

Authority filed on August 16, 1966, as amended, the controls of which will remain in full force and effect until August 16, 2006. Notwithstanding any contrary provision of this article, until such expiration dates, no change in the existing structures or open spaces requiring a building permit may proceed without a determination by the Boston Redevelopment Authority that such change is consistent with the said urban renewal plan and said Chapter 121A Report and Decision or a modification of that plan or report and decision, as applicable, by the Boston Redevelopment Authority after a public hearing and community review process.

(^As amended on May 9, 1996 and July 31, 1997.)

^SECTION 41-8. Establishment of Huntington Avenue Boulevard Area. This section establishes the "Huntington Avenue Boulevard Area" within the Huntington Avenue/Prudential Center District. The Huntington Avenue Boulevard Area is established in order to promote the improvement of Huntington Avenue as an important urban boulevard, while creating a successful transition between the scale of Huntington Avenue and the historic and architectural character of the St. Botolph Street neighborhood. The area is shown on Map 1D of this code. Within the Huntington Avenue Boulevard Area, an as-of-right building height of one hundred fifteen (115) feet and FAR of eight (8) are allowed. Special side and rear yard requirements apply within the Huntington Avenue Boulevard Area as provided in Subsections 41-18.4(d) and 41-18.4(e).

(^As amended on July 31, 1997.)

^SECTION 41-9. St. Cecilia Special Study Area. This section establishes the "St. Cecilia Special Study Area" within the Huntington Avenue/Prudential Center District. The area is shown on Map 1D of this code. Within the St. Cecilia Special Study Area, an as-of-right building height of sixty-five (65) feet and FAR of four (4) are allowed; provided that any Proposed Project is allowed an as-of-right building height of one hundred (100) feet and an FAR of seven (7) if such Proposed Project is subject to or elects to comply with Large Project Review and has received a Certification of Compliance pursuant to Section 80B-6. In accordance with the Huntington Avenue/Prudential Center District Plan, a comprehensive plan for the St. Cecilia Special Study Area shall be developed and shall address, at a minimum, the following: (a) appropriate means to preserve and encourage the rehabilitation and restoration of the notable historic buildings which characterize the St. Cecilia Special Study Area; (b) appropriate means to encourage the creation of housing, including Affordable housing; (c) an open space plan for appropriate portions of the St. Cecilia Special Study Area; (d) appropriate means to encourage a mix of retail uses serving neighborhood needs; (e) appropriate means to ensure a human scale in the design of new development in the St. Cecilia Special Study Area; (f) the appropriate mix of land uses to accomplish these objectives; and (g) land use regulations necessary to implement the comprehensive plan's proposals.

(^As amended on May 9, 1996 and July 31, 1997.)

SECTION 41-10. As-of-Right Building Height and Floor Area Ratio.

Except as otherwise may be allowed within a Planned Development Area ("PDA") established in accordance with Section 41-11 and Section 3-1A of this code and except as otherwise provided in Section 41-5, pertaining to protection areas, Section 41-7, pertaining to the Christian Science Institutional Area, Section 41-8, pertaining to the Huntington Avenue Boulevard Area, and Section 41-9, pertaining to the St. Cecilia Special Study Area, a Proposed Project within the Huntington Avenue/Prudential Center District is allowed an as-of-right building height of one hundred fifty-five (155) feet and an as-of-right FAR of ten (10).

SECTION 41-11. Establishment of Area Within Which Planned Development Areas May Be Permitted. This section establishes one area within which Planned Development Areas ("PDAs") may be permitted within the Huntington Avenue/ Prudential Center District. The purposes for establishment of the area within which PDAs may be permitted are: to establish a more flexible zoning law and encourage large-scale private redevelopment of the obsolete Prudential Center while insuring high-quality design by providing planning and design controls; to provide a secure economic base for the Back Bay hotel, convention, and hospitality economy; and to encourage development which knits together the surrounding neighborhoods through a new urban design for the Prudential Center.

1. Consistency with Section 3-1A; Review and Approval Requirements. The area in the Huntington Avenue/Prudential Center District within which PDAs may be permitted is shown on Map 1D of this code, and is otherwise referred to herein, as the "PDA Area." No PDA is permitted within the Huntington Avenue/Prudential Center District except within the PDA Area. Any application for Development Plan approval for a Proposed Project within the PDA Area is subject to the provisions of this section and Sections 41-12 through 41-16, in addition to the provisions of Subsection 3-1A.a. See Article 80 concerning the applicability of Planned Development Area Review.
2. Reconstruction of Pre-existing Structures. A Proposed Project for the reconstruction of a structure in existence in a PDA as of the date of Development Plan approval and described in said Development Plan, or of a structure constructed pursuant to said Development Plan, shall be determined by the Boston Redevelopment Authority to be consistent with said Development Plan, provided that said reconstruction is substantially similar to the original structure. Said reconstruction, unless described as part of the original Proposed