

4.0 DIMENSIONAL REGULATIONS

4.1 GENERAL

No structure shall be erected or used, premises used, or lot changed in size or shape except in conformity with the requirements of this section, unless exempted by this Ordinance or by statute. Dimensions shall meet the requirements of the Table of Dimensional Regulations, Appendix A.

4.1.1 One Structure per Lot. Except as otherwise provided herein, not more than one principal structure may be placed on any lot.

4.1.2 Reduction in Dimension. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.

4.1.3 Table of Dimensional Requirements. See Appendix A.

4.2 NOTES TO DIMENSIONAL TABLE

4.2.1 Retail Business District. A residential use or business use with dwelling permitted in the Retail Business District shall conform to the requirements of height, lot size, yard, usable open space and floor area ratio as provided for in the R2 District.

4.2.2 Airport Related Uses. All airport related uses as defined herein shall be subject to the dimensional requirements of the I District.

4.2.3 Waterfront District. There shall be a land setback and/or easement of fifteen (15) feet from the mean high water line or harbor street.

4.2.4 Floor Area Ratio. Floor area ratio shall not exceed 2.0 if the lot is 2 acres or more or if all parking is provided in a parking structure.

4.2.5 Access Road. An access road divided by a median strip shall be considered one access point.

4.3 SPECIAL DIMENSIONAL REGULATIONS

4.3.1 Reduction of Lot Area. No lot on which a building exists or is erected shall be altered and no structures shall be rearranged so as to create or increase a nonconformance with this ordinance. This section shall not apply to a lot when a portion of it is taken for a public purpose.

4.3.2 Area of Corner Lots. The area of a lot located at the intersection of streets may be computed as the area enclosed by the straight line extension of the right-of-way lines of the intersecting streets abutting the lot provided that the existing lot exclusive of this area contains at least seventy-five (75) percent of the required area.

4.3.3 Corner Clearance. In order to eliminate interference with traffic visibility at the corner of any intersection, no building or structure, fence or wall, or off-street parking space may be located or vegetation other than shade trees may be maintained above a place two and one-half (2 1/2) feet above the curb grades of the property lines of intersecting streets twenty (20) feet back from the point at which the tangents to the said property lines intersect; provided, however, that this regulation shall not apply to the Retail Business District.

4.3.4 Usable Open Space and Balconies. Required usable open space may be provided either on grade level, on balconies, on decks or on the roof of the building and shall comply with the following requirements:

1. Such areas shall be located at any level and shall be

open to the sky (except for overhead balconies) and shall be unobstructed except for the ordinary projections of skylights, parapets and permitted signs above the bottom of such open spaces, and except for the ordinary projections of window sills, belt courses, eaves, chimneys, and other ornamental features to the extent of not more than thirty (30) inches. The thirty (30) inch limitation does not apply to balconies.

2. Such areas, except for balconies, roofs or decks, shall be developed and permanently maintained in grass or other plant materials or appropriately designed for outdoor recreational use for the occupants of the lot and shall be free of automotive traffic and parking.

3. Service areas such as laundry yards or rubbish storage yards shall not be counted as usable open space.

4. At least seventy-five (75) percent of the required area or at least one hundred (100) square feet per bedroom, whichever is lesser, shall have a grade of less than eight (8) percent if the open space is provided on grade level.

5. When provided on grade level, the width and shape of such space shall be determined by the Inspector of Buildings, and each dimension shall be at least ten (10) feet.

4.3.5 Required Yards; R1 and R2 Districts. In the R1 and the R2 Districts, the following regulations shall apply:

1. Upon application and authorization by the Inspectional Services Department, in consultation with the Planning and Development Department, a dwelling to be erected on a lot between two (2) existing dwellings adjacent to the lot may seek approval to vary the front-yard setback to need to the average of the front yard setback in front of the two (2) existing dwellings.

2. The aggregate width of two (2) side yards shall not be less than twenty (20) feet in the R1 District or twelve (12) feet in the R2 District and no single yard shall be less than five (5) feet in either District.

4.3.6 Side Yards; BR and BH Districts. In the Retail Business District and the Highway Business District, side yards between buildings without dwelling units may be omitted, provided that:

1. The side yard does not adjoin a residential district or building used for residential purposes;
2. The access of emergency equipment to the rear yard of any building is not thereby obstructed;
3. No off-street parking or loading area is thereby rendered inaccessible.

4.3.7 Gasoline Service Stations and Automobile Repair Services and Washing; BH District. In the Highway Business District, the following dimensional requirements shall apply:

Gasoline service stations, including routine maintenance operations as licensed under Chapter 9 Article VII of the Revised City Ordinances in accordance with the following requirements:

- a) The minimum lot area shall be at least eight thousand (8,000) square feet with at least one hundred (100) foot frontage on the principal street.
- b) The minimum frontage on the principal street shall be at least one hundred (100) feet.
- c) The minimum building setback from the street right-of-way shall be thirty (30) feet and the minimum side and rear yard shall be twenty (20) feet. There shall be no more than two (2) thirty (30) foot curb cuts (access or egress points) on each abutting street. Such curb cuts shall not be located less than fifty (50) feet from any intersection.

- d) All pump islands shall be set back at least fifteen (15) feet from the street right-of-way.
- e) No vehicles in any inoperative condition are to remain on the site for more than a two (2) week period unless enclosed in a building.
- f) Screening shall be provided and maintained along adjoining properties in accordance with Section 6.6.
- g) Areas not covered by buildings or pavement shall be maintained in grass, trees, shrubs, or similar landscape material.
- h) Hours of operation will be limited to between seven (7) a.m. and seven (7) p.m. unless otherwise permitted by the license to operate.

