

#### DEPARTMENT OF INSPECTIONAL SERVICES 133 WILLIAM STREET - ROOM 308 NEW BEDFORD, MA 02740

# New Bedford Comprehensive Zoning Code Review Code of Ordinances - Chapter-9

139 Union Street PLOT: 53 LOT: 144

Zoning Code Review as follows:

A Variance is required

#### **❖** SECTIONS

- SECTION 3000 GENERAL REGULATIONS
- 3100 PARKING AND LOADING
- 3110 APPLICABILITY
- 3130 TABLE OF PARKING AND LOADING REQUIREMENTS
- APPENDIX C

## Parking needed

139 Union Street

1<sup>ST</sup> floor ---2784 sq ft/200= 14 spaces

2<sup>nd</sup> floor ---1152 sq ft/200= 6 spaces

3<sup>rd</sup> floor --2 residential Units = 4 spaces

24 spaces

| IX. HOMEOWNER LICENSE   | EXEMPTION  |  |
|---|--|--|
| Supplement #1   |  |  |
| The current exemption for "homeow engage an individual for hire who doe   | ner" was extended to include by meroccupied dysallings of two units of a not possess a license, provided that the by mer acts as supervisor. (f  | i less and to allow trich homeowners   |
| DEFINITION OF HOMEOWNER:  | ·  |  |
| Person(s) who own a parcel of land o  | n which he/she resides or intends to reside, on which there is, or is intend   | led to be, a one to two lamily dwelling  |
| be considered a homeowner. Such "h  | sory to such use and /or farm structures. A person who constructs more there one owner shall submit to the Building Official, on a form acceptable to the termed under the building permit. (Section 110.5)  |  |
| The undersigned "homeowner assumes  | responsibility for compliance with the State Building Code and other applicable<br>ford Statisting Department minimum inspection procedures and requirements.  | e codes, ordinance, rules and regulatio  |
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| HOMEOWNERS SIGNATURE  |  |  |
| X. CONSTRUCTION DEBRIS  | DISPOSAL   |  |
| Supplement #2   |  | The state of the s |
| In accordance with provisions of Massach<br>disposal facility as defined by Massach   | chuserts General Law C40, S54, debris resulting form this work shall be dispo<br>usetts General Law C111, S150A  | osed of in a properly licensed solid was   |
| The debris will be disposed of in:  | (Location of Facility)   |  |
| Signature of Permit Applicant   |  |  |
|   | والمراجع   | ale:   |
| XI. HOME IMPROVEMENT C  | ONTRACTOR LAW AFFIDAVIT  |  |
| (Residential Use Only) Supplement to Supplement #3  | *ermit Application   |  |
| MGLc. 142 A requires that the Precious  | nuction, alteration, renovation, repair, modernization, conversion, im   | provement, removal, demolition, (  |
| CONTRACTOR OF BY ARTESTICATE IN 1829 S  | re-existing sweet occupied building containing at least one but not<br>such residence of building" be conducted by registered contractors, wi  |  |
| requirements.   |  | -  |
| Type of Work:   | Es   | t. Cost  |
| Address of Work 199 (4n 10  | n Street   |  |
| Owner Name:   | Date of Permit Appl  | Scation  |
| I hereby certify that: Registration is not  |  |  |
| Work encluded by law  | Job under \$1,000Building not owner-occupied   | Disense obtaining our normit   |
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| DWNERS OBTAINING THEIR OWN P  | Firmit or employing unregistered contractors for applic/<br>Itration program of guaranty fund under miglc. 142A  | able home improvement wor  |
|   | inglive frogram of Guarani y fund Under Mille. 142A  |  |
| signed under penalties of perjury:<br>hereby apply for a permit as the agent  | of the owner.  |  |
|   | • and the constraints  |  |
| Date<br>DR:   | Contractor Signature   | Registration No.   |
|   | by apply for a permit as the owner of the above property:  | £  |
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| )ats  | Owner Squature   |  |
| (II. BUILDING COMMISSION  | ERS REVIEW COMMENTS AND CONDITIONS   |  |
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| - Jungum  | Not valid unless signed (not stamped) by Building Commissioner   |  |

SECTION 3000. - GENERAL REGULATIONS.

