to another to better organize them.)

Neighborhood Districts		ARTICLE 3 - ESTABLISHMENT OF ZONING DISTRICTS APPENDIX A to ARTICLE 3 Downtown Districts and Neighborhood Districts
See Appendix A to this article for a list of Neighborhood Districts.		
Allston-Brighton Neighborhood District	Greater Mattapan Neighborhood District	Bay Village Neighborhood District
Audubon Circle Neighborhood District	Jamaica Plain Neighborhood District	Beth Israel Hospital Institutional District
Bay Village Neighborhood District	Massachusetts College of Pharmacy Institutional District	Charlestown Neighborhood District
Beth Israel Hospital Institutional District	Mission Hill Neighborhood District	City Square Neighborhood District
Charlestown Neighborhood District	New England Deaconess Hospital Institutional District	Dana-Farber Cancer Institute Institutional District
City Square Neighborhood District	North End Neighborhood District	Dorchester Avenue Neighborhood District
Dana-Farber Cancer Institute Institutional District	Roslindale Neighborhood District	Dorchester Neighborhood District
Dorchester Avenue Neighborhood District	Roxbury Neighborhood District	East Boston Neighborhood District
Dorchester Neighborhood District	Saint Vincent Neighborhood District	Fenway Neighborhood District
East Boston Neighborhood District	South End Neighborhood District	Greater Mattapan Neighborhood District
		Jamaica Plain Neighborhood District
		Massachusetts College of Pharmacy Institutional District
		Mission Hill Neighborhood District
		New England Deaconess Hospital Institutional District
		North End Neighborhood District
		Roslindale Neighborhood District
		Roxbury Neighborhood District
		Saint Vincent Neighborhood District

2. The color of the highlights indicates changes that have been made to this draft since December.

Orange indicates text additions needed in order to add the new S5 districts

Purple indicates changes to some ground floor restrictions

Yellow indicates all other substantive changes

3. Annotations in the right hand margin help to explain:

- I. the new changes in this draft, and
- II. elements of the December draft which we've received many questions about during the public comment period.

4. Summaries at the top of some articles explain minor drafting refinements.

Article 26 (Squares and Streets)

This is a new zoning article to be added to the zoning code.

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color code key: **new district**, **all other changes**

ARTICLE 26 - SQUARES + STREETS DISTRICTS

Section 26-1 Purpose of Squares + Streets Districts

Squares + Streets Districts are areas characterized by a mix of uses, significant transit service, and high levels of pedestrian activity. The purpose of these districts is to support and increase the mix of uses, support walkability, encourage adaptive reuse, and designate areas as appropriate for infill development and housing supply growth, to be delivered as the result of coordinated City planning and investment. These district types and their purposes are listed here in order of intensity:

Commented [1]: Improved drafting to clarify purpose and provide more clear understanding of each district.

- A. The S-0 Transition Residential district is primarily a residential district that provides a transition from mixed-use and high activity squares and streets to lower activity residential areas. Transition Residential offers some flexibility in use but articulates the edges of the higher density growth areas. Residential uses are limited to no more than 14 dwelling units and have lot coverage, yard, and permeable area of lot dimensional requirements.
- B. The S-1 Main Street Living district is a mixed-use district with majority residential uses and small to moderate square footage on individual floors of buildings. Buildings may include small-scale storefronts or offices on the ground floor in addition to residential uses. Small-scale side and front yards provide a buffer with lower and higher scale areas.
- C. The S-2 Main Street Mixed Use district allows for medium-scale buildings with facades that fill the front of the lot to help create a continuous and active main street.
- D. The S-3 Active Main Street district includes Main Street mixed-use buildings that allow residential, hospitality, and commercial uses on upper floors. The district accommodates larger-scale ground floor destinations and introduces requirements for active uses on the ground floor. Medium-scale buildings are allowed in the district, with zero-lot-line conditions.
- E. The S-4 Active Squares district is characterized by medium-scale mixed-use buildings with a wide range of active ground floor uses. Upper floors in this district can be residential or commercial, but dwelling units are not allowed on the ground floor primary street frontage.
- F. The S-5 Placemaker Squares district is intended for areas in the heart of business corridors or closest to transit. With high street frontages, this district punctuates density and/or urban design. Commercial, hospitality, and entertainment uses are allowed throughout the building and active uses are required on the ground floor.

Section 26-2. - Establishment of Squares + Streets Districts

Commented [2]: Improved drafting to make establishment and regulations more clear by consolidating in one location.

- A. **This Section 26-2, taken with Section 3-1 (Establishment of Zoning Districts) establishes six Squares + Streets districts (S0, S1, S2, S3, S4, and S5).** A Squares + Streets District is indicated by any abbreviation "S0", "S1", "S2", "S3", "S4", or "S5" on any official zoning map of the City of Boston. The provisions of this Article and the remainder of the Code constitute the zoning regulations in a Squares + Streets District. Where conflicts exist between a provision of this Article and the remainder of the Code, the provision of this Article shall govern, unless this Article specifically indicates otherwise.
- B. **Use Regulations Applicable in Squares + Streets Districts**
Use regulations for Squares + Streets districts are set forth in Article 8 of this code. Additional use and performance standards are set forth in Table A of this Article.
- C. **Dimensional Regulations Applicable in Squares + Streets Districts**
Dimensional Regulations for Squares + Streets districts are set forth in Table B of this Article.

The illustrations included in Figure 1 of this Article depict the requirements of Squares + Streets Dimensional Standards. Where conflicts exist between an illustration or other graphic and the text of this Article 26 or Code, the text shall govern.

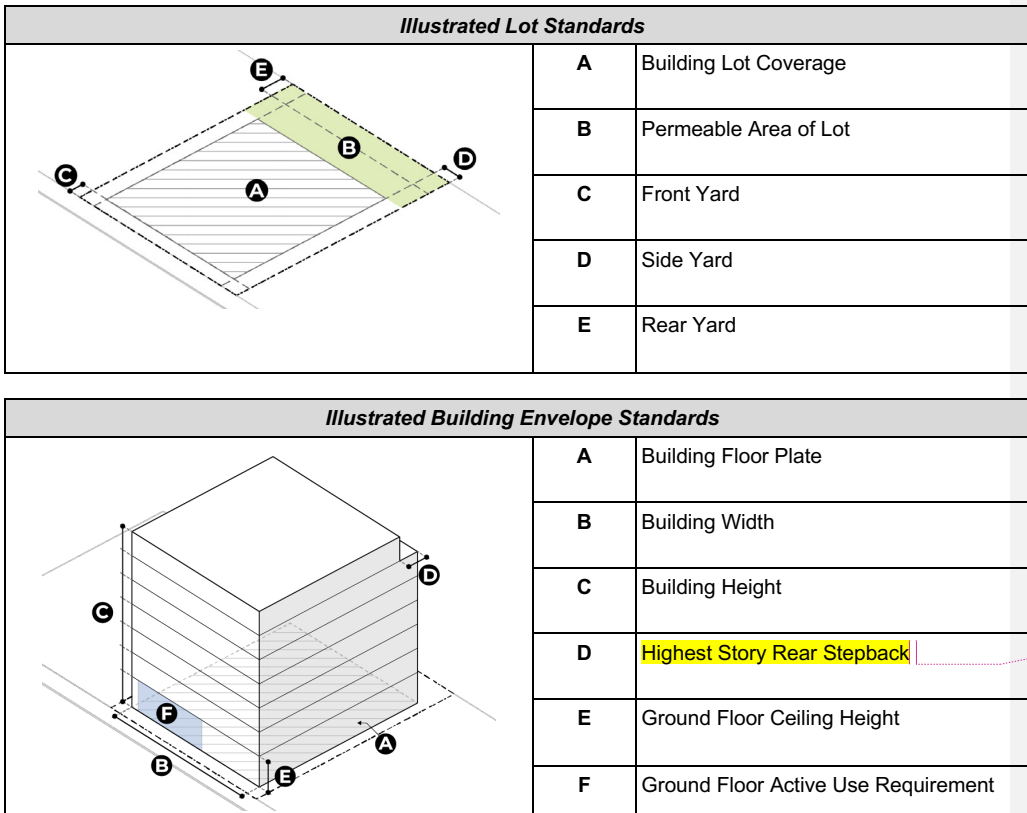
Commented [3]: Reworded for consistency with similar provisions elsewhere in the code.

D. Parking and Loading Regulations Applicable in Squares + Streets Districts

Parking regulations for Squares + Streets districts are set forth in Article 23. Loading regulations for Squares + Streets are set forth in Article 24.

E. Within Squares + Streets Districts, no Planned Development Area shall be permitted.

FIGURE 1: ILLUSTRATED LOT AND BUILDING ENVELOPE STANDARDS



Commented [4]: Modified to be highest story based on feedback from designers about how this requirement effects energy-efficient building design and usable space

TABLE A: ADDITIONAL USE AND PERFORMANCE STANDARDS

USE AND PERFORMANCE STANDARDS	S0	S1	S2	S3	S4	S5
NON-ACTIVE USES						
Ground Floor Active Use Requirement	No	No	No	Yes ^{1,2}	Yes ^{1,2}	Yes ^{1,2}
Depth (min) of Active Use on Primary Lot Frontage	-	-	-	20'	25'	25'
RESIDENTIAL USES						
Ground Floor Dwelling Units Allowed	Yes	Yes	Allowed with 4' Front Yard (min)	Forbidden on Primary Lot Frontage; Allowed on non-Primary Lot Frontage with 4' Front Yard (min)		
Dwelling Units (maximum)	14	-	-	-	-	1
TRANSPORTATION USES						
Standalone Parking Garage	1	1	1	Another allowed use, that is not a transportation use, must be located on the ground floor along any lot frontage that abuts a public sidewalk, street, or park		
INDUSTRIAL AND STORAGE USES						
Food and Beverage Production	-	-	-	Must include a minimum of 500 sf of associated Restaurant or Retail use	Must include a minimum of 1,000 sf of associated Restaurant or Retail use	

Commented [5]: New S5 district (in response to public comments)

Commented [6]: Clarified applicability of this use and performance standard

Commented [7]: Added clarity that this requirement applies to the frontage and not the ground floor

Commented [8]: Clarified how this works for parcels with more than one lot frontages and more than one front yard, such as corner or through-lots

Commented [9]: Added a square footage minimum for the required restaurant or retail use.

Footnotes to Table A

1. Except when the principal use 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(s), as defined in Article 8 Table A, are required to occupy a minimum of 50% of the primary lot frontage on the ground floor, at the minimum depth specified in Table A.
2. For any project that is subject to or has elected to comply with Large Project Review or Small Project Review under the provisions of Article 80, ground floor active uses meeting this requirement may be approved on any lot frontage.

Commented [10]: Clarified language exempting civic and open space uses from active use requirement. Clarified language allowing projects subject to Article 80 review to provide active uses meeting the requirement on any lot frontage. Based on feedback from affordable housing developers and CDCs, created an exemption for affordable housing development projects to help implement the Executive Order to Streamline Approval of Affordable Housing.

TABLE B: DIMENSIONAL REGULATIONS

LOT STANDARDS	S0	S1	S2	S3	S4	S5
Building Lot Coverage (max) for Lots smaller than 11,000 sf	60%	70%	70%	90%	90%	80%
Building Lot Coverage (max) for Lots greater than or equal to 11,000 sf	60%	70%	70%	70%	70%	70%
Permeable Area of Lot (min) for Lots smaller than 11,000 sf	20%	15%	15%	N/A	N/A	N/A
Permeable Area of Lot (min) for Lots greater than or equal to 11,000 sf	20%	15%	15%	15%	15%	15%
Front Yard (min)	8'	6'	2' ¹	2' ¹	2'	2'
Rear Yard (min)						
Abutting non-residential zoning district	15'	10'	10'	5'	5'	5'
Abutting residential zoning district	15'	15'	15'	15'	20'	20'
Side Yard (min)						
With a party wall, abutting non-residential zoning district	-	-	0'	0'	0'	0'
Without a party wall, abutting non-residential zoning district	14' cumulative (3' min)	10' cumulative (3' min)	5'	5'	5'	5'
Abutting a residential zoning district	14' cumulative (3' min)	14' cumulative (3' min)	15'	15'	15'	15'
BUILDING FORM STANDARDS						
Building Floor Plate (max sf)	4,000	8,000	15,000	20,000	25,000	25,000
Building width (max)	-	120'	150'	150'	200'	250'
Maximum Building Height (in feet) ²	50'	50'	65'	85'	85'	145'
Maximum Building Height (in stories) ²	4	4	5	7	7	1
Outdoor Amenity Space (min)	-	-	20%	20%	25%	30%
Rear Stepback of Highest Story (min) where the rear yard abuts a residential zoning district	-	-	-	7'	7'	7'
Blank wall of facade (max) ³	-	-	15'	15'	15'	15'
Active and Commercial Uses Ground Floor Height (min)	-	-	14'	14'	14'	14'
Multiple buildings (detached) allowed per lot ⁴	No	No	Yes	Yes	Yes	Yes

Commented [11]: New S5 district added (in response to public comments)

Commented [12]: Changed drafting for clarity

Commented [13]: Changed drafting for clarity

Commented [14]: Modified to be highest story based on feedback from designers about how this requirement effects energy-efficient building design and usable space

Commented [15]: Clarifies that attached and party wall buildings are allowed across districts (in response to public comments)

Footnotes to Table B

1. When dwelling units are located on the ground floor abutting a front yard as defined in Article 2 and Section 18-4, the front yard must be a minimum of 4 feet.
2. As defined in Article 2, when maximum building height is specified in both stories and feet, both requirements must be met.
3. For any project that is subject to or has elected to comply with Large Project Review or Small Project Review under the provisions of Article 80, maximum blank wall of facade may be established on any lot frontage or increased.
4. In the case of attached buildings, yards are to be measured from the exterior building facade as if it was one structure.

Commented [16]: Added for clarity

Commented [17]: Allows for Article 80 design review to respond to unique opportunities, including opportunities for murals or other artwork that may require blank walls.

Commented [18]: Allows for attached, party wall buildings on the same lot and clarifies how yards are to be measured.

Article 8 (New Use Table)

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color code key: new district, changes to ground floor restrictions, all other changes

ARTICLE 8 REGULATION OF USES

Section 8-1. Uses Regulated by Districts.

In each district the use of land and structures is hereby regulated as provided in the following sections.

No land or structure shall be erected, used, or arranged or designed to be used, in whole or in part, except in conformity with the following tables and provisions or as otherwise provided in regulations pertaining to a district or a special purpose overlay district within this Code. special purpose overlay district, neighborhood district, downtown district, waterfront service district, waterfront manufacturing district, light manufacturing district, or the Harborpark District.

Section 8-2. General Use Provisions.

1. **Allowed Uses.** In any applicable district, land or structures may be used for specific purposes where such use is allowed and designated "A," "A*," "A-G," or "A-G*" in Table A or Table B of Article 8.

2. **Conditional Uses.** In any applicable district, land or structures may be used for specific purposes where such use is conditional and designated "C," "C*," "C-G," or "C-G*" in Table A or Table B of Article 8, upon receipt of a conditional use permit from the Board of Appeal. The procedures and conditions required for receiving such permit can be found in Article 6. The continued right to a conditional use is dependent upon maintaining the character and extent of operations and structures.

3. **Forbidden Uses.** In any applicable district, no land or structure may be used for specific purposes where such use is forbidden and designated "F" in Table A and Table B of Article 8, unless such land or structure is allowed as a nonconforming use under the provisions of Article 9.

4. **Uses Subject to Other Regulations.** Allowed and conditional uses shall be subject to dimensional regulations, provisions for off-street parking and loading, and to such other provisions as are specified in other sections of this code. Uses designated in Table A of this Article 8 as "A*" "A-G*," "C-G*," or "C*" are subject to any applicable Use and Performance Standards provisions identified in the corresponding district article.

5. **Accessory Uses.** The following provisions apply to any Accessory Use.

a) **General Accessory Use Provisions.** Any use customarily incident to, and on the same lot as a lawful principal use(s), or any use that is allowed as a principal use(s) in Table A or Table B is allowed in any applicable district, unless otherwise designated as a distinct accessory use in Table A or Table B.

When an accessory use is designated as a distinct accessory use in Table A or Table B with a designation of:

(i) "A" it is allowed in any applicable district subject to the provisions of Section 8-2.1

Commented [1]: In addition to the changes highlighted, we have made some non-substantive drafting refinements. These include, for example:

-Adding "*"s to some residential and non-active uses in in order to clarify that there are applicable "Use and Performance Standards" in Article 26

-Changing the term "Form and Performance Standards" to "Use and Performance Standards" to align with language used in Article 26

-Standardizing language used for size thresholds (such as changing "SF" to "square feet")

Commented [2]: Redrafted to ensure all of the Code is encompassed in this reference.

Commented [3]: Improved legal drafting for consistency and readability. These sections represent re-drafting of current Section 8-2, 8-3, 8-4, 8-5, 8-7, 10-1, and 10-3 of the code.

(ii) "C" it is conditional in any applicable district subject to the provisions of Section 8-2.2

(iii) "F" it is forbidden in any applicable district subject to the provisions of Section 8-2.3

In any event, an accessory use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is accessory.

b) Limitation of Area. Exclusive of off-street parking, any such accessory use on a lot shall be limited to no more than twenty-five percent of the floor area of principal or main use(s) to which such use is accessory. The accessory uses on a lot, exclusive of off-street parking, shall not occupy, in the aggregate, more than twenty-five percent of the floor area of the main buildings; nor shall the accessory uses on a lot, exclusive of off-street parking required by this code occupy, in the aggregate, more than twenty-five percent of the rear yard required by this code or of the unbuild lot area; nor in any residential or mixed use district shall any accessory use occupy any part of the front or side yards required by this code, except that such a side yard may be used for off-street parking located more than five feet from the side lot line; and in no other district shall any accessory use other than off-street parking occupy any part of the front or side yards required by this code.

Commented [4]: Moved discussion of dimensional requirements of accessory parking to Article 23, parking, to provide clarity across the code. After confirming with ISD, deleted out of date provisions for side and rear yards for non-parking uses.

c) Temporary Accessory Uses. If upon application for a permit under this section, the Building Commissioner is of the opinion that a use not conforming to this code is incidental to, and reasonably required for, the development of a lawful use, the Building Commissioner may grant for an initial period of not more than two years, and may extend from time to time but not for more than one year at a time, a permit for such nonconforming use; provided that the Building Commissioner has on file:

- (1) an instrument wherein the applicant for such permit covenants with the city to terminate such use at the expiration of such permit and to remove within three months after such expiration all nonconforming structures erected under such permit, and
- (2) to secure the faithful performances of such covenant, either a bond of an insurance company authorized to do business in Massachusetts or bonds, notes or certificates of indebtedness of the City, the Commonwealth of Massachusetts or the United States, the former in a penal sum, and the latter in the amount, not less than whichever of the following is the greater:
 - (a) twice the amount which the Building Commissioner estimates it will cost the City to remove such nonconforming structures or
 - (b) one thousand dollars; and provided, further, no such permit shall be extended or renewed to permit such nonconforming use more than seven years after the inception thereof.

Section 8-3. Use Regulations.

TABLE A: USE REGULATIONS

Key:

Districts. S = Squares + Streets

Status.

ALLOWED

A = Allowed

A* = Allowed with District Use and Performance Standards

A-G | C = Allowed only on basement or ground floor (Conditional on upper stories)

Commented [5]: Added the option for uses that are allowed on the ground floor to be conditional (as opposed to forbidden) on upper floors. This is in response to public comment about focusing on ground floors but allowing flexibility where warranted

A-G | F = Allowed only on basement or ground floor (Forbidden on upper stories)

CONDITIONAL

C = Conditional

C-G | F = Conditional only on basement or ground floor (Forbidden on upper stories)

C* = Conditional with Use and Performance Standards

FORBIDDEN

F = Forbidden

See Section 3-1 (Division of the City into Districts) for listing of districts.

Commented [6]: Created new formatting to show which uses that are allowed on the ground floor are conditional on the upper stories and which are forbidden on the upper stories

	Squares + Streets (S)					
	S0	S1	S2	S3	S4	S5
OPEN SPACE USES						
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						
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						
Artists' Live-Work	A*	A	A*	A*	A*	A*
Fraternity or Sorority	F	F	F	F	F	F

Commented [7]: New S5 district added (in response to public comments). The use regulations are identical to S4.

	Squares + Streets (S)					
	S0	S1	S2	S3	S4	S5
Household Living - 1-4 units	A	A	A*	A*	A*	C*
Household Living - 5-8 units	A	A	A*	A*	A*	A*
Household Living - 9-14 units	A	A	A*	A*	A*	A*
Household Living - 15+ units	F	A	A*	A*	A*	A*
Lodging House	F	C	C*	C*	A*	A*
Mobile Home Establishment	F	F	F	F	F	F
Temporary Shelter Facility	F	F	F	F	F	F
Student Housing	F	F	F	C*	C*	C*
Supportive Housing Group Living - Small	A*	A	A*	A*	A*	A*
Supportive Housing Group Living - Large	A*	A	A*	A*	A*	A*
ACTIVE USES						
Child Care/Adult Day Health Center	A	A	A	A	A	A
Community Center	C	A	A	A	A	A
Grocery Store - Small	C	A	A	A	A	A
Grocery Store - Large	F	F	C	C-G	A	A
Entertainment/Events - Extra Small	C-G F	A-G F	A-G F	A-G* C	A	A*
Entertainment/Events - Small	F	C-G F	A-G F	A-G C	A	A

Commented [7]: New S5 district added (in response to public comments). The use regulations are identical to S4.

Commented [8]: Made lodging houses conditional instead of forbidden in S1 and S2 in response to public and interdepartmental comments from Mayor's Office of Housing (MOH) and Mayor's Office of New Mechanics (MONUM) about the importance of this use currently to provide housing, as well as work being done to develop co-living models that would be lodging houses.

Commented [9]: Removed temporary from the name to remove confusion with emergency shelter uses, based on feedback BPHC.

Commented [10]: Changed name from "group living" to "supportive housing" to better reflect the use, as it is defined to encompass any residential use that includes mental health, physical health, or social services (in response to conversation with MOH)

Commented [11]: Removed some ground floor restrictions (in response to public comment)

Commented [12]: Added extra small entertainment/events with up to 250 person capacity (in response to conversations with MOAC)

Commented [13]: Changed from allowed on the ground floor to conditional on the ground floor in response to public comment

	Squares + Streets (S)					
	S0	S1	S2	S3	S4	S5
Entertainment/Events - Medium	F	F	C-G F	A-G C	A	A
Entertainment/Events - Large	F	F	F	C	C	C
Entertainment/Events - Extra Large	F	F	F	F	F	F
Makerspace	F	A-G	A-G	A-G	A	A
Museum or Art Gallery	F	A-G	A-G	A	A	A
Restaurant - Small	C-G F	A-G F	A-G F	A	A	A
Restaurant - Large	F	C-G F	A-G	A	A	A
Retail Cannabis Establishment	F	C-G F	C-G F	C-G F	C	C
Retail Store - Small	C-G F	A-G F	A-G C	A-G	A	A
Retail Store - Medium	F	C-G F	A-G C	A-G	A	A
Retail Store - Large	F	F	C-G	A-G C	A-G C	A-G
Retail Store - Extra Large	F	F	F	F	C	C
Indoor Recreation	F	F	F	A-G C	A	A
Service Establishment - Small	C-G F	A	A	A	A	A
Service Establishment - Large	F	F	C	A	A	A
Social Club	C	A	A	A	A	A
COMMERCIAL USES						
Adult Entertainment	F	F	F	F	F	F

Commented [7]: New S5 district added (in response to public comments). The use regulations are identical to S4.

