

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, APRIL 26, 2006
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK 10007**

**Yvette V. Gruel, Calendar Officer
22 Reade Street, Room 2E
New York, New York 10007-1216
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	C 060335 ZMX	11	PELHAM PARKWAY/INDIAN VILLAGE REZONING	Scheduled to be Heard 5/10/06
2	N 060338 ZRY	CW	R5D TEXT AMENDMENT	" "
3	C 060337 ZMQ	8	JAMAICA HILL/HILLCREST REZONING	" "
4	C 020087 ZMQ	1	VERNON BOULEVARD REZONING	" "
5	N 060413 ZRK	1	GREENPOINT/WILLIAMSBURG/INCLUSIONARY HOUSING TEXT	" "
6	C 060311 HAM	3	POSTGRADUATE CENTER FOR MENTAL HEALTH	" "
7	N 060415 BDM	2, 3	VILLAGE ALLIANCE BID	" "
8	C 030425 MMX	8	NETHERLAND AVENUE/SAR CITY MAP CHANGE	Favorable Report Adopted
9	C 060250 HAX	4	JESUP HEIGHTS II	" "
10	C 050371 PQQ	4	GRAND STREET CHILD AND FAMILY CARE CENTER	" "
11	N 050489 ZAM	7	OLCOTT HOTEL GARAGE	Authorization Approved
12	C 060221 PPK	4	A & D PLUMBING	Hearing Closed
13	N 060425 PXX	10	CD 10 OFFICE SPACE	" "
14	C 060277 ZSM	3	COMMON GROUND COMMUNITY RESIDENCE	" "
15	C 060281 HAM	3	FABRIA HOUSES	" "
16	N 060424 PXM	1	COMPTROLLER'S OFFICE SPACE	WITHDRAWN
17	C 050418 MMQ	14	FEDERAL JEANS	Hearing Closed

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:												
		In Favor - Y Oppose - N Abstain - AB Recuse - R												
Calendar Numbers:		8	9	10	11									
Amanda M. Burden, AICP, Chair	P	Y	Y	Y	Y									
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y									
Angela M. Battaglia	P	Y	Y	Y	Y									
Irwin Cantor, P.E.	P	Y	Y	Y	Y									
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y									
Alfred C Cerullo, III	P	Y	Y	Y	Y									
Richard W. Eaddy	P	Y	Y	Y	Y									
Jane D. Gol	P	Y	Y	Y	R									
Lisa Gomez	P	Y	Y	Y	Y									
Christopher Kui	A													
John Merolo	P	Y	Y	Y	Y									
Karen A. Phillips	P	Y	Y	Y	Y									
Dolly Williams, Commissioners	P	Y	Y	Y	Y									

MEETING ADJOURNED AT: 12:05

**COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York**

CITY PLANNING COMMISSION

WEDNESDAY, APRIL 26, 2006

**MEETING AT 10:00 A.M. AT SPECTOR HALL
22 READE STREET
NEW YORK, NEW YORK**



**Michael R. Bloomberg, Mayor
City of New York**

[No. 8]

Prepared by Yvette V. Gruel, Calendar Officer

To view the Planning Commission Calendar and/or the Zoning Resolution on the World Wide Web, visit the Department of City Planning (DCP) home page at:
nyc.gov/planning

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

1. A quorum shall consist of seven members.
2. Final action by the Commission shall be by the affirmative vote of not less than seven members.
3. Except by unanimous consent, matters upon which public hearing are required by law shall lie over until the next meeting following the public hearing.
4. Matters not on the calendar may be considered by unanimous consent.

NOTE - Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: in Section I, (Scheduling Dates for Future Public Hearings), in Section II, (Reports), and in Section III, (Public Hearings). Matters scheduled for public hearing by Community Boards appear in a separate calendar available in the Calendar Information Office.

NOTICE--CALENDARS: City Planning Commission calendars and disposition sheets are now available on the Department of City Planning's web site (www.nyc.gov/planning). The availability of these documents on-line will occur earlier than the current printed documents.

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below. Any individual or organization that would like to receive paper copies of the aforementioned documents will be able to do so at a fee of \$120.00 annually. Please have the certified check made out to the **City of New York -- Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216.

For Calendar Information: call (212) 720-3368, 3369, 3370.

Note to Subscribers: Notify us of change of address including E-mail by writing to:

City Planning Commission
Calendar Information Office
22 Reade Street - Room 2E
New York, New York 10007-1216

B
CITY PLANNING COMMISSION

22 Reade Street, New York, N.Y. 10007-1216

- AMANDA M. BURDEN, *AICP, Chair*
- KENNETH J. KNUCKLES, *Esq., Vice Chairman*
- ANGELA M. BATTAGLIA
- IRWIN G. CANTOR, *P.E.*
- ANGELA R. CAVALUZZI, *R.A.*
- ALFRED C. CERULLO, *III*
- RICHARD W. EADDY
- JANE D. GOL
- LISA A. GOMEZ
- CHRISTOPHER KUI
- JOHN MEROLO
- KAREN A. PHILLIPS
- DOLLY WILLIAMS, *Commissioners*
- YVETTE V. GRUEL, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00a.m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

ORDER OF BUSINESS

WEDNESDAY, APRIL 26, 2006

Roll Call; Approval Of Minutes..... 1

I. Matters To Be Scheduled for Public Hearing..... 1

II. Reports..... 56

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IV. Schedule Of Meetings: January 1, 2006 - June 30, 2006 65

V. Schedule Of Meetings: July 1, 2006 - December 31, 2006.....66

**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for May 10, 2006 at Spector Hall 22 Reade Street, New York, at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

Signing up to speak: Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials will be allowed to speak first. If a large number of people wish to speak on a particular item, statements will be taken alternating every 30 minutes between those speaking in support of the proposal and those speaking in opposition.

Length of Testimony: In order to give others an opportunity to speak, all speakers are asked to limit their remarks to three minutes.

Written Comments: If you intend to submit a written statement and/or other documents please submit 20 sets of each.

Anyone wishing to present facts or to inform the Commission of their view on an item in this calendar, but who cannot or does not wish to speak at the public hearing, may fill out the form below and return it to the desk outside the hearing chambers or mail their written comments to:

**CITY PLANNING COMMISSION
Calendar Information Office - Room 2E
22 Reade Street, New York, N.Y. 10007**

(Extra copies of this form may be obtained in the Calendar Information Office at the above address.)

Subject _____

Date of Hearing _____ Calendar No. _____

Borough _____ Identification No.: _____ CB No.: _____

Position: Opposed _____
 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

APRIL 26, 2006

APPROVAL OF MINUTES OF Regular Meeting of April 5, 2006.

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, MAY 10, 2006**

**STARTING AT 10:00 A.M.
IN SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

PELHAM PARKWAY/INDIAN VILLAGE REZONING

CD 11

C 060335 ZMX

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 4a and 4b:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by:
 - a. a line 100 feet southerly of Pelham Parkway South, Williamsbridge Road, Lydig Avenue, and a line midway between Tomlinson Avenue and Williamsbridge Road; and
 - b. Neill Avenue, a line midway between Yates Avenue and Williamsbridge Road, Rhineland Avenue, and a line midway between Tomlinson Avenue and Williamsbridge Road;
2. eliminating from within an existing R3-2 District a C2-2 District bounded by Lydig Avenue, a line midway between Yates Avenue and Williamsbridge Road, Neill Avenue, and a line midway between Tomlinson Avenue and Williamsbridge Road;
3. changing from an R3-2 District to an R3-1 District property bounded by Neill Avenue, Tenbroeck Avenue, Lydig Avenue, Narragansett Avenue, Pawnee Place, Seminole Avenue, Rhineland Avenue,

Narragansett Avenue, Lakewood Place, Tenbroeck Avenue, Rhinelander Avenue, and Hering Avenue;

