Chapter 5 - Special Bay Street Corridor District (BSC)
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135-00 - GENERAL PURPOSES

LAST AMENDED 6/26/2019

The “Special Bay Street Corridor District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

(a) to encourage well-designed buildings that complement the built character of the St. George, Stapleton and Tompkinsville neighborhoods;

(b) to achieve a harmonious visual and functional relationship with the adjacent neighborhoods;

(c) to maintain and reestablish physical and visual public access to the Stapleton neighborhood and to the waterfront;

(d) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;

(e) to provide flexibility to attract new commercial and retail uses and support the existing businesses that define the area;

(f) to create a livable community combining housing, retail and other uses throughout the district;

(g) to create a walkable, urban streetscape environment through a mix of ground floor uses that connect the town centers of St. George and Stapleton;

(h) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers and visitors;

(i) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms; and

(j) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City’s tax revenues.

135-01 - General Provisions

LAST AMENDED 6/26/2019
The provisions of this Chapter shall apply within the Special Bay Street Corridor District. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

135-02 - District Plan and Maps

LAST AMENDED 6/26/2019

District maps are located in Appendix A of this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

Map 1 - Special Bay Street Corridor District, Subdistricts and Subareas

Map 2 - Location of Visual Corridors

135-03 - Subdistricts

LAST AMENDED 6/26/2019

In order to carry out the purposes and provisions of this Chapter, five subdistricts are established as follows:

Subdistrict A
Subdistrict B
Subdistrict C
Subdistrict D
Subdistrict E

Within Subdistrict B, subareas are established as follows:

Subarea B1
Subarea B2

Within Subdistrict D, subareas are established as follows:
The location and boundaries of these subdistricts are shown on Map 1 (Special Bay Street Corridor District and Subdistricts) in Appendix A of this Chapter.

### 135-04 - Applicability

LAST AMENDED 6/26/2019

#### 135-041 - Applicability of Article I, Chapter 2

LAST AMENDED 6/26/2019

The definition of “lower density growth management area” in Section 12-10 shall exclude all districts within the *Special Bay Street Corridor District.*

#### 135-042 - Applicability of the Quality Housing Program

LAST AMENDED 6/26/2019

Any *building* containing *residences, long-term care facilities* or philanthropic or non-profit institutions with sleeping accommodations that is constructed in accordance with the *bulk* regulations of this Chapter shall be considered a *Quality Housing building,* and shall comply with the provisions of Article II, Chapter 8 (The Quality Housing Program).

#### 135-043 - Applicability of the Inclusionary Housing Program

LAST AMENDED 6/26/2019

For the purposes of applying the Inclusionary Housing Program set forth in Section 23-90, the *Special Bay Street Corridor District* shall be a *Mandatory Inclusionary Housing area.*

#### 135-044 - Applicability of Article VI, Chapter 4

LAST AMENDED 6/26/2019

Notwithstanding the general provisions of Section 135-01, in *flood zones,* in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4 shall control.

#### 135-045 - Applicability of this Chapter to certain zoning lots in
For zoning lots in Subdistrict D containing a Use Group 16 or 17 use operated in support of a public service or public transportation facility and existing on June 26, 2019, the provisions of this Chapter shall not apply. In lieu thereof, the provisions of an M1-1 District shall apply.

135-10 - SPECIAL USE REGULATIONS

LAST AMENDED 6/26/2019

The underlying use regulations are modified by the provisions of this Section, inclusive.

135-11 - Ground Floor Use Regulations

LAST AMENDED 6/26/2019

For the purposes of applying to this Chapter the special ground floor level streetscape provisions set forth in Section 37-30, any portion of a ground floor level street frontage along Bay Street, as well as any street frontage within 50 feet of Bay Street, shall be considered a primary street frontage. A ground floor level street frontage along any other street shall be considered a secondary street frontage. For the purposes of this Section, inclusive, defined terms shall include those in Sections 12-10 and 37-311.

The provisions of this Section shall apply to developments or ground floor level enlargements.