Commented [14]: Moved art galleries to be included in retail (in response to comments from MOAC)

Commented [15]: Changed small retail store from forbidden in S0 to conditional on the ground floor (in response to public comment)

Commented [16]: Changed large retail store from allowed in S4 to allowed only on the ground floor

	Squares + Streets (S)					
	S0	S1	S2	S3	S4	S5
Art Studios	F	A-G	A	A*	A*	A*
Bank	F	C-G F	C-G F	C*	C*	C*
Check Cashier	F	F	F	F	F	F
Drive-in	F	F	F	F	F	F
Funeral Home	F	C	C	C*	C*	C*
Hotel - Small	F	F	C	A*	A*	A*
Hotel - Large	F	F	F	C*	C*	C*
Office - Small	C-G F	A-G F	A-G C	A*	A*	A*
Office - Medium	F	A-G F	A-G C	A*	A*	A*
Office - Large	F	F	F	C*	C*	C*
Research Laboratory	F	F	F	F	F	F
Standalone ATM	F	C	C	C*	C*	C*
HIGHER EDUCATION USES						
College or University Use	F	F	C	C*	C*	C*
School, Trade or Professional	F	F	C	C*	A*	A*
HEALTH CARE USES						
Clinic	F	A-G C	A-G C	A*	A*	A*
Hospital Use	F	F	F	F	C*	C*

Commented [7]: New S5 district added (in response to public comments). The use regulations are identical to S4.

Commented [17]: Made changes to the definition of large hotel to include all hotels with over 50 rooms in response to public comment (see definition)

Commented [18]: Changed "large hotels" from forbidden to conditional in S3

Commented [19]: Changed small office from forbidden to conditional on the ground floor in S0 because the addition of the new size threshold means it now only up to 10k sq ft (as opposed to 50k)

Commented [20]: Added medium office size threshold which is between 10k and 50k sq ft

Commented [21]: Replaced "accessory ATM" with "standalone ATM." (in response to conversations with ISD)

Commented [22]: Changed trade or professional school regulations from allowed on the ground to conditional throughout a building in S2 and S3

	Squares + Streets (S)					
	S0	S1	S2	S3	S4	S5
Nursing Home Use	C	C	C	A*	A*	A*
TRANSPORTATION USES						
Airport-Related Remote Parking Facility	F	F	F	F	F	F
Gasoline Station	F	F	F	F	F	F
Major Transportation Facility	F	C	C	C*	C*	C*
Motor Vehicle Rentals	F	F	F	F	F	F
Motor Vehicle Sales	F	F	F	F	F	F
Standalone Parking Garage	F	F	F	C*	C*	C*
Standalone Parking Lot	F	F	C	C*	C*	C*
Vehicular Services	F	F	F	F	F	F
INDUSTRIAL AND STORAGE USES						
Crematory	F	F	F	F	F	F
Food and Beverage Production	F	F	F	C*	A*	A*
General Industrial	F	F	F	F	F	F
Light Manufacturing or Trade Establishment	F	F	F	F	C*	C*
Non-retail Cannabis Establishment	F	F	F	F	F	F
Restricted Industrial	F	F	F	F	F	F

Commented [7]: New S5 district added (in response to public comments). The use regulations are identical to S4.

Commented [23]: Changed parking garages from forbidden to conditional in S3 and parking lots from forbidden to conditional in S2. This is because these districts are intended to be mapped towards the perimeters of a squares and are therefore more appropriate for these car oriented uses (in response to conversations with BTB)

Commented [24]: Changed from forbidden to conditional with a use and performance standard that it must included and associate restaurant or retail store (in response to feedback from the Office of Food Justice)

	Squares + Streets (S)					
	S0	S1	S2	S3	S4	S5
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
<i>Accessory uses must comply with the provisions of Section 8-2.5</i>						
ACCESSORY USES						
Accessory ATM	A	A	A	A	A	
Accessory Car Share	A	A	A	A	A	A
Accessory Drive-Through	F	F	F	F	F	F
Accessory Dwelling Unit (Detached)	C	C	F	F	F	F
Accessory Dwelling Unit (non-Detached)	C	C	F	F	F	F
Accessory Electrical Vehicle Charging	A	A	A	A	A	A
Accessory Entertainment/Events	C	A	A	A	A	A
Accessory Family Day Care Home	A	A	A	A	A	A
Accessory Helicopter Landing Facility	F	F	F	F	F	F
Accessory Home Occupation	A	A	A	A	A	A
Accessory Keeping of Animals	C	C	C	C	C	C
Accessory Keeping of Laboratory Animals	F	F	F	F	F	F

Commented [7]: New S5 district added (in response to public comments). The use regulations are identical to S4.

Commented [25]: Replaced "accessory ATM" with "standalone ATM" (in response to conversations from ISD)

Commented [26]: Changed from conditional to forbidden because research labs are forbidden in these districts

	Squares + Streets (S)					
	S0	S1	S2	S3	S4	S5
Accessory Office	F	A	A	A	A	A
Accessory Parking	A	A	A	A	A	A
Accessory Personnel Quarters	F	C	C	C	C	C
Accessory Research Laboratory	E	E	E	E	C	
Accessory Smoking	F	F	F	C	C	C
Shared Parking	A	A	A	A	A	A

Commented [7]: New S5 district added (in response to public comments). The use regulations are identical to S4.

Commented [27]: Drafting refinement - this was meant to be deleted in the previous draft, as we have been unable to determine the existence of accessory research laboratory and plan to regulate all research laboratories accordingly.

Table A Definitions

The following definitions and size categories shall apply only for Districts in Table A of this Article 8 or where otherwise specified in the Code. For the purposes of determining size categories, total square footage shall mean the total internal area dedicated to a use including storage, mechanicals, and all other occupied and non-occupied space.

Commented [28]: Added clarifying language (in response to conversation with ISD and internal review)

OPEN SPACE USES

Cemetery. A facility used for the interment of human remains.

Private Open Space. Open space on a lot in private ownership which is dedicated to or appropriated for active or passive recreational use or to the conservation of natural resources and which is not accessible to the general public because of exclusive membership requirements, fees (excluding nominal parking or entrance fees), or physical barriers (excluding those needed for safety), including but not limited to private sports fields and complexes such as golf courses. Open spaces in private ownership which are not the principal use of the lot, such as yards, do not constitute Private Open Space and are allowed.

Commented [29]: The existence of a conservation easement protecting natural resources would trigger Publicly Accessible Open Space under Article 33.

Commented [30]: Added language to clarify that this use only refers to the principal use of a lot as private open space and not things like yards

Publicly Accessible Open Space. Open space in public or private ownership dedicated to or appropriated for active or passive recreational use or to the conservation of natural resources and which is intended and designed to be accessible to the general public including having no exclusive membership requirements, fees (excluding nominal parking or entrance fees), or physical barriers (excluding those needed for safety), including but not limited to the waterway areas, beaches, reservations, parks, and playgrounds. If a principal use, Publicly Accessible Open Space may be further regulated by Article 33.

Commented [31]: Article 33 provides additional regulation for specific types of designated open space in the City.

CIVIC USES

Municipal Use. A facility owned, operated, or administered by the City or its designee for the purpose of operating and providing government services, including a fire station, police station, courthouse, municipal office, library, community center, or similar use.

Commented [32]: Clarified that City facilities, including libraries and community centers, count as municipal uses.

Place of Worship. A facility used for religious or spiritual services.

School, K through 12. A facility in which a regular course of public or private educational instruction is given for any kindergarten through twelfth grades. A School containing kindergarten and no other grades from first through twelfth is a Child Care Center.

RESIDENTIAL USES

Artists' Live-Work. A facility that is used for both habitation and Art Studio. Such use shall be reviewed by the Mayor's Office of Arts and Culture.

Fraternity or Sorority. A student housing facility affiliated with a specific educational institution or institutions which does not necessarily require on-site staff supervision, including a fraternity, sorority, or similar use for which residency is based on membership in an organization with shared social, service, or cultural affinity. Such use shall require a Dormitory License from the Boston Licensing Board and be subject to the rulemaking, supervisory and disciplinary powers of the affiliated educational institution/s and may subsequently require a Dormitory License from the Boston Licensing Board for operation.

Household Living. A dwelling containing one or more dwelling units which is not any other residential use described in this Section 8-3.

Lodging House. A dwelling (other than a student housing, fraternity, sorority, or hotel) containing 4 or more single rooming units or sleeping accommodations which are rented individually, with or without common kitchen facilities, where persons residing within do not have equal rights to the entire dwelling, which can be let to 4 or more persons on a temporary basis (no more 30-day lease terms). Such use shall subsequently require a Lodging House License from the Boston Licensing Board for operation.

Mobile Home Establishment. A collection of dwellings, other than recreational vehicles, that are transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation.

Temporary Shelter Facility. A public or non-profit facility in which temporary short-term residential accommodations and social services, on site or off site, are provided to individuals or families who are homeless or at risk of homelessness without resources and access to shelter.

Student Housing. A housing facility affiliated with a specific educational institution or institutions which requires on-site staff supervision, including a dormitory or other similar use, which may be subject to the provisions of Section 80D. Such use shall require a Dormitory License from the Boston Licensing Board and be subject to the rulemaking, supervisory and disciplinary powers of the affiliated educational institution/s and may subsequently require a Dormitory License from the Boston Licensing Board for operation.

Supportive Housing Group Living. A community residence for 4 or more people receiving long-term (monthly or annual) housing accommodations and physical health, mental health, or social services. Such use may include living quarters for necessary staff people. Such use shall not include any Institutional Use subject to Article 80D.

Small - For 4-16 people receiving services.

Large - For over 16 people receiving services.

ACTIVE USES

Child Care/Adult Day Health Center. A facility for day-time care of children or adults.

Child Care Center - Any facility operated on a regular basis, whether known as a child nursery, nursery school, kindergarten, child play school, progressive school, child development center, or preschool, or known under any other name, which receives children not of common parentage under seven (7) years of age, or under sixteen (16) years of age if those children have special

Commented [33]: Expanded the description to accommodate not just Greek organizations but other student organizations

Commented [34]: Added clarifying language to licensing references to avoid internal process confusion (in response to conversation from ISD)

Commented [35]: Changed lodging house to be defined as place where rooms are rented individually as opposed to a place with temporary housing. This fits more closely with the state licensing definition as well as the current zoning definition. This will allow for a more clear pathway for co-living and SRO models which are not supportive housing.

Commented [36]: Added clarifying language to licensing references to avoid internal process confusion (in response to conversation from ISD)

Commented [37]: Made clarify changes to term and definition based on feedback BPHC

Commented [38]: Changed language so multiple institutional may share student housing facilities (in response to conversation with institutional planners)

Commented [39]: Removed requirement of on-site staff because there are successful student housing models which do not include this (in response to conversations with institutional planners)

Commented [40]: Add reference to clarify student housing's relationship to the IMP process

Commented [41]: Added clarifying language to licensing references to avoid internal process confusion (in response to conversation from ISD)

Commented [42]: Changed name from "group living" to "supportive housing" and struck the word "community" to better reflect the use, as it is defined to encompass any residential use that includes physical health, mental health, or social services, including those with residence living in separate dwelling units (in response to conversation with MOH)

needs as defined in Massachusetts General Laws, for nonresidential custody and care during part or all of the day separate from their parents. Any facility of this type shall comply with the standards, inspectional requirements, and dimensional regulations as established by the Massachusetts Department of Early Education and Care (or a successor agency responsible for the state licensing of home-based child care facilities).

Adult Day Health Center - A non-residential facility where nursing care, supervision, and health related support services are provided in a structured group setting to persons 18 years of age or older who have physical, cognitive, or behavioral health impairments. Adult day health programs must **subsequently** receive a Massachusetts Adult Day Health program license **for operation**.

Community Center. A **non-municipal** facility providing recreational, educational, and/or social services to a community, including but not limited to a **library**, recreation or social center, or similar use.

Grocery Store. A store which sells primarily groceries which must include fresh produce and other perishable foods along with ingredients for preparing food. **At least twenty-five (25) percent the total square footage of a Grocery Store shall be devoted to the sale, display or storage of fresh or fresh frozen foods including fresh meat, poultry, seafood, and/or produce. A convenience store or department stores which sell primarily packaged food and/or other items shall not constitute a Grocery Store.** No more than twenty-five (25) percent of the total square footage of a Grocery Store shall be devoted to the sale, display or storage of any alcoholic beverage. **A food pantry which sells or otherwise distributes perishable or nonperishable foods to households with limited resources shall also constitute a grocery store.**

Small - Total square footage less than 15,000 square feet.

Large - Total square footage greater than or equal to 15,000 square feet.

Entertainment/Events. A facility which is primarily devoted to hosting live entertainment events, including but not limited to event centers, theaters, cinemas, night clubs, concert halls, arenas, and stadiums, or similar use. Such use may receive a Live Entertainment License.

Extra Small - Capacity less than 250 persons.

Small - Capacity of 251-500 persons.

Medium - Capacity of 501-2,000 persons.

Large - Capacity of 2,001-9,999 persons.

Extra Large - Capacity greater than or equal to 10,000 persons.

Makerspace. A facility for artisans, craftspeople, and small scale manufacturers to work in a communal setting, where the activities produce little to no vibration, **noise**, fumes, or other nuisances more typical in industrial or manufacturing uses.

Museum or Art Gallery. A facility in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited.

Restaurant. An establishment devoted primarily to the preparing, retailing, and on **and/or off-premises** consumption of food and/or alcoholic beverages. Such use may include take-out. **If such use includes a drive-through, it shall constitute an accessory use.**

Small - Total square footage less than 2,500 square feet.

Large - Total square footage greater than or equal to 2,500 square feet.

Retail Cannabis Establishment. An entity, licensed and registered with the Commonwealth of Massachusetts subject to 935 CMR 500, 105 CMR 725.100, or any successor regulation that acquires, dispenses, possesses, or administers cannabis and products containing cannabis to be sold on the lot and consumed off-site, including a medical use cannabis establishment.

Retail Store. A store for sale of goods, commodities, or merchandise, including but not limited to food, clothing, **art**, homegoods, hardware, pharmaceuticals, alcohol, tobacco products, and tickets for events.

Commented [43]: Added clarifying language to licensing references to avoid internal process confusion (in response to conversation from ISD)

Commented [44]: Clarified that community centers encompass uses that are not Municipal Uses. BPL libraries and BYCF community centers would form Municipal Uses.

Commented [45]: Added more specific requirements to differentiate between grocery and other retail stores

Commented [46]: Added the inclusion of food pantries in response to feedback from Food Justice

Commented [47]: Added extra small entertainment/events with up to 250 person capacity (in response to conversations with MOAC)

Commented [48]: Removed reference to noise as a nuisance in response to comment from MOAC

Commented [49]: Made art gallery instead included as a type of retail store in response to comments from MOAC

Commented [50]: Removed language to close a loophole that would have allowed a liquor store to be considered a restaurant

Commented [51]: Added to clarify that accessory drive through is a separate use (forbidden in S+S districts)

Commented [52]: Added to clarify that art galleries are included in retail store

Such use may also include consignment stores or pawnshops. Such use shall not include adult entertainment or grocery stores.

Small - Total square footage less than 2,500 square feet.

Medium - Total square footage of 2,501-10,000 square feet.

Large - Total square footage of 10,001-49,999 square feet.

Extra-Large - Total square footage greater than or equal to 50,000 square feet.

Indoor Recreation. A facility devoted primarily to indoor large-scale sports or recreation, including but not limited to laser tag, bowling, arcade, ice rinks, or similar use. Commercial stadiums, arenas, or casinos shall not constitute Indoor Activities. Such use may receive a Live Entertainment License.

Service Establishment. An establishment, open to customers, which provides services, with or without the exchange of goods, including but are not limited to:

Barber, beauty, or body art establishment.

Tailor, laundry or location for dry-cleaning drop-off;

Post office or parcel pickup/dropoff location;

Fitness center or yoga studio;

Animal hospital, daycare, grooming, and kennel;

or similar use.

Small - Total square footage less than 10,000 square feet.

Large - Total square footage greater than or equal to 10,000 square feet.

Social Club. A facility used or operated by a non-profit association for meeting, recreational, or social purposes. The use of such premises is restricted to the members of these organizations and their guests.

COMMERCIAL USES

Adult Entertainment. Any establishment used for activities, facilities, performances, or exhibitions, or for the rental or sale of printed or audiovisual entertainment, in which the principal feature or characteristic is an emphasis on matters or conduct depicting, describing or relating to sexual conduct and which is not open to persons under 18 years old by reason of age - the nudity or partial nudity of any person. Adult entertainment includes but is not limited to bookstores, motion picture theaters, paraphernalia stores, video stores, and establishments which display live nudity for its patrons.

Art Studios. A facility for the creation of physical art or audiovisual content, where the activities produce little to no vibration, noise, fumes, or other nuisances more typical in industrial or manufacturing uses, including but not limited to arts production space and studios, dance and music rehearsal space, or similar use. Such use may include the sale of art which does not require any permanent and dedicated space and is incidental to the Art Studio use. Any space permanently dedicated to sales shall constitute a Retail Store.

Bank. A licensed financial institution dedicated to the extension of credit and the custody, loan, or exchange of money. Such use may include an Automatic Teller Machine in a dedicated vestibule which is accessible directly from a sidewalk or public right of way.

Check Casher. A facility, which is not a bank, devoted to the cashing of checks or remittance payments for a fee.

Drive-in. A facility for which the principle use involves customers receiving services or viewing entertainment, or both, exclusively while seated in a vehicle, including but not limited to a drive-in movie theater, drive-in restaurant, or similar use. Parking spots designated as pick-up locations for retail uses shall not constitute drive-ins.

Funeral Home. A facility used for the care and preparation of human remains. Such use may include facilities to host ceremonies for people to pay their respects.

Commented [53]: Added to clarify that pawnshops are included in retail store

Commented [54]: Moved animals hospitals to the use "clinic" because they have a medical license

Commented [55]: Amended definition to clarify that this use would not art exhibits that might involve nudity (in response to comment from MOAC)

Commented [56]: Removed reference to noise as a nuisance in response to comment from MOAC

Commented [57]: Clarified that intermittent display and sale of art (such as during open studios) is included within art studio uses.

Commented [58]: Added to clarify that ATMs inside of banks are not a separate use.

Hotel. A building containing four or more rooms or suites affording transient sleeping accommodations to the general public. Such use may include space for hosting events. Such use shall ~~subsequently~~ require an Innholder License from the Boston Licensing Board ~~for operation.~~

Small - ~~Less than 50 guest rooms and~~ total square footage less than 50,000 square feet.

Large - ~~At least 50 guest rooms or~~ total square footage greater than or equal to 50,000 square feet.

Office. A facility ~~used for office space where persons do professional and administrative work, including but not limited to coworking spaces and businesses which may meet with clients on an appointment basis, such as insurance brokers and real estate offices. Such use shall not include manufacturing, repair, or warehousing materials, goods, or products for the retail or wholesale market. Such use shall not include any medical office for a physician practicing under a medical license.~~

Small - Total square footage less than 10,000 ~~50,000~~ square feet.

~~Medium - Total square footage of 10,001-49,999 square feet.~~

Large - Total square footage greater than or equal to 50,000 square feet.

Research Laboratory. A facility used for the development, conduct, or observation of scientific experimentation or research, including but not limited to the medical, chemical, physical, or biological disciplines, in which all or a portion is dedicated to uses that require specialized facilities and/or built accommodations designed for the development, conduct, or observation of scientific experimentation or research, including but not limited to wet laboratory facilities, clean rooms, controlled environment rooms, and facilities with high-frequency ventilation. May include areas dedicated to other uses that are directly related and accessory to the scientific experimentation and research being conducted, including but not limited to office, storage, and prototype manufacturing.

Standalone ATM. Automatic Teller Machine which is accessible directly from a sidewalk, public right of way, or pedestrian accessway or in a dedicated vestibule which is accessible directly from the public right of way or pedestrian accessway. An Automatic Teller Machine which is inside of a building and not in a dedicated vestibule which is accessible directly from the public right of way does not constitute a Standalone ATM and is allowed.

HIGHER EDUCATION USES

College or University Use. An institutional use ~~which may be subject to the provisions of Section 80D,~~ including subuses such as classrooms, dormitories, student housing, eating facilities, research laboratories, athletic facilities, libraries, faculty and other offices, museums, auditoria and other facilities of public assembly, parking, and other similar uses. Additional provisions for College or University Use include:

- ~~If the combined gross floor area of a College or University Use and all of the other Institutional Uses of the same Institution is at least hundred fifty thousand (150,000) square feet, the provisions of Article 80 requiring Institutional Master Plan Review shall apply, notwithstanding any contrary provision of Section 80D-2 or the underlying zoning.~~
- Property owned or occupied by a college or university not having a use that is substantially related to education at the post-secondary level, research, scholarship, or student life shall not be deemed to be a college or university use merely by reason of such ownership or occupancy.
- College or university use shall not include property held by a college or university for investment purposes only.
- College or university subuses shall not be treated as accessory or ancillary uses subject to Section 8-2-5 or as independent uses.
- The substitution of one such subuse for another such subuse shall not by itself constitute a Proposed Institutional Project as described in Article 80D unless the new subuse is a High Impact Subuse. A college or university subuse is a High Impact Subuse for the purpose of the review requirements described in Article 80D if it is a dormitory, student housing, athletic facility, facility of public assembly, parking facility, power plant, or centralized heating or cooling plant.

Commented [59]: Added clarifying language to licensing references to avoid internal process confusion (in response to conversation from ISD)

Commented [60]: Added an additional threshold on "small hotels" which is measured by number of rooms as opposed to square footage because this better measures the most significant impacts of hotels (number of guests and resulting trip generation). The square footage threshold is also maintained to ensure that hotels over 50,000 sq ft are required to pay Development Impact Project (aka linkage) fees (in response to public comments).

Commented [61]: Added language to clarify that coworking spaces, insurance brokers, and real estate offices are offices (in response to public comments)

Commented [62]: Removed unnecessary sentence after improving drafting and more clearer describing what an office is

Commented [63]: Added language clarifying that this use does not include medical office (which are clinics)

Commented [64]: Added medium office size threshold because of the large difference in impact found within the previous "small" category (up to 50k sq ft)

Commented [65]: Replaced "accessory ATM" with "standalone ATM" in order to only regulate the highest impact ATMs (in response to conversations from ISD)

Commented [66]: Added a more flexible reference to the IMP process to allow to regulations to exist in Article 80 and not within this definitions

Commented [67]: Removed specific reference to Article 80D applicability to ensure that this definition does not change the existing regulations of the IMP process

School, Trade or Professional. An institution which offers courses of instruction in any profession or occupation, and which is not part of a college or university.

HEALTH CARE USES

Clinic. A facility, including any medical office for a physician who holds a medical license, with a gross floor area no greater than 50,000 square feet for the medical, dental, mental health or similar examination and treatment of persons or animals as outpatients or laboratory space dedicated to health care diagnostic procedures and routine testing. Ad hoc health promotion and screening programs shall not by themselves constitute a Clinic.