4. changing from an R4 District to an R3-1 District property bounded by:
 - a. Rhinelander Avenue, Seminole Avenue, Pinghot Place, and Narragansett Avenue; and
 - b. Lakewood Place, Tenbroeck Avenue, Morris Park Avenue, and Hering Avenue;
5. changing from a R3-2 District to an R4 District property bounded by Rhinelander Avenue, Williamsbridge Road, a line 100 feet southeasterly of Rhinelander Avenue, and a line midway between Tomlinson Avenue and Williamsbridge Road;
6. changing from an R3-2 District to an R4A District property bounded by:
 - a. Esplanade, Pelham Parkway South, Tomlinson Avenue, a line 100 feet northwesterly of Neill Avenue, Lurting Avenue, Neill Avenue, a line midway between Paulding Avenue and Hone Avenue, Lydig Avenue, and Paulding Avenue;
 - b. a line 100 feet southeasterly of Neill Avenue, Tomlinson Avenue, Rhinelander Avenue, and Paulding Avenue; and
 - c. Bronx and Pelham Parkway, Wilson Avenue, Seminole Avenue, Pawnee Place, Narragansett Avenue, Lydig Avenue, Tenbroeck Avenue, Neill Avenue, Hering Avenue, Rhinelander Avenue, Tenbroeck Avenue, Lakewood Place and its southwesterly centerline prolongation, Williamsbridge Road, Rhinelander Avenue, a line midway between Williamsbridge Road and Yates Avenue, Lydig Avenue, a line 100 feet westerly of Yates Avenue, a line 100 feet southerly of Pelham parkway South, and Yates Avenue and its northerly centerline prolongation;
7. changing from an R4 District to an R4A District property bounded by the southwesterly centerline prolongation of Lakewood Place, Hering Avenue, Morris Park Avenue, and Williamsbridge Road;
8. changing from an R3-2 District to an R4-1 District property bounded by Neill Avenue, a line 100 feet westerly of Matthews Avenue, a line 100 feet southeasterly of Antin Place, Brady Avenue, the southwesterly centerline prolongation of Esplanade, Paulding Avenue, Lydig Avenue, a line midway between Paulding Avenue and Hone Avenue, Neill Avenue, Lurting Avenue, a line 100 feet northwesterly of Neill

Avenue, Tomlinson Avenue, Pelham Parkway South, a line midway between Tomlinson Avenue and Williamsbridge Avenue, Rhinelander Avenue, Tomlinson Avenue, a line 100 feet southeasterly of Neill Avenue, Paulding Avenue, Rhinelander Avenue, and Bronxdale Avenue;

9. changing from an R3-2 District to an R5D District property bounded by Pelham Parkway South, Williamsbridge Road, Bronx and Pelham Parkway, Yates Avenue and its northerly centerline prolongation, a line 100 feet southerly of Pelham Parkway South, a line 100 feet easterly of Yates Avenue, Lydig Avenue, a line midway between Yates Avenue and Williamsbridge Road, Rhinelander Avenue, and a line midway between Tomlinson Avenue and Williamsbridge Road;
10. changing from an R4 District to an R6A District property bounded by Bronx and Pelham Parkway, Stillwell Avenue, Pelham Parkway South, a line 100 feet northwesterly of Stillwell Avenue, Rhinelander Avenue, and a line perpendicular to the southerly street line of Pelham Parkway South distant 350 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of Pelham Parkway South and the easterly street line of Eastchester Road;
11. changing from an M1-1 District to an R6A District property bounded by:
 - a. Pelham Parkway South, Bassett Avenue, a line 125 feet southerly of Pelham Parkway South, and a line 100 feet northwesterly of Stillwell Avenue; and
 - b. a line 100 feet northwesterly of Stillwell Avenue, a line 500 feet easterly of a line perpendicular to the southerly street line of Pelham Parkway South distant 350 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of Pelham Parkway South and the easterly street line of Eastchester Road, and Rhinelander Avenue;
12. establishing within a proposed R4A District a C1-2 District bounded by a line 100 feet southeasterly of Rhinelander Avenue, a line midway between Williamsbridge Road and Yates Avenue, a line 125 feet southeasterly of Rhinelander Avenue, and Williamsbridge Road;
13. establishing within a proposed R5D District a C1-4 District bounded by:
 - a. a line 100 feet southerly of Pelham Parkway South, Williamsbridge Road, Lydig Avenue, and a line midway between Tomlinson Avenue and Williamsbridge Road; and

- b. Neill Avenue, a line midway between Yates Avenue and Williamsbridge Road, Rhineland Avenue, and a line midway between Tomlinson Avenue and Williamsbridge Road;
14. establishing within a proposed R5D District a C2-4 District bounded by Lydig Avenue, a line midway between Yates Avenue and Williamsbridge Road, Neill Avenue, and a line midway between Tomlinson Avenue and Williamsbridge Road;

as shown on a diagram (for illustrative purposes only) dated February 21, 2006, and subject to the conditions of CEQR Declaration E-166.

Resolution for adoption scheduling May 10, 2006, for a public hearing.

CITYWIDE

No. 2

R5D TEXT AMENDMENT

Citywide

N 060338 ZRY

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to various sections concerning the creation on an R5D Zoning District, as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article 1
General Provisions

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12
Establishment of Districts

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

Residence Districts

* * *

- R5 General Residence District
- R5A Detached Residence District
- R5B General Residence District
- R5D General Residence District

* * *

12-10
Definitions

* * *

Predominantly built-up area

A "predominantly built-up area" is a #block# entirely within R4 or R5 Districts including a #Commercial District# mapped within such #Residential Districts# having a maximum area of 4 acres which is #developed# with #buildings# on #zoning lots# comprising 50 percent or more of the area of the #block#. However, a #predominantly built-up area# shall not include a #block# which is located partly in a R4A, R4-1, R4B, ~~or~~ R5B or R5D District.

* * *

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

23-00
APPLICABILITY AND GENERAL PURPOSES

* * *

23-10
OPEN SPACE AND FLOOR AREA REGULATIONS

* * *

23-141
Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts

R1 R2 R3 R4 R5

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), in the districts indicated, the minimum required #open space# or #open space ratio#, the maximum #lot coverage# and the maximum #floor area ratio# for any #building# on a #zoning lot# shall be as set forth in the following tables:

* * *

(b)

District	Maximum #Lot Coverage# (in percent)	Minimum Required #Open Space# (in percent)	Maximum #Floor Area Ratio#
R3A R3X	governed by #yard# requirements		.50
R4A R4-1	governed by #yard# requirements		.75
R2X	governed by #yard# requirements		.85
R2A	30	70	.50
R3-1			
R3-2	35	65	.50
R4	45	55	.75
R4B	55	45	.90
R5	55	45	1.25
R5A	governed by #yard# requirements		1.10
R5B	55	45	1.35
<u>R5D</u>	<u>60*</u>	<u>40*</u>	<u>2.0</u>

* For #corner lots#, the maximum #lot coverage# shall be 80 percent and the minimum required #open space# shall be 20 percent.

In addition, the following rules shall apply:

* * *

(3) In R3-2, R4 and R5 Districts, except R4A, R4B, R4-1, R5A, ~~and~~ R5B and R5D Districts, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence developed# after June 30, 1989, may be increased by 100 square feet if at least one enclosed #accessory# off-street parking space is provided in a garage located in the #side lot ribbon# pursuant to paragraph (f) of Section 23-12 (Permitted Obstructions in Open Space), Section 23-441 (Location of garages in side yards of corner lots) or Section 23-442 (Location of garages in side yards of other zoning lots).

* * *

(e) In R4 and R5 Districts, except for #zoning lots developed# with #single-#, #two-# or three-#family residences#, 33 percent of the required #open space# on a #zoning lot#, except such #open space# in a #front yard# or, in R5D Districts, open area between the #streetline# and #street wall# of a #building# or its prolongation, shall have a minimum dimension of 12 feet and shall not be used for driveways, private streets, open or enclosed #accessory# off-street parking spaces, or open or enclosed #accessory# off-street loading berths.