3100. - PARKING AND LOADING.

3110. **Applicability**. Every building erected, enlarged, converted, or relocated and each use or change of use of land shall be provided with off-street parking spaces and off-street loading spaces in accordance with Section 3130, Table of Parking Requirements.

3111. In the event of the enlargement of a structure existing on the effective date of the ordinance from which this Section is derived, or the construction or relocation of additional structures on a lot, after such effective date, the regulations of this Section shall apply only to the enlargement, construction or relocation thereof, except that any off-street parking and off-street loading facilities established to serve any buildings and any uses prior to such effective date shall not be reduced below the required number.

3112. For a building or premises used for combined purposes, the number of off-street parking spaces and off-street loading spaces shall be determined as the sum of the required number of spaces in each component of the combined use.

3113. Where the computation of required parking spaces and loading spaces result in a fractional number, the required parking spaces shall be the next whole number.

(Ord. of 12-23-03, § 1)

3120. **Special Permit.** Any parking or loading requirement set forth herein may be reduced upon the issuance of a special permit by the Planning Board if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:

- 3121. Use of a common parking lot for separate uses having peak demands occurring at different times;
- 3122. Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;
- 3123. Peculiarities of the use which make usual measures of demand invalid;
- 3124. Availability of on-street parking or parking at nearby municipally owned facilities.

3125. Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces.

(Ord. of 12-23-03, § 1)

3130. Table of Parking and Loading Requirements. See Appendix C.

(Ord. of 12-23-03, § 1)

3140. Location and Layout of Parking and Loading Facilities. Off-street parking and loading, for facilities other than single- or two-family residences, may be provided in structures or in the open air, and shall be subject to the following regulations pertaining to their layout and location:

3141. Parking spaces shall be located on the same lot as the building or use where they are intended to serve, except that they may be provided on an adjoining lot in the same ownership.

3142. Where the provisions of subsection 3141 cannot be satisfied and the parking lot contains five (5) or more required spaces, the required parking spaces may be located on a lot in the same ownership within two hundred (200) feet of the building or lot they are intended to serve.

3143. Parking space for three (3) or fewer vehicles may be provided in the form of a driveway on a lot; the improved surface may be extended to one foot of the side line.

3144. Where a drive or aisle, other than a street, is required to maneuver a vehicle into or out of a parking space, such drive or aisle shall be at least twenty-two (22) feet wide for parking spaces situated at right angles, or nearly right angles to the aisle. For parking spaces situated at an angle of thirty (30) to sixty (60) degrees to the aisle, the required width of the aisle shall be at least fifteen (15) feet.

3145. Open-air off-street parking facilities may be located in required front, rear and side yards, except that in a residential district, no open-air off-street parking space shall be located in front of the dwelling or principal building. Notwithstanding the previous sentence, in cases where a garage faces the frontage of the dwelling and is located beneath the dwelling, open-air off-street parking may be located in front of the dwelling in a residential district provided

that the dwelling is set back a minimum of twenty (20) feet from the front property line and provided that said parking occurs only within the driveway, the width of which shall not exceed the lesser of the width of said garage or eighteen (18) feet. Any driveway in a residential district, requiring more than one curb cut, shall require Site Plan Approval. No driveway in a residential district shall exceed eighteen (18) feet in width.

3146. When five (5) or more parking spaces are required on a lot, the provisions of <u>Section</u> 3300 shall apply. All spaces shall be laid out so that vehicles can enter or leave any parking space directly from a drive or aisle other than a street. Additionally, all spaces shall be laid out so the vehicles entering a street may do so facing the street.