(a) Along primary street frontages

For buildings, or portions thereof, with primary street frontage, uses on the ground floor level, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-residential uses, except for Type 1 lobbies and entrances and exits to accessory parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). Group parking facilities located on the ground floor level shall be wrapped by floor area in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). Ground floor level street walls shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

For zoning lots with a lot area of less than 5,000 square feet existing both on June 26, 2019 and on the date of application for a building permit, the provisions of this paragraph (a) shall not apply. In lieu thereof, the provisions of paragraph (b) of this
Section shall apply.

In flood zones, where no transparent materials or building entrances or exits are provided on the ground floor level street wall below a height of four feet above the level of the adjoining sidewalk for a continuous width of at least 15 feet, visual mitigation elements shall be provided in accordance with Section 135-12 (Special Streetscape Provisions for Blank Walls) for such blank wall.

(b) Along secondary street frontages

For buildings, or portions thereof, with secondary street frontage, all uses permitted by the underlying district shall be permitted on the ground floor level, provided that any accessory off-street parking spaces on the ground floor level shall be wrapped or screened in accordance with Section 37-35.

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining street.

135-12 - Special Streetscape Provisions for Blank Walls

LAST AMENDED 6/26/2019

Where visual mitigation elements are required on a blank wall along the ground floor level street wall pursuant to the provisions of Section 135-11 (Ground Floor Use Regulations), at least 75 percent of the linear footage of any such blank wall shall be treated by one or more of the following visual mitigation elements:

(a) Planting

Where utilized as a visual mitigation element, any combination of perennials, annuals, decorative grasses or shrubs shall be provided in planting beds, raised planting beds or planter boxes in front of the street wall. Each foot in width of a planting bed, raised planting bed or planter box, as measured parallel to the street wall, shall satisfy one linear foot of frontage mitigation requirement. Such planting bed shall extend to a depth of at least three feet, inclusive of any structure containing the planted material. Any individual planted area shall have a width of at least five feet, and the height of such planting, inclusive of any structure containing the planted materials, shall be at least three feet.

Where a blank wall exceeds a street wall width of 50 feet, at least 25 percent of such street wall width shall be planted in accordance with the provisions of this paragraph.

(b) Benches
Where utilized as a visual mitigation element, fixed benches with or without backs shall be provided in front of the street wall. Unobstructed access shall be provided between such benches and an adjoining sidewalk or required circulation paths. Each linear foot of bench, as measured parallel to the street wall, shall satisfy one linear foot of frontage mitigation requirement. Any individual bench shall have a width of at least five feet, and no more than 20 feet of benches may be used to fulfill such requirement per 50 feet of frontage.

(c) Bicycle racks

Where utilized as a visual mitigation element, bicycle racks, sufficient to accommodate at least two bicycles, shall be provided in front of the street wall, and oriented so that the bicycles are placed parallel to the street wall. Each bicycle rack so provided shall satisfy five linear feet of frontage mitigation requirement. No more than three bicycle racks may be used to fulfill such requirement per 50 feet of frontage.

(d) Tables and chairs

Where utilized as a visual mitigation element, fixed tables and chairs shall be provided in front of the street wall. Each table shall have a minimum diameter of two feet, and have a minimum of two chairs associated with it. Each table and chair set so provided shall satisfy five linear feet of frontage mitigation requirement.

(e) Wall treatment

Where utilized as a visual mitigation element, wall treatment, in the form of permitted signs, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material, shall be provided along the street wall. Each linear foot of wall treatment shall constitute one linear foot of frontage mitigation requirement. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and have a minimum width of 10 feet, as measured parallel to the street wall.

All visual mitigation elements shall be provided on the zoning lot, except where such elements are permitted within the street under other applicable laws or regulations.

135-13 - Physical Culture or Health Establishments

LAST AMENDED 6/26/2019

Within the Special Bay Street Corridor District, a physical culture or health establishment shall be permitted as-of-right in Commercial Districts. For the purposes of applying the
underlying regulations to such use, a physical culture or health establishment shall be considered a Use Group 9 use and shall be within parking requirement category PRC-B.

### 135-14 - Breweries

**LAST AMENDED 6/26/2019**

Within the Special Bay Street Corridor District, breweries, as listed in Use Group 18A, shall be permitted in Commercial Districts provided that:

(a) the size of such brewery does not exceed 30,000 square feet; and

(b) any brewery developed or enlarged after June 26, 2019, shall contain an accessory eating or drinking establishment.