Commented [68]: Added to clarify that medical offices belong in the "clinic" rather than the "office" use

Commented [69]: Added to account for animal hospitals

Hospital Use. A healthcare use which may be subject to the provisions of Section 80D, including subuses such as patient rooms, eating facilities, offices, out-patient clinics, research and clinical laboratories, libraries, auditoria and other facilities of public assembly, nursing schools, nursing residences, parking, and other similar uses. Additional provisions for Hospital use include:

Commented [70]: Added a more flexible reference to the IMP process to allow to regulations to exist in Article 80 and not within this definitions

- If the combined gross floor area of a Hospital Use and all of the other Institutional Uses of the same Institution is at least hundred fifty thousand (150,000) square feet, the provisions of Article 80 requiring Institutional Master Plan Review shall apply, notwithstanding any contrary provision of Section 80D-2 or the underlying zoning.
- Property owned or occupied by a hospital not having a use that is substantially related to the provision of in-patient or out-patient health care, including care for those with acute illnesses or injuries, shall not be deemed to be a hospital use merely by reason of such ownership or occupancy.
- Hospital use shall not include property held by a hospital for investment purposes only.
- Hospital subuses shall not be treated as accessory or ancillary uses subject to Section 8-2.5 or as independent uses.
- The substitution of one such subuse for another such subuse shall not by itself constitute a Proposed Institutional Project as described in Article 80D unless the new subuse is a High Impact Subuse. A hospital subuse is a High impact Subuse for the purpose of the review requirements described in Article 80D if it is a facility of public assembly, nursing residence, parking facility, power plant, centralized heating or cooling plant, or ambulatory clinical care facility.

Commented [71]: Removed specific reference to Article 80D applicability to ensure that this definition does not change the existing regulations of the IMP process

Nursing Home Use. A healthcare use which may be subject to the provisions of Section 80D, including subuses such as patient rooms, health care facilities, nursing residences, eating facilities, mechanical facilities, and other similar uses. Additional provisions for Nursing Use include:

Commented [72]: Added a more flexible reference to the IMP process to allow to regulations to exist in Article 80 and not within this definitions

- If the combined gross floor area of a Nursing Home Use and all of the other Institutional Uses of the same Institution is at least hundred fifty thousand (150,000) square feet, the provisions of Article 80 requiring Institutional Master Plan Review shall apply, notwithstanding any contrary provision of Section 80D-2 or the underlying zoning.
- Property owned or occupied by a nursing or convalescent home not having a use that is substantially related to the provision, by a facility licensed by the state as a nursing, convalescent, or rest home, of care and minor medical treatment for patients in order that they may recover from a medical infirmity, or of long-term care of the elderly or infirm, shall not be deemed to be a nursing or convalescent home use merely by reason of such ownership or occupancy.
- Nursing home use shall not include property held by a nursing or convalescent home for investment purposes only.
- Nursing home subuses shall not be treated as accessory or ancillary uses subject to Section 8-2.5 or as independent uses.
- The substitution of one such subuse for another such subuse shall not by itself constitute a Proposed Institutional Project as described in Article 80D unless the new subuse is a High Impact Subuse. A nursing home subuse is a High Impact Subuse for the purpose of the review

Commented [73]: Removed specific reference to Article 80D applicability to ensure that this definition does not change the existing regulations of the IMP process

requirements described in Article 80D if it is a facility of public assembly, nursing residence, parking facility, power plant, or centralized heating or cooling plant.

TRANSPORTATION USES

Airport-Related Remote Parking Facility. A parking lot or parking garage from which transportation service is offered to airport premises.

Gasoline Station. A facility used for the retail sale of motor fuel and lubricants, not including a car wash, repair garage, or other vehicular services.

Major transportation facility. A station or terminal for freight or passenger transportation including train and bus stations and airports. Airport shall include all subuses located on airport premises and generally associated with and related to the operation of an airport, such as access roads; vehicle maintenance, storage, parking, and rental facilities; passenger terminals; offices; restaurants, retail stores; and hotels.

Motor Vehicle Rentals. A facility for the rental of motor vehicles.

Motor Vehicle Sales. A showroom or facility for the sale of motor vehicles.

Standalone Parking Garage. A structure wherein motor vehicles are parked or stored, either for private vehicular use or for the dispatch and storage of taxicabs, ambulances, or similar use.

Standalone Parking Lot. A lot and used for parking of motor vehicles.

Vehicular Services. Facilities for servicing and repair of motor vehicles, including the installation and sale of automotive parts and supplies. Includes bus and truck servicing, carwash, or similar use.

INDUSTRIAL AND STORAGE USES

Crematory. A facility used for the cremation of human remains.

Food and Beverage Production. A facility for the production of food and beverages including but not limited to catering companies and commercial kitchens, breweries, and distilleries. Such use may include associated Restaurant or Retail Store. If the total square footage is greater than 20,000 square feet, such use shall be considered Light Manufacturing rather than Food and Beverage Production.

Commented [74]: Drafting refinement reflecting that catering companies are included within commercial kitchens

General Industrial. Facilities including plants, factories, mills, or other facilities engaged in the mechanical or chemical transformation of materials or substances (which may also include the blending of materials or the assembling of component parts of manufactured products), where such processes do not consist entirely of a light manufacturing use or a food and beverage production use and do not include a restricted industrial use. The following effects shall not be allowed from any such use:

1. Any emission of any air, water, or other pollutants or of radiation or any release of toxic or biohazardous material in violation of federal, state, or local standards or regulations.
2. Any emission beyond the boundaries of the lot that is known to or can be shown to endanger human health or cause significant damage to property or vegetation.
3. Any surface water or groundwater contamination that exceeds any applicable state or federal regulations.
4. Any noise, air pollutant, vibration, dust, odor, change of temperature, or direct glare of lighting, that emanates:
 - (a) Beyond any boundary of the lot that abuts a Residential Subdistrict or a Conservation Protection Subdistrict; or
 - (b) More than twenty (20) feet beyond any boundary of the lot that abuts any subdistrict (other than a Residential Subdistrict or a Conservation Protection Subdistrict) where a

General Manufacturing use is not designated "A" (allowed) in the applicable table of uses; or

- (c) More than fifty (50) feet beyond any boundary of the lot that abuts a subdistrict where a General Manufacturing use is designated "A" (allowed) in the applicable table of uses; if any such effect is detectable at such distances by human senses without aid of instruments and is of sufficient quantity or duration to cause significant annoyance or interference with normal activities.

Light Manufacturing or Trade Establishment. Facilities that process and/or manufacture materials or goods and typically have low impacts on the surrounding environment. Includes, but not limited to, the design, development, compounding, processing, fabrication, altering, assembly, finishing, packaging, repairing, servicing, renting, testing, handling, or transfer of products such as apparel, food, metal, ceramic, textile, and wood products, electronic machinery, pharmaceutical or diagnostic products.

The following effects shall not be allowed from any such use:

1. Any emission of any air, water, or other pollutants or of radiation or any release of toxic or biohazardous material in violation of federal, state, or local standards or regulations.
2. Any emission beyond the boundaries of the lot that is known to or can be shown to endanger human health or cause significant damage to property or vegetation.
3. Any noise, air pollutant, vibration, dust, odor, change of temperature, or direct glare of lighting that emanates beyond the boundaries of the lot on which the use is located, is detectable at such distance by human senses without aid of instruments, and is of sufficient quantity or duration to cause significant annoyance or interference with normal activities.

Non-Retail Cannabis Establishment. An entity, licensed and registered with the Commonwealth of Massachusetts subject to 935 CMR 500, 105 CMR 725.100, or any successor regulation that acquires, cultivates, possesses, processes (including development of related products such as edibles, MIPs, tinctures, aerosols, oils, or ointments), transfers, transports, or distributes cannabis and products containing cannabis neither to be sold on the lot nor consumed on-site. Including, but not limited to, a marijuana product manufacturer or a marijuana cultivator.

Restricted Industrial. Restricted industrial uses typically have substantial impacts on the environment in which articles are usually mass produced from raw materials or materials or chemicals, toxic materials, or sewage are stored or transported. Examples of restricted industrial uses include, but are not limited to: Chemical Manufacturing; Electrical Equipment, Appliance, & Component Manufacturing; Fabricated Metal Product Manufacturing; Machinery Manufacturing; Plastics & Rubber Products Manufacturing; Transportation Equipment Manufacturing. Restricted Industrial uses shall not include: Heavy & Civil Engineering Construction; Mining and Extraction: incl: oil, gas, mining, support activities; Petroleum & Coal Products Manufacturing; Waste Management & Remediation Services. The following effects shall not be allowed from any such use:

1. Any emission of any air, water, or other pollutants or of radiation or any release of toxic or biohazardous material in violation of federal, state, or local standards or regulations.
2. Any emission beyond the boundaries of the lot that is known to or can be shown to endanger human health or cause significant damage to property or vegetation.
3. Any surface water or groundwater contamination that exceeds any applicable state or federal regulations.
4. Any noise, air pollutant, vibration, dust, odor, change of temperature, or direct glare of lighting that emanates beyond the boundaries of the subdistrict in which the use is located, is detectable at such distance by human senses without aid of instruments, and is of sufficient quantity or duration to cause significant annoyance or interference with normal activities.

Self-Storage. The indoor holding or storing of goods made available to the public.

Storage of Fuel or Minerals. The storage, outdoors or in silos, hoppers, and tanks, of solid or liquid fuel or minerals, including, but not limited to, flammable liquids and gasses, coal, crushed stone, sand, or similar materials.

Storage of Supplies and Scrap. The storage of dumpsters, equipment and machinery for construction, junk and scrap, damaged or disabled vehicles, or similar materials.

Urban Agriculture. See Article 89.

Warehouse or Distribution Center. The holding, storing, and/or distribution of goods, wares, or merchandise. Warehousing shall include wholesale businesses. Such use shall not include self-storage.

ACCESSORY AND ANCILLARY USES

Accessory ATM. Subject to the provisions of Section 8-2.5, an Automatic Teller Machine accessible directly from the public right of way or in a dedicated vestibule which is accessible directly from the public right of way.

Commented [75]: Replaced "accessory ATM" with "standalone ATM" (in response to conversations from ISD)

Accessory Car Share. Subject to the provisions of Section 8-2.5, an area dedicated to the storing of motor vehicles which can be rented on an hourly basis.

Accessory Drive-through. Subject to the provisions of Section 8-2.5, a vehicular queuing lane where patrons place orders or receive goods/services, or both, while seated in a vehicle.

Accessory Dwelling Unit (Detached). A self-contained, non-transient dwelling unit contained within a separate structure, with its own separate entrance but on the same lot where the Owner is also a resident. The following regulations apply to all Detached ADUs:

1. The Detached ADU has a building floor plate less than or equal to 900 sf or the building floor plate of the primary structure, whichever is less.
2. The Detached ADU has a height no greater than 1 and ½ stories or no greater than the height of primary structure, whichever is smaller.
3. A lot may contain up to one (1) Detached ADU.
4. The Detached ADU must be at least 5 feet from any other structure on the lot.

A Detached Accessory Dwelling Unit shall not be subject to the provisions of Section 8-2.5. The residential structure to which the conversion is occurring must be registered in accordance with Ch. 9-1.3 of the City of Boston Rental Registry Ordinance at the time of conversion.

Accessory Dwelling Unit (non-Detached). A self-contained, non-transient dwelling unit with its own separate entrance, incorporated within the footprint of the principal residential structure where the Owner is also a principal resident. ADUs may be constructed through the incorporation of exterior changes to the existing structure, such as a bump-out, extension, or similar addition to the existing envelope of the structure that result in an increase in overall building footprint. The following regulations apply to all non-detached ADUs:

1. The additional gross square footage created by the non-detached ADU shall add no more than 75% of the gross square footage of the principal unit or 1250 square feet, whichever is smaller.
2. The extension, addition, or bump-out of the primary structure to create a non-detached ADU shall be no taller than the height of the primary structure.
3. A lot shall only contain one (1) non-Detached ADU, however a lot may contain one (1) non-Detached ADU and one (1) Detached ADU.

An non-Detached Accessory Dwelling Unit shall not be subject to the provisions of Section 8-2.5. The residential structure to which the conversion is occurring must be registered in accordance with Ch. 9-1.3 of the City of Boston Rental Registry Ordinance at the time of conversion.

Accessory Electrical Vehicle Charging. Subject to the provisions of Section 8-2.5, vehicle charging infrastructure accessory to a lawful parking use and including no more than four Direct Current Fast Charging (DCFC) stations or any number of level 1 and level 2 electrical vehicle charging stations as

defined by the US Department of Energy. For projects that require ADA accessible spaces, at least one charging station must be provided on such accessible space. Chargers accessory to a residential use with only one or two units shall be allowed. For charging stations associated with non-residential uses or residential uses with three or more units, at least one charger must be provided on a space which meets the size requirements for accessible spaces outlined in the Americans with Disabilities Act (ADA) including an access aisle. This space would be in addition to any fully accessible (non-charger) spaces required by the ADA. For facilities with more than one EV charger, the accessible EV charger space should follow a "use last" model, including signage, as defined by the U.S. Access Board's Design Recommendations for Accessible Electric Vehicle Charging Stations.

Commented [76]: Moved similar language to the Accessory Parking definition to be clearer

Commented [77]: Clarified requirements for accessible EV chargers following conversations with the Disabilities Commission

Accessory Entertainment/Event. Subject to the provisions of Section 8-2.5, a facility which regularly hosts live entertainment events which are incidental the main use. Such use may receive a Live Entertainment License.

Accessory Family Day Care Home. Subject to the provisions of Section 8-2.5, the use of a dwelling unit for receiving, on a regular basis, temporary custody and care during part or all of the day, children under seven (7) years of age, or children under sixteen (16) years of age if those children have special needs, and receiving for temporary custody and care for a limited number of hours children of school age under regulations adopted by the Board of Early Education and Care as defined in Massachusetts General Laws; provided, however, in either case that:

- (1) The unit is licensed by the Massachusetts Department of Early Education and Care (or a successor agency responsible for the state licensing of home-based child care facilities) for the number of participating children per the agency's standards, inspectional requirements, and dimensional regulations, and
- (2) The total number of children under sixteen (16) in a family child care home shall not exceed ten (10), including participating children living in the dwelling unit.

Accessory Helicopter Landing Facility. An area of land, structure, or associated facilities used for landing and takeoff of helicopters.

Accessory Home Occupation. Subject to the provisions of Section 8-2.5, an occupation for compensation customarily carried on in a dwelling unit by a person residing therein which involves receiving clients or customers. Such occupation shall require only equipment ordinarily incident to a dwelling unit, not involve the on-site employment of more than 3 persons not resident in a dwelling unit on the lot, and not involve trading in merchandise. Home occupations include, but shall not be limited to piano lessons, tutoring, therapy, and similar uses which are clearly incidental to the dwelling for dwelling purposes and do not change the character thereof.

Accessory Keeping of Animals. Subject to the provisions of Section 8-2.5 and Article 89, the keeping of horses, cows, goats, poultry, pigeons, rabbits, bees, or similar animals other than pigs.

Accessory Keeping of Laboratory Animals. Subject to the provisions of Section 8-2.5, the keeping of laboratory animals incidental to an educational, institutional, or research and development use.

Accessory Office. Subject to the provisions of Section 8-2.5, a facility used for office space which is accessory to another use.

Accessory Parking. Subject to the provisions of Article 23 Section 8-2.5, A garage or parking space for occupants, employees, customers, students, and visitors of a lawful use, provided that, in the case of a lot lying in two or more districts or subdistricts, such parking is accessory to a use that is lawful in the district or subdistrict in which such parking is located. For parking accessory to a residential use, such parking may include up to two electrical vehicle chargers. Three or more chargers shall constitute Accessory Electrical Vehicle Charging.

Commented [78]: Changing reference because relevant provisions were moved to Article 23

Commented [79]: Deleted similar language from the Accessory Electrical Vehicle Charging definition and moved to the Accessory Parking definition to be clearer

Accessory Personnel Quarters. Subject to the provisions of Section 8-2.5, permanent dwellings for personnel required to reside on a lot for the safe and proper operation of a lawful main use of such lot.

Accessory Smoking. A commercial facility for consumption of tobacco products on the premises and accessory to a lawful Social Club, Entertainment/Events, Retail Store, or Restaurant. Such use shall not be subject to the provisions of Section 8-2.5.

Shared Parking. A parking space 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.

TABLE B: USE REGULATIONS FOR RESIDENTIAL (R, H), BUSINESS (L, B), INDUSTRIAL (M,I) and Open Space (OS) DISTRICTS

Key:

Residential. ~~S~~ = Single, R = General, H = Apartment

Business. L = Local, B = General

Industrial. M = Restricted, I = General, MER = Maritime Economy Reserve, ~~W~~ = Waterfront

* **Open Space.** OS = Open Space

Status. A = Allowed, C = Conditional, F = Forbidden

See Section 3-1 (Division of the City into Districts) for listing of further explanation of the above districts.

For a district or subdistrict with the letter "N" added to its designation, see the article of this code pertaining to the neighborhood district within which such district or subdistrict lies.

For a downtown district, as established under Section 3-1B~~C~~, see the article of this code pertaining to such downtown district.

For the Harborpark District, see Articles 42A, 42B, 42E, and 42F and other provisions of this code expressly referenced therein.

ID = Institutional District. See Section 3-1A for specific regulations.

*OS districts are not included in the table below. All uses except Use Items No. 27 and 27A are forbidden in OS districts. Use Item No. 27 is allowed and Use Item No. 27A is conditional in OS districts, subject to the provisions of Article 33 of this code and of St. 1956, c. 665, s. 2, as amended.

SINGLE FAMILY DWELLINGS

Use Item No. 1

Detached dwelling, occupied by not more than one family

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A	A	A	F	F	F	F

Use Item No. 1A

Mobile home on a permanent foundation and occupied by not more than one family

DISTRICT								
S	R	H	L	B	M	I	W	MER

Commented [80]: S and W districts have been deleted because they no longer exist in Boston.

G*	C*	C*	C*	C*	F	F	F	F
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*Except F in a flood hazard district.
 (As inserted on June 29, 1984)

Use Item No. 2

Semi-detached dwelling occupied by not more than one family on each side of a party wall

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	A	A	A	A	F	F	F	F

Use Item No. 3

Attached or row house occupied by not more than one family in each structure between fire walls

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	A	A	A	A	F	F	F	F

TWO-FAMILY DWELLINGS

Use Item No. 4

Detached dwelling occupied by not more than two families

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	A	A	A	A	F	F	F	F

Use Item No. 5

Semi-detached dwelling occupied by not more than two families on each side of a party wall

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	A	A	A	A	F	F	F	F

Use Item No. 6

Attached or row house occupied by not more than two families in each structure between fire walls

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	A	A	A	A	F	F	F	F

Use Item No. 6A

Dwelling occupied by not more than three families.

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	*	A	A	A	C	F	G	F

*F om R-.5; A in R-.8.

(Text Amd. No. 463 , § 5, 8-16-2023)

MULTI-FAMILY DWELLINGS

Use Item No. 7

Building or group of buildings for occupancy by four or more families in separate dwelling units including apartment hotel without accessory uses specified in Use Item No. 78

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	*	A	A	A	C	F	G	F

*F in R-.5; A in R-.8.

(Text Amd. No. 463 , § 6, 8-16-2023)

GROUP CARE RESIDENCES

Use Item No. 7A

Group care residence, general, as defined in Section 2-1, "Group care residence, general"

DISTRICT								
S	R	H	L	B	M	I	W	MER
C	C	C	C	C	C	F	F	F

(As inserted on November 9, 1978)

Use Item No. 7B

Group residence, limited, as defined in "Group residence, limited" of Section 2-1

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A	A	A	C	F	F	F

(As inserted on August 10, 1979 and amended on February 22, 1991)

CONVERSION OF DWELLING STRUCTURES

Use Item No. 8

Any dwelling converted for more families in separate dwelling units

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	A*	A*	A*	A*	C†	F	C†	F

	C†	C†	C†	C†				
--	----	----	----	----	--	--	--	--

*Where structures after conversion will conform to this code; provided that, in a density limitation district, the maximum number of dwelling units with usable interior living area of

- (1) less than 750 square feet, in a building having a gross floor area of 2,000 or more square feet, or
- (2) less than 525 square feet, in a building having a gross floor area of less than 2,000 square feet, is as follows, unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3, and 6-4 the Board of Appeal grants permission for a larger number: one such unit, if the number of stories containing dwelling units is one to five inclusive; two such units, if the number of stories containing dwelling units is six or seven; and such units not limited if the number of stories containing dwelling units is eight or more.

†Provided that after conversion, the lot area per dwelling unit, the open space, and the off-street parking each meet not less than one-half the requirements of this code and that after conversion any nonconformity as to floor area ratio and yard dimension is no greater than prior to conversion.

(As amended on April 14, 1967, April 11, 1979, and September 23, 1987)

Use Item No. 8A

Any lodging or boarding house converted for three or more families in separate dwelling units

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	A*	A*	A*	A*	F	F	F	F
		C†	C†	C†	C†			

*Where structures after conversion will conform to this code; provided that, in a density limitation district, the maximum number of dwelling units with usable interior living area of

- (1) less than 750 square feet, in a building having a gross floor area of 2,000 or more square feet, or
- (2) less than 525 square feet, in a building having a gross floor area of less than 2,000 square feet, is as follows, unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3, and 6-4 the Board of Appeal grants permission for a larger number: one such unit, if the number of stories containing dwelling units is one to five inclusive; two such units, if the number of stories containing dwelling units is six or seven; and such units not limited if the number of stories containing dwelling units is eight or more.

†Provided that after conversion the lot area per dwelling unit, the open space, and the off-street parking each meet not less than one-half the requirements of this code and that after conversion any non-conformity as to floor area ratio and yard dimension is no greater than prior to conversion.

(As inserted on September 23, 1987)

TEMPORARY DWELLINGS

Use Item No. 9

Temporary dwelling structure

DISTRICT								
S	R	H	L	B	M	I	W	MER

G	C	C	C	C	C	C	G	F
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LODGING HOUSES, DORMITORIES, HOTELS, etc.

Use Item No. 10

Lodging or boarding house

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	C	C	A*	A*	F	F	F	F

*Except C in L-2-65 and B-3-65.

(As amended on September 16, 1965, February 17, 1971, March 20, 1972, March 28, 1975, October 19, 1978, and October 31, 1980)

Use Item No. 11

Dormitory on the same lot as, and accessory to, a use specified in Use Item No. 16A or Use Item No. 18 on a lot of three acres or more

DISTRICT								
S	R	H	L	B	M	I	W	MER
G	C	C*	C	C	F	F	F	F

*Except F in H-2-65.

(As amended on September 16, 1965, December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, and February 28, 1979)

Use Item No. 12

Dormitory on the same lot as, and accessory to, a use specified in Use Item No. 16A or Use Item No. 18 on a lot of less than three acres

DISTRICT								
S	R	H	L	B	M	I	W	MER
G	C	C*	C	C	F	F	F	F

*Except F in H-2-65.

(As amended on December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, and February 28, 1979)

Use Item No. 13

Dormitory not upon the same lot as, but accessory to, a use specified in Use Item No. 16A or Use Item No. 18

DISTRICT								
S	R	H	L	B	M	I	W	MER
C	C	C*	C	C	F	F	F	F

*Except F in H-2-65.

(As amended on December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, and February 28, 1979)

Use Item No. 13A

Dormitory not accessory to a use specified in Use Item No. 16A or Use Item No. 18

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	C	C*	C	C	F	F	F	F

*Except F in H-2-65 and H-3-65.