23-144

For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts

R3 R4 R5 R6 R7

In the districts indicated, except R5D Districts, the minimum required #open space ratio# and the maximum #floor area ratio# for #non-profit residences for the elderly# shall be as set forth in the following table:

Districts	Maximum #Floor Area Ratio#	Minimum #Open Space Ratio#
R3	0.95	66.5
R4	1.29	39.4
R5	1.95	23.1
R6	3.90	17.7

R7 5.01 12.8

In R5D Districts, the #open space# and #floor area# regulations set forth in Section 23-141 shall apply to #non-profit residences for the elderly#.

* * *

23-22
Maximum Number of Dwelling Units or Rooming Units

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum number of #dwelling units# or #rooming units# shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. In R1 through R5 Districts, no #rooming units# shall be permitted and any #dwelling unit# shall be occupied by only one #family#. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

For the purposes of this Section, where a #floor area ratio# is determined pursuant to Sections 23-142 or 23-143, notwithstanding the #height factor# of the #building#, the maximum #residential floor area ratio# shall be 2.43 in an R6 District within 100 feet of a #wide street#, 3.44 in an R7 District, and 6.02 in an R8 District. In an R6 District beyond 100 feet of a #wide street#, the maximum #residential floor area ratio# shall be as specified in Sections 23-142 or 23-143, or 2.2, whichever is greater.

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS OR ROOMING UNITS

District	Factor for #Dwelling Units#	Factor for #Rooming Units#
R1-1	4,750	
R1-2	2,850	
R2, R2A	1,900	
R2X	2,900	
R3-1 R3-2*	625	
R3A	710	

R3-2 R4 R4-1 R4B	870	
R3X	1,000	
R4A	1,280	
R5 <u>R5D</u>	760	
R4** R5** R5B	900	
R5A	1,560	
R5B***	1,350	
R6 R7 R8B	680	500
R8 R8A R8X R9 R9A	740	530
R9-1 R9X R10	790	600

* for #single-# and #two-family detached# and #semi-detached residences#

** for #residences# in a #predominantly built-up area#

*** for #buildings# subject to the provisions of Section 25-633 (Prohibition of curb cuts in certain districts)

23-221

Maximum number of dwelling units or rooming units for non-profit residences for the elderly

R3-2 R4 R5 R6 R7

In the districts indicated, except R4-1, R4A, R4B and R5A Districts, the maximum number of #dwelling units# or, where permitted, #rooming units# for #non-profit residences for the elderly#, shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. No #rooming units# shall be permitted in R3-2, R4 or R5 Districts. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS OR ROOMING UNITS

District	Factor for #Dwelling Units#	Factor for #Rooming Units#
----------	-----------------------------	----------------------------

R3-2	680	
R4 R5B	680	
R5 <u>R5D</u>	700	
R6 R7	710	570

* * *

23-32
Minimum Lot Area or Lot Width for Residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as provided in Section 23-33 (Special Provisions for Existing Small Lots), no #residence# is permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

REQUIRED MINIMUM
LOT AREA AND LOT WIDTH

Type of #Residence#	Minimum #Lot Area# (in sq. ft.)	Minimum #Lot Width# (in feet)	#Lot District
#Single-family detached#	9,500	100	R1-1
	5,700	60	R1-2
	3,800	40	R2 R2A
	2,850	30	R2X
#Single-# or #two- family detached# or #zero lot line# where permitted	3,800	40	R3-1 R3-2 R4- R10
	3,325	35	R3X
	2,850	30	R4A* R5A
	2,375	25	R3A* R4B R4-1*
			R5B <u>R5D</u>
Any other permitted	1,700	18	R3-R10*

* In #lower density growth management areas#, for #two-family detached# and #two-family zero lot line residences#, where permitted, in R3A, R4A and R4-1 Districts, and for #two-family semi-detached residences# in R3-1, R3-2 and R4-1 Districts, the minimum #lot area# shall be 3,135 square feet and the minimum #lot width# shall be 33 feet.

* * *

23-40
YARD REGULATIONS

* * *

23-44
Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Residence Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

(a) In any #yard# or #rear yard equivalent#:

* * *

Overhangs in R4 and R5 Districts, except R4A, R4-1, R4B, R5A, ~~or~~ R5B or R5D Districts, which are that portion of a #building# above the first #story# including the #basement# which projects not more than three feet into the required 18 foot #front yard#. In no case shall the lowest level of the projected portion be less than seven feet above the level of the #front yard# at the face of the #building#. Supports for the projected portion of any #building# are permitted obstructions within the required #front yard#, provided that the total area occupied by such supports does not exceed 15 percent of the area underneath the projected portion. No support may extend beyond the three-foot projection;

Parking spaces, off-street, open, #accessory#, within a #side# or #rear yard#;

Parking spaces, off-street, open, within a #front yard# that are #accessory# to a #residential building# where:

(1) in R2X, R3, R4 and R5 Districts, no more than two parking spaces are required, provided such spaces are located in a permitted #side lot ribbon#;

- (2) in R3, R4 and R5 Districts, more than two parking spaces are required, provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts) and the screening requirements of Section 25-66.

However, no such parking spaces shall be permitted in any #front yard# within a R4B, ~~or R5B~~ or R5D District, and no such required spaces shall be permitted in any #front yard# within any R1, R2, R3, R4A or R4-1 District within a #lower density growth management area#.

* * *

23-45

Minimum Required Front Yards

R1 R2 R3 R4 R5

- (a) In the districts indicated, #front yards# shall be provided as set forth in the following table, except that for a #corner lot# in an R1-2 District, one #front yard# may have a depth of 15 feet and, for a #corner lot# in an R3 District, one #front yard# may have a depth of 10 feet.

Front Yard	District
20 feet	R1
15 feet	R2 R3-1 R3-2
15 feet	R2A
10 feet*	R3A R3X R4A R4-1 R5A
10 feet**	R4 R5
5 feet*	R4B R5B <u>R5D</u>

* Except as provided in paragraphs (b) and (c) of this Section.

** If the depth of a #front yard# exceeds 10 feet or the #zoning lot# is #developed# pursuant to the optional regulations applicable in a #predominantly built-up area#, the depth of a #front yard# shall be at least 18 feet. However, on a #corner lot#, if one #front yard# has a depth of at least 18 feet, the other #front yard# shall have a depth of at least 10 feet.

Furthermore, if an opening to an #accessory# off-street parking space is located within the #street wall# of a #residential building#, there shall be an open area between the opening and the #street line# which is at least 8 and 1/2 feet in width by 18 feet in depth, except this provision shall not apply in R5D Districts.

R2A R3A R3X R4A R4-1 R4B R5A R5B R5D

- (b) For the purpose of paragraphs (b) and (c) the area between the #street line# and the front building wall of adjacent #buildings# on the same or adjoining #zoning lots# shall be considered adjacent #front yards#.

Except as provided in paragraph (c) of this Section, in the districts indicated, if adjacent #residential buildings# on the same or on adjoining #zoning lots# fronting on the same #street# have #front yards# greater than the minimum set forth in paragraph (a) of this Section, then a #front yard# shall be provided which:

- (1) in R2A, R3A, R3X, R4A, R4-1 or R5A Districts is at least as deep as an adjacent #front yard#; and
- (2) in R4B, ~~or R5B~~ and R5D Districts is no deeper than the deepest adjacent #front yard# and no shallower than the shallowest adjacent #front yard#.

However, a #front yard# need not exceed 20 feet in depth.

In determining the depth of the adjacent #front yards#, balconies, and projections from the front building wall that do not exceed 33 percent of the aggregate width of the #building#, shall be disregarded.

