

**EXHIBIT C TO COVENANT DZC
SECTION 7.3.5.4 USE TABLE**

B. Applicability

This Section 7.3.5.2 applies to development in the C-CCN zone districts that proposes either new vehicle access or a change in location of existing vehicle access to the subject zone lot. This Section shall apply to all proposed vehicle access points to the same zone lot.

C. Location of Vehicle Access

1. All vehicle access to a zone lot in the C-CCN zone districts shall be from an alley, when alley access is present.
2. If alley access is not present or if alley access is not feasible due to lot configuration, an Applicant shall first give preference to vehicle access to the zone lot from a named street before proposing vehicle access from a numbered street.
3. Whenever street (not alley) vehicle access to the zone lot is allowed, the width of the vehicle ingress/egress ways from the street shall be minimized.

7.3.5.3 Vehicle Access in all other Zone Districts

A. No Alley

Where a building form specifies “street access allowed when no alley present,” vehicle access from the street is allowed when a zone lot is not bounded by an alley.

B. Alley

Where a building form specifies vehicle access from alley is required, and the zone lot is bounded by an alley, any newly constructed driveway, driving aisle, garage, carport, or other parking facility shall be accessed solely from an alley, unless:

1. The alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The alley is less than 12 feet in width;
3. At least 60 percent of the existing dwelling units on the same face block are served by driveways, driving aisles, or other parking facilities accessed directly from a primary street;
4. The Department of Public Works prohibits the use of the alley for vehicular access to the zone lot based upon a determination that the alley cannot safely or operationally accommodate additional vehicular traffic; or
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that access is needed from the street.

7.3.5.4 Street Level Active Uses in the C-MX and C-MS Zone Districts

A. Intent

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment.

B. Applicability

This Section 7.3.5.4 applies to the General building form in the C-MX zone districts and the Shopfront building form in the C-MS zone districts.

C. Street Level Active Uses

1. Street Level active uses include all permitted primary uses except the following:
 - a. Mini-storage Facility; or
 - b. Wholesale Trade or Storage, Light.

2. Street Level active uses include all permitted accessory uses except the following:
 - a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
 - b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level active uses shall not include Parking Spaces or Parking Aisles.
4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
5. The length of any build-to alternatives permitted by Section 7.3.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

SECTION 7.3.6 DESIGN STANDARD ALTERNATIVES

7.3.6.1 Required Build-To Alternatives

A. Intent

To help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades.

B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.6.E:

REQUIRED BUILD-TO ALTERNATIVES							
ZONE DISTRICT	PERMANENT OUTDOOR PATIO SEATING (MAX INCREASE IN BUILD-TO RANGE)	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)	GARDEN WALL (MAX % OF BUILD-TO)	GARDEN WALL WITH COVERED SEATING FOR PEDESTRIANS (MAX % OF BUILD-TO)	PERGOLA (MAX % OF BUILD-TO)	ARCADE (MAX % OF BUILD-TO)	COURTYARD (MAX % OF BUILD-TO)
C-RX C-MX	na	na	25%***	30%***	30%***	100%	100%
C-MS	na	na	25%***	30%***	30%***	100%	na
C-CCN	5'	100%**	25%***	30%***	30%***	100%	na

*Permitted increase in the maximum depth of the required build-to range.

** If used in combination with each other, the permanent outdoor patio seating and private open space alternatives may count toward 100% of required build-to, provided the outdoor patio seating complies with the private open space rule of measurement in Article 13.

***If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than 30% of required build-to.

7.3.6.2 Primary Street Upper Story Setback

A. Intent

To provide flexibility while maintaining and promoting a pedestrian-scaled main street.

B. Applicability

C-MS-8, C-MS-12

C. Alternative

When the building is placed at 0 feet on the Primary Street Zone Lot Line, then the Upper Story Setback above 5 stories or 70 feet may be reduced to 15 feet. This alternative only applies