(As inserted on February 3, 1966, and amended on December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, October 19, 1978, and October 31, 1980)

Use Item No. 14

Fraternity or sorority house

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	C	C*	C	C	F	F	F	F

*Except F in H-2-65, H-3-65 and H-5.

(As amended on September 16, 1965, December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, February 28, 1979, and October 31, 1980)

Use Item No. 15

Hotel; motel; apartment hotel

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	C*	†	A	F	F	F	F

*Except F in H-2-65 and H-3-65.

†F in L-.5 and L-1; A in L-2; C in L-2-65.

(As amended on October 22, 1974, October 19, 1978, and October 31, 1980)

Use Item No. 15A

Executive Suites

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	C*	C†	C	F	F	F	F

*Except F in H-2-65 and H-3-65.

†Except F in L-.5 and L-1.

(Text Amd. No. 444 , § 2, 2020)

EDUCATIONAL INSTITUTIONS

Use Item No. 16 ID

Elementary or secondary school attendance at which satisfies the requirements of the compulsory education laws of the Commonwealth of Massachusetts

DISTRICT								
S	R	H	L	B	M	I	W	MER
A*	A*	†	A*	A‡	C	F	€	F

*Provided that no play space or parking area is nearer any lot line than the front yard depth required by this code for the lot, and that the requirements of St. 1956, c.665, s.2, where apt, are met.

†A* except C* in H-2-65 and except C* in H-3-65 if an elementary school and F in H-3-65 if a secondary school.

‡Subject to St. 1956, c.665, s.2.

(As amended on September 7, 1967, May 26, 1970, October 19, 1978, April 11, 1979, and October 31, 1980)

Use Item No. 16A

College or university granting degrees by authority of the Commonwealth of Massachusetts

DISTRICT								
S	R	H	L	B	M	I	W	MER
€	C	C*	C	C	C	C	F	F

*Except F in H-2-65 and H-3-65; provided, however, that the use shall be C in these districts if it will occupy space being used by the same educational institution for Use Item No. 11, 12, 13, 20, 24, or 79 at the time that such change in use is proposed.

(As amended on September 7, 1967, May 26, 1970, November 23, 1979, and October 31, 1980)

Use Item No. 17 ID

Day care center; nursery school; kindergarten

DISTRICT								
S	R	H	L	B	M	I	W	MER
€	C*	A*	A	A	A	A	€	F

*Except A in an R-.8 district, provided that the facility accommodates no more than 60 children and the use is accessory to Use Item 16, 16A, 20, 21, 27, 28, or 29; otherwise C.

†Provided that the facility accommodates no more than 60 children; otherwise conditional; and except C in H-2-65 and H-3-65 regardless of the number of children accommodated.

(As amended on March 20, 1972, June 7 and October 22, 1974, October 19, 1978, April 11, 1979, and October 31, 1980)

Use Item No. 18

Trade, professional or other school

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	C*	C	C	C	C	C	F

*Except F in H-2-65 and H-3-65.

(As amended on May 26, 1970, October 19, 1978, and October 31, 1980)

Use Item No. 19

Machine shop or other noisy activity accessory to a school, college or university

DISTRICT								
S	R	H	L	B	M	I	W	MER
C*	C*	C*†	C*	C*	C	C	C	F

*Provided that it is located at least one hundred feet from all lot lines and in the opinion of the Board of Appeal is adequately sound-insulated to protect the neighborhood from unnecessary noise.

†Except F in H-2-65 and H-3-65.

(As amended on May 26, 1970, October 19, 1978, and October 31, 1980)

OTHER INSTITUTIONAL USES

Use Item No. 20 ID

Library or museum, not conducted for profit and not accessory to a use listed under Use Item No. 16A, 18, 22, 23, or 24

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A	A	A	A	A	C	F

(As amended on July 9, 1973, October 19, 1978, April 11, 1979, October 31, 1980, and January 8, 1982)

Use Item No. 20A

Library or museum not conducted for profit, and accessory to a use listed under Use Item No. 16A, 18, 22, 23, or 24, whether or not in the same lot

DISTRICT								
S	R	H	L	B	M	I	W	MER
C*	C*	C*	C*	C*	C*	C*	C*	F

*Except A if accessory to Use Item No. 22 and if at least one of the provisos in the footnote of Use Item 22 is met.

(As inserted on January 8, 1982)

Use Item No. 21

Place of worship; monastery; convent; parish house

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A*	A*	A	A	A	A	F

*Except C in H-2-65, H-3-65 and L-2-65.

(As amended on April 14, 1967, October 19, 1978, and October 31, 1980)

Use Item No. 22

Hospital or sanatorium not providing custodial care for drug addicts, alcoholics or mentally ill or mentally deficient persons; clinic or professional offices accessory to a hospital or sanatorium whether or not on the same lot

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	C*	C*	C*	F	F	F	F

*Except A provided that

- (1) the land or structure occupied by such use is located in an urban renewal area (U) overlay district or planned development area (D) overlay district as those areas are defined in Section 3-1A; or
- (2) such use is the subject of an application for determination of need filed on or before October 22, 1981, with the Department of Public Health of the Commonwealth under Section 25C of Chapter 111 of the General Laws, and such application, as it may be amended or modified, has been granted either prior or subsequent to October 22, 1981, or
- (3) an extension of a pre-existing structure contains no more than 2,500 square feet of gross floor area or a free standing building contains no more than 500 square feet of gross floor area and, in either case, occupies land in medical institutional use prior to October 22, 1981, or
- (4) such use will occupy interior space being used by the same institution for Use Item No. 20A, 22, 24, 29, 77 or 79 at the time such change is proposed.

(As amended on April 14, 1967, June 8, 1977, October 19, 1978, July 11, 1979, October 31, 1980, and January 8, 1982)

Use Item No. 22A ID

Convalescent, nursing or rest home; home for the aged; orphanage; or similar institution not for correctional purposes

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	A*	A*	A*	F	F	F	F

*Provided that custodial care is not provided for drug addicts, alcoholics or mentally ill or mentally deficient persons.

(As amended on April 14, 1967, June 8, 1977, and April 11, 1979)

Use Item No. 23

Any use listed under Use Item No. 22 or 22A providing custodial care for drug addicts, alcoholics or mentally ill or mentally deficient persons

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	C	C	C	F	F

(As amended on October 19, 1978)

Use Item No. 24

Accessory Research Laboratory. (Text Amd. No. 459 , § A.14., 4-14-2023)

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	C*	C*	C*	C*	C*	C*	F

*Except A if accessory to Use Item No. 16 and also A if accessory to Use Item No. 22 and at least one of the provisos in the footnote of Use Item No. 22 is met.

(As amended on July 9, 1973, October 19, 1978, October 31, 1980, and January 8, 1982)

Use Item No. 25

Penal or correctional institution; detention home

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C	C	C	F	F

Use Item No. 26

a. New cemetery

DISTRICT								
S	R	H	L	B	M	I	W	MER
C	C	C	C	C	C	C	C	F

b. Extension of a cemetery existing on the effective date of this code

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A	A	A	A	A	F	F

c. Mortuary chapel in a cemetery

DISTRICT								
S	R	H	L	B	M	I	W	MER
A*	A*	A*	A*	A*	A*	A*	F	F

d. Crematory in a cemetery

DISTRICT								
S	R	H	L	B	M	I	W	MER
A†	A†	A†	A†	A†	A†	A†	F	F

e. Columbarium in a cemetery

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A	A	A	A	A	F	F

*Provided that such chapel is located more than one hundred and fifty feet from every lot line of the cemetery that abuts land in a S, R or H district that is not part of a cemetery.

†Provided that such crematory is located more than three hundred feet from every lot line of the cemetery that abuts land in a S, R or H district that is not part of a cemetery.

(As amended on April 11, 1979)

RECREATIONAL USES

Use Item No. 27

Open space in public ownership dedicated to or appropriated for active or passive recreational use or to the conservation of natural resources; including but not limited to the waterway areas, beaches, reservations, parks, and playgrounds within the boundaries of the City of Boston; or, open space in private ownership for active or passive recreational use or for the conservation of natural resources. In an OS district there shall be no structures except those accessory to open space uses, in accordance with Use Item No. 27A

DISTRICT								
S	R	H	L	B	M	I	W	MER
A*	A*	A*	A*	A*	A	A	A	F

*Subject to St. 1956, c. 665, s.2, as amended.

(As amended on January 4 and October 12, 1988)

Use Item No. 27A

Open space recreational building, a structure on an open space area that is necessary and/or appropriate to the enhanced enjoyment of the particular open space area.

DISTRICT								
S	R	H	L	B	M	I	W	MER
C*	C*	C*	C*	C*	C	C	C	F

In an OS district, such structure is C and, further, is subject to the provisions of Article 33.

*Subject to St. 1956, c. 665, s.2, as amended.

(As inserted on January 4, 1988 and amended on October 12, 1988)

Use Item No. 28 ID

Private grounds for games and sports not conducted for profit

DISTRICT								
S	R	H	L	B	M	I	W	MER
A*	A*	A*	A	A	C	C	E	F

*Provided

- (1) that no parking area or active outdoor recreation area is nearer any lot line than the front yard depth required by this code for the lot, and
- (2) that, unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3 and 6-4, the Board of Appeal grants permission therefor, there are no accommodations for spectators nor outdoor floodlights nor any indoor or outdoor activity which is in itself noisy.

(As amended on April 11, 1979)

Use Item No. 29 ID

Adult education center building; community center building; settlement house

DISTRICT								
S	R	H	L	B	M	I	W	MER
A*	A*	A*†	A†	A	C	C	E	F

*Provided

- (1) that no parking area or active outdoor recreation area is nearer any lot line than the front yard depth required by this code for the lot, and
- (2) that, unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3, and 6-4, the Board of Appeal grants permission therefor, there are no accommodations for spectators nor outdoor floodlights nor any indoor or outdoor activity which is in itself noisy.

†Except C in H-2-65, H-3-65 and L-2-65.

(As amended on October 19, 1978, April 11, 1979, and October 31, 1980)

Use Item No. 30 ID

Private club (including quarters of fraternal organizations) operated for members only

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	C*	C*	C	A†	C	C	E	F

*Provided

- (1) that no parking area or active outdoor recreation area is nearer any lot line than the front yard depth required by this code for the lot, and
- (2) that there are no accommodations for spectators nor outdoor floodlights nor any indoor or outdoor activity which is in itself noisy.

†Except C in B-3-65.

(As amended on April 17, 1974, October 19, 1978, April 11, 1979, and October 31, 1980)

PUBLIC SERVICE USES

Use Item No. 31

Public service pumping station; public service sub-station, automatic telephone exchange; telecommunications data distribution center; outdoor payphone

DISTRICT								
S	R	H	L	B	M	I	W	MER
C*	C*	C*	C*	C*	C*	C*	C*	F*

*Provided that the structure is essential to service in the residential area in which it is located, that no business office nor any storage building or yard is maintained in connection with it, and that the requirements of St. 1956, c. 665, s.2, where apt, are met.

*Subject to St. 1956, c. 665, s.2.

(As Amended October 20, 2000 and March 15, 2006.)

Use Item No. 32

Telephone exchange (other than automatic)

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A*	A	A	A	C	F

*Provided that it is essential to service in the area in which it is located.

Use Item No. 33

Fire station; police station

DISTRICT								
S	R	H	L	B	M	I	W	MER
A*	A*	A*	A*	A*	A	A	A	F

*Subject to St. 1956, c. 665, s.2.

(As amended on April 14, 1967)

RETAIL BUSINESS

Use Item No. 34

Store primarily serving the local retail business needs of the residents of the neighborhood, but not constituting a business as described in Use Item No. 34A, including, but not limited to, store retailing one or more of the following: food, baked goods, groceries, packaged alcoholic beverages, drugs, tobacco products, clothing, dry goods, books, flowers, paint, hardware and minor household appliances

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A	A	A	A	C	F

(As amended on May 26, 1972, June 7, 1978, and October 14, 1981, and July 15, 1988; Text Amd. No. 416, § 1a., 7-2-2015)

Use Item No. 34A

A shop for the barter, rental or sale of printed matter, pictures or motion picture film, if such shop is not open to the public generally but only to one or more classes of the public excluding any minor by reason of age; or if such shop keeps a part of such stock segregated as available to only one or more classes of the public excluding any minor by reason of age; or shop for the barter, rental or sale of printed matter, pictures or motion picture film bearing a legend restricting it to adults only or to one or more classes of the public excluding any minor by reason of age

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F*	F	F	F	F

*Except A in an adult entertainment district.

(As inserted on May 26, 1972, and amended on April 11, 1973, September 27, 1973, and November 27, 1974)

Use Item No. 34B

Pawnshop

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	C	C	C	C	F

(As inserted on February 16, 2001, and amended on April 9, 2001)

Use Item No. 35

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

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C*	A†‡	A‡	A‡	C	F

*The sale or display of merchandise out of doors on the premises of such store shall require a supplementary or separate conditional use permit granted by the Board of Appeal under Sections 6-2, 6-3, and 6-4.

†Except C if merchandise is sold or displayed out of doors on the premises of such store.

‡Except C if such use will occupy a gross floor area of seventy-five thousand (75,000) or more square feet after it is established or enlarged; provided, however, that this footnote shall not apply in an I-2 district within the area bounded on the northeast by Interstate 93, on the northwest by the Midland Division railroad right-of-way, and on the southwest by Massachusetts Avenue.

(As amended on October 14, 1981 and December 19, 1994.)

Use Item No. 35A

Sale within a building of automotive parts, including, but not limited to, batteries, seat covers, tires, alternators, generators, carburetors, headlamps, fanbelts, motor oil, and similar automotive parts and accessories and supplies

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	C	A	A	C	*

*C if a maritime-dependent use; otherwise F.

(As inserted on November 7, 1996.)

Use Item No. 36

Indoor sale of motor vehicles

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C	A	A	C	F

(As amended on March 15, 2006)

RETAIL CATERING

Use Item No. 36A

Sale over the counter, not wholly incidental to a use listed under Use Item No. 34 or Use Item No. 37 or Use Item No. 50, of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take-out

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	C	A	A	C	F

(As inserted on August 12, 1971)

EATING PLACES AND ENTERTAINMENT

Use Item No. 37

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, and that neither food nor drink is served to, or consumed by, persons while seated in motor vehicles

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A*	A*	A	A	C	F

*Except C in L-2-65, B-3-65, B-6-90a, and B-8-120a.

(As amended on August 12, 1971, February 10, 1972, June 7 and October 22, 1974, October 31, 1980, and April 2, 1987)

Use Item No. 37A

The maintenance and operation of any amusement game machine in a private club, dormitory, fraternity or sorority house, or similar noncommercial establishment (other than as an accessory use described in Use Item No. 86a)

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	C	C	C	A*	A*	A	C	F

*Except C in B-3-65, B-6-90a, B-8-120a, B-8-120b, and M-8.

(As inserted on June 2, 1983 and amended on April 2, 1987)

Use Item No. 38

Place for sale and consumption of food and beverages (other than drive-in restaurant) providing dancing or entertainment or both; theater (including motion picture theater but not drive-in theater); concert hall; dance hall; skating rink; bowling alley; pool room; billiard parlor; other social, recreational or sports center conducted for profit; or any commercial establishment maintaining and operating any amusement game machine (other than as an accessory use described in Use Item No. 86b or 86c); 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

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	A*	†	A	C	F

*A in B-1, B-2, B-4, B-8 and B-10; C in B-3-65, B-6-90a, B-8-120a, and B-8-120b.

†A in M-1, M-2, M-4; C in M-8.

(As amended on April 14, 1967, April 11 and September 27, 1973, November 27, 1974, October 31, 1980, June 2, 1983, and April 2, 1987)

Use Item No. 38A

Any of the uses enumerated in Use Items 38 and 52 if such establishment is customarily not open to the public generally but only to one or more classes of the public excluding any minor by reason of age

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F*	F	F	F	F

*Except A in an adult entertainment district.

(As inserted on November 27, 1974)

OFFICE USES

Use Item No. 39

Office of accountant, architect, attorney, dentist, physician, or other professional person, not accessory to a main use

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	C*	A [#]	A	A†	A†	C	F

*Except F in H-2-65 and H-3-65; C in H-1, H-1-40, H-1-50, H-2, H-2-45 or H-3 only if it is within two hundred feet of an H-4, H-5, L, B, M, I or W district.

Except C in L-2-65 if the use is in the basement or first floor.

†Except subject to Article 34, for a period of three years from its effective date.

The effective date of Article 34 was April 29, 1988.

(As amended on February 17, 1971, March 20, 1972, July 9, 1973, October 19, 1978, February 28, 1979, October 31, 1980, June 16, 1982, April 29, 1988, June 23, 1989, and May 3, 1990; Text Amd. No. 410 , §§ 1, 2, 12-5-14)

Use Item No. 39A

Clinic not accessory to a main use

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	C*	C	C	C	A	C	F

*Provided that if in an H-1, H-1-40, H-1-50, H-2, H-2-45, H-2-65 or H-3 district, it is within two hundred feet of an H-3-65, H-4, H-5, L, B, M, I or W district.

(As amended on October 19, 1978, February 28, 1979, October 31, 1980, June 16, 1982, and September 20, 1996.)

Use Item No. 39B

Cannabis Establishment

DISTRICT								
S	R	H	L	B	M	I	W	MER
F *	F*	F*	C*	C*	C*	C*	C *	C*

*Cannabis Establishment-provided that any cannabis establishment shall be sited at least one-half mile or 2,640 feet from another existing cannabis establishment and at least 500 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment or school. Use approval shall be applicable to the applicant only.

(Text Amd. No. 387, § 2, 1-26-13 ; Text Amd. No. 421, § 1, 11-18-16 ; Text Amd. No. 432 , § 2, 4-13-2018)

Use Item No. 40

Real estate, insurance or other agency office

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A#	A	A*	A*	C	F

*Except subject to Article 34, for a period of three years from its effective date.

Except C in L-2-65 if the use is in the basement or first floor.

The effective date of Article 34 was April 29, 1988.

(As amended on April 29, 1988, June 23, 1989, and May 3, 1990; Text Amd. No. 410 , §§ 1, 2, 12-5-14)

Use Item No. 41

Office building, post office, bank (other than drive-in bank) or similar establishment

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A#	A	A*	A*	C	F

*Except subject to Article 34, for a period of three years from its effective date.

Except C in L-2-65 if the use is in the basement or first floor.

The effective date of Article 34 was April 29, 1988.

(As amended on November 30, 1973, April 29, 1988, June 23, 1989, and May 3, 1990; Text Amd. No. 410 , §§ 1, 2, 12-5-14)

Use Item No. 42

Office or display or sales space of a wholesale, jobbing or distributing house

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	A*	A	A	A	F

*Provided that not more than twenty- five percent of gross floor area devoted to this use is used for assembling, packaging and storing merchandise unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3 and 6-4, the Board of Appeal grants permission for a greater percentage to be so used.

(As amended on April 14, 1967)

SERVICE ESTABLISHMENTS

Use Item No. 43

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

DISTRICT								
S	R	H	L	B	M	I	W	MER

F	F	F	A*	A	A	A	G	F
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*Except C if the hours during which such establishment is open to the public begin before 6 A.M. or extend beyond 12 midnight.

(As amended on April 14, 1967, and June 7, 1978)

Use Item No. 43A

Body Art Establishment

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	C	C	A	C	F

(As inserted on April 9, 2001)

Use Item No. 44

Tailor shop; hand laundry; dry- cleaning shop

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A*	A*	A	A	C	F

*Provided that only nonflammable solvents are used for cleaning; and in L districts, provided also that not more than five persons at a time work in the establishment.

Use Item No. 45

Laundry plant; dry-cleaning plant; rug cleaning plant

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	A	A	C	F

(As amended on April 14, 1967)

Use Item No. 46

Caterer's establishment; photographer's studio; printing plant; taxidermist's shop; upholsterer's shop; carpenter's shop; electrician's shop; plumber's shop; radio and television repair shop; radio or television studio (Text Amd. No. 459 , § A.15., 4-14-2023)

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A*	A	A	A	C	F

*Provided that not more than five persons at a time work in such establishment, studio, plant or shop.

(As amended on April 14, 1967)

Use Item No. 47

Funeral home; undertaker's establishment; mortuary

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	A	A	A	C	F

Use Item No. 48

Research laboratory (Text Amd. No. 459 , § A.16., 4-14-2023)

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A	A	A	A	C	F

Use Item No. 48A

Check cashing business

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C	C	C	*	*

*C if a maritime-dependent use; otherwise F.

(As inserted on October 6, 1994 and amended on July 31, 1997)

Use Item No. 49

Animal hospital or clinic; kennel; pound

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	A	A	A	C	F

Use Item No. 49A

Container redemption center

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C*	A*	A*	†*	†*

All storage of beverage containers shall be located entirely within a building.

*Except F within fifty (50) feet of a residential district or sub- district, Open Space district or subdistrict, or Conservation Protection subdistrict.

†A if a maritime-dependent use; otherwise F.

(As inserted on September 30, 1993 and amended on October 6, 1994)

OPEN AIR AND DRIVE-IN USES

Use Item No. 50

Drive-in bank; drive-in restaurant; drive-in cafeteria; or other place for the service or sale of on-premises prepared food or drink for on-premises or off-premises consumption, providing off-street parking facilities for its customers while doing business on the premises; outdoor sale or display for sale of garden supplies, agricultural produce, flowers and the like

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	C	A	A	C	F

(As amended on August 12, 1971, and November 30, 1973)

Use Item No. 51

Outdoor sale or display for sale of new or used motor vehicles

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C	A	A	C	F

(As amended on December 9, 1975)

Use Item No. 52

Drive-in theater; stadium, or other outdoor place of assembly, operated for profit; golf driving range; other outdoor place of recreation operated for profit, 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

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C	A	A	C	F

(As amended on November 27, 1974)

Use Item No. 53

Mobile home park

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C*	A*	A*	C*	F

*Except F in a flood hazard district.

(As amended on March 26, 1982)

WHOLESALE BUSINESS AND STORAGE

Use Item No. 54

Wholesale business, including accessory storage (other than of flammable liquids, gases and explosives) in roofed structures

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C	A	A	A	F

Use Item No. 55

Outdoor storage of: new building materials, contractor's equipment, machinery, metals (other than scrap and junk), and the like

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	A*	A	A	F

*Provided that any material or equipment stored to a height greater than four feet above grade level is surrounded by a wall or tight fence not less than seven feet high.

Use Item No. 56

Warehouse; storage, outdoors or in silos or hoppers, of coal, coke or other solid fuel or of crushed stone, sand or similar material; storage of fifteen thousand gallons or less of flammable liquids or of ten thousand cubic feet or less of gases

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	A*	A*	A*	F

*Provided that all dust and dirt incident to storage or handling is effectively confined to the lot; and in M districts, provided also that any material stored to a height greater than four feet above grade level is surrounded by a wall or tight fence not less than seven feet high.

Use Item No. 56A

Storage of dumpsters not accessory or ancillary to a Main Use, nor used in conjunction with the ongoing operation of a permitted site with explicit legal use and occupancy as a dumpster repair facility, waste hauling contractor yard, or site assigned and licensed solid waste management facility

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	C	C	C	C	F

(As inserted on September 18, 2000)

Use Item No. 57

Outdoor storage of second-hand lumber or other used building material, junk, scrap, paper, rags, unrepaired or uncleaned containers, or other articles; storage of more than fifteen thousand gallons of

flammable liquids and of more than ten thousand cubic feet of gases; wrecking and dismantling of motor vehicles

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	F	C*	G*	F

*Provided the use is screened by a wall or tight fence not less than seven feet high.