For new #developments# or #enlargements#, projections into the required #front yard# are permitted provided that the aggregate width of all projections at the level of any #story# does not exceed 33 percent of the aggregate width of the #building#. The depth of such projections shall not exceed three feet into the #front yard#. However, balconies shall be subject to the provisions of Sections 23-13 (Balconies) and 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

- (c) The provisions of paragraph (b) of this Section determining the depth of a #front yard# by the location of a #front yard# on an adjacent #zoning lot#, are modified as follows:
- (1) on #corner lots#, these provisions shall apply on only one #street# frontage; and
 - (2) these provisions shall not apply to:

- (i) any #street# frontage of a #zoning lot# where such frontage has a length of at least 150 feet along such #street
- (ii) any #zoning lot# located in historic districts designated by the Landmarks Preservation Commission; or
- (iii) a frontage of any #zoning lot# where the depths of 50 percent of the #front yards# within 150 feet of the #side lot lines# of such #zoning lot# are shallower by more than two feet than the shallowest of the adjacent #front yards#.

R1 R2 R3 R4 R5

- (d) For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the provisions of paragraphs (a) and (b) of this Section are modified as follows:

The depth of the #front# yard may vary between the requirements of paragraph (a) of this Section, or as modified in any applicable Special District, and the depth of the #front yard# of any adjacent #zoning lot#.

R5D

- (e) In R5D Districts, all areas of the #zoning lot# between the #street line# and the #street wall# of the #building# shall be planted, except at the entrances to and exits from the #building#.

* * *

23-461

Side yards for single- or two-family residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, for #single-family detached residences# or, where permitted, for #two-family detached residences#, #side yards# shall be provided as set forth in the table in this paragraph, except that on #corner lots# in #lower density growth management areas#, and on #corner lots# in R2A Districts, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARDS

Number Required	Required Total Width (in feet)	Required Width of any Yard# (in feet)	Minimum #Side District
2	35	15	R1-1
2	20	8	R1-2
2	13	5	R2 R2A R3-1 R3-2 R4-R10
2	10	2*	R2X R3X R4A R5A
1	8	0*	R3A R4-1 R4B R5B <u>R5D</u>

* An open area with a minimum width of eight feet, parallel to the #side lot line#, is required along a common #side lot line# between a new #development#, #enlargement# or alteration and a #residential building# on an adjacent #zoning lot#, except that the total width of #side yards# on a #zoning lot# need not exceed 13 feet, with both #side yards# at least five feet wide. However, where an adjacent #zoning lot# has an existing #detached residence# with #side yards# totaling 13 feet in width with one #side yard# at least five feet wide, or an existing #semi-detached residence# with a #side yard# at least eight feet wide, the open area shall have a minimum width of ten feet except that the total width of #side yards# on a #zoning lot# need not exceed 13 feet, with both #side yards# at least five feet wide. Only chimneys, eaves, gutters, downspouts, open #accessory# off-street parking spaces, steps, and ramps for access by the handicapped shall be permitted obstructions in such open area and such obstructions may not reduce the minimum width of the open area by more than three feet.

R3-1 R3-2 R4 R4-1 R4B R5

(b) In the districts indicated, for #single-# or #two-family semi-detached residences#, a #side yard# shall be provided as set forth in the table in this paragraph, except that on #corner lots# in #lower density growth management areas#, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARD

Feet	District
------	----------

8 R3-1 R3-2 R4 R5
 4* R4-1 R4B R5B R5D

-
- * An open area with a minimum width of eight feet parallel to the #side lot line#, is required along a common #side lot line# between a new #development#, #enlargement# or alteration and a #residential building# on an adjacent #zoning lot#. However, where an adjacent #zoning lot# has an existing #detached residence# with #side yards# totaling 13 feet in width with one #side yard# at least five feet wide, or an existing #semi-detached residence# with a #side yard# at least eight feet wide, the open area shall have a minimum width of ten feet. Only chimneys, eaves, gutters, downspouts, open #accessory# off-street parking spaces, steps, and ramps for access by the handicapped are permitted obstructions in such open area and such obstructions may not reduce the minimum width of the open area by more than three feet.

23-462
 Side yards for all other residential buildings

R3-2 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, for all other #residential buildings#, #side yards# shall be provided as follows:

R3-2 R4 R5

- (a) In the districts indicated, except R4B, ~~or~~ R5B and R5D Districts, two #side yards#, each with a minimum required width of eight feet, shall be provided. However, if a #detached residential building# has an #aggregate width of street walls# of more than 80 feet, two #side yards# shall be provided, each equal to not less than 10 percent of such #aggregate width of street walls#. For #residential buildings# not exceeding two #stories# and a #basement# in height, no such #side yard# need be more than 15 feet wide. However, on #corner lots# in #lower density growth management areas#, one #side yard# shall be at least 20 feet in width.

R4B R5B R5D

- (b) In the districts indicated, no #side yards# are required; however, where a #residential building# on an adjacent #zoning lot# has a #side yard#, an open area with a minimum width of eight feet and parallel to the #side lot line# is required along the common #side lot line# between the new #development#,

#enlargement# or alteration and the #residential building# on the adjacent #zoning lot#.

* * *

23-463

Maximum aggregate width of street walls

R3-2 R4 R5

In the districts indicated, except R4B₂ ~~or~~ R5B or R5D Districts, the #aggregate width of street walls# of a #residential building#, or a number of #residential buildings# separated by party walls, shall not exceed the length set forth in the following table:

MAXIMUM
AGGREGATE WIDTH OF STREET WALLS

Feet	District
125	R3-2
185	R4 R5

* * *

23-48

Special Provisions for Existing Narrow Zoning Lots

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except R2X, R3A, R3X, R4A, R4-1, R4B, R5A₂ ~~or~~ R5B or R5D Districts, the required total width of #side yards# for a #single-family detached# or #two-family detached residence# may be reduced by four inches for each foot by which the width of a #zoning lot# is less than that required under the provisions of Section 23-32 (Minimum Lot Area or Lot Width for Residences) if such #zoning lot# consists entirely of a tract of land which:

- (a) has less than the prescribed minimum #lot width#; and
- (b) was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961 and on the date of application for a building permit.

However, in no event shall the required width of a #side yard# be less than five feet.

In R5D Districts, no #side yards# shall be required for any #zoning lot# having a width of less than 30 feet along a #street# and existing on the effective date of establishing such district on the #zoning map#.

* * *

23-533

Required rear yard equivalents

R4 R5 R6 R7 R8 R9 R10

In the districts indicated, and in R1, R2 and R3 Districts within #lower density growth management areas#, on any #through lot# that is 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 60 feet, linking adjoining #rear yards# or, if no such #rear yards# exist, an open area with a minimum depth of 60 feet, midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts; or
- (b) two open areas, each adjoining and extending along the full length of a #street line# and each with a minimum depth of 30 feet measured from such #street line#, except that in R6, R7, R8, R9 or R10 Districts, the depth of such required open area along one #street line# may be decreased, provided that:
 - (1) a corresponding increase of the depth of the open area along the other #street line# is made; and
 - (2) any required front setback areas are maintained; or
- (c) an open area adjoining and extending along the full length of each #side lot line# with a minimum width of 30 feet measured from each such #side lot line#.

However, in #lower density growth management areas# and in R5D, R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A and R10X Districts, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, on any #through lot# at least 180 feet in maximum depth from #street# to #street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

* * *

23-541

Within one hundred feet of corners

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas#, R2A, ~~and~~ R5A ~~and~~ R5D Districts, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

23-542

Along short dimension of block

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas# R2A, ~~and~~ R5A ~~and~~ R5D Districts, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

* * *

23-60

HEIGHT AND SETBACK REGULATIONS

* * *

23-621

Permitted obstructions in certain districts

* * *

R5D

(d) In R5D Districts, permitted obstructions shall be as set forth in Section 23-62, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may exceed a maximum height limit provided that the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage.

* * *

23-631

Height and setback in R1, R2, R3, R4 and R5 Districts

* * *

R2A R2X R3 R4 R4A R4-1 R5A

- (b) In the districts indicated, the height and setback of a #building or other structure# shall be as set forth herein except where modified pursuant to paragraphs ~~(g)(h)~~ and ~~(h)(i)~~ of this Section.

* * *

R5

- (d) In the district indicated, except R5A, ~~and R5B and R5D~~ Districts, ...

* * *

R5D

- (f) In the district indicated, no portion of a #building or other structure# shall penetrate a plane 40 feet above the #base plane#.