3147. All parking spaces and loading areas or berths in the open-air and the access drives or aisles, shall be provided with a concrete or asphalt surface. Compacted gravel or stone shall be permitted only for single- or two-family residential dwellings.

3148. No off-street loading areas or berths shall be laid out in such a manner as will result in loading or unloading being carried on within a street right-of-way or other public property. Each area or berth shall be sufficient size as to accommodate the largest expected truck or tractor trailer common to the building use.

3149. Special Permit for Commercial Parking in Residential Districts. Commercial parking may be allowed on residentially zoned property, held in common ownership and located immediately adjacent to the commercial business to which it is to serve, upon the issuance of a special permit by the Zoning Board of Appeals, if the Board finds that said parking is not detrimental to public health and safety, and that said parking promotes a public benefit. A Special Permit for vehicular access to a building lot accessed from public way that does not constitute frontage of the lot. Upon the issuance of a special permit by the Zoning Board of Appeals, vehicular access may be allowed from a public way that does not constitute the legal frontage of the subject lot if said lot is residentially zoned, if the proposed vehicular access is for the purpose of accessing parking that is located beside or behind the dwelling or principal building, and if the Board finds that said vehicular access promotes a public benefit and is not detrimental to public health and safety. Notwithstanding Section 5240 of Chapter 9 of the Code of Ordinances or any other provision to the contrary, no fee of any kind shall be charged or imposed by the Special Permit Authority to the applicant of a Special Permit applied for under this Section.

(Ord. of 12-23-03, § 1; Ord. of 8-22-06, § 1)

3150. Size of Parking Space. A parking space shall be a rectangle at least nine (9) feet by twenty (20) feet exclusive of any required drive or aisle.

3151. The area of required off-street loading space is not to be included as off-street parking space in the computation of required off-street parking space.

(Ord. of 12-23-03, § 1)