For the purposes of applying the underlying regulations, such brewery shall be considered a Use Group 11A use and shall be within parking requirement category PRC-F. The performance standards for an M1 District set forth in Section 42-20, inclusive, shall apply to such breweries.


**LAST AMENDED 6/26/2019**

In Subdistricts A, B and C, the underlying provisions of Section 32-421 (Limitation on floors occupied by commercial uses) shall be modified as follows:

(a) For mixed buildings, offices, as listed in Use Group 6B, shall be permitted on the lowest two stories of a building, provided that no access exists between such offices and any residential uses;

(b) For commercial buildings, the provisions restricting the location of uses listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 to two stories, shall not apply; and

(c) Any brewery developed or enlarged in accordance with the provisions of Section 135-14, shall be subject to the provisions of Section 32-421.

### 135-20 - SPECIAL BULK REGULATIONS

**LAST AMENDED 6/26/2019**

The underlying floor area, yard, street wall location and height and setback regulations are modified by the provisions of this Section.

### 135-21 - Special Floor Area Regulations
The underlying floor area regulations are modified by the provisions of this Section. For the purpose of this Section, defined terms include those set forth in Sections 12-10 and 23-911.

The table below sets forth the maximum floor area ratio of a zoning lot for each Subdistrict. Column 1 sets forth the maximum floor area ratio for commercial uses other than offices, as listed in Use Group 6B, and Column 2 sets forth the maximum floor area ratio for offices. Column 3 sets forth the maximum floor area ratio for residences, other than MIH sites and affordable independent residences for seniors, that are subject to the provisions of paragraph (d)(4)(i) or (d)(4)(iii) of Section 23-154 (Inclusionary Housing). Column 4 sets forth the maximum residential floor area ratio for MIH sites where either affordable floor area is provided in accordance with the provisions of paragraphs (d)(3)(i) through (d)(3)(iv) or paragraph (d)(5) of Section 23-154, or where a contribution to the affordable housing fund is made in accordance with paragraph (d)(3)(v) of such Section. Column 4 also sets forth the maximum floor area ratio for community facility uses, other than long-term care facilities. Column 5 sets forth the maximum floor area ratio for zoning lots containing affordable independent residences for seniors or long-term care facilities.

For zoning lots with buildings containing multiple uses or for zoning lots with multiple buildings containing different uses, the maximum floor area ratio for each use shall be as set forth in the table, and the maximum floor area ratio for the zoning lot shall not exceed the greatest floor area ratio permitted for any such use on the zoning lot.

**MAXIMUM FLOOR AREA RATIO**

<table>
<thead>
<tr>
<th>Subdistrict, or Subarea, as applicable</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
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</thead>
<tbody>
<tr>
<td>For commercial uses other than offices</td>
<td>2.0</td>
<td>4.0</td>
<td>3.6</td>
<td>4.0</td>
<td>4.6</td>
</tr>
<tr>
<td>For offices</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For residences other than MIH sites and affordable independent residences for seniors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For MIH sites and community facility uses other than long-term care facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For affordable independent residences for seniors or long-term care facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>2.0</td>
<td>4.0</td>
<td>3.6</td>
<td>4.0</td>
<td>4.6</td>
</tr>
<tr>
<td>B</td>
<td>2.0</td>
<td>3.6</td>
<td>3.0</td>
<td>3.6</td>
<td>3.9</td>
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<td>C</td>
<td>2.0</td>
<td>3.0</td>
<td>2.5</td>
<td>3.0</td>
<td>3.25</td>
</tr>
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</table>
135-22 - Special Lot Coverage Regulations

LAST AMENDED 6/26/2019

The underlying *lot coverage* regulations are modified by the provisions of this Section.

The maximum *residential lot coverage* for *interior lots* or *through lots* shall be 65 percent, and the maximum *residential lot coverage* for *corner lots* shall be 100 percent.

135-23 - Special Yard Regulations

LAST AMENDED 6/26/2019

The underlying *yard* regulations are modified by the provisions of this Section.