Use Item No. 57A

Outdoor storage of damaged or disabled motor vehicles

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	C*	A*	C*	F

*Provided there is no dismantling of motor vehicles or sale of used parts on the lot.

(As inserted on June 16, 1982)

VEHICULAR STORAGE AND SERVICE

Use Item No. 58

Parking lot

DISTRICT								
S	R	H	L	B	M	I	W	MER
C*	C*	C‡	C†	#	A†	A†	C†	F

*Provided that the parking lot abuts or is across the street from an L, B, M, I or W district and is operated by an establishment in such district exclusively for the parking of motor vehicles (other than trucks) of, and with- out charge to, its employees, customers and guests; and provided further, in either case, that no vehicle is parked in the front yard required by this code or within a distance equal to the side yard so required from any side or rear lot line adjoining a lot in an S, R or H district, that all lighting is so arranged as to shine downward and away from streets and adjoining lots, and that the parking lot is adequately screened from all streets and adjoining lots.

‡Except F in H-2-65 and H-3-65; also F unless the parking lot either is operated exclusively for the parking of motor vehicles (other than trucks) of persons living in the neighborhood, or abuts or is across the street from a L, B, M, I or W district and is operated by an establishment in such district exclusively for the parking of motor vehicles (other than trucks) of, and with- out charge to, its employees, customers and guests; and provided further, in either case, that no vehicle is parked in the front yard required by this code or within a distance equal to the side yard so required from any side or rear lot line adjoining a lot in a S, R or H district, that all lighting is so arranged as to shine downward and away from streets and adjoining lots and that the parking lot is adequately screened from all streets and adjoining lots.

#A† in B-1 and B-2; C† in other B districts.

†Except C in a restricted parking district and except F in a limited parking district.

(As amended on May 30, 1969, February 17, 1971, September 27, 1973, October 19, 1978, October 31, 1980, and December 30, 1983)

Use Item No. 59

Parking garage

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	C*	C†	A†	A†	A†	C†	F

*Provided that the parking garage is operated exclusively for the parking of motor vehicles (other than trucks) of persons living in the neighborhood except that gasoline and oil may be sold if sales thereof are limited to tenants of the garage and are completely consummated entirely within the garage.

†Except C in a restricted parking district and except F in a limited parking district.

(As amended on September 27, 1973, and December 30, 1983)

Use Item No. 59A

Airport-related remote parking facility

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C*	C*	A*	A*	C*†	F

*Except F in:

- (a) a restricted parking district;
- (b) a limited parking district; (c) the area of North Dorchester bounded on the north by Southampton Street, on the west and east by the Roxbury and Dorchester Avenue Neighborhood Districts, respectively, and on the south by Dudley, Stoughton, and Thornley Streets.

†C if a maritime-dependent use; otherwise F.

(As inserted on November 21, 1996.)

Use Item No. 60

Repair garage; gasoline service station; car wash

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C*	C*	A	A	C	F

*Provided that all washing, painting, lubricating, and making of repairs is carried on inside a building and that any auto body shop, car wash, repair shop and paint shop is sufficiently sound- insulated to confine all noise to the lot and that all flashing, fumes, gases, smoke and vapor are effectively confined to the lot; and further provided that there is no outdoor storage of damaged, disabled or unregistered motor vehicles for a period of more than one month.

(As amended on April 14, 1967, and June 16, 1982)

Use Item No. 60A

Sale and installation within a building of batteries, seat covers, tires and similar automotive parts and accessories

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	A	A	A	G	F

(As inserted on April 14, 1967)

Use Item No. 61

Rental agency, storing, servicing, and/or washing rental motor vehicles and trailers

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C*	C*	A*	G*	F

*Provided that no rental vehicles or trailers are parked on the street and that exterior lighting shall be arranged to shine downward and away from residences.

(As amended December 9, 1975)

TRANSPORTATION USES

Use Item No. 62

Bus terminal; bus station

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A	A	A	A	G	F

Use Item No. 63

Railroad passenger station

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A	A	A	A	G	F

Use Item No. 64

Motor freight terminal; yard for storing or servicing trucks or buses; rail freight terminal; storage yard accessory to rail- road operation

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	C*	A*	G*	F

*Provided that the terminal or yard is at least one hundred and fifty feet from every S, R and H district; and provided further, that the roadway of every street upon which a truck entrance or exit thereof abuts is at least forty feet wide and that every loading platform facing such an entrance or exit is at least eighty feet from the centerline of the street and at least fifty feet from the nearest sideline of the street.

Use Item No. 65

Water freight or passenger terminal facility, including docks, piers, wharves, storage sheds for waterborne commodities, and rail and truck facilities accessory to a waterborne freight terminal

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	C*	A*	A*	†

*Provided that the facility is at least one hundred and fifty feet from every S, R and H district; and provided further, that the roadway of every street upon which a truck entrance or exit thereof abuts is at least forty feet wide and that every loading platform facing such an entrance or exit is at least eighty feet from the centerline of the street and at least fifty feet from the nearest sideline of the street.

†A if a maritime-dependent industrial use; otherwise F.

(As amended on April 14, 1967)

Use Item No. 66

Helicopter landing facility

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	C	C	C	C	F

Use Item No. 67

Airport or other aircraft landing or servicing facility

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	F	C	C	F

INDUSTRIAL USES

Use Item No. 68

Any of the following uses:

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	‡	A	A	‡	†

*A if waterfront access required for receipt or dispatch of goods or for any other reason; otherwise C.

†A if a maritime-dependent industrial use; otherwise F.

‡F in B-1, B-2, B-4; C in B-8, B-10.

Any industrial use, other than a use described in Use Item No. 70, which does not result in noise or vibration perceptible without instruments more than fifty feet outside the perimeter of the lot.

Bottling works for beverages.

Cotton ginning.

Manufacture or repair of

Advertising displays (including billboards).

Apparel or other products (including hat bodies and like) from textiles or similar materials.

Beverages containing less than 0.5% of alcohol by volume at 60 degrees F.

Boats less than one hundred feet long.

Brooms or brushes.

Cameras or other photographic equipment, except flammable film.

Carpets.

Canvas or canvas products. Ceramic products, including pottery, small glazed tile and the like.

Cosmetics or toiletries.

Cotton wadding or linters.

Electric lamp bulbs.

Electric lighting fixtures, electric irons, electric fans, electric toasters, electric toys or similar electric appliances.

Electric wiring supplies, dry cell batteries and the like. Electronic components and supplies.

Food products except the curing, smoking or drying of meat or fish.

Fur goods (exclusive of curing, dyeing and tanning).

Gases in amounts not exceeding two thousand cubic feet a day.

Glass products from previously manufactured glass.

Hair, felt or feather products (exclusive of curing, dyeing and washing).

Hosiery.

Ice (dry or natural).

Ink or inked ribbon.

Leather products, including shoes, machine belting and the like.

Luggage.

Mattresses (including rebuilding and renovating).

Metal furniture, cabinets, doors, fencing and the like. Metal products made by stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils and the like.

Musical instruments, including pianos and organs.

Novelty products.

Optical equipment, clocks, or similar precision instruments.

Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers and similar appliances.

Paper products, including envelopes, stationery, bags, boxes, shipping containers, wallpaper printing and

similar products.

Pharmaceutical products.

Plastic products, including tableware, phonograph records, buttons, and the like.

Rubber products (exclusive of rubber and synthetic processing), including washers, gloves, footwear, bathing caps, atomizers and the like.

Shoddy.

Silverware (plate or sterling).

Sporting goods or athletic equipment, including balls, baskets, cues, gloves, bats, racquets, rods and

the like.

Statuary, mannequins, figurines, or religious or church art goods, exclusive of foundry operations.

Textiles, knit goods, yarn goods, thread or cordage, including spinning, weaving, dyeing and printing.

Tobacco products, including curing tobacco.

Tools or hardware, including hand tools, drills, cutlery, bolts, nuts, screws, doorknobs, hinges, house hardware, locks, nonferrous metal castings, plumbing appliances, and the like.

Toys.

Umbrellas.

Vehicles for children, including baby carriages, scooters, wagons, bicycles, and the like.

Venetian blinds, window shades, and awnings.

Wax products.

Wood products, including furniture, boxes, crates, barrels, baskets, pencils, and the like.

Packaging chemicals, detergents or soap.

Poultry or rabbit slaughtering or packing. Printing or newspaper publishing, including engraving, or photo-engraving. Scenery construction. Stone cutting or lettering. Storage of gases in amounts not exceeding ten thousand cubic feet. Upholstering.

(As amended on April 14, 1967, and July 9, 1973)

Use Item No. 69

Any industrial use other than a use described in Use Item No. 70

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	F	A	*	†

*A if waterfront access required for receipt or dispatch of goods or for any other reason; otherwise C.

†A if a maritime-dependent industrial use; otherwise F.

(As amended on July 9, 1973)

Use Item No. 70

Any of the following uses:

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	F	C	C	*

*C if a maritime-dependent industrial use; otherwise F.

Any use which is objectionable or offensive because of special danger or hazard, or because of cinders, dust, smoke, refuse matter, flashing, fumes, gases, vapor or odor not effectively confined to the lot, or because of noise or vibration perceptible without instruments more than two hundred and fifty feet outside the perimeter of the lot or, if a residential district is within two hundred and fifty feet of the lot, at any point inside such residential district.

Batching or casting of concrete including handling and/or storage of cement, lime, sand, stone or other aggregates.

Curing, dyeing, washing or bulk processing feathers, felt or hair.

Curing, dyeing, finishing or tanning fur or leather.

Curing, drying or smoking of fish or meat.

Disposal, handling or storage of radioactive waste.

Distillation of wood or bones.

Incineration or reduction of garbage, offal or dead animals.

Manufacture of

Asphalt or asphalt products.

Charcoal, fuel briquettes, or lampblack.

Chemicals including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black or bone black, cleaning or polishing preparations, creosote, disinfectants, exterminating agents, fungicides, hydrogen or oxygen, industrial alcohol, insecticides, potash, plastic materials or synthetic rosins, or hydrochloric, picric or sulfuric acids or derivatives.

Coal, coke, or tar products, including gas.

Fertilizers.

Gases in amounts exceeding two thousand cubic feet a day.

Gelatin, glue or size.

Gypsum.

Linoleum or oil cloth.

Matches.

Paint, turpentine or varnish.

Plastic (raw).

Rubber (natural or synthetic) including tires, tubes, or similar products.

Soaps or detergents, including fat rendering.

Reduction, refining or smelting metal or metal ores.

Refining petroleum or petroleum products.

Removal of gravel, loam, sand or stone except for re-use on the same lot or incident to the erection of a building on such lot.

Sewage disposal plant.

Solvent extracting.

Storage of gases in amounts exceeding ten thousand cubic feet.

Wool scouring or pulling.

(As amended on April 14, 1967, and July 17, 1981)

ANCILLARY USES

Use Item No. 71

Any use on a lot adjacent to, or across the street from, but in the same district as, a lawful use to which it is ancillary and ordinarily incident and for which it would be a lawful accessory use if it were on the same lot; any such use on such a lot in another district unless such use is a use specifically forbidden in such other district

DISTRICT								
S	R	H	L	B	M	I	W	MER
C*	C*	C*	C*	C*	C*	C*	C*	C*

*Provided that any such use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is ancillary.

ACCESSORY USES

Use Item No. 72 ID

As an accessory use subject to the limitations and restrictions of Section 8-2.5, a garage or parking space for occupants, employees, customers, students and visitors; provided that, in the case of a lot lying in two or more districts, such parking is accessory to a use that is lawful in the district in which such parking is located

DISTRICT								
S	R	H	L	B	M	I	W	MER
A†*	A†*	A†*	A‡	A‡	A‡	A‡	A‡	†

*Provided that where a garage or parking space is accessory to a dwelling use in an S, R, or H district, there is space for no more than three vehicles for each dwelling unit, none of which shall be a commercial vehicle with a maximum load capacity of more than 1-½ tons and not more than one of which shall be a commercial vehicle with a maximum load capacity of 1-½ tons or less.

†A if accessory to a maritime-dependent industrial use; otherwise F.

‡Except C in a restricted parking district if accessory to any use other than Use Items numbered 1 through 15.

(As amended on April 14, 1967, September 27, 1973, September 2, 1976, April 11, 1979, and June 18, 1981)

Use Item No. 72A

As an accessory use subject to the limitations and restrictions of Section 8-2.5, a swimming pool or tennis court not within a required front yard

DISTRICT								
S	R	H	L	B	M	I	W	MER
A*	A*	A*	A*	A*	A*	A*	A*	F

*Provided that it is more than four feet from every lot line, and in the case of a swimming pool, that it is protected by a six-foot-high fence with a gate which is locked from the outside, and that if the pool is within ten feet of a lot line, the fence is concealing to a height of at least six feet.

(As inserted on April 14, 1967, and amended on September 23, 1987)

Use Item No. 73

As an accessory use subject to the limitations and restrictions of Section 8-2.5, an office, within a main building, of an accountant, architect, attorney, dentist, physician or other professional person who resides in such building

DISTRICT								
S	R	H	L	B	M	I	W	MER
G*	A*	A*	A	A	A	A	G	F

*Provided that nonresident assistants do not exceed: one in a S district, two in a R district, and three in an H district.

Use Item No. 74

As an accessory use subject to the limitations and restrictions of Section 8-2.5, an occupation for profit customarily carried on in a dwelling unit by a person residing therein

DISTRICT								
S	R	H	L	B	M	I	W	MER
G*	A*	A*	A	A	A	A	G	F

*Provided that such occupation is carried on in a main building and requires only equipment ordinarily incident to a dwelling unit, that no non-resident help is employed and that there is no trading in merchandise.

Use Item No. 75

As an accessory use subject to the limitations and restrictions of Section 8-2.5, the keeping of horses, cows, goats or similar animals other than pigs

DISTRICT								
S	R	H	L	B	M	I	W	MER
G*	C*	C*	C*	C*	C*	C*	G*	F

*Provided that every stable and enclosure is at least one hundred feet from every residential building on another lot; and provided further that every stable and enclosure sheltering more than four such animals is at least one hundred feet from every lot on which there is a church, school playground, library, or public or eleemosynary institution unless that distance is intersected by a street at least sixty feet wide; and provided also in a S, R or H district, that no more than twenty-five animals at a time are kept on the lot and that every stable and enclosure is more than one hundred feet from the nearest street.

A condition of this use shall be that if on another lot a residential building is erected within one hundred feet of a stable or enclosure, the use of such stable or enclosure shall cease, and such stable or enclosure shall be removed.

Use Item No. 76

As an accessory use subject to the limitations and restrictions of Section 8-2.5, the keeping of poultry, pigeons, rabbits or bees

DISTRICT								
S	R	H	L	B	M	I	W	MER
C*	C*	C*	C*	C*	C*	C*	C*	F

*Provided that every enclosure therefor is at least fifty feet from every residential building on another lot; and provided further in a S, R or H district, that not more than twenty-five birds and rabbits in the aggregate or more than three colonies of bees are kept on the lot at one time, and that every enclosure is more than fifty feet from the nearest street. A condition of this use shall be that if on another lot a residential building is erected within fifty feet of an enclosure, the use of such enclosure shall cease, and such enclosure shall be removed.

Use Item No. 77

As an accessory use subject to the limitations and restrictions of Section 8-2.5, the keeping of laboratory animals incidental to an educational or institutional use, provided that all resulting noise, dust, fumes, gases, odors and refuse matter are effectively confined to the lot or so disposed of as not to be a nuisance or hazard to health or safety

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	C	C*	C*	C*	C	C	C	F

*Except A if accessory to Use Item No. 22 and if at least one of the provisos in the footnote of Use Item No. 22 is met.

(As amended on October 19, 1978, October 31, 1980, and January 8, 1982)

Use Item No. 78

As an accessory use subject to the limitations and restrictions of Section 8-2.5, in buildings with more than fifty dwelling units, and in hotels with more than fifty sleeping rooms, newsstand, barber shop, dining room and similar services primarily for the occupants thereof, when conducted wholly within the building and entered solely from within the building

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	A	A	A	C	C	C	F

Use Item No. 79

As an accessory use subject to the limitations and restrictions of Section 8-2.5, in hospitals with more than fifty beds, and in educational institutions with more than four hundred full time students, incidental uses and services ordinarily found in connection therewith and primarily for the patients and staff or students and faculty, when conducted wholly within a building and entered solely from within the building where there is but one building on the lot or from an entrance not directly facing a street or lot line where there is more than one building on a lot

DISTRICT								
S	R	H	L	B	M	I	W	MER
C	C	C*	C*	C*	F	F	F	F

*Except A if accessory to Use Item No. 22 and if at least one of the provisos in the footnote of Use Item 22 is met.

(As amended on October 19, 1978, October 31, 1980, and January 8, 1982)

Use Item No. 80

As an accessory use subject to the limitations and restrictions of Section 8-2.5, the storage of flammable liquids and gases incidental to a lawful use

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A	A	A	A	A	A	*

*A if accessory to a maritime-dependent industrial use; otherwise F.

Use Item No. 81

As an accessory use subject to the limitations and restrictions of Section 8-2.5, the manufacture, assembly or packaging of products sold on the lot

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A*	A	A	A	C	C

*Provided that no products are processed for sale elsewhere than on the lot and that at any one time no more than five persons are employed in such manufacture, assembly and packaging.

Use Item No. 82

As an accessory use subject to the limitations and restrictions of Section 8-2.5, a repair garage incidental to auto sales

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	A*	A*	A*	C*	F

*Providing that all washing, lubricating and making of repairs is carried on inside a building, and that all noise, flashing, dust, fumes, gases, smoke and vapor are effectively confined to the lot.

Use Item No. 82A

As an accessory use subject to the limitations and restrictions of Section 8-2.5, sale within a building of automotive parts, including, but not limited to, batteries, seat covers tires, alternators, generators, carburetors, headlamps, fanbelts, motor oil, and similar automotive parts and accessories and supplies

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	C	A	A	C	*

*C if a maritime-dependent use; otherwise F.

(As inserted on November 7, 1996.)

Use Item No. 83

As an accessory use subject to the limitations and restrictions of Section 8-2.5, permanent dwellings for personnel required to reside on a lot for the safe and proper operation of a lawful main use of such lot

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A	A	A	C	C	C	C

Use Item No. 84

As an accessory use subject to the limitations and restrictions of Section 8-2.5, any non-residential use lawful in an I district

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	F	F	C†		C	F

*Provided that such use is so carried on as not to be either a hazard to the health or safety of persons on any adjacent lot or a nuisance.

†Subject, in the case of an accessory office, to Article 34, for a period of three years from its effective date.

(The effective date of Article 34 was April 29, 1988. As amended on April 29, 1988, June 23, 1989, and May 3, 1990)

Use Item No. 85

As an accessory use subject to the limitations and restrictions of Section 8-2.5, any use ancillary to, and ordinarily incident to, a lawful main use

DISTRICT								
S	R	H	L	B	M	I	W	MER
A*	A*	A*	A*	A*	A*†	A*†	A*	A*

*Provided that such use is not a use specifically forbidden in such district; and provided further that any such use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is accessory.

†Except, in the case of an accessory office, subject to Article 34, for a period of three years from its effective date.

[The effective date of Article 34 was April 29, 1988.] (As amended on April 29, 1988, June 23, 1989, and May 3, 1990)

Use Item No. 86

As an accessory use subject to the limitations and restrictions of Section 8-2.5, the maintenance and operation of not more than four amusement game machines:

- a. in a private club, dormitory, fraternity or sorority house, or similar noncommercial use

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	A	A*	A*	A*	A	A	C	F

*Except C in H-2-65, H-3-65, L-2-65, B-3-65, B-6-90a, and B-8-120a.

- b. in a bar, tavern, or other commercial establishment where alcoholic beverages are sold and consumed

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	A*	A*	A	A	G	F

*Except C in L-2-65, B-3-65, B-6-90a, and B-8-120a.

c. in a store, self-service laundry, restaurant, or other commercial establishment (other than a commercial establishment where alcoholic beverages are sold and consumed)

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	C	A*	A*	A	G	F

*Except C in B-3-65, B-6-90a, B-8-120a, B-8-120b, and M-8.

(As inserted on June 2, 1983, and amended on April 2, 1987)

Use Item No. 87

As an accessory use subject to the limitations and restrictions of Section 8-2.5, facilities for the temporary berthing on shore of personnel of vessels under repair

DISTRICT								
S	R	H	L	B	M	I	W	MER
*	*	*	*	*	†	†	A	A

*Not applicable.

†A if accessory to a maritime-dependent industrial use; otherwise F.

(As inserted on August 30, 1988)

Use Item No. 88

As an accessory use not subject to Section 8-2.5, family day care home

DISTRICT								
S	R	H	L	B	M	I	W	MER
A	A	A	A	A	C	C	G	C

(As inserted on October 12, 1988)

Use Item No. 89

~~As an accessory use subject to the limitations and restrictions of Section 8-2.5, the indoor maintenance and operation of one or more payphones~~

DISTRICT								
S	R	H	L	B	M	I	W	MER
F	F	F	G*	G*	G*	G*	G*	G*

~~*Provided that such use shall be forbidden unless located within a building at least ten (10) feet from an entrance~~

Commented [81]: This use has been deleted because it no longer exists as a land use concern, and because, as the last numbered use item in this section of the code, deleting it will not introduce new renumbering errors.

(As inserted on March 15, 2006. As amended on April 11, 1979, on January 4, July 15, and August 30, 1988, on February 1 and March 20, 1989, on April 27 and June 14, 1990, and on January 28, 1991)

Section 8-4. Use Regulations of Urban Renewal Subdistricts.

The use regulations of Table BA shall apply to each of the Urban Renewal Subdistricts, with the following additions:

(a)As an accessory use to housing developments, and subject to limitations and restrictions of Section 8-2.5.b, business uses such as a food store, drug store, physician or dentist office, barber shop or restaurant shall be permitted within the H-1U through H-5U districts, when such uses are intended primarily for the convenience of residents of such housing.

Article 23 (Parking)

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ARTICLE 23 OFF-STREET PARKING

Section 23-1. Residential Uses.

No structure or land shall be used for any use listed in Table AB of Section 8-7 under Use Items Nos. 1, 1A, 2, 3, 4, 5, 6, 7, 7A, 7B, 8, 9, 10, 11, 12, 13, 13A, 14 or 15, unless off-street parking facilities are provided as follows:

If the Maximum Floor Area Ratio Specified in Table B of Section 13-1 for the Lot is:	For Each Dwelling Unit There Shall Be Provided at Least:*
0.3 or 0.5	1.0 space [†]
0.8 or 1.0	0.9 space [†]
2.0	0.7 space [†]
3.0	0.6 space [†]
4.0	0.5 space [†]
5.0	0.4 space [†]

* Where use is not divided into dwelling units:

- (a) If sleeping rooms have accommodations for not more than two persons, each two sleeping rooms shall constitute one dwelling unit; and
- (b) If sleeping rooms have accommodations for more than two persons, each four beds shall constitute one dwelling unit.

[†] or, in the case of affordable residential housing, no off-street parking shall be required. Affordable residential housing shall be considered to describe those projects where at least 60% of the proposed residential units are income-restricted at or below 100% of Area Median Income (AMI), as defined by the U.S. Department of Housing and Urban Development.