R3A R4A R4B R4-1 R5B

~~(f)(g)~~

* * *

- ~~(g)(h)~~ The height and setback regulations of this Section are modified as follows:

* * *

- (3) In R5 Districts, except R5A and R5D Districts, as an alternative front setback regulation for #non-profit residences for the elderly#, no portion of the #building or other structure# shall penetrate a #sky exposure plane# which begins at a height of 27 feet above an #initial setback distance# of 10 feet and rises over the #zoning lot# at a slope of one foot of vertical distance for each foot of horizontal distance to a maximum height of 40 feet above the #base plane#. On #corner lots#, the #sky exposure plane# shall apply to only one #street# frontage. The provisions of this subparagraph may be modified pursuant to Section 23-62 and paragraph ~~(h)(i)~~ of this Section.

- (4) In the #Special Ocean Parkway District#, the #Special Coney Island Mixed Use District#, and the #Special Hunters Point Mixed Use District#, for #buildings or other structures developed# or #enlarged# pursuant to the regulations of an R5 District other than an R5D District, no portion of a #building or other structure#, including the apex of a roof, may penetrate a plane 40 feet above the #base plane#. In addition, the maximum height of a #street wall# above the #base plane# shall be 32 feet. Above such height, a setback of 15 feet is required. Within the setback distance, no portion of the #building or other structure#, including the apex of a roof, may penetrate a plane rising from the maximum #street wall# height at 20 degrees to the horizontal. On #corner lots#, the 32 foot maximum #street wall# height shall apply to only one #street# frontage.

In these special districts, for #developments# or #enlargements# which utilize the optional regulations applicable to a #predominantly built-up area#, the maximum height of a #residential building# shall not exceed 32 feet above the #base plane#. Furthermore, for such #developments# or #enlargements# with pitched roofs, the midpoint of such pitched roof shall not exceed a height of 32 feet above the #base plane#. The provisions of this paragraph may be modified pursuant to Section 23-62 and paragraph ~~(h)~~ (i) of this Section.

* * *

R3-2 R4 R5

- ~~(h)~~(i) In the districts indicated, except R4A, R4B, R4-1, R5A, ~~and R5B~~ and R5D Districts, the City Planning Commission may authorize a #building or other structure# that penetrates the height and setback regulations set forth in paragraphs (b) and (d) above except for #buildings# utilizing the optional regulations for #predominantly built-up areas#. As a condition for granting such authorizations the Commission shall find that:

* * *

23-661

Required side and rear setbacks for tall residential buildings in low bulk districts

R1 R2 R5

In R1 and R2 Districts, any portion of a #residential building# bounding a #side yard# or a #rear yard# which is more than 30 feet above the mean level of adjacent natural grade shall be set back from such #side yard# line or #rear yard line# for a distance equal to one-

half the height of that portion of the #residential building# which is higher than 30 feet above the mean level of adjacent natural grade.

In an R5 District, except R5A and R5D Districts, any portion of a #residential building# bounding a #side yard# or a #rear yard# which is more than 33 feet above the level of the #base plane# shall be set back from such #side yard# line or such #rear yard line# for a distance equal to one-half the height of that portion of the #residential building# which is higher than 33 feet above the level of the #base plane#.

The following are permitted to project into any open area required under the provisions of this Section:

- (a) parapet walls not more than four feet high; and
- (b) chimneys or flues with a total width not exceeding 10 percent of the width of the building's walls facing such open area.

* * *

23-662

Required side and rear setbacks for permitted non-residential uses in low bulk districts

R1 R2 R3 R4 R5

In the districts indicated, except R5D Districts, no portion of any #building# used for permitted non-#residential uses# which is more than 30 feet or more than three #stories#, whichever is less, above the level of a #side yard# or #rear yard#, shall be nearer to a #side lot line# or #rear lot line# bounding such #yard# than a distance equal to the height above yard level of such portion of the #building#.

The following are permitted to project into any open area required under the provisions of this Section:

- (a) parapet walls not more than four feet high; and
- (b) chimneys or flues with a total width not exceeding 10 percent of the width of the building's walls facing such open area.

* * *

Chapter 4

Bulk Regulations for Community Facility Buildings in Residence Districts

* * *

24-10
FLOOR AREA AND LOT COVERAGE REGULATIONS

24-11
Maximum Floor Area Ratio and Percentage of Lot Coverage

* * *

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE
#Lot coverage# (percent of #lot area#)

#Floor Area Ratio#	#Corner Lot#	#Interior Lot# or #Through Lot#	District
* * *			
4.80	70	65	R6
3.00	80	60	R6A
2.00	80	60	<u>R5D</u> R6B
4.80	70	65	R7-1
* * *			

24-111
Maximum floor area ratio for certain community facility uses

* * *

R3 R4 R5 R6 R7 R8 R9

- (b) In the districts indicated, for any #zoning lot# containing nursing homes, health-related facilities or domiciliary care facilities for adults, each of which have secured certification by the appropriate governmental agency, sanitariums or philanthropic or non-profit institutions with sleeping accommodations as listed in Use Group 3, the allowable #floor area ratio# shall not exceed the maximum #floor area ratio# as set forth in the following table, except where the permissible #floor area ratio# is modified pursuant to Section 74-902 (Bulk modifications for certain community facility uses).

The provisions of paragraph (b) of this Section are not applicable in R8B Districts in Community Board 8 in the Borough of Manhattan.

MAXIMUM FLOOR AREA RATIO FOR

CERTAIN COMMUNITY FACILITIES

District	Maximum #Floor Area Ratio# Permitted
* * *	
R5	1.27
<u>R5D</u> R6B	2.00
R6	2.43
R6A R7B	3.00
* * *	

* * *

24-13
 Floor Area Bonus for Deep Front and Wide Side Yards

R3 R4 R5

In the districts indicated, except R5D Districts, the maximum #floor area ratio# set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) may be increased to the #floor area ratio# set forth in the following table, if #yards# are provided as follows:

* * *

24-16
 Special Provisions for Zoning Lots Containing Both Community Facility and Residential Uses

* * *

24-161
 Maximum floor area ratio for zoning lots containing community facility and residential uses

R1 R2 R3-1 R3A R3X R4-1 R4A R4B R5D R6A R6B R7-2 R7A R7B R7X R8 R9 R10

In the districts indicated, for #zoning lots# containing #community facility# and #residential uses#, the maximum #floor area ratio# permitted for a #community facility use# shall be as set forth in Section 24-11, inclusive, and the maximum #floor area ratio# permitted for a #residential use# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

The following rules shall apply in the designated areas set forth in Section 23-922 (Community District 1, Borough of Brooklyn):

* * *

24-162

Maximum floor area ratios and special floor area limitations for zoning lots containing residential and community facility uses in certain districts

R3-2 R4 R5 R6 R7-1

In the districts indicated, except R4A, R4B, R4-1, R5D, R6A and R6B Districts, the provisions of this Section shall apply to any #zoning lot# containing #community facility# and #residential use#.

* * *

24-30

YARD REGULATIONS

* * *

24-34

Minimum Required Front Yards

R1 R2 R3 R4 R5

In the districts indicated, #front yards# shall be provided as set forth in the following table, except that for a #corner lot# in an R1-2 District, one #front yard# may have a depth of 15 feet.

#Front Yard# (in feet)	District
20	R1
15	R2 R3 R4
10	R5

5*

R5D

* In R5D Districts, the provisions set forth in Section 23-45 (Minimum Required Front Yards) shall apply.

24-35
Minimum Required Side Yards

R1 R2 R3 R4 R5

(a) In the districts indicated, if a #building# used for #community facility use# has an #aggregate width of street walls# equal to 80 feet or less, two #side yards# shall be provided, each with a minimum required width of eight feet. If such #building# has an #aggregate width of street walls# equal to more than 80 feet, two #side yards# shall be provided, each equal to not less than 10 percent of the #aggregate width of street walls#. The provisions of this paragraph (a) shall not apply in R5D Districts. In lieu thereof, the #side yard# regulations set forth in Section 23-45 shall apply.