#### CODE OF ORDINANCES

#### Chapter 9 - COMPREHENSIVE ZONING

### APPENDIX C - TABLE OF PARKING AND LOADING REQUIREMENTS

| USE  | PADVING DECIMENDATE                                     |  |
|--|---|--|
| One-family dwelling  | PARKING REQUIREMENTS                                    |  |
| Two-family dwelling  | unit  | ng One (1) loading space for each  |
| Multi-family (3) or more per structur  | re Two (2) spaces per duellin                           | multifamily dwelling containing  |
| (a) or more per structur   | unit  |  |
|  | uitic   | or more than twenty (20)   |
| Hotel, motel, bed and breakfast,   |   | housekeeping units   |
| rooming or boarding or lodging house   | One (1) space per each                                  | One (1) loading space for each   |
| counst home, dormitories, or other   |   | building containing more than 20   |
| non-tainfly residence  | does not reside on the                                  | guest foolis   |
|  | premises; one (1) space pe                              |  |
| accommodations, excluding group  | guestinom, ewelling                                     |  |
| nemes  | parking requirements, if                                |  |
| OFF.   | applicable  |  |
| Offices: General, professional,  | One (1) space per each 200                              |  |
| business, banks, medical clinics and   | sq. ft. of gross floor area                             | building containing 10,000 sq. ft. or  |
| laboratories, radio and television   | but not less than two (2)                               | more of gross floor area. Two (2)  |
| stations; office of non-profit   | spaces for each business                                | loading spaces for 100,000 sq. ft. or  |
| educational, cultural, or charitable   | unit intended to occupy the                             | more of gross floor area   |
| organizations  | premises. After 10,000 sq.                              |  |
|  | ft. of gross floor area, one                            |  |
|  | space for every 1,000 sq. ft.                           | .  |
| And the state of t | of gross floor area                                     |  |
| Fast-food drive-in, carry-out  | One (1) Epace per enco                                  | One (1) loading space for each   |
| restaurants  | employee oe shift for a                                 | building   |
|  | minimum of five (5) spaces                              |  |
|  | plus one (1) space per 590                              |  |
|  | SQ 1G of gross floor area                               | production of the second of a first transfer   |
|  | with a minimum of twenty                                |  |
|  | (20) spaces   | The experience of the control of the |
| Businesses engaged in retail sale of   | One (1) space per each 200                              | One loading space for each building  |
| goods and services, not elsewhere  | sq. ft. of gross floor area,                            | containing more than 5,000 and less  |
| enumerated herein  | but not less than two (2)                               | than 10,000 sq. ft. of gross floor   |
|  |   | area. Thereafter, one (1) additional   |
|  |   | loading space shall be required for  |
|  |   | roading space shall be required for  |
|  | l <b>-</b>  | each additional 25,000 sq. ft. of gross floor area   |
|  | space per 400 sq. ft.                                   | gross moor area  |
|  |   |  |
|  | One (1) space per each 400 sq. ft. of gross floor area, |  |
|  | but not loss than the (2)                               |  |
|  | but not less than two (2)                               |  |
|  | spaces for each business use                            |  |
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| USE   | PARKING REQUIREMENTS   | LOADING REQUIREMENTS  |
|---|--|---|
| Hospital, convalescent homes, nurs  | ing One (1) space per three (3   | One (1) loading space for each  |
| homes, rest homes or homes for the  | , , , , , , , , , , , , , , , , , , ,  | building containing 10,000 sq. ft.  |
| aged  | Off Zone.  | more of gross floor area. Two (2)   |
| Places of assembly, including   | One (1) space per five (5)   | loading spaces for buildings  |
| theaters, veterans, fraternal, social   | seats for which the buildin  |   |
| and recreational clubs and  | is designed or one (1) space   | es of gross floor area  |
| organizations not operated for a  | for each 200 sq. ft. of gros   | ss  |
| profit; facilities primarily for the  | floor area whichever result  |   |
| education and instruction of persons  | in the greatest number   |   |
| sixteen (16) yrs. of age and older;   |  |   |
| taxi, bus & railroad passenger  |  |   |
| terminals; auditoriums, theaters,   | ļ  |   |
| bowling alleys and dance halls; sport   | ts   |   |
| facilities; places of worship; funeral  |  | j   |
| homes   |  |   |
| Businesses engaged in the   | One (1) space per each 500   |   |
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| junkyards .   |  |   |
| chools, Adult Day Care Centers, Day   | One (1) space for each   | One (1) loading space for each  |
| are Centers, excluding family day   | employee in addition to  | building containing 10,000 sq. ft. or                                     |
| are homes   | three (3) space Drop-Off   | more of gross floor area. Two (2)   |
|   | Zone   | loading spaces for buildings  |
|   |  | containing 100,000 sq. ft. or more  |
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(Ord of 12-23-03 § t)

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# City of New Bedford , Norwachwetts

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| 35 L Structural ste                 |  | H. TYPE OF WATER SU  | Perv   | 55 Total square feet of flo<br>all floors based on est   | orior dimensions 10,074                      |
| 35 U Reinforced so                  |  | 45 M Public or pri   | die company  | 56 Building langth<br>57 Building width  | -149   |
| 37 U Oner - Som                     |  | 46 🔲 Private (well,  | cislem)  | 56 Total eq. ft. of bidg. fee  | <u>-4854</u>                                 |
| PRINCIPAL TYPE OF H                 | FATING FUEL  | I. TYPE OF MECHANICA   |  | 59 Front Ion lines which:<br>60 Final and lines which:   | <del></del>                                  |
| 30 XX Gos                           |  | is there a fire spruda   | or symptom?  | Gr Depart of lot   |  |
| 39 ☐ Cilectricity                   |  | / Lives  | ** <b>! !</b> ***  | 62 States at 11 of the size<br>63 % of the complete by th  | (60-62)                                      |
| 41 G Cost                           |  | 19 D Yes   | in conditioning?<br>iD No  | 64 Distance from let lave (i<br>65 Distance from 64 line (i  | irone;                                       |
| 42 Other - Sp                       | wicely   | Will there be an elev  | itor? 1  | 66 Distance from lot See (l  | eff)   |
|                                     |  | 51 \tes _ =  | 2 12S No   | 67 Distance from lot like (r   | ight)  |