(As amended on November 26, 1965, April 14, 1967, November 9, 1978, April 11, 1979, August 10, 1979, and June 29, 1984; Text Amd. No. 454 , § 1, 12-22-21)

Section 23-2. Public Assembly Uses.

Except in a restricted parking district, no structure or land shall be used for any use listed in Table AB of Section 8-7 under Use Item Nos. 21, 27, 28, 29, 30, 36A, 37, 38, 38A, 52, 62, 63, or 66 unless off-street parking facilities are provided as follows:

If the Maximum Floor Area Ratio Specified in Table B of Section 13-1 for the Lot is:	One Space shall be Provided,	
	If There Are Seats, for Each:*	If There Are No Seats, for Each:

0.3 or 0.5	5 seats	100	square feet of public floor area in structures
0.8 or 1.0	6 seats	120	
2.0	8 seats	160	
3.0	15 seats	300	
4.0	20 seats	400	
5.0	20 seats	400	

* Where benches are used for seating purposes, each two lineal feet of bench shall constitute one seat.

Except that places of worship need provide no more than one half of such number of spaces.

(As amended on September 27, 1973 and March 5, 1975)

Section 23-3. Institutional Uses.

Except in a restricted parking district, no structure or land shall be used for any use listed in Table AB of Section 8-7 under Use Item Nos. 16, 16A, 17, 18, 19, 20, 20A, 22, 22A, 23, 24, 25, 39A, 77 or 79, unless off-street parking facilities are provided as follows:

If the Maximum Floor Area Ratio Specified in Table B of Section 13-1 for the Lot is:	One Space Shall be Provided for Each:	
0.3 or 0.5	600	square feet of gross floor area
0.8 or 1.0	700	
2.0	1,000	
3.0	1,800	
4.0	2,400	
5.0	2,400	

Provided that any use under Use Item Nos. 16, 17, 18 or 19 primarily for children under sixteen need provide no more than one half of such number of spaces; and provided further that where an institution maintains one or more dormitories, the number of parking spaces accessory to such dormitories shall be deducted from the number of parking spaces otherwise required by this section for a lot with classrooms, libraries, lecture halls, laboratories and similar educational areas normally used by persons resident in such dormitories unless such lot is regularly used by persons not resident in such dormitories or the parking spaces accessory to such dormitories are more than twelve hundred feet from such lot.

(As amended on July 9, 1973, September 27, 1973, October 19, 1978 and January 8, 1982)

Section 23-4. Retail and Office Uses.

Except in a restricted parking district, no structure or land shall be used for any use listed in Table AB of Section 8-7 under Use Item Nos. 32, 33, 34, 34A, 35, 36, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 51, 61, 73, 74 or 78 unless off-street parking facilities are provided as follows:

If the Maximum Floor Area Ratio Specified in Table B of Section 13-1 for the Lot is:	One Space Shall be Provided:			
	For each		and also for Each:	
0.3 or 0.5	300	square feet of gross floor area on ground floor	600	square feet of other gross floor area*
0.8 or 1.0	350		700	
2.0	500		1,000	
3.0	900		1,800	
4.0	1,200		2,400	
5.0	1,200		2,400	

* Where 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.

(As amended on August 12, 1971, July 9, 1973, September 27, 1973, and March 5, 1975)

Section 23-5. Factory and Warehouse Uses.

Except in a restricted parking district, no structure or land shall be used for any use listed in Table AB of Section 8-7 under Use Item Nos. 31, 45, 54, 55, 56, 57, 60, 60A, 64, 65, 67, 68, 69, or 70 unless off-street parking facilities are provided as follows:

If the Maximum Floor Area Ration Specified in Table B of Section 13-1 for the Lot is:	One Space shall be provided for Each:	
0.3 or 0.5	1,000	square feet of gross floor area*
0.8 or 1.0	1,200	
2.0	1,600	
3.0	2,000	
4.0	3,000	

5.0	3,000	
-----	-------	--

* Where 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.

(As amended July 9, 1973, and September 27, 1973)

Section 23-6. Off-Street Parking Not Required in Certain Cases.

- (a) When the maximum floor area ratio specified in Table B of Section 13-1 for a lot is 8.0 or 10.0, off-street parking facilities are not required for such lot.
- (b) When the maximum floor area ratio specified in Table B of Section 13-1 for a lot is 0.8, 1.0, 2.0, 3.0, 4.0, or 5.0, off-street parking facilities are not required for such lot if the lot is devoted to residential uses and no more than two car spaces are required by Section 23-1 or if the lot is devoted to non-residential uses and no more than four car spaces are required by other provisions of this Article.
- (c) When the maximum floor area ratio specified in Table B of Section 13-1 for a lot is 0.3 or 0.5, off-street parking facilities are not required for such lot if the lot is devoted to non-residential uses and no more than two car spaces are required by other provisions of this Article.

(d) When a use occurs on a lot located in a Squares + Streets District specified in Article 26 and designated on any official Boston Zoning Map, off-street parking facilities are not required for such lot and such use.

Commented [1]: Improved drafting

Section 23-7. Mixed Uses.

- (a) If a lot by reason of a diversity of occupancies is subject to more than one of the first five sections of this Article, the number of car spaces required by each section for the occupancies subject to it shall be determined, and then such numbers totalled; and off-street parking facilities with such total number of car spaces shall be provided.
- (b) If a single occupancy involves uses subject to more than one of the first five sections of this Article, off-street parking facilities shall be provided for such occupancy in accordance with the section to which the dominant use is subject, except that if a minor use subject to another of said sections occupies more than ten thousand square feet or more than twenty-five percent of the gross floor area of the structure, off-street parking facilities shall be provided as if the lot were by reason of a diversity of occupancies subject to more than one of said sections.

Section 23-7A. Pre-Code Structures.

If a structure existing on December 31, 1964, 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.

(As inserted April 14, 1967)

Section 23-8. Location.

- (a) Except in the case of a lot serviced by a common parking facility, the off-street parking facilities required by this Article 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 the particular lot is for residential purposes and the other lot is within four hundred feet of the particular lot; and
 - (2) where the main use on the particular lot is for non-residential purposes and the other lot is within twelve hundred feet of the particular lot.
- (b) 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 numbers required for each use.
- (c) Parking spaces provided by the City on public right-of-way adjacent to housing units for families of low or moderate income or families displaced from urban renewal areas or as a result of governmental action, when such housing units will have mortgage insurance provided according to Title 12 U.S. Code (1964 edition) S. 1715 (L), as amended from time to time, and when such parking spaces are clearly intended by their location and design to be used primarily by residents of such housing units and their visitors, may be substituted space for space for the parking spaces required by this code. This section shall not apply to parking spaces along the curb of any street which is used primarily for the movement of vehicles belonging to others than residents of such housing or their visitors.

(As amended April 14, 1967)

Section 23-9. Design.

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

- (a) Location of Accessory Parking. Accessory off-street parking in a residential or mixed use district shall not occupy any part of the front yard required by this code and may only occupy side yards required by this code if located more than five feet from the side lot line.
- (b) Off-street parking in a mixed use district shall not immediately abut the street. Parking is not allowed within the front yard of a lot.
- (a c) For parking facilities accessory to residential main uses, curb cuts for access to such parking facilities shall not exceed 12 feet in width for parking facilities with fewer than 50 spaces; and shall not exceed 24 feet in width for parking facilities with 50 or greater spaces.
- (d) For parking facilities accessory to non-residential main uses, curb cuts for access to such parking facilities shall not exceed 12 feet in width for one-way driveways; and shall not exceed 24 feet in width for two-way driveways.
- (a e) Such facilities shall have car spaces to the number specified by this Article, maneuvering areas and appropriate means of vehicular access to a street, and shall be so designed as not to constitute a nuisance or a hazard or unreasonable impediment to traffic and pedestrians; and all lighting shall be so arranged as to shine downward and away from streets and residences.
- (b f) Such facilities, whether open or enclosed in a structure, shall be so graded, surfaced, drained and maintained as to prevent water and dust therefrom going upon any street or another lot.
- (e g) Such facilities shall not be used for automobile sales, dead storage, or repair work, dismantling or servicing of any kind.
- (d h) Each car space shall be located entirely on the lot. The dimensional requirements for parking spaces, not inclusive of Required Accessible Parking Spaces, are provided as follows:

Parking Angle	Maximum Width	Maximum Depth	Maximum Width	Maximum Width
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Commented [2]: After further conversation with BTB, new standards in this section 23-9 Design have been revised to align with current practice when reviewing projects.

Commented [3]: Moved this provision from Section 10-1 "Limitation of Area," to put accessory parking regulations within this article that regulates off-street parking.

Commented [4]: Simplified language restricting off-street parking abutting the street.

Commented [5]: This standard is consistent with BPDA recommendations through the Article 80 process, and is appropriate for residential uses with relatively lower frequency of vehicular traffic.

Commented [6]: Distinction of non-residential is significant to include here because those uses may have a higher frequency of vehicular traffic.

Commented [7]: Added "and pedestrians" to place emphasis on pedestrian safety in alignment with citywide planning goals.

Commented [8]: Establishing dimensions required for standard (non-accessible) parking spaces and drive aisles within parking areas for different parking configurations.

	of Parking Space	of Parking Space	of Drive Aisle for One-Way Traffic	of Drive Aisle for Two-Way Traffic
0° (Parallel)	8'	20'	11'	16'
60°	8.5'	19'	16'	20'
90°	8.5'	18'	24'	24'

Section 23-10. 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 23-11. Required Accessible Parking Spaces.

Off-street parking facilities are required to provide accessible parking spaces designed in accordance with the state standards as set forth in Title 521 CMR 23 in the Massachusetts Code Massachusetts Architectural Access Board requirements in the Code of Massachusetts Regulations Title 521, Section 23.1 23.8 and the Code of Massachusetts Regulations Title 521, Section 103. For residential uses, accessible parking shall be provided in sufficient numbers to meet the needs of the dwelling unit occupants, and if parking spaces are assigned to individual units, those spaces designated for accessible units shall have signage reserving said space. The required minimum number of accessible parking spaces must be provided as follows:

Commented [9]: Making the language more concise

<i>Total Spaces in Parking Facility</i>	<i>Required Minimum Number of Accessible Spaces</i>
15-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total
1,001 and over	20 plus 1 for each 100 over 1,000

Smaller Changes

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Article 2 (Definitions)

ARTICLE 2

Add: Abutting. To be next to or share a common boundary with a building or an area of land such as a lot, street, or zoning district.

Commented [1]: Added definition (in response to conversations with ISD)

Amend: Accessory Use. A use customarily incident to, and on the same Lot as, a main or principal use. (See this Article for definitions of certain Accessory Uses. See [Article 10](#) Section 8-2.5 for regulations applicable to Accessory Uses.)

Commented [2]: Added principal use as another terminology equivalent to main use and updated the Section numbering related to the reorganization of existing Article 10 into updated Article 8.

Add: Blank wall of facade. The continuous width of a portion of the ground floor building facade that fronts a Primary Lot Frontage which does not have windows or entrances that pedestrians can pass through.

Amend: Story, First. The lowest story of which sixty-five percent (65%) or more of the height is above grade. See also Ground Floor.

Add: Ground Floor. The lowest story of which sixty-five percent (65%) or more of the height is above grade. See also Story, First.

Add: Ground Floor Active Use Depth: The depth of interior space devoted to an Active Use, as defined in Article 8, Table A, on the ground floor of a building, measured as the distance from the building facade towards the interior of the building.

Add: Outdoor amenity space: A space open to the outdoor air directly accessed from the ground floor or upper stories of a building and/or a pedestrian accessway, that is intended to be used for active or passive recreational use such as playing, gathering, and seating by building occupants and/or the public. Overhead structures that provide shade or protection from the elements, but are otherwise open to the outdoor air, such as pergolas and canopies, may be included as part of outdoor amenity space.

Commented [3]: Added language to clarify that shade structures can be part of outdoor amenity space

Types of spaces that shall count towards outdoor amenity space include:

1. Publicly Accessible Open Space, as defined in Article 8; or
2. New portions of public sidewalks created within the lot line; or
3. Outdoor space for tenants or customers, including restaurant seating or outdoor event and performance areas; or
4. Publicly accessible through-block pedestrian connections of a width not less than ten (10) feet; or
5. Private amenity space intended to be used primarily by the building occupants, such as porches, interior courtyards, shared gardens, playgrounds, shared terraces, and/or programmed or landscaped yards, provided that such spaces have an unobstructed length of not less than ten (10) feet and an unobstructed depth of not less than ten (10) feet; or
6. Private amenity space dedicated for use by a single dwelling unit, and that is directly accessible from that dwelling unit, such as fenced/walled patios, private terraces, and balconies, provided that such a space has an unobstructed length of not less than five (5) feet, an unobstructed depth of not less than five (5) feet, and an overall area of not less than thirty (30) square feet; or
7. Roofdecks, occupiable vegetative roofs, and other programmed recreational spaces on rooftops that are accessible by building occupants or the public through common circulation.

Commented [4]: Added to respond to MOAC comments in terms of cultural spaces

Commented [5]: Added clarification that through-block pedestrian connections must be publicly accessible to count as outdoor amenity space (in response to further internal review)

Commented [6]: Added to allow publicly accessible roofdecks to count as Outdoor amenity space (in response to conversation with MOAC)

Outdoor Amenity Space requirement calculation

1. When specified, the Outdoor Amenity Space requirement is calculated by dividing the cumulative area of all outdoor amenity space by the lot area.
2. Every 1 square foot of Publicly Accessible Open Space may count as 1.25 square feet toward the total required Outdoor Amenity Space.

3. For lots over 11,000 sf rooftop amenity space may be used to count for no more than fifty percent (50%) of the required Outdoor Amenity Space.

Add: Party Wall: Any wall located on a lot line between adjacent buildings, which is used or adapted for joint service between the two buildings.

Commented [7]: Updated to align more closely with Building Code definition.

Add: Primary Lot Frontage: The side of the lot situated along the Street which carries the greatest volume of pedestrian traffic, contains entrances for pedestrians, and is generally where building facades are oriented towards. For any Proposed Project that is subject to or has elected to comply with Small or Large Project Review, designation of the Primary Street Frontage shall be determined through such review in accordance with the provisions of Article 80.

Add: Principal structure: A structure designed, used, or occupied for the main or principal uses(s) of a lot.

Commented [8]: Added alongside main building to encompass principal structures that are dwellings, which are excluded from the current definition of main building.

Add: Stepback: A recess of an upper story façade a set distance behind the façade of the story below.

Amend: Motor Vehicle: A self-propelled, wheeled, non-rail conveyance with gas-, electric-, solar- or other non-muscle powered engine (such as cars, trucks, motorcycles, minibikes, pocket bikes, mopeds, ~~power scooters,~~ ~~electric skateboards~~) with the exception of:

Commented [9]: Excluded micromobility vehicles to align definition with existing practice and interpretation of the Code.

- (a) Personal mobility devices designed for use on sidewalks and pedestrian areas (such as Electronic Personal Assistive Mobile Device or "EPAMD's" and segways), including those designed for persons with impaired mobility (such as wheelchairs); and
- (b) Motor vehicles with primarily an agricultural or industrial purpose (such as tractors and riding lawn mowers).
- (c) **Micromobility Vehicles such as electric-assist bicycles and electric scooters.**

Commented [10]: Based on existing BTD policy recommendations, added clarifying language about micromobility vehicles

Amend: Maximum Building Height. Where the applicable zoning specifies a maximum Building Height, whether in number of stories or feet, no building or part of a building shall exceed that height. **When both stories and feet are specified, both requirements must be met.**

Commented [11]: Added for clarity.

Article 3 (Establishment of Zoning Districts)

ARTICLE 3 ESTABLISHMENT OF ZONING DISTRICTS

Section 3-1. Division of City Into Districts.

For the purposes of this code, the City is hereby divided into districts as follows:

one class of mixed use district: S (squares and streets)

~~three~~ two classes of residential districts: ~~S (single family)~~; R (general); H (apartment)

two classes of business districts: L (local); B (general)

~~seven~~ two classes of industrial districts: ~~LM (light manufacturing)~~; M (restricted manufacturing); I (general)
~~WM (waterfront manufacturing); WS (waterfront service)~~

one class of open space district: OS (open space)

downtown districts (established pursuant to Section 3-1**C**), as listed in Subsection (~~ef~~) of this Section;

neighborhood districts (established pursuant to Section 3-1**B**), as listed in Subsection (~~fg~~) of this Section;

the Harborpark District (established pursuant to Section 3-1D), as listed in Subsection (~~gh~~) of this Section;
and

special districts (established pursuant to Section 3-1E), as listed in Subsection (~~hi~~) of this Section.

Land in private ownership shall not be included in the open space class of district without the written consent of the owner.

Each of the residential, business, and industrial classes is further subdivided into subdistricts, which are identified by a number specifying the maximum allowed floor area ratio and some of which have a second number specifying a height limit. The open space district may be divided into open space subdistricts in accordance with the provisions of Article 33. **Mixed Use Districts**, downtown districts, neighborhood districts, special districts, and the Harborpark District are divided into variously titled subdistricts and subareas, as set forth in the applicable articles of this code.

- (a) **Mixed Use Districts:** S0, S1, S2, S3, S4, S5
- (ab) **Residential Districts:** ~~S-3, S-5 Single Family, R-5, R-8~~ General, ~~H-1-40, H-1-50, H-1, H-2-45, H-2-65, H-2~~ Apartment, ~~H-3-55, H-3-65, H-3, H-4, H-5-55, H-5~~
- (bc) **Business Districts:** L-.5, L-1, ~~L-2-55 Local~~, L-2-65, L-2, B-1, ~~B-2-55, B-2, B-3-65, B-4, B-6-90a~~ General, B-6-90b, ~~B-8-55, B-8-120a, B-8-120b, B-8-120c, B-8, B-10~~
- (ed) **Industrial Districts:** ~~LM-1 Light Manufacturing, LM-2, M-1, M-2-55, M-2~~ Restricted Manufacturing, M-4, M-8, I-2 General Industrial, MER-2, Maritime Economy Reserve, ~~W-1 Port Norfolk Waterfront Service, W-2 Waterfront Industrial, WM Waterfront Manufacturing, WS Waterfront Service~~
- (de) **Open Space Districts:** OS (Open Space), OS-A (Air-Right), OS-CM (Cemetery), OS-G (Community Garden), OS-P (Parkland), OS-RC (Recreation), OS-SL (Shoreland), OS-UP (Urban Plaza), OS-UW (Urban Wild), OS-WA (Waterfront Access Area).
- (ef) **Downtown Districts**
~~See Appendix A to this article for a list of Downtown Districts.~~

Commented [1]: S, LM, and WS districts are not used or mapped in the City of Boston. We are deleting references to these unneeded zoning districts throughout the code.

Cambridge Street North District	Leather District
Bulfinch Triangle District	Midtown Cultural District
Chinatown District	North Station Economic Development Area
Government Center/Markets District	South Station Economic Development Area
Huntington Avenue/Prudential Center District	Stuart Street District

Commented [2]: Stuart Street District was not previously listed as a downtown district.

(fg)

Neighborhood Districts

See Appendix A to this article for a list of Neighborhood Districts.

Allston-Brighton Neighborhood District	Jamaica Plain Neighborhood District
Audubon Circle Neighborhood District	Massachusetts College of Pharmacy Institutional District
Bay Village Neighborhood District	Mission Hill Neighborhood District
Beth Israel Hospital Institutional District	New England Deaconess Hospital Institutional District
Charlestown Neighborhood District	Newmarket 21st Century Industrial District
City Square Neighborhood District	North End Neighborhood District
Dana-Farber Cancer Institute Institutional District	Roslindale Neighborhood District
Dorchester Avenue Neighborhood District	Roxbury Neighborhood District
Dorchester Neighborhood District	Saint Vincent Neighborhood District
East Boston Neighborhood District	South Boston Neighborhood District
Fenway Neighborhood District	South End Neighborhood District
Greater Mattapan Neighborhood District	West Roxbury Neighborhood District
Hyde Park Neighborhood District	

Commented [3]: Newmarket was not previously listed as a neighborhood district.

Commented [4]: South Boston was not previously listed as a neighborhood district.

Commented [5]: Hyde Park was not previously listed as a neighborhood district.

(gh) **Harborpark District**

(hi) **Special District**

Central Artery Special District

The boundaries of the above districts are established as shown on a series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, on file in the office of the City Clerk, which maps, with all explanatory matter thereon, and all maps which, by amendment of this code, may be substituted therefor or made supplemental thereto shall be deemed to be, and are hereby made, a part of this code.

The locations of open space districts shall be identified and designated by map or text amendment of this code. Notwithstanding that the site of a designated open space district appears to be in a residential, business, industrial, or other district on any map in the series of maps entitled "Zoning Districts City of Boston," such site is in an open space district.

(As amended on February 17, 1971, March 20 and May 26, 1972, July 9 and September 27, 1973, October 22, 1974, February 28, 1979, October 22, 1974, February 28, 1979, October 31, 1980, June 16, 1982, June 24, 1985, April 2, 1987, January 4, March 8, August 30, and October 12, 1988, February 1, March 20, and September 13, 1989, March 20, April 27, and June 14, 1990, January 28, April 1, April 22, June 7, and November 13, 1991, March 19 and October 28, 1992, February 16, May 17, and September 7, 1993, and July 31, 1997.)

Section 3-1A. Special Purpose Overlay Districts.

A subdistrict or part thereof or a contiguous group of subdistricts or parts thereof may be designated as a special purpose overlay district as follows:

- (a) planned development area (distinguished by the addition of the letter "D" to the designation of the subdistrict or subdistricts);
- (b) urban renewal area (distinguished by the addition of the letter "U" to the designation of the subdistrict or subdistricts);
- (c) restricted and limited parking districts;
- (d) adult entertainment district (distinguished by the addition of the letter "E" to the designation of the subdistrict or subdistricts);
- (e) flood hazard district;
- (f) institutional district;
- (g) restricted roof structure district (distinguished by the addition of an asterisk to the designation of the subdistrict or subdistricts);
- (h) interim planning overlay district;
- (i) limited height district (distinguished by the addition of a second numerical suffix added to the basic district designation);
- (j) greenbelt protection overlay district;
- (k) density limitation district;
- (l) groundwater conservation overlay district;
- (m) smart growth overlay district. Other special purpose overlay districts may be designated in downtown districts, neighborhood districts, and the Harborpark District, as provided in the articles governing such districts. In an overlay district the regulations specified for the base subdistrict or subdistricts shall apply, insofar as they are not in conflict with special regulations specified for a particular overlay district;

-
- (n) urban agriculture overlay district;
 - (o) greenway overlay district;
 - (p) resilience overlay district

(Text Amd. No. 375 , § 1A., 11-16-11; Text Amd. No. 452 , §§ 1A., B., 10-26-2021)

Editor's note(s)—(This section, inserted March 24, 1977, incorporates districts formerly described in Section 3-1. The first paragraph was subsequently amended on June 8, 1977, August 20, 1981, December 30, 1983, November 23, 1984, June 24, 1985, June 1 and September 23, 1987, October 12, 1988, April 22, 1991, February 9, 2006, and January 9, 2008.)