* * *

24-381
Excepted through lots

* * *

R5D R6A R6B R7A R7B R7X R8A R8B R8X R9A R9X R10A R10X

(b) In the districts indicated, and in other R6, R7, R8, R9 and R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions, and such #zoning lot# occupies the entire #block# frontage of a #street#.

24-382
Required rear yard equivalents

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 60 feet linking adjoining #rear yards# or, if no such #rear yards# exist, an open area with a minimum depth of 60 feet, midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts; or

* * *

- (c) an open area adjoining and extending along the full length of each #side lot line#, with a minimum width of 30 feet measured from each such #side lot line#.

However, in R5D, R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A and R10X Districts, and in other R6 through R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, on any #through lot# at least 180 feet in depth from #street to street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

* * *

24-391

Within one hundred feet of corners

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except R5D Districts for #buildings# containing #residences#, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

24-392

Along short dimension of block

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except R5D Districts for #buildings# containing #residences#, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 220 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

* * *

24-50

HEIGHT AND SETBACK REGULATIONS

* * *

24-521

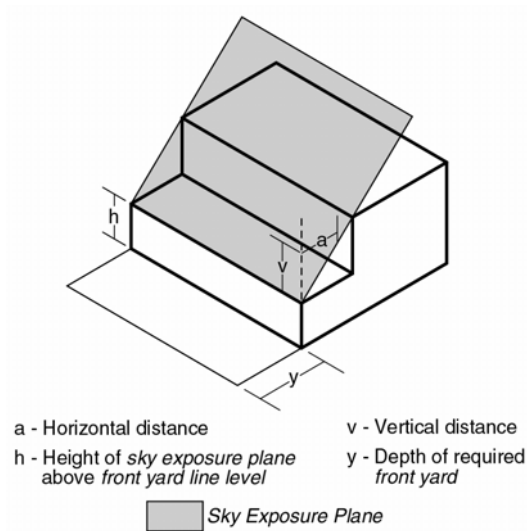
Front setbacks in districts where front yards are required

R1 R2 R3 R4 R5 R5A R5B

In the districts indicated, where #front yards# are required, the front wall or any other portion of a #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table:

MAXIMUM HEIGHT OF FRONT WALL AND
REQUIRED FRONT SETBACKS

Height above #Front Yard Line# (in feet)	#Sky Exposure Plane#				District
	Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)				
	On #Narrow Street#		On #Wide Street#		
	Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance	
25	1 to	1	1 to	1	R1 R2 R3
35	1 to	1	1 to	1	R4 R5 <u>R5A</u> <u>R5B</u>



* * *

24-523

Special height and setback regulations ~~within Community District 7, Borough of Manhattan~~

(a) Community District 7, Manhattan

Within the boundaries of Community District 7 in the Borough of Manhattan, all #developments# or #enlargements# located in R10 Districts, except R10A or R10X Districts, shall comply with the requirements of Section 23-634.

(b) R5D Districts

In R5D Districts, all #developments# or #enlargements# shall comply with the height and setback requirements set forth in Section 23-60.

* * *

24-551

Required side setbacks for tall buildings in low bulk districts

R1 R2 R3 R4 R5

In the districts indicated, except R5D Districts, no portion of any #building# that is more than 35 feet or more than three #stories# above the level of a #side yard#, whichever is lower, shall be nearer to a #side lot line# bounding such #yard# than a distance equal to one-half the height above yard level of such portion of the #building#.

* * *

Chapter 5
 Accessory Off-Street Parking and Loading Regulations

* * *

25-20
 REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES

* * *

25-23
 Requirements Where Group Parking Facilities Are Provided

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for all new #residences developed# under single ownership or control where #group parking facilities# are provided, #accessory# off-street parking spaces shall be provided for at least that percentage of the total number of #dwelling units# set forth in the following table. Such spaces shall be kept available to the residents of the #building# or #development#, in accordance with the provisions of Section 25-41 (Purpose of Spaces, and Rental to Non-Residents).

PARKING SPACES REQUIRED WHERE
 GROUP PARKING FACILITIES ARE PROVIDED

Percent of Total #Dwelling Units#	District
100*	R1 R2 R3 R4A R4-1
100	R4 R4B
85	R5
70	R6
66	R5B <u>R5D</u>

60 R7-1
 50 R6A R6B R7-2 R7A R7B R7X R8B***
 40 R8 R9 R10

** In R6 or R7 Districts, for #residences developed# or #enlarged# pursuant to the Quality Housing Program, #accessory# off-street parking spaces shall be provided for at least 50 percent of the total number of #dwelling units#.

* * *

25-25
 Modification of Requirements for Public, Publicly-Assisted and Government Assisted Housing or for Non-profit Residences for the Elderly

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

* * *

PARKING SPACES REQUIRED FOR PUBLIC, PUBLICLY-ASSISTED AND GOVERNMENT ASSISTED HOUSING DEVELOPMENTS OR NON-PROFIT RESIDENCES FOR THE ELDERLY

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing #Developments# or #Dwelling Units# for Low Income Tenants	#Non-profit Residences for the Elderly# or #Dwelling Units for the Elderly#	Gov't Assisted Housing	District
80	65	50.0	***	80	R1 R2
80	65	50.0	35.0	80	R3 R4
70	56	42.5	31.5	70	R5
55	45	35.0	22.5	55	<u>R5D</u> R6**
39	32	25.0	16.0	35	R6A R6B R7B
45	38	30.0	20.0	45	R7-1**

30	23	15.0	12.5	25	R7-2 R7A R7X R8B*
30	21	12.0	10.0	25	R8 R8A R8X R9 R10

* * *

25-26

Waiver of Requirements for Small Number of Spaces

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, the requirements set forth in Section 25-21 (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in this Section, except that the requirements shall not be waived for #non-profit residences for the elderly#.

However, in R5D Districts, the provisions of this Section 25-26, inclusive, shall only apply to #zoning lots# existing both on (effective date of amendment) and on the date of application for a building permit.

25-261

For new developments or enlargements

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, for all new #developments# or #enlargements#, the maximum number of #accessory# off-street parking spaces for which requirements are waived is as set forth in the following table:

Maximum number of spaces waived	District
1	R4B R5B <u>R5D</u>
5	R6 R7-1 R7B
15	R7-2 R7A R7X R8 R9 R10

* * *

25-621

Location of parking spaces in certain districts

All #accessory# off-street parking spaces shall be located in accordance with the provisions of this Section, except that in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of Section 25-622 shall apply. In addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63 (Location of Access to the Street).

- (a) For #zoning lots# with #residential buildings# where no more than two #accessory# parking spaces are required:

* * *

R4B R5B R5D R6B R7B R8B

- (3) In the districts indicated, #accessory# off-street parking spaces shall be located only within a #building#, or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#.

- (b) For #zoning lots# with #residential buildings# where more than two #accessory# parking spaces are required:

* * *

R4B R5B R5D R6B R7B R8B

- (3) In the districts indicated, #accessory# off-street parking spaces shall be located only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#.

* * *

26-00
Applicability of this Chapter

* * *

- (d) #developments# in R5D Districts and in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, as set forth in Section 26-40 (STREET TREE PLANTING REQUIREMENTS ~~FOR LOWER DENSITY GROWTH MANAGEMENT AREAS~~).