| OTHER APPLICABLE REV  | ***  |   |  |
|---|--|---|--|
| K FLOODPLAIN  |  |   |  |
| Is location within flows  | i bazard araa? yes (ao)  |   |  |
| I yes well -  | and base clevation   |   |  |
| L WETLAMIS PROTECTIO  | a.s  | - Street Cy March   |  |
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| to live about part of a kin   | ONT WEST AND   | Bethandayen ayan kan salaga sagan an ay sang sa   |  |
| the least conservation  | comparison reviewed this size. W   | १९४१ - करने हे ने नहीं तेवह कार्योद्ध के प्रेस कार्यावस्थ्री के ब्रुट्स है ? ?  |  |
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|   |  | inamentalista (j. 1905).<br>237 - CONS  |  |
| NHALE   | 128 UNION ST   | 02740   | 508.997.17   |
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| tudio 2 sustain   | 412 GOUNTY ST  | 62741   | 1 519.990 -  |
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|   |  |   | 12 th to 22  |

Omission of reference in any provision shall are nothly any

remarkment of this state not encury any arms are from such requirement

The applicants understands and warrant that they will comply with all pertinent federal and state stratures, focal ordinances and all federal, state, and head regulations, including those of the Architectural Barners board, Department of Environmental Protection Agency and may be inswerded for review u. all portinent local city agencies which may express specific concerns, it is understood that the assumed of a be used they use the second to second the second second by combinate are expended and structure from such requirement. The period shall be a license to proceed with the work and shall not be construed as authority to diabate council or ser usale cap of the provisions of the State Building Code on local and it is control some as motionary between highest to accomplished by the substitute of the specifical accompanies. with Section 122 Colf Way. Building Code on total code of ordinances.

a hance read the above and sign under pain and popular at perputy as to the train of all of the adortes and antenness, contained in section I through IV of this application.

Mcant's Signature

128 UNION ST NEWBETTORD MA

| AGIGN<br>1 XO      | MIGH St. 139 ,39-141                              |   |
|--------------------|---|---|
|                    | MIGE A: C)  |   |
| DISTRICT: L        | RUSINESS  | and the second                                |
| PERMIT NO          | USE PLOT 53                                       | CONST   |
| 48-26              | Repairs after fire                                | o <del>doro</del> dos <u>—</u><br>Presidentes |
| 61-30              | Repairs After fire                                |   |
| 35 <del>420</del>  | Alterations to store                              | <u>6198. AS 6</u>                             |
| 10.30              | Variance to convert the 2nd&3rd floor for         | r@@   |
| BOA #3428          | 2 apartments, Granted 3/21/02 (Relieved 2007 A Pa | 2 <b>£</b> \                                  |
|                    |   | <u>Triblikolor</u><br>Triblikolor             |
| 1032=02<br>4711-bw | Interior repairscepoint brick                     |   |

| DISTRICT A  |                 | PLOT 5 📆         | LOT 1 + 4  |
|-------------|-----------------|------------------|--|
| PERMIT NO.  | PURPOSE         | PLANS            | FILED  |
| 1369-03     | Corract c       | 6 TENDET         | ( Areaste)   |
| Port 15     | J 3/25/13       |                  | <i>,</i>   |
| Ce:4-10     | S.g. 1 (D=)+1 m | ation Semps      |  |
| 16-16 1ater | un Alteration   | Kul / AR. 10, 4. | ing the same of th |
| ZBA VA      | 12/ANC # 4      | 054 Mrs          | on Trick 1127  |

| 1270-02   | rubber roof |      |  |
|---|-------------|------|--|
| Applications of the second of |             |      |  |
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