

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

Article VI - Special Regulations Applicable to Certain Areas

Chapter 3 Special Regulations Applying to FRESH Food Stores

63-00 GENERAL PURPOSES

The provisions of this Chapter establish special regulations that guide the development of FRESH food stores to promote and protect public health, safety and general welfare. These general goals include, among others, the following purposes:

- (a) encourage a healthy lifestyle by facilitating the development of FRESH food stores that sell a healthy selection of food products;
- (b) provide greater incentives for FRESH food stores to locate in neighborhoods underserved by such establishments;
- (c) encourage FRESH food stores to locate in locations that are easily accessible to nearby residents; and
- (d) strengthen the economic base of the City, conserve the value of land and buildings, and protect the City's tax revenues.

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63-20 SPECIAL BULK AND PARKING REGULATIONS

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63-22 Authorization to Modify Maximum Building Height

For #buildings# containing a #FRESH food store#, the City Planning Commission may authorize modifications to Sections 35-24 35-65 (~~Special Street Wall Location and Height and Setback Regulations in Certain Districts~~)

(Height and Setback Requirements for Quality Housing Buildings) and 123-66 (Height and Setback Regulations) to allow the applicable maximum #building# height to be increased by up to 15 feet, provided that the first #story# occupied by a #FRESH food store# has a minimum finished floor to finished ceiling height of 14 feet, and provided that such finished ceiling height is at least 14 feet above the #base plane# or #curb level#, as applicable.

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63-23
Special Transparency Requirements

For all #FRESH food stores#, the ground floor level of the #street wall# fronting upon a principal #street# shall be glazed in accordance the provisions of Section 37-34 (Minimum Transparency Requirements). ~~with materials which may include #show windows#, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of such ground floor level #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk. No less than 50 percent of the area of such ground floor level #street wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.~~

Furthermore, for #buildings# with frontage on two or more #streets#, the Chairperson of the City Planning Commission may certify that the glazing requirements of this Section shall only be applicable to the #street wall# fronting upon the principal #street#, as determined by the Chairperson.

In addition, the Chairperson of the City Planning Commission may, by certification, allow a reduction in the glazing requirements of this Section, provided that the Chairperson finds that such #mixed building#, or #mixed use building# as defined in Section 123-11, is a recipient of #public funding# as defined in Section 23-911 (General definitions). ~~Such reduced glazing may occupy no less than 50 percent of the area of such ground floor level #street wall# and shall be glazed with transparent materials.~~

63-24
Security Gates

~~All security gates installed between the #street wall# and the #street line# after December 9, 2009, that are swung, drawn or lowered to secure #FRESH food store# premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street#.~~

63-25 63-24
Required Accessory Off-street Parking Spaces in Certain Districts

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END