26-40

~~STREET TREE PLANTING REQUIREMENTS FOR LOWER DENSITY GROWTH MANAGEMENT AREAS~~

~~In R5D Districts, and in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, all #developments# shall provide and maintain along the entire #street# length of the #zoning lot#, one street tree for every 25 feet of #street# frontage of the #zoning lot#. Such trees shall be of at least three-inch caliper at the time of planting and be placed at approximately equal intervals, except where the Department of Parks and Recreation determines that such tree planting would be unfeasible. All such trees shall be planted, maintained and replaced when necessary with the approval of and in accordance with the standards of the Department of Parks and Recreation.~~

~~* * *~~

~~Chapter 3
Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts~~

~~* * *~~

~~33-10
FLOOR AREA REGULATIONS~~

~~* * *~~

~~33-12
Maximum Floor Area Ratio~~

~~* * *~~

~~33-121
In districts with bulk governed by Residence District bulk regulations~~

~~C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5~~

~~In the districts indicated, the maximum #floor area ratio# for a #commercial# or #community facility building# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:~~

~~MAXIMUM FLOOR AREA RATIO~~

District	For #Commercial Buildings#	For #Communi ty Facility Buildings#	For #Buildings# Used for Both #Commercial# and #Community Facility Uses#
* * *			
R4 R5	1.00	2.00	2.00
<u>R5D</u> R6B	2.00	2.00	2.00
R6A R7B	2.00	3.00	3.00
* * *			

* * *

33-16
Floor Area Bonus for Front Yards

33-161
In districts with bulk governed by Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, when mapped within an R1, R2, R3, R4 or R5 District, except R5D Districts, on any #zoning lot# on which there are provided #yards# as set forth in this Section, the maximum #floor area ratio# set forth in Section 33-12 (Maximum Floor Area Ratio) for a #community facility building# or a #building# used partly for #commercial use# and partly for #community facility use#, may be increased to the #floor area ratio# set forth in the following table provided that:

* * *

33-283
Required rear yard equivalents

C1 C2 C3 C4-1 C7 C8-1 C8-2 C8-3

In the districts indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 40 feet linking adjoining #rear yards#, or if no such #rear yards# exist, then midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts. In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10 Districts, a #rear yard equivalent# shall be provided only as set forth in this paragraph; or

* * *

33-40
HEIGHT AND SETBACK REGULATIONS

* * *

33-43
Maximum Height of Walls and Required Setbacks

* * *

33-431
In C1 or C2 Districts with bulk governed by surrounding Residence District

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

- (a) In the districts indicated, the maximum height of a front wall and the required front setback of a #building or other structure# shall be determined by the #Residence District# within which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

MAXIMUM HEIGHT OF
FRONT WALL AND REQUIRED FRONT SETBACKS

#Initial Distance# (in feet)	Setback	Maxi- mum Height of a Front Wall or other portion of a #Building #within	#Sky Exposure Plane#	
			Height above #Street	Slope over #Zoning Lot# (Expressed as a Ratio of Vertical Distance to Horizontal Distance)
			On #Narrow Street#	On #Wide Street#

On #Narrow Street#	On #Wide Street#	the #Initial Setback Distance#	Line# (in feet)	Vertical Distance	Hori- zontal Distance	Vertical Distance	Hori- zontal Distance
When mapped within R1, R2, R3, R4 or R5 <u>R5A or R5B</u> Districts							
20	15	30 feet or two #stories#, which ever is less	30	1	to 1	1	to 1
When mapped within R6 or R7 Districts							
20	15	60 feet or four #stories#, which ever is less	60	2.7	to 1	5.6	to 1
When mapped within R8, R9 or R10 Districts							
20	15	85 feet or six #stories#, which ever is less	85	2.7	to 1	5.6	to 1

However, in accordance with the provisions of Section 32-42 (Location within Buildings), no #commercial building# or portion thereof occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility use# and #commercial use#, when mapped within R4, ~~or R5~~, R5A or R5B Districts, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above #street line# shall be 35 feet and, when mapped within R7-2 Districts, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.

* * *

Special height and setback regulations ~~in R10 Districts within Community District 7, Borough of Manhattan~~

- (a) Within the boundaries of Community District 7 in the Borough of Manhattan, all #developments# or #enlargements# located in R10 equivalent #Commercial Districts# without a letter suffix shall comply with the requirements of Section 23-634.
- (b) In C1 or C2 Districts mapped within R5D Districts, all #developments# or #enlargements# shall comply with the height and setback requirements of Section 23-60.

* * *

33-441

In C1 or C2 Districts with bulk governed by surrounding Residence District

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the alternate front setback regulations applicable to a #building or other structure# shall be determined by the #Residence District# in which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

ALTERNATE REQUIRED FRONT SETBACKS

Depth of Optional Front Open Area (in feet)			Alternate #Sky Exposure Plane#			
			Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)			
			On #Narrow Street#		On #Wide Street#	
Height above #Street Line# (in feet)			Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance
On #Narrow Street#	On #Wide Street#					

When mapped within R1, R2, R3, R4, ~~or~~ R5, R5A or R5B Districts

15 10 30 1.4 to 1 1.4 to 1

When mapped within R6 or R7 Districts

15 10 60 3.7 to 1 7.6 to 1

When mapped within R8, R9 or R10 Districts

15 10 85 3.7 to 1 7.6 to 1

However, in accordance with the provisions of Section 32-42 (Location Within Buildings), no #commercial building#, or portion thereof, occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility use# and #commercial use#, when mapped within R4, ~~or~~ R5, R5A or R5B Districts, the height above #street line# shall be 35 feet.

* * *

Chapter 6
Accessory Off-Street Parking and Loading Regulations

* * *

36-30
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES
WHEN PERMITTED IN COMMERCIAL DISTRICTS

* * *

36-331
In C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the number of required #accessory# off-street parking spaces is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

REQUIRED PARKING SPACES AS A
PERCENT OF TOTAL DWELLING UNITS

#Residence District# within which C1 or C2 District is Mapped

	Percent
R1 R2 R3 R4	100
R5	85
R6	70
<u>R5D</u>	<u>66</u>
R7-1	60
R6A R6B R7-2 R7A R7B R7X R8B*	50
R8 R9 R10	40

* In the Borough of Brooklyn, R8B Districts are subject to the parking requirements applicable in R8 Districts.

* * *

36-351

In C1 or C2 Districts governed by surrounding Residence District bulk regulations
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the percentage of the total number of #dwelling units# in each category for which #accessory# off-street parking spaces shall be provided is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

PARKING SPACES REQUIRED FOR PUBLIC,
PUBLICLY ASSISTED AND GOVERNMENT ASSISTED HOUSING
DEVELOPMENTS
OR NON-PROFIT RESIDENCES FOR THE ELDERLY
(percent of total #dwelling units#)

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing #Developments# or #Dwelling Units# for Low Income Tenants	#Non-profit Residences for the Elderly# or #Dwelling Units for the Elderly#	Gov't Assisted Housing	District
80	65	50.0	***	80	R1 R2
80	65	50.0	35.0	80	R3 R4
70	56	42.5	31.5	70	R5
55	45	35.0	22.5	55	<u>R5D</u> R6**
39	32	25.0	16.0	35	R6A R6B R7B
45	38	30.0	20.0	45	R7-1**
30	23	15.0	12.5	25	R7-2 R7A R7X R8B*
30	21	12.0	10.0	25	R8 R8A R8X R9 R10

* In the Borough of Brooklyn, R8B Districts are subject to the parking requirements applicable in R8 Districts

** For assisted housing projects #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in C1 and C2 Districts mapped within R6 or R7-1 Districts, the applicable district parking requirements shall be as follows:

District	Applicable Requirement	District	Parking
R6	R6A		

R7-1

R7A

*** #Non-profit residence for the elderly# is not a permitted #use# in R1 or R2 Districts. See Section 22-12 (Use Group 2).

* * *

36-361

For new development or enlargements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, where such districts are mapped within R6, R7, R8, R9, or R10 Districts, the requirements set forth in Section 36-31 (General Provisions) for new #development# or #enlargements# shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the #Residence District# within which the #Commercial District# is mapped.

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

#Residence District# within which C1 or C2 District is Mapped	Maximum Number of Spaces Waived
<u>R5D</u>	<u>1</u>
R6 R7-1 R7B	5
R7A R7X R7-2 R8 R9 R10	15

However, in C1 or C2 Districts mapped within R5D Districts, the provisions of this Section 36-361 shall only apply to #zoning lots# existing both on (the effective date of amendment) and on the date of application for a building permit.