Automobile repair services and automotive washing and waxing establishments as licensed under Chapter 9 Article VII of The Revised City Ordinances, provided that:

- a) All service is performed within an enclosed structure.
- b) Such building shall be located not less than one hundred (100) feet from properties used or zoned for residential purposes.
- c) Such building shall be set back at least fifty (50) feet from the street right-of-way.
- d) No motor vehicles in an inoperative condition are to remain on such site for more than a two (2) week period unless enclosed in a building.
- e) Screening in accord with Section 6.6. shall be provided and maintained along all adjacent properties.
- f) All cleaning operations are wholly enclosed within a building.

- g) Hours of operation will be limited to between seven (7) a.m. and seven (7) p.m. unless otherwise permitted by the license to operate.

4.3.8 Yard Requirements; SC and I Districts. In the Shopping Center and Industrial Districts, for a lot adjoining a residential district, the adjacent yard (front, side or rear) shall be at least equal to that required in the adjoining residential district.

4.3.9 Projections into Required Yards. The following may project into required yards:

- 1. Open steps.
- 2. Terraces and Portico's but to a distance no greater than 5 feet into the required front yard (exclusive of the open steps).

4.3.10 Special Height Regulations.

- 1. *Exceptions.* The height regulations of this ordinance shall not apply to the following:
 - a. Erection of belfries and towers designed exclusively for ornamental purposes, flagstaffs, chimneys, flues, electric generating plants, passive solar devices, elevator shafts, water tanks, standpipes, bulkheads, and mechanical equipment.
 - b. Parapet walls or cornices extending not more than three (3) feet above the height limit.
- 2. *NHR District.* In no event shall the height of structures in the Naval Hospital Development District - Residential be greater than one hundred and seventy (170) feet above mean sea level.
- 3. *Limitation of Height Due to Logan Airport.* Reference

should be made to Federal Aviation Regulations, Part 77, Objects Affecting Navigable Air Space, or any amendments thereto, with regard to limitations on height of structures due to existing or planned approaches to Logan Airport. Notwithstanding any provision of this ordinance, no structure shall be erected or maintained in any district to a height in excess of any limitations established by these regulations.

4.3.11 Lot Coverage. In the Industrial District, a greater percent of site coverage may be permitted by Special Permit provided that the off-street parking and loading requirements of this ordinance are met.

4.3.12 Floor Area Ratio; R2 District. In a Residence 2 District, the bonus floor/area ratio delineated in the Table of Dimensional Regulations may apply provided that:

1. At least fifty (50) percent of the required parking is enclosed underground, and/or within the principal building, and/or in a structure not more than (10) feet high.
2. One hundred (100) square feet of the recreation space minimum required per family is provided in addition to the minimum required usable open space. Said recreation space may be provided in one or more of the following ways:
 - a. Usable open space as defined in Section 4.3.4 (one square foot measured shall equal one square foot credited);
 - b. Rooftop, safely railed, developed and maintained for recreational use and accessible to all tenants (one square foot measured shall equal one and five-tenths (1.5) square feet credited);
 - c. Balconies, each reserved for the exclusive use of the dwelling unit from which it is directly reached, safely railed, having no side of less than six (6)

feet and not enclosed by walls of the principal building for more than half of the perimeter (one square foot measured shall equal two (2) square feet credited);

- d. Community or common rooms, at least one of which shall contain kitchen facilities, designed for social or recreational use by the tenants (one square foot measured shall equal three (3) square feet credited);
- e. Arcades under the principal building, but screened from any adjacent parking areas, for pedestrian circulation or for recreational purposes (one square foot measured shall equal two (2) square feet credited).

4.3.13 Floor Area Ratio; I District. In the Industrial District, the maximum floor area ratio may be increased to two (2.0), provided that:

- 1. The area of the lot is two (2) acres or more, or
- 2. All required parking is provided underground or in a parking structure contained within the principal building(s).

4.3.14 Siting of Buildings. Permanent buildings shall be sited so that the entrance is oriented to face the frontage unless otherwise approved on a site plan.

4.4 TEMPORARY STRUCTURES AND USE OF LAND FOR DEVELOPMENT PURPOSES

4.4.1 General. The Inspector of Buildings may authorize the use of land for temporary structure and other uses related to the staging of development on or near the locus, with an anticipated duration of not more than six months. The Board of Appeals may authorize by special permit, subject to proper conditions to protect the district, such structures and uses

with an anticipated duration of more than six months, provided that:

1. No such Permit shall be for more than a one (1) year period, subject to renewal as needed for the special purpose.
2. Upon expiration of such Permit, the structure shall be removed and the use cease and the land shall be restored to usable condition.

4.5 SPECIAL PERMIT FOR DIMENSIONAL RELIEF

4.5.1 General. The Board of appeals may vary the following otherwise applicable dimensional requirements upon the grant of a special permit:

1. *BH District.* In the Business Highway District, building heights greater than (twenty) 20 feet (twostories) and up to (eighty) 80 feet (eight stories) shall be allowed by special permit and after site plan approval.

4.6 MUNICIPAL USES

4.6.1 General. Municipal uses shall be exempt from all regulations set forth in this Zoning Ordinance.