In Subdistrict A, no *rear yard* or *rear yard equivalent* need be provided for *commercial buildings, community facility buildings*, or the portion of a *mixed building* containing *commercial* or *community facility uses*.

135-24 - Special Street Wall Location Regulations

LAST AMENDED 6/26/2019

The underlying *street wall* location provisions are modified by the provisions of this Section.

Along Bay Street

Along Bay Street, and along *streets* within 50 feet of their intersection with Bay Street, the following *street wall* regulations shall apply:

(1) At least 70 percent of the *aggregate width of street walls* of a *building* shall be located within eight feet of the *street line*, and shall rise without setback up to at least the minimum base height specified in Section 135-25 (Special Height and Setback Regulations), or the height of the *building*, whichever is lower. Pursuant to Section 135-31 (Special Visual Corridor Requirements),
required visual corridors shall be considered streets.

(2) For developments or horizontal enlargements of buildings, or portions thereof, within the flood zone where no transparent materials are provided on the ground floor level street wall below a height of four feet above the level of the adjoining sidewalk, pursuant to the provisions of Sections 135-11 (Ground Floor Use Regulations) and 37-34 (Minimum Transparency Requirements) for a continuous distance of more than 25 feet, such street wall shall be located at least three feet beyond the street line. Such street wall shall not be located beyond five feet of the street line, except as permitted pursuant to Section 64-333 (Street wall location in certain districts). Such street wall shall provide visual mitigation elements in accordance with the provisions of Section 135-12 (Special Streetscape Provisions for Blank Walls), and any area between the street wall and the sidewalk that does not contain any planting material pursuant to the provisions of paragraph (a) of Section 135-12 shall be improved to Department of Transportation standards for sidewalks.

(3) A minimum of 20 percent of the surface area of such street walls above the level of the first story shall be recessed a minimum of three feet. In addition, up to 30 percent of such street wall may be recessed at any level, provided that any recesses deeper than 10 feet are located within an outer court. Furthermore, no recesses greater than three feet shall be permitted within 30 feet of the intersection of two street lines.

(b) Along Van Duzer Street

Along Van Duzer Street, and along streets within 50 feet of their intersection with Van Duzer Street, the underlying street wall location regulations shall apply.

(c) Along all other streets

Along all streets that are not subject to paragraphs (a) or (b) of this Section, at least 50 percent of the aggregate width of street walls shall be located within 15 feet of the street line. The remaining aggregate width of street walls may be recessed beyond 15 feet of the street line, provided that any such recesses deeper than 10 feet are located within an outer court. Where the street wall of a building, or an individual segment thereof, exceeds the maximum base height established in Section 135-25, such street wall shall rise without setback to at least the minimum base height specified in Section 135-25.

The underlying allowances for street wall articulation, set forth in paragraph (d) of Section 23-661 or paragraph (e) of Section 35-651, as applicable, shall be permitted to project or recess beyond the street wall locations established in paragraphs (a), (b) or (c) of this Section.
The underlying height and setback provisions are modified by the provisions of this Section.

Pursuant to Section 135-31 (Special Visual Corridor Requirements), required visual corridors shall be considered streets. Such visual corridors shall be considered wide streets for the purposes of applying the height and setback regulations of this Section.

(a) Base heights and maximum building heights

The table below sets forth the minimum and maximum base height, the maximum transition height, where applicable, the maximum height of a building or other structure and the maximum number of stories for buildings in the Special Bay Street Corridor District.

In all subdistricts, a setback is required for all portions of buildings or other structures that exceed the maximum base height specified for the subdistrict, and shall be provided in accordance with paragraph (b) of this Section.

In Subdistrict A and Subarea B1, any portion of a building or other structure located above the maximum transition height, and in Subarea B2 and Subdistrict C, any portion of a building or other structure located above the maximum base height, shall be subject to the maximum street wall width restrictions set forth in paragraph (c) of this Section.

MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS

<table>
<thead>
<tr>
<th>Subdistrict or Subarea, as applicable</th>
<th>Minimum Base Height (in feet)</th>
<th>Maximum Base Height (in feet)</th>
<th>Maximum Transition Height (in feet)</th>
<th>Maximum Height of Buildings or Other Structures in Certain Locations (in feet)</th>
<th>Maximum Number of Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>40</td>
<td>65</td>
<td>85</td>
<td>125</td>
<td>12</td>
</tr>
<tr>
<td>B1</td>
<td>40</td>
<td>65</td>
<td>85</td>
<td>125</td>
<td>12</td>
</tr>
<tr>
<td>Subdistrict</td>
<td>Min. Base Height</td>
<td>Max. Base Height</td>
<td>separation</td>
<td>Required Setback</td>
<td>Street Width</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------</td>
<td>------------------</td>
<td>------------</td>
<td>------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>B2</td>
<td>40</td>
<td>65</td>
<td>N/A</td>
<td>125</td>
<td>12</td>
</tr>
<tr>
<td>C</td>
<td>40</td>
<td>65</td>
<td>N/A</td>
<td>85</td>
<td>8</td>
</tr>
<tr>
<td>D1</td>
<td>40</td>
<td>65</td>
<td>N/A</td>
<td>75</td>
<td>7</td>
</tr>
<tr>
<td>D2</td>
<td>40</td>
<td>65</td>
<td>N/A</td>
<td>65</td>
<td>6</td>
</tr>
<tr>
<td>E</td>
<td>30</td>
<td>45</td>
<td>N/A</td>
<td>55</td>
<td>5</td>
</tr>
</tbody>
</table>

(b) **Required setbacks**

At a height not lower than the minimum base height or higher than the maximum base height specified for the subdistrict in the table in paragraph (a), a setback with a depth of at least 15 feet shall be provided from any street wall fronting on a narrow street, and a setback with a depth of at least 10 feet shall be provided from any street wall fronting on a wide street.

In addition, the underlying provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(c) **Maximum street wall width in Subdistricts A, B and C**

In Subdistricts A, B and C, the maximum building height set forth in the table in paragraph (a) shall only be permitted within 100 feet of streets intersecting Bay Street. In addition, in Subdistrict A and Subarea B2, such maximum building height shall be permitted beyond 100 feet of streets intersecting Bay Street, provided that the maximum street wall width above the maximum base height does not exceed 100 feet.

In all such Subdistricts, at least 60 feet of separation shall exist between any portions of buildings located above such maximum transition height, or maximum base height, as applicable.

(d) **Dormer provisions**

The underlying dormer provisions of paragraph (c) of Section 23-621 (Permitted
obstructions in certain districts) shall apply, except that no dormer shall be permitted above a height of 85 feet, or above the maximum height of the building or other structure permitted in paragraph (a) of this Section, whichever is less.

135-30 - SPECIAL PUBLIC ACCESS AREA REGULATIONS

LAST AMENDED 6/26/2019

135-31 - Special Visual Corridor Requirements

LAST AMENDED 6/26/2019

Within the Special Bay Street Corridor District, visual corridors shall be provided east of Bay Street, prolonging Swan Street, Clinton Street, and Grant Street, as shown on Map 2 in the Appendix to this Chapter. The location of the visual corridor prolonging Grant Street may be located anywhere within the flexible location designated on Map 2.

(a) General Requirements

The boundaries of visual corridors shall be considered street lines for the purposes of applying the use, bulk and parking provisions of this Resolution, except that such portion of the zoning lot:

(1) shall continue to generate floor area;

(2) may be included for the purposes of calculating lot coverage; and

(3) shall be permitted to accommodate open, unscreened, tandem (one behind the other) accessory off-street parking spaces, provided that any such parking spaces are provided in accordance with DOT standards for on-street parking.

Such visual corridors shall be a minimum of 60 feet wide and shall be improved in accordance with paragraph (b) of this Section

(b) Required improvements

All required visual corridors shall be improved as follows:

(1) Where a visual corridor is utilized to provide access to accessory off-street parking, such visual corridor shall be improved to the minimum Department of Transportation (DOT) standards for public streets, from its intersection with Bay Street to at least the curb cut provided to such accessory off-street parking, or as deep as necessary to accommodate any parking located on the
visual corridor, as applicable. Any remaining portion of the visual corridor may be improved in accordance with the standards in paragraph (b)(2)(ii) of this Section.