- a. **Planned Development Areas.** The whole or any part of a subdistrict may be established as a planned development area if such area contains not less than one acre and the commission has received from the Boston Redevelopment Authority, and has approved, a development plan or, if the area contains not less than five acres and is not located in a residential zoning district, a master plan for the development of the planned development area. Before transmittal to the commission, such development plan or master plan shall have been approved by said Authority after a public hearing, provided, however, that no development plan or master plan shall be approved by said Authority unless said Authority finds that such plan conforms to the general plan for the city as a whole and that nothing in such plan will be injurious to the neighborhood or otherwise detrimental to the public welfare. A development plan shall set forth the proposed location and appearance of structures, open spaces and landscaping, proposed uses of the area, densities, proposed traffic circulation, parking and loading facilities, access to public transportation, proposed dimensions of structures, and may include proposed building elevations, schematic layout drawings and exterior building materials, and such other matters as said Authority deems appropriate to its consideration of the proposed development of the area.¹

If the area contains not less than 5 acres and is not located in a residential zoning district, a master plan may be submitted setting forth only a statement of the development concept, including the planning objectives and character of the development, the proposed uses of the area, the range of dimensional requirements contemplated for each of the proposed uses, the proposed phasing of construction of the development and such of the other items set forth above as said Authority may request in order to make its required finding. No work shall proceed in any planned development area established by the commission on the basis of an approved master plan until a development plan for the area, or portion thereof in which work is to proceed, conforming to the foregoing requirements has been approved by the Authority and the commission, in each case after a public hearing.

To insure that no work proceeds other than in accordance with an approved development plan, no structure shall be erected, reconstructed, or structurally changed or extended in a planned development area, whether or not a master plan has been approved for such area, unless all drawings and specifications therefor shall have been subjected to design review and approved by said Authority. The Building Commissioner shall not issue any building or use permit with respect to any building, structure, or land within a planned development area unless the Director of said Authority has certified on the application therefor and on each and every plan filed with the Building Commissioner in connection therewith that the same is consistent with the development plan for such planned development area or the portion thereof to which said permit relates. Except as otherwise provided in

¹None of the changes to this code adopted in Text Amendment No. 94, effective September 23, 1987, shall apply to any site or project for which application for approval of a development plan or master plan has been submitted to the Boston Redevelopment Authority pursuant to Section 3-1A.a prior to July 22, 1987, provided that a development plan or master plan has been or is hereafter approved by the Boston Redevelopment Authority pursuant to such application, whether or not such application or such development plan or master plan is thereafter modified or amended.

Article 6A or Article 80, planned development areas shall be subject to all the provisions of this code applicable to the subdistrict in which the area is located.

(As inserted on July 2, 1968, and amended on December 29, 1982, September 23, 1987, and May 9, 1996)

- b. **Urban Renewal Areas.** Upon application from the Boston Redevelopment Authority, the whole or any part of a subdistrict may be established as an urban renewal area if all land within such urban renewal area is the site of or for a low rent housing project, or a housing project for elderly persons of low income, or consists solely of land, including land under water, with respect to which an agreement has been entered into with said Authority establishing use and dimensional controls as specified in a land assembly and redevelopment, or urban renewal plan, as defined in Chapter 121 of the General Laws. Articles 8, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and the provisions of this code establishing use, dimensional, parking, and loading requirements for any Neighborhood District established under Section 3-1~~B~~C or for any Downtown District established under Section 3-1~~E~~B or for any Harborpark District established under Section 3-1~~D~~D shall not apply to urban renewal areas; but except as otherwise provided in Article 6A, urban renewal areas shall be subject to all other provisions of this code applicable to the subdistrict in which the area is located.

(As inserted on September 7, 1967, and amended on July 2, 1968, November 23, 1984, September 2, 1993, and October 26, 1995; Text Amd. No. 429 , § 1, 12-13-2017)

- c. **Restricted and Limited Parking Districts.** In a restricted parking district, off-street parking facilities, including parking lots, parking garages, and parking accessory or ancillary to any use other than Use Items numbered 1 through 15, shall be conditional uses which may be granted only in conformance with the provisions of Section 6-3A as well as Sections 6-2, 6-3 and 6-4.

(As inserted on September 27, 1973, and amended on December 30, 1983, and November 23, 1984)

In a limited parking district, Use Item Nos. 58 and 59, parking lot and parking garage, shall be forbidden uses. (Note: These restrictions are not applicable to land of agencies or authorities of the Commonwealth of Massachusetts or the United States of America that are not subject to municipal zoning.)

(As inserted on December 30, 1983)

- d. **Adult Entertainment District.** An adult entertainment district is an overlay district in which Use Items No. 34A and 38A (adult books and adult entertainment) are allowed, and in which the prohibition of moving or flashing signs in Section 11-2 does not apply.

(As inserted on November 2, 1974, and amended on November 24, 1984)

- e. **Flood Hazard Districts.** The location of and regulations for flood hazard districts are set forth in Article 25 of this code.

(As inserted on March 24, 1977)

- f. **Institutional District.** Notwithstanding the provisions of Table ~~AB~~ of Section 8-7, in an institutional district the following uses are conditional uses in instances where they would otherwise be allowed under said Table ~~AB~~: any use listed under Use Item No. 16, 17, 20, 22A, 28, 29, or 30. Use Item No. 72, accessory parking, shall be a conditional use if the main use to which it is accessory is in existence at the time that new or additional parking spaces are applied for and if such main use is a use listed under Use Item No. 11, 12, 13, 13A, 14, 16, 16A, 17, 18, 19, 20, 22A, 28, 29, or 30.

(As inserted on June 8, 1977)

g. **Restricted Roof Structure Districts.** All or part of a subdistrict that is characterized by groups of buildings with identical or similar heights within such groups may be designated as a restricted roof structure district, the regulations for which are set forth in Section 16-8.

(As inserted on August 20, 1981)

h. **Interim Planning Overlay District.** A district or group of districts or a subdistrict or group of subdistricts or parts thereof (hereafter referred to as an area) may be established as an interim planning overlay district when it is determined by the Zoning Commission that:

- (1) the existing zoning is thought to be inappropriate;
- (2) a rezoning of the area is anticipated;
- (3) a comprehensive planning study preceding the anticipated rezoning is needed; and
- (4) interim land use regulations are essential to maintain the status quo in the area and prevent introduction of changes to the area which may be incompatible with the goals of the comprehensive planning study or anticipated rezoning. The regulations governing the interim planning overlay district are set forth in Article 27.

(As inserted on November 23, 1984)

i. **Limited Height Districts.** A limited height district may be established by map amendment which adds to the basic subdistrict designation or designations a numerical suffix indicating the maximum height in feet for buildings in such district. When such limited height district designation does not appear in the first column of Table B of Section 13-1, the dimensional requirements of such district shall be as specified in said Table B for the base district, except that the maximum height of buildings shall be as specified by such suffix.

(As inserted on June 24, 1985)

j. **Greenbelt Protection Overlay District.** An area along a Greenbelt Roadway may be established as a Greenbelt Protection Overlay District when the Zoning Commission determines that this designation is necessary to promote the purposes stated in Section 29-1. The requirements and regulations for Greenbelt Protection Overlay Districts are set forth in Article 29.

(As inserted on June 1, 1987)

k. **Density Limitation District.** All or part of a subdistrict that is characterized by groups of residential buildings with similar heights within such groups may be designated as a density limitation district, the regulations for which are set forth in Use Items No. 8 and No. 8A of Table AB in Section 8-7. For purposes of this section, usable interior living area is the area of a dwelling unit in a structure as measured by the interior faces of the walls of the unit, but excluding therefrom areas excluded from gross floor area as defined by Section 2-1, "Floor area, gross," but also excluding any open space or open or enclosed porches, balconies or decks.

(As inserted on September 23, 1987)

l. **Groundwater Conservation Overlay District.** All or portions of one or more downtown, Harborpark, or neighborhood districts at risk for groundwater depletion may be established as a Groundwater Conservation Overlay District when the Zoning Commission determines that this designation is necessary to promote the purposes stated in Section 32-1. The requirements and regulations for Groundwater Conservation Protection Overlay Districts are set forth in Article 32.

(As inserted on February 15, 2006.)

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- m. **Smart Growth Overlay District.** The whole or part of one or more districts or subdistricts may be established as a Smart Growth Overlay District if such area is in a Downtown District and contains not less than one-half acre of land or air rights or if such area is in a Neighborhood District and contains not less than one acre of land or air rights and if a planning study has been done to determine that the area is an appropriate area to encourage smart growth and increased housing production. The further requirements for adopting a Smart Growth Overlay District are set forth in Article 87.

(As inserted on January 9, 2008.)

- n. **Urban Agriculture Overlay District.** All or portions of the Greater Mattapan Neighborhood District may be established as an Urban Agriculture Overlay District when the Zoning Commission determines that this designation is necessary and appropriate for the reasons stated in Section 60-28. No other Districts or subdistricts in the City are permitted to adopt this overlay district.

- o. **Greenway Overlay District.**

- p. **Resilience Overlay District.** All or part of one or more subdistricts may be established as a Resilience Overlay District when the Zoning Commission determines that this designation is necessary and appropriate to advance the City's goal of protecting persons and structures from adverse impacts of climate change through resilient planning and design. The Zoning Commission may designate different types of Resilience Overlay District to address specific impacts and responses. These may include, but are not limited to coastal flooding, stormwater flooding, urban heat islands, and urban forest protection. The requirements and regulations for Coastal Flood Resilience overlay districts are set forth in Article 25A.

(Text Amd. No. 375 , § 1A., 11-16-11; Text Amd. No. 452 , § 1C., 10-26-202

Section 3-1C.B. Downtown District.

A district or group of districts or a subdistrict or group of subdistricts or parts thereof (hereafter referred to as an area) may be designated a downtown district after a planning study of the area has been conducted. The regulations governing any such downtown district are set forth in ~~an article of this code pertaining to such district~~ Articles 38, 39, 40, 41, 43, 44, 45, 46, and 47A. The boundaries of any such downtown district are shown on the "Zoning Districts City of Boston" maps, as amended, or supplements thereto. Downtown districts are listed in Section 3-1(e). The provisions of this code establishing use, dimensional, parking, and loading requirements for the downtown districts shall not apply to urban renewal areas established under Section 3-1A.b

(As inserted on March 20, 1989 and amended on October 26, 1995)

Section 3-1B.C. Neighborhood District.

A district or group of districts or a subdistrict or group of subdistricts or parts thereof (hereafter referred to as an area) may be designated as a neighborhood district after a planning study of the area has been conducted. The regulations governing any such neighborhood district are set forth in an article of this code pertaining to such district. The boundaries of any such neighborhood district are shown on the "Zoning Districts City of Boston" maps, as amended, or supplements thereto. A subdistrict or subdistricts within a neighborhood district may be distinguished on such maps or supplements by the addition of the letter "N" to the designation of such subdistrict or subdistricts. The provisions of this Code establishing use, dimensional, parking, and loading requirements for the neighborhood districts shall not apply to urban renewal areas established under Section 3-1A.b. of this Code.

(As inserted on July 15, 1988 and amended on April 22, 1991; Text Amd. No. 429 , § 2, 12-13-2017

Section 3-1D. Harborpark District.

The Harborpark District is established pursuant to the provisions of Article 42A, 42B, 42C, 42D, 42E, and 42F. The provisions of this code establishing use, dimensional, parking, and loading requirements for the Harborpark District shall not apply to urban renewal areas established under Section 3-1A.b.

(As inserted on April 27, 1990 and amended on June 14, 1990, January 28, 1991, and October 26, 1995; Text Amd. No. 375 , § 1B., 11-16-11)

Section 3-1E. Special District.

A district or group of districts or a subdistrict or group of subdistricts or parts thereof (hereafter referred to as an area) may be designated a special district after a planning study of the area has been conducted. The regulations governing any such special district are set forth in an article of this code pertaining to such district. The boundaries of any such special district are shown on the "Zoning Districts City of Boston" maps, as amended, or supplements thereto. Special districts are listed in Section 3-1(hi).

(As inserted on June 7, 1991)

Section 3-2. Interpretation of District Boundaries.

Where a district boundary is indicated on a map constituting part of this code as approximately following, or parallel to, the center line or side line of a street, highway, railroad right-of-way, or water course, such boundary shall be construed as following, or as being parallel to, such center line or side line. Where a district boundary is indicated on such a map as approximately following a lot line, such line shall be construed to be said boundary. If no distance is indicated on such a map for a district boundary running parallel to the center line or side line of a street or highway, such dimension shall be assumed to be one hundred feet from such line or, if as determined by the use of the scale shown on such map it is at least twenty feet more, or twenty feet less, than one hundred feet, it shall be as so scaled.

~~APPENDIX A to ARTICLE 3 Downtown Districts and Neighborhood Districts~~

~~Downtown Districts~~

~~Cambridge Street North District~~

~~Bulfinch Triangle District~~

~~Chinatown District~~

~~Government Center/Markets District~~

~~Huntington Avenue/Prudential Center District~~

~~Leather District~~

~~Midtown Cultural District~~

~~North Station Economic Development Area~~

ARTICLE 3 - ESTABLISHMENT OF ZONING DISTRICTS
APPENDIX A to ARTICLE 3 Downtown Districts and Neighborhood Districts

~~South Station Economic Development Area~~

~~Neighborhood Districts~~

~~Allston-Brighton Neighborhood District~~

~~Audubon Circle Neighborhood District~~

~~Bay Village Neighborhood District~~

~~Beth Israel Hospital Institutional District~~

~~Charlestown Neighborhood District~~

~~City Square Neighborhood District~~

~~Dana-Farber Cancer Institute Institutional District~~

~~Dorchester Avenue Neighborhood District~~

~~Dorchester Neighborhood District~~

~~East Boston Neighborhood District~~

~~Fenway Neighborhood District~~

~~Greater Mattapan Neighborhood District~~

~~Jamaica Plain Neighborhood District~~

~~Massachusetts College of Pharmacy Institutional District~~

~~Mission Hill Neighborhood District~~

~~New England Deaconess Hospital Institutional District~~

~~North End Neighborhood District~~

~~Roslindale Neighborhood District~~

~~Roxbury Neighborhood District~~

~~Saint Vincent Neighborhood District~~

~~South End Neighborhood District~~

~~West Roxbury Neighborhood District~~

~~(Text Amd. No. 375, § 1C, 11-16-11)~~

Article 4 (Application of Regulations)

Section 4-2. - Structure or Use Approved Prior to Effective Date of Code.

Nothing herein contained shall affect any structure or use for which a building or use permit is lawfully issued prior to the effective date of this code; provided, that construction work under such building permit, or occupancy under such use permit, is commenced within six months of the date of such permit and proceeds in good faith continuously so far as is reasonably practical under the circumstances; and provided further that all construction work is completed within two years from the effective date of this code and in accordance with the building permit as in effect on said effective date.

A Proposed Project, however, is exempt from the provisions of an amendment to 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 an amendment, 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.

Commented [1]: Adding this provision (which already exists in the neighborhood articles) to the base code to add more city-wide consistency to the Code. This provision basically says that if there are any amendment is made to the Zoning Code, any project application that is submitted before the the zoning commission hearing for that amendment is advertised does not have to comply with the new zoning.

Article 6 (Conditional Uses)

ARTICLE 6 CONDITIONAL USES

Section 6-1. Permit for Conditional Uses.

As provided for in Section 10 of Chapter 665 of the Acts of 1956, as now in force or hereafter amended, and in Section 8-32 of this code, and subject to the provisions of Sections 6-2, 6-3, 6-3A and 6-4, the Board of Appeal may, in a specific case after public notice and hearing, grant permission for a use specified in Tables A and B of Section 8-7 or other provision of this code as a conditional use; provided, however, that such permission shall lapse and become null and void unless such conditional use is commenced within two years after the record of said Board's proceedings pertaining thereto is filed in the office of the Building Commissioner pursuant to Section 8 of said Chapter 665.

(As amended on September 27, 1973 and April 27, 1990)

Section 6-2. Procedure for Appeal.

Each appeal for a conditional use shall be filed in quadruplicate with the Building Commissioner, who shall retain one copy for his files and transmit the other copies as follows: one to the Board of Appeal, one to the Boston Redevelopment Authority, and the other to the Zoning Commission. The Boston Redevelopment Authority shall, within thirty days after the date of such transmittal, file with the Board of Appeal a report with recommendations, together with material, maps or plans to aid the Board of Appeal in judging the appeal and determining special conditions and safeguards. The Board of Appeal shall not hold a hearing nor render any decision on an appeal for a conditional use until such report with recommendations has been received and considered, provided that if no such report is received within said thirty days, the Board of Appeal may hold a hearing and render its decision without such report.

(As amended on May 26, 1970)

Section 6-3. Conditions Required for Approval.

The Board of Appeal shall grant any such appeal only if it finds that all of the following conditions are met:

- (a) the specific site is an appropriate location for such use or, in the case of a substitute nonconforming use under Section 9-2, such substitute nonconforming use will not be more objectionable nor more detrimental to the neighborhood than the nonconforming use for which it is being substituted;
- (b) the use will not adversely affect the neighborhood;
- (c) there will be no serious hazard to vehicles or pedestrians from the use;
- (d) no nuisance will be created by the use;
- (e) adequate and appropriate facilities will be provided for the proper operation of the use;
- (f) if such appeal relates to a Development Impact Project, as defined in Section 80B-7, the applicant shall have complied with the Development Impact Project Exaction requirements set forth in Section 80B-7.3; and
- (g) if such appeal relates to a Proposed Project in an area designated a Greenbelt Protection Overlay District as defined in Section 29-2, the Applicant shall have complied with the requirements set forth in Section 29-3 and Section 29-5 and the standards set forth in Section 29-6.

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- (h) if such appeal relates to a Proposed Project in an area designated a Flood hazard district as defined in Article 25, the Applicant shall have complied with provisions set forth in Article 25.
 - (i) if such appeal relates to a Proposed Project in an area designated a Coastal Flood Resilience Overlay District (CFROD) as defined in Article 25A, the Applicant shall have complied with provisions set forth in Article 25A.
 - (j) if such appeal relates to any Proposed Project which is subject to or shall elect to comply with Section 80B of this Code, Large Project Review, the Applicant shall have complied with the provisions set forth in Article 37.

Commented [1]: Adding references to existing overlays to reinforce existing process and make it easier to navigate the Code

(As amended on December 29, 1983, February 27, 1986, June 1, 1987 and May 9, 1996.)

Section 6-3A. Additional Conditions Required for Approval of Parking Facilities in a Restricted Parking District.

In a restricted parking district, the Board of Appeal shall grant a conditional use for an off-street parking facility, whether a parking lot, a public garage, or parking which is accessory or ancillary to any use other than Use Items numbered 1 through 15, only if the Board of Appeal finds that said facility meets one or more of the following conditions:

- a. It will serve a traffic demand not adequately provided for by public transportation; or
- b. It will replace existing off-street parking spaces in one or more nearby parking facilities, or it will replace legal on-street parking spaces that have been physically eliminated through permanent modification or demolition; or
- c. It is accessory or ancillary to a use which by its nature does not contribute significantly to traffic flows during peak traffic periods; or
- d. The facility constitutes a temporary parking lot use of land and that serious intent to reuse the land for an allowed use within a specified period of time has been demonstrated to the satisfaction of the Board of Appeal.

(As inserted on September 27, 1973, and amended on September 2, 1976)

Section 6-4. Other Conditions Necessary as Protection.

In approving a conditional use, the Board of Appeal may attach such conditions and safeguards as it deems necessary to assure harmony with the general purposes and intent of this code, such as, but not limited to, the following:

- (a) requirement of front, side, and rear yards greater than the minimum required by this code;
- (b) requirement of screening of parking areas and other parts of the lot from adjoining lots or from the street, by walls, fences, planting, or other devices;
- (c) modification of the exterior features or appearance of the structure;
- (d) limitation of size, number of occupants, method and time of operation, and extent of facilities;
- (e) regulation of number, design, and location of access drives and other traffic features; and
- (f) requirement of off-street parking and other special features beyond the minimum required by this or other applicable codes or regulations.

Section 6-5. Effect of Non-Use of Conditional Use.

If a structure or land is being lawfully used for a conditional use, whether lawfully existing on the date of this code, made conditional by amendment thereof, or granted by the Board of Appeal under Sections 1 through 4 of this article, in order not to unduly prolong the life of such conditional use, subsequent non-use of such conditional use for a period of twenty-four consecutive calendar months shall terminate the right to use such structure or land for such conditional use. For purposes of this section, whenever a structure or land is not being actively used for such conditional use, there shall be deemed to be a non-use of such conditional use.

(Inserted on May 13, 1976) Former Section 6-5, entitled Exceptional Relief within Urban Renewal Areas and Public Housing Projects, was inserted on September 7, 1967 and repealed on July 2, 1968.

Section 6-6. Extension of Conditional Use.

Any **lawful** use existing on the effective date of this code which this code classifies as a conditional use in the district in which the land occupied by the use is located, and also any **lawful** use existing on the effective date of any amendment of this code which such amendment so classifies, shall be deemed to have been authorized as a conditional use subject to maintaining the character and extent of operations and structures existing on the effective date of this code or of such amendment, as the case may be. Any application for a change in use or an increase in the area devoted to such use shall be subject to the provisions of Article 6, but no conditional use permit shall be required for the replacement of gross floor area lost by fire or other casualty. **In the case where the Building Commissioner or designee cannot determine that a use existed on the effective date of any change to the code that establishes such use as a conditional use, it shall be the applicant's responsibility to demonstrate the pre-existing nature of the use.**

Commented [2]: With the exception of green and highlighted text, these are current provisions of the code in current Section 8-6. They've been relocated here as they are addressing some of the administrative procedures for a conditional use.

Commented [3]: clarification that this does not extend to uses that are not compliant with other legal requirements

Commented [4]: Added clarifying language which reflects existing process (in response to conversations with ISD)

Article 11 (Signs)

Boston, Massachusetts, Redevelopment Authority
ARTICLE 11 SIGNS

Section 11-2. On-Premise Signs in all Other Districts.

In all other districts, there shall not be any on-premise sign except as follows:

- (a) Signs allowed in residential districts.
- (b) A wall sign attached parallel to a building which projects no more than fifteen inches from the building surface, provided that the top of such sign is no higher than whichever of the following is lowest:
 - (i) twenty-five feet above grade;
 - (ii) the top of the sills of the first level of windows above the first story; or
 - (iii) the lowest point of the roof surface, except in the case of a one-story building with a continuous horizontal parapet, the top of said parapet.
- (c) A permanent non-illuminated sign on the inside of the glass of a window, provided that the total area of the sign does not exceed thirty percent of the total glass area of windows appurtenant to the use to which the sign is accessory, and provided that signs on ground floor windows be included in calculating the total area of signs on a sign frontage.
- (d) A sign attached at right angles to a building, provided that such sign has no more than two faces and
 - (i) there is no more than one such sign for each entrance door to a business establishment;
 - (ii) it projects no more than six feet, plus a reasonable allowance for field fastening, from the building;
 - (iii) the sign advertises a use which occupies at least 18 feet of sign frontage;
 - (iv) the bottom of the sign is at least ten feet from grade and its top is no higher than whichever of the following is lowest: twenty-five feet above grade; the top of the sills of the first level of windows above the first story; or the lowest point of the roof surface, except in the case of a one-story building with a continuous horizontal parapet, the top of said parapet;
 - (v) the area of the sign shall not exceed twenty-four square feet on either side, excepting that an additional ten square feet on each face is allowed for a sign which incorporates a public service message device such as a time and temperature sign;
 - (vi) there are no exposed guy wires or turnbuckles.
- (e) One free standing sign, except in a B-2, B-3-65, B-4, B-6-90a, B-6-90b, B-8, B-8-120a, B-8-120b, B-8-120c, ~~B-10~~, S0, S1, S2, S3, S4, or S5 district, or the Harborpark District, provided that such sign has no more than two faces and
 - (i) if there is one use, as defined by Article 8, on the lot, the area of each face does not exceed sixty-five square feet and the top of such sign is no higher than twenty-five feet above grade; or
 - (ii) if there are two or more such uses on the lot, the area of each face does not exceed one hundred twenty-five square feet and the top of such sign does not exceed thirty feet above grade; excepting, however, that a lot with a street line or lines of two hundred or more feet may have two free standing signs, or a single sign which is two times the area otherwise permitted.