* * *

36-52

Size and Location of Spaces

* * *

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-4A C6-4X

(b) Location of parking spaces in certain districts

In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A and R10X Districts, #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and any #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront. Where a #zoning lot# is bounded by more than one #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront, this provision need not apply along more than one #street line#.

* * *

36-53

Location of Access to the Street

* * *

36-531

Location of curb cuts in C1 or C2 Districts mapped within R5D Districts

In C1 or C2 Districts mapped within R5D Districts, a minimum distance of 34 feet of uninterrupted curb space shall be provided between all curb cuts constructed after (effective date of amendment). Furthermore, no curb cuts shall be permitted on the #wide street# frontage of any #zoning lot# existing on (the effective date of amendment) with access to a #narrow street#.

* * *

37-10

Applicability of Article II, Chapter 6, ~~to Developments with Private Roads~~

(a) Private Road Developments

In C1 or C2 Districts mapped within R3, R4 or R5 Districts, and in C3 Districts, the provisions of Section 26-20 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS) shall apply to any #development# containing #private roads#, except where such #developments# contain #private roads# constructed prior to February 6, 2002. In addition, the open area between buildings and sidewalks required pursuant to Section 26-25 need not be planted where such open areas front upon #commercial uses#.

However, in C3A Districts located within #lower density growth management areas#, the provisions of 26-30 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS) shall apply.

(b) Street Tree Planting in Certain Districts

In C1 or C2 Districts mapped within R5D Districts, the street tree planting provisions set forth in Section 26-40 shall apply to all #developments# and #enlargements#.

Article VI: SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

* * *

Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-323
Non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts

R3 R4 R5 R6 R7

In the districts indicated, the maximum #floor area ratio# and #lot coverage# for #non-profit residences for the elderly# on a #zoning lot# within a #waterfront block# shall be as specified in the following table:

MAXIMUM FLOOR AREA RATIO AND MAXIMUM LOT COVERAGE
FOR NON-PROFIT RESIDENCES FOR THE ELDERLY
IN R3, R4, R5, R6 AND R7 DISTRICTS

District	Maximum #Floor Area Ratio#	Maximum Coverage# (in percent)	#Lot
R3	.95	55	
R4	1.29	55	
R5	1.95	60	
<u>R5D</u> R6B	2.00	60	

R6 R6A R7B	3.90	65
R7 R7A R7X	5.01	70

* * *

Resolution for adoption scheduling May 10, 2006, for a public hearing.

BOROUGH OF QUEENS

No. 3

JAMAICA HILL/HILLCREST

CD 8

C 060337 ZMQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 14c & 14d:

1. eliminating from within an existing R2 District a C1-2 District bounded by Parsons Boulevard, Union Turnpike, 161st Street, a line 150 feet southerly of Union Turnpike;
2. eliminating from within an existing R3-2 District a C1-2 District bounded by:
 - a. 161st Street, Union Turnpike, a line midway between 164th Street and 164th Place, 81st Avenue and its westerly centerline prolongation, a line midway between 162nd Street and 164th Street, and a line 150 feet southerly of Union Turnpike; and
 - b. 168th Street, Union Turnpike, 169th Street, and a line 150 feet southerly of Union Turnpike;
3. eliminating from within an existing R4 District a C1-2 District bounded by Parsons Boulevard, 82nd Drive, a line 150 feet easterly of Parsons Boulevard, and Grand Central Parkway;
4. changing from an R3-2 District to an R2 District property bounded by:
 - a. 161st Street, a line 100 feet southerly of Union Turnpike, a line midway between 162nd Street and 164th Street, a line 150 feet southerly of Union Turnpike; and

- b. 168th Street, a line 100 feet southerly of Union Turnpike, 169th Street, and a line 150 feet southerly of Union Turnpike;
- 5. changing from an R2 District to an R2A District property bounded by a line midway between 164th Street and 164th Place, a line 100 feet southerly of Union Turnpike, 164th Place, Union Turnpike, a line midway between 164th Place and 165th Street, a line 100 feet southerly of Union Turnpike, 168th Street, a line 150 feet southerly of Union Turnpike, 169th Street, Union Turnpike, 170th Street, Goethals Avenue, a line 100 feet westerly of 164th Place, and 81st Avenue;
- 6. changing from an R4 District to an R2A District property bounded by:
 - a. a line 120 feet westerly of 164th Place, 81st Avenue, a line 100 feet westerly of 164th Place, and Goethals Avenue;
 - b. a line midway between 165th Street and 166th Street, Goethals Avenue, a line midway between 166th Street and 167th Street, and 82nd Road; and
 - c. 164th Place, a line 100 feet northerly of Grand Central Parkway, a line 120 feet easterly of 167th Street, 82nd Road, a line 100 feet easterly of 167th Street, Goethals Avenue, 168th Street, and Grand Central Parkway
- 7. changing from an R4 District to an R3A District property bounded by 164th Street, 82nd Road, a line 140 feet westerly of 164th Place, Goethals Avenue, 164th Place, and a line 120 feet northerly of Grand Central Parkway;
- 8. changing from an R2 District to an R3-2 District property bounded by a line midway between 164th Place and 165th Street, Union Turnpike, 168th Street, and a line 100 feet southerly of Union Turnpike;
- 9. changing from an R4 District to an R4A District property bounded by 84th Road, Parsons Boulevard, 84th Drive, a line perpendicular to the northerly street line 84th Drive distant 130 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 84th Drive and the easterly street line of Parsons Boulevard, a line 100 feet southerly of 84th Road, 164th Street, a line 100 feet southerly of Grand Central Parkway, 164th Place and its southerly centerline prolongation, Chapin Parkway, a line perpendicular to the southwesterly street line Chapin Parkway distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Chapin Parkway and the northwesterly street line of Chapin Court, a line 100 feet northeasterly of Chapin Parkway, the northeasterly prolongation of the southeasterly street line of Chapin Court, Chapin Parkway, 85th Avenue, 164th Street, Glenn Avenue, the centerline of former Glenn Avenue, Parsons Boulevard, 86th Avenue, and a line 100 feet westerly of Parsons Boulevard;

10. changing from an R5 District to an R4A District property bounded by the centerline of former Glenn Avenue, Glenn Avenue, 164th Street, 85th Avenue, Chapin Parkway, Gothic Drive, a line 125 feet southwesterly of 167th Street, a line 100 feet southeasterly of 86th Road and its northeasterly prolongation, 164th Street, 86th Road, 162nd Street, Highland Avenue, a line 220 feet southwesterly of 162nd Street, and 86th Crescent and its northwesterly centerline prolongation (at the straight line portion);
11. changing from an R4 District to an R4B District property bounded by:
- a. Goethals Avenue, a line midway between 165th Street and 166th Street, 82nd Road, a line midway between 166th Street and 167th Street, Goethals Avenue, a line 100 feet easterly of 167th Street, 82nd Road, a line 120 feet easterly of 167th Street, a line 100 feet northerly of Grand Central Parkway, and 164th Place; and
 - b. 82nd Drive, 161st Street, Grand Central Parkway, 164th Street, a line 120 feet northerly of Grand Central Parkway, 164th Place, a line 100 feet southerly of Grand Central Parkway, 164th Street, a line 100 feet southerly of 84th Road, 160th Street, 84th Road, 160th Street, a line 100 feet northerly of 84th Avenue, 161st Street, Grand Central Parkway, and 159th Street;
- changing from an R4 District to an R4-1 District property bounded by 82nd Drive, 159th Street, Grand Central Parkway, 161st Street, a line 100 feet northerly of 84th Avenue, 160th Street, 84th Road, 160th Street, a line 100 feet southerly of 84th Road, a line perpendicular to the northerly street line 84th Drive distant 130 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 84th Drive and the easterly street line of Parsons Boulevard, 84th Drive, Parsons Boulevard, 84th Road, and a line 100 feet easterly of Parsons Boulevard;
13. changing from an R4 District to an R5 District property bounded by 86th Avenue, Parsons Boulevard, 87th Avenue, and a line 100 feet southwesterly of Parsons Boulevard