(2) Where a visual corridor does not provide access to accessory off-street parking, such visual corridors, may either:

(i) be improved to the minimum DOT standards for public streets; or

(ii) be improved to provide an open area, as follows:

(a) a minimum of 20 percent of the open area shall be planted with any combination of perennials, annuals, decorative grasses, shrubs or trees in planting beds, raised planting beds or planter boxes. Such planting bed shall extend to a depth of at least three feet, inclusive of any structure containing the planted material, and any individual planted area shall have a width of at least five feet;

(b) the remainder of the open area, as applicable, may contain any combination of:

(1) streetscape amenities including, but not limited to, benches or tables and chairs;

(2) entertainment amenities including, but not limited to, water features, playgrounds, dog runs, game tables, courts or skateboard parks;

(3) unenclosed eating or drinking establishments; or

(4) streetscape-enhancing amenities including, but not limited to, lighting or sculptural artwork.

(c) In no event shall fencing be permitted in any open area of the visual corridor, except along the portion of a lot line adjacent to a railroad right-of-way.

135-40 - SPECIAL PARKING AND LOADING REGULATIONS

LAST AMENDED 6/26/2019

The underlying parking provisions are modified by the provisions of this Section.

135-41 - Commercial Parking Requirements
In **mixed buildings**, the underlying parking requirements shall apply, except that for the purposes of determining the parking requirement for **commercial uses** other than offices, as listed in Use Group 6B, the equivalent of 0.5 **floor area ratio**, or the amount of non-office **commercial floor area** in the **building**, whichever is less, may be deducted from the **floor area** used to determine such **commercial** parking calculation.

### 135-42 - Residential Parking Waivers

LAST AMENDED 6/26/2019

The underlying **residential** parking waivers shall apply only to **zoning lots** existing both on June 26, 2019, and on the date of application for a building permit.

### 135-43 - Location of Parking Spaces

LAST AMENDED 6/26/2019

All **accessory** off-street parking spaces may be provided within **public parking garages**. Such spaces may also be provided within parking facilities on **zoning lots** other than the same **zoning lot** as the **use** to which they are **accessory**, provided:

(a) such parking facilities are located either:

   (1) within the **Special Bay Street Corridor District**; or

   (2) outside the **Special Bay Street Corridor District**, subject to the underlying provisions for off-site parking spaces set forth in Sections 25-52 (Off-site Spaces for Residences), 25-53 (Off-site Spaces for Permitted Non-residential Uses), 36-42 (Off-site Spaces for Residences) or 36-43 (Off-site Spaces for Commercial or Community Facility Uses), as applicable;

(b) each off-street parking space within such facility is counted only once in meeting the parking requirements for a specific **zoning lot**; and

(c) in no event shall the number of **accessory** parking spaces within such facility exceed that permitted in accordance with the underlying regulations.

### 135-44 - Special Loading Regulations

LAST AMENDED 6/26/2019

For the purposes of applying the underlying loading regulations, the requirements for C2 Districts mapped within an R7 District shall apply to all **Commercial Districts** in the **Special Bay Street Corridor District**.
In addition, the underlying loading regulations shall be modified as follows:

(a) the requirements of Section 36-60, inclusive, shall not apply to changes of uses;

(b) the provisions of Sections 36-63 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements) and 36-64 (Wholesale, Manufacturing, or Storage Uses Combined With Other Uses) shall not apply; and

(c) the minimum length requirements for loading berths accessory to commercial uses, other than funeral establishments, set forth in Section 36-681 (Size of required berths) shall be increased to 37 feet.

**135-45 - Location of Curb Cuts**

LAST AMENDED 6/26/2019

For zoning lots existing on June 26, 2019, with frontage along Bay Street and along another street frontage, no curb cut accessing off-street parking spaces or loading spaces shall be permitted along Bay Street.

**APPENDIX A**

**SPECIAL BAY STREET CORRIDOR DISTRICT**

Last Amended 6/26/2019

History

Map 1 - Special Bay Street Corridor District, Subdistricts and Subareas
Map 2 - Location of visual corridors