

**5.50 SPECIAL DIMENSIONAL REGULATIONS**

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**5.54** *Special Regulations for Municipal Elementary and Middle (“K-8”) Schools.* The following regulations shall apply to the reconstruction, alteration or expansion of existing municipal K-8 school uses. The regulations of this Section shall apply where development is proposed on lots where the existing and proposed principal use is a municipal K-8 school; however, such lots may include other uses customarily associated with a municipal K-8 school such as public recreation, public open space, community center or municipal library. Where a regulation in this Section 5.54 contradicts any regulation set forth elsewhere in the Zoning Ordinance, including the requirements of Article 8.000, the regulations of this Section 5.54 shall apply.

**5.54.1** The following modifications to the dimensional, parking and other requirements applicable in the zoning district shall be permitted upon issuance of a Building Permit by the Commissioner of Inspectional Services:

- (a) The maximum permitted Floor Area Ratio shall be the existing Floor Area Ratio for all buildings on the lot at the time of application for a Building Permit, or the maximum Floor Area Ratio allowed under the applicable zoning district regulations, whichever is greater.
- (b) Areas located atop the roof of a building that are used as a playground or outdoor educational space for school-related activities shall not be included in the calculation of Gross Floor Area or Floor Area Ratio on the lot, provided that the space is substantially open to the sky (structures covered with web or netting shall not be considered enclosures).
- (c) For any new structures, additions to an existing structure, or portions of a structure that are demolished and reconstructed, the minimum yard requirements otherwise applicable in the district shall not apply, provided that no new structure may be nearer than ten (10) feet to any public street or nearer than fifteen (15) feet to any other abutting lot line. For existing portions of a structure which are neither demolished nor expanded, the required yards shall be those of the structure existing at the time of application for a Building Permit.
- (d) For any new structures, additions to a structure, or portions of a structure that are demolished and reconstructed, the maximum building height shall be forty-five (45) feet, or the maximum height allowed under zoning district regulations, whichever is greater. For existing portions of a structure which are neither demolished nor expanded, the height of the existing structure shall be permitted.
- (e) The minimum required number of off-street motor vehicle parking spaces shall be the number of legally existing off-street parking spaces on the lot or the minimum number of off-street parking spaces required by Article 6.000, whichever is fewer. Where existing parking spaces are proposed to be reconstructed or relocated, those spaces shall conform to the location, design and layout requirements of Article 6.000.
- (f) The minimum required number of off-street loading bays shall be the number of legally existing off-street loading bays on the lot or the minimum number of off-street loading bays

required by Article 6.000, whichever is fewer. Where loading bays are proposed to be reconstructed or relocated, those loading bays shall conform to the location, design and layout requirements of Article 6.000.

- 5.54.2** Where it is proposed to reconstruct, alter or expand an existing municipal K-8 school use, any dimensional, parking or other zoning requirements, including those set forth in Section 5.54.1 above, may be waived upon the granting of a special permit by the Planning Board, subject to the conditions and limitations set forth below.
- (a)** The Floor Area Ratio shall not exceed 1.25 for all buildings on the lot.
  - (b)** The maximum building height shall not exceed fifty-five (55) feet, except that the Planning Board may approve heights of up to sixty-five (65) feet for portions of a building located at least fifty (50) feet from any lot line.
  - (c)** The minimum off-street parking requirement shall not be waived except upon issuance of a special permit for Reduction in Required Parking under Section 6.35.1. The Planning Board may approve a reduction in the number of required loading bays upon finding that the proposed loading bays are sufficient to serve the school use. New parking spaces and loading bays shall conform to the location, design and layout requirements of Article 6.000.
  - (d)** In addition to the General Special Permit Criteria set forth in Section 10.43 and the Citywide Urban Design Guidelines set forth in Section 19.30, the Planning Board shall make a determination that the proposed changes to the lot have been designed to minimize or mitigate adverse impacts on neighboring residential properties. In making this finding, the Planning Board shall consider the following:
    - (i)** Arrangement of building height and bulk within the lot.
    - (ii)** Access and egress for pedestrians, bicycles and motor vehicles, including pick-up and drop-off areas for buses and cars.
    - (iii)** Location and screening of functions such as parking, loading, trash handling and mechanical equipment.
    - (iv)** Current impact of existing buildings and existing patterns of use on the site.