Commented [1]: Adding Squares + Streets districts to the areas subject to signage rules

Article 13 (Dimensional Requirements)

Section 13-3. Nonconformity as to Dimensional Requirements.

~~A building or use existing on the effective date of this code, as and not conforming to the applicable dimensional requirements specified in this code may nevertheless be altered, enlarged, or extended provided that any such dimensional nonconformity is not increased and that any enlargement itself conforms to such dimensional requirements.~~

A building ~~or use~~ existing on the effective date of this code, as amended, and not conforming to the applicable dimensional requirements specified in this code is a nonconforming building. A non-conforming building may nevertheless be altered provided that any such alteration, enlargement, and or extension shall conform to applicable dimensional requirements and any dimensional nonconformity is not worsened.

~~(As amended on April 27, 1990)~~

Section 13-4. Dwellings in Nonresidential Districts.

Any dwelling in an L, B, M, I, MER or W district shall conform to the lot area, lot width, usable open space, and yard requirements for the nearest S_r-R or H district, or in the case of any dwelling in a B-8 or B-10 district, to the lot area, lot width, usable open space and yard requirements for the least restricted residence district; provided however, that if the nearest S_r-R, or H district, or the least restricted residence district does not specify a minimum lot width, any such dwelling shall have a minimum street frontage of not less than 50 feet.

Commented [1]: We have re-written this language to clearly refer to nonconforming buildings, not nonconforming uses, which are addressed in Article 9 and align with existing ISD interpretation. We will plan to address situations where nonconformities are extended but not worsened as part of a broader effort to clarify dimensional definitions in the coming year.

Article 18 (Front Yards)

Section 18-2. Conformity with Existing Building Alignment.

If at any time in the same block as a lot required by this code to have a front yard there exist two or more buildings fronting on the same side of the same street as such lot, instead of the minimum depth specified in this code, the minimum depth of the front yard shall be the modal front yard depth, i.e., the distance between the street line and the face of the building which, as measured by lot widths along said street line, occurs most frequently. The method for making this calculation shall be as follows:

1. For each developed lot on the same side of the same street the distance between the street line and the nearest building is measured. The measurement is rounded off to the nearest half foot if the said buildings are attached and to the nearest foot if the said buildings are detached. The width of each lot is then measured. These measurements may be scaled off from a reliable plan or map.
2. The widths of all lots with the same front yard depth are added up.
3. The front yard depth with the largest total lot width is the minimum front yard depth for the block. If two or more front yard depths have equal lot widths, the one closest to the required front yard shall be the minimum front yard depth.

In a block in which there is a uniform or dominant building line at the upper story level which differs from the modal front yard depth because of ground floor projections, no structure in excess of one story shall be built between the minimum front yard depth and the faces of abutting buildings at the upper story levels.

Section 18-2 and its provisions do not apply to Squares + Streets Districts.

(Illustrated in Appendix 2)

(As amended on April 14, 1967, February 20, 1970, October 22, 1974, and April 27, 1990)

Section 18-3. Traffic Visibility Across Corner.

Whenever a front yard is required by Section 18-1 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 feet above the curb of the abutting street shall be maintained within that part of the required front yard which is within the triangular area formed by the abutting side lines of the intersecting streets and a line joining points on such lines thirty feet distant from their point of intersection.

Section 18-3 and its provisions do not apply to Squares + Streets Districts.

(Illustrated in Appendix 2)

Article 19 (Side Yards)

Section 19-2. Side Yards with Driveways.

Except in ~~S~~ and R districts, no side yard in which there is a driveway providing access to off-street parking, or off-street loading, facilities required by this code shall be less than ten feet in width.

Commented [1]: Removing reference to districts that no longer exist in Boston due to previous rezoning

Section 19-3. Accessory Garages and Other Accessory Buildings.

In an ~~S~~-R or H district, an accessory building may extend into a side yard but not for more than one third of the width of such side yard, except that no part of any such building nearer to the front street line than seventy-five feet or, if that be less, three fourths of the depth of the lot, shall extend into any side yard.

(Illustrated in Appendix 2)

Section 19-4. Side Yards in H Districts.

Except as otherwise provided in Section 19-6, no side yard is required in an H district between the front yard required by this code and a line parallel thereto and seventy feet in the rear thereof; nor is any side yard required in an H district along any part of a side lot line on which a building on the adjoining lot abuts between the rear yard required by this code and said line seventy feet in the rear of the front yard so required. When a side yard is required in an H district, in no event need such yard be wider than twenty feet.

(As amended on April 14, 1967)

Section 19-5. Side Yards in L, B, M, I, MER, W, WM, and WS Districts.

In L, B, M, I, ~~MER, W~~, WM, and WS districts, no side yard is required except in the case of

- (a) a lot used for dwelling purposes, which shall have side yards as prescribed by Section 13-4, and
- (b) a lot with a side lot line abutting an ~~S~~-R or H district, which shall have side yards as if it were in such abutting district. See also Section 22-2A.

(As amended on February 14, 1979, August 30, 1988, and April 27, 1990)

Section 19-6. Special Provisions for Corner Lots.

- (a) The front yard and front setback requirements of this code, and not the side yard requirements of this Article, shall apply to that part of a side lot line which is also a street line extending more than one hundred feet from the intersection of such line with another street.
- (b) In any H district with the exception of an H-3-65 district, the width of the side yard along a side lot line of a lot which is also a street line shall be one half the front yard depth required by this code for the lot; and in all other districts, except B-3-65, B-6-90a, B-8-120a, and B-8-120b districts or unless no side yard is required, such width shall be one fifth of the width of the lot measured at the front yard line but not less than the side yard width specified for the lot in Table B of Section 13-1, except that such width need not be greater than the front yard depth required by this code for the lot; provided, however, that if in any district a side lot line of a lot is also a street line and the rear lot line of such lot is the side lot line of a lot fronting on such street, the front yard requirements of this code applicable to such adjoining lot shall apply along so much of the side lot line of the lot as lies within thirty feet of the side lot line of the adjoining lot.

(Illustrated in Appendix 2)

(As amended on July 9, 1973, September 27, 1973, October 31, 1980, and April 2, 1987)

(c) In H-3-65, B-3-65, B-6-90a, B-8-120a, and B-8-120b districts, regardless of the orientation of a building on a corner lot the minimum depth of yards abutting the east-west streets is 20 feet and no yards are required on north-south streets.

(As inserted on July 9, 1973, and amended on September 27, 1973, October 31, 1980, and April 2, 1987)

Section 19-7. 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 which is not also a street line, than three-fourths of the minimum side yard width so otherwise required, and in the case of a side lot line which is also a street line, than one-half of the minimum side yard width so otherwise required, the requirements of this Article shall be deemed to be met.

(Illustrated in Appendix 2)

Section 19-8. Side Yards of Certain Narrow Lots.

For each full foot by which a lot existing at the time this code takes effect is narrower than the minimum lot width specified for such lot in this code or, if no minimum lot width is so specified, than fifty feet, one and one half inches shall be deducted from the width otherwise required by this Article for each side yard thereof; provided that in no event shall either side yard of any such lot in an S-R or H district be less than eight feet wide, or in any other district less than six feet wide.

(Illustrated in Appendix 2)

(As amended on April 27, 1990)

Section 19-9. Cumulative Side Yard Requirement

Where a cumulative side yard minimum is specified in this code, the combined width of Side Yards **on that same lot** shall be the cumulative side yard minimum width.

Commented [2]: Added clarifying language

Article 22 (Yard Regulations)

Section 22-1. Residential Districts.

In ~~S~~ and R districts every yard required by this code, and in H districts every yard so required except rear yards and except also side yards not abutting a street line, shall, along every lot line on which such yard abuts, be at a level no higher than grade level or, if the grade level of the abutting lot is higher be at a level no higher than such higher level. Rear yards in H districts and also side yards in such districts not abutting a street line shall, along every lot line on which they abut, be at a level no higher than five feet above grade level.

Commented [1]: Removing reference to districts that no longer exist in Boston due to previous rezoning

Section 22-2. Other Districts.

In any district, except an ~~S~~, R, or H district, every front yard required by this code shall, along every lot line on which such yard abuts, be at grade level; and every rear yard so required and every side yard so required which does not abut a street line shall, along every lot line on which such yard abuts, be at a level no higher than the level of the lowest window sill in the lowest room designed for human occupancy or so occupied, and relying upon natural light or natural ventilation from windows opening on such yard.

(As amended on August 30, 1988 and April 27, 1990)

Section 22-2A. Landscaping or Screening of Lots in M, I, MER, W, WM, and WS Districts that Abut S, R or H Districts.

When a front, side or rear yard (if any) of a lot in an M, I, MER, W, WM, or WS district abuts or is across the street from an ~~S~~, R or H district, if such lot is used for a use that is forbidden in the abutting S, R or H district, such yard shall be screened by a concealing fence or wall or be landscaped. In either case, the design of the screening or landscaping must be approved by the design section of the Boston Redevelopment Authority, and the plantings, fencing or wall must be adequately maintained thereafter. For purposes of this section, two districts shall not be deemed to abut one another if the boundary between them is a rail right of way or river, or to be across the street from one another if such street is 60 feet or more in width.

This requirement for landscaping or screening shall apply to any change in the use of a building or structure or of land, and to any alteration of a building or structure when the same would amount to a reconstruction or extension, Section 13-3 notwithstanding.

(As inserted on February 14, 1979 and amended on August 30, 1988 and April 27, 1990)

Section 22-3. Underground Encroachments.

In any district other than a ~~S~~ or R district, any garage or other accessory structure erected underground within any rear yard or side yard required by this code, including the piers, railings and parapets thereof, shall not extend more than five feet above grade level.

Section 22-4. Side Yard, Rear Yard, and Setback Requirements for Dwelling and One or More Other Main Buildings on Same Lot.

If on one lot there are two or more dwellings (other than temporary dwellings) designed for occupancy, or occupied, by one or more families, or if on one lot there are one or more such dwellings and one or more other main buildings, such dwellings shall be located no closer to one another and to such other buildings than if, and shall be separated by yards of the same minimum depths as if, each dwelling, and, where applicable, other building, were on separate lots, and the provisions of Article 21 shall apply to the same extent; and if such dwelling

is to the rear of another dwelling or main building, the provisions of paragraph (b) of Section 14-5 shall also apply. 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, but not as to paragraph (b) of Section 14-5, except in conformity with Section 14-6, 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 were met.

(As amended on October 24, 2002.)

Section 22-5. Two or More Other Main Buildings on One Lot.

If on one lot there are two or more main buildings other than dwellings (which phrase, as here used, shall not be construed as excluding temporary dwellings from the words "main buildings"), the yard and setback requirements of this code shall apply at each actual lot line and not as if each building were on a separate lot.

Section 22-6. Service Areas.

In mixed-use districts, trash collection, trash compaction, recycling collection and other similar service areas must be fully enclosed within a building or located in the side or rear yards. If located in a side or rear yard, fence and wall enclosures for refuse and recycling containers may be up to eight feet in height above the average natural grade.

Commented [2]: These requirements are common in neighborhood articles. They are limited to mixed-use districts to reflect that base code covers some industrial areas of the city where these requirements may not be appropriate.

Article 24 (Off-Street Loading)

ARTICLE 24 OFF-STREET LOADING

Section 24-1. Off-Street Loading Bay Requirements.

For any Proposed Project subject to or electing to comply with Large Project Review, required off-street loading facilities shall be determined through such review in accordance with the provisions of Article 80. For any other Proposed Project, ~~n~~**No** structure or land shall be used for any use unless off-street loading facilities are provided on the lot as follows:

Gross Floor Area (in square feet)	Number of Loading Bays Required		
	Group I Uses*	Group II Uses**	Group III Uses***
Under 0-15,000 square feet	0	0	0
15,000 to 50,000 49,999 square feet	0	1	1
50,000 to 100,000	0	1	2
100,000 to 150,000	0	2	3
150,000 to 300,000	0	3	4
300,000 and over	0	4	5

Commented [1]: Thresholds for over 50,000 square feet have been removed throughout; any project over over 50,000 square feet will have off-street loading facilities determined through the Article 80 Large Project Review process.

After removal of these additional thresholds, Group III uses are moved to Group II uses to consolidate.

~~± 4 plus 1 for each additional 150,000 square feet~~

~~± 5 plus 1 for each additional 150,000 square feet~~

* Uses listed in Table AB of Section 8-7 under Use Item Nos. 1, 1A, 2, 3, 4, 5, 6, 7, 7A, 7B, 8, 9, 10, 22A, 26, 27, 28, 31, 32, 33, 39, 39A, 40, 50, 52, 53, 58 and 59; or the following uses listed in Table A of Section 8-3:

- in Open Space Uses: Cemetery, Private Open Space, Publicly Accessible Open Space;
- in Residential Uses: Artists' Live-Work, **Supportive Housing - Small, Supportive Housing - Large,** Household Living - 1-4, Household Living - 5-8 units, Household Living - 9-14 units, Household Living - 15+ units, Lodging House, Mobile Home Establishment;
- in Commercial Uses: Drive-in, Office - Small, Office - Large, **Standalone ATM;**
- in Health Care Uses: Clinic, Nursing Home Use;
- in Transportation Uses: ~~Airport~~, **Related Remote Parking Facility,** Standalone Parking Garage, Standalone Parking Lot, Vehicular Services;
- in Industrial and Storage Uses: Crematory;
- in Accessory Uses: **Accessory ATM,** Accessory Car Share, Accessory Drive-Through, Accessory Dwelling Unit (~~Attached~~ **Detached**), Accessory Dwelling Unit (Non-Detached), Accessory Electrical Vehicle Charging, Accessory Family Day Care Home, Accessory Home Occupation, Accessory Office, Accessory Parking, Accessory Personnel Quarters, Accessory Smoking, Shared Parking.

Commented [2]: Name in draft Article 8 changed from "Group Living" to "Supportive Housing"

Commented [3]: Replaced "Accessory ATM" with "Standalone ATM" in draft Article 8

Commented [4]: Added new use to draft Article 8

Commented [5]: Replaced "Accessory ATM" with "Standalone ATM" in draft Article 8

Commented [6]: Fixed drafting error

** Uses listed in Table AB of Section 8-7 under Use Item Nos. 11, 12, 13, 13A, 14, 15, 16, 16A, 17, 18, 19, 20, 20A, 21, 22, 23, 24, 25, 29, 30, 34, 34A, 35, 36, 36A, 37, 38, 38A, 41, 42, 43, 44, 45, 46, 47, 48, 49, ~~and~~ 51, 54, 55, 56, 57, 60, 60A, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70; or the following uses listed in Table A of Section 8-7:

- in Civic Uses: **Municipal Use,** Place of Worship, School (K through 12);
- in Residential Uses: Fraternity or Sorority, Student Housing, Temporary Shelter Facility;

Commented [7]: Drafting error, not included in original draft amendment

- in Active Uses: Child Care/Adult Day Health Center, Community Center, Grocery Store - Small, Grocery Store - Large, Entertainment/Events - Extra Small, Entertainment/Events - Small, Entertainment/Events - Medium, Entertainment/Events - Large, Entertainment/Events - Extra Large, Makerspace, Museum or Art Gallery, Restaurant - Small, Restaurant - Large, Retail Cannabis Establishment, Retail Store - Small, Retail Store - Medium, Retail Store - Large, Retail Store - Extra Large, Indoor Recreation, Service Establishment - Small, Service Establishment - Large, Social Club;

- in Commercial Uses: Adult Entertainment, Arts Studios, Bank, Check Casher, Funeral Home, Hotel - Small, Hotel - Large, Research Laboratory;

- in Higher Education Uses: College or University Use, School (Trade or Professional);

- in Health Care Uses: Hospital Use;

- in Transportation Uses: Gasoline Station, Major Transportation Facility, Motor Vehicle Rentals, Motor Vehicle Sales;

- in Industrial and Storage Uses: Food and Beverage Production, General Industrial, Light Manufacturing or Trade Establishment, Non-retail Cannabis Establishment, Restricted Industrial, Self-Storage, Storage of Fuel or Minerals, Storage of Supplies or Scrap, Urban Agriculture, Warehouse or Distribution Center - Small, Warehouse or Distribution Center - Large;

in Accessory Uses: Accessory Entertainment/Events, Accessory Helicopter Landing Facility, Accessory Keeping of Animals, Accessory Keeping of Laboratory Animals, Accessory Research Laboratory.

Commented [8]: Added "Extra Small" in draft Article 8

Commented [9]: Created 2 size thresholds in draft Article 8

*** Uses listed in Table A of Section 8-7 under Use Item Nos. 34, 34A, 35, 36, 45, 54, 55, 56, 57, 60, 60A, 61, 62, 63, 64, 65, 66, 67, 68, 69 and 70.

Mixed Uses. If a lot by reason of a diversity of occupancies falls within more than one use group, the number of loading bays required by the occupancies within each use group shall be determined and then such numbers totaled; and off-street loading facilities with such total number of bays shall be provided.

Pre-Code Structures. If a structure existing when this code took effect is altered or extended so as to increase its gross floor area, only the additional gross floor area shall be counted in computing the off-street loading bays required.

(As amended on April 14, 1967, April 30, 1968, August 12, 1971, July 9, 1973, March 5, 1975, October 19, 1978, November 9, 1978, August 10, 1979, January 8, 1982, and June 29, 1984)

Section 24-2. Design.

All off-street loading facilities provided to comply with Section 24-1 shall meet the following specifications:

- (a) Such facilities shall have bays, maneuvering areas, and appropriate means of vehicular access to a street, and shall be so designed as not to constitute a nuisance or a hazard or unreasonable impediment to traffic; and all lighting shall be so arranged as to shine away from streets and residences.
- (b) Such facilities, including all bays, maneuvering areas and access drives, shall be so graded, surfaced, drained and maintained as to prevent water and dust therefrom going upon any street or another lot.
- (c) Each loading bay shall be located entirely on the lot and shall be no less than ten feet in width, twenty-five feet in length, and fourteen feet in height, exclusive of maneuvering areas and access drives. Each loading bay within fifty feet of a residential district shall be enclosed in a structure if the use regularly involves night operations.

Section 24-3. Maintenance.

All off-street loading facilities provided to comply with Section 24-1 shall be maintained exclusively for loading and unloading purposes 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.

Article 79 (Inclusionary Zoning)

79-2 Applicability

A. This Article applies to any Proposed Project or series of Proposed Project phases or components put forward by the same Applicant or Applicant affiliates at the same time which result in seven (7) or more Dwelling Units, if such development occurs through one or more of the following: Construction of a new structure or structures, construction of an addition to an existing structure that results in an increase in the total number of units to 7 or more Dwelling Units, alterations within an existing structure that result in an increase in the total number of units to 7 or more Dwelling Units, or a change of use that results in an increase in the total number of units to 7 or more Dwelling Units (each such Proposed Project or series of Proposed Project phases or components are referred to in the Article 79 as "Covered Projects").

B. Exemption: Notwithstanding the foregoing, the term Covered Project does not include any Proposed Project or component thereof that is:

1. Financed as one entity that exceeds the affordability requirements set out in this Article;
2. A Dormitory as the term is defined in Articles 2 or Student Housing as the term is defined in Article 8; or
3. Other uses not defined as Residential Uses in Articles 2 or 8.

Commented [1]: The term "student housing" is used instead of "dormitory" in Article 8, so the term is added here to keep the exemption the same.

Article 80B-7 (Development Impact Project Exactions)

Section 80B-7. - Development Impact Project Exactions.

(c) "Development Impact Use," means any of the following uses, as defined in Article 2 or Article 8 as applicable - as defined in Article 2 for Proposed Projects in those zoning districts to which Article 2 applies, and as described in Table A of Section 8-7 and defined in Article 2 for Proposed Projects in all other zoning districts:

	Article 2 Uses	Article 8 Table A uses	Article 8 Table B uses Use Item Numbers
(a)	Office	Commercial Uses except for Research Laboratory and Hotel	39, 39A, 40, 41, 42
(b)	Retail Business;	Active Uses	30, 31, 32, 34 , 34A, 35, 36 ,
	Service; Public		36A, 37, 37A, 38, 38A, 43, 44,
	Service Uses		24, 45, 46, 47, 49, 60, 60A, 61
(c)	Institutional;	Health Care Uses	16, 16A , 18, 19, 20, 20A, 21,
	Educational	Higher Education Uses	22, 22A, 23, 29
(d)	Hotel; Motel	Hotel	15 (excluding apartment hotel)
(e)	Research Laboratory*	Research Laboratory*	48

Commented [1]: Added to clarify distinction between the existing and new column

Article 89 (Urban Agriculture)

ARTICLE 89 APPENDIX

APPENDIX A to ARTICLE 89 Zoning Districts and Subdistricts Corresponding to General Zoning Categories Referred to in Article 89

RESIDENTIAL		COMMERCIAL		INDUSTRIAL	INSTITUTIONAL
S 49 districts		Large-scale 9 districts	Small-scale 22 28 districts	17 14 districts	5 districts
1F - 3000	3F - G - 4000	CC	LC	IDA	CF
1F - 4000	3F - G - 5000	CC-1	LC-.5	LI	CUF
1F - 5000	3F - G - 6000	CC-2	LC-1	LI-1	IS
1F - 6000	3F - D - 2000	EP	NS	LI-1 (7)	NI
1F - 7000	3F - D - 3000	CE	NS-.5	LI-2	WCF
1F - 8000	3F - D - 4000	EDA	NS-1	LI-2 (1)	
1F - 9000	R-.5*	EDA (3)	NS-2	M-1*	
S-.3*	R-.8*	NDA	NS-3	M-2*	
S-.5*	MFR	WC	L-.5*	M-4*	
2F	MFR-1		L-1*	M-8*	
2F - 2000	MFR-2		L-2*	I-2*	
2F - 3000	MFR-3		B-1*	MER	
2F - 4000	MFR/LS		B-2*	MER-2*	
2F - 5000	MFR/LS-2		B-3-65*	W-1	
2F - 5000(A)	MFR/LS-3		B-4*	W-2*	
2F - 6000	H-1-40*		B-6-90a*	LIA	
2F - 7000	H-1-50*		B-6-90b*	W-3	
2F - 9000	H-1*		B-8-120a*		
3F - 2000	H-2*		B-8-120b*		
3F - 3000	H-3-65*		B-8-120c*		
3F - 4000	H-3*		B-8*		
3F - 5000	H-4*		B-10*		
3F - 6000	H-5*		S0*		
3F - 7000	RH		S1*		
3F - G - 2000	RH-1500		S2*		
3F - G - 3000	RH-2000		S3*		
CPS	WR		S4*		
			S5*		

Commented [1]: Removing reference to districts that no longer exist in Boston due to previous rezoning

Commented [2]: Adding Squares + Streets districts so it's clear how urban agriculture regulations apply in these areas

* indicates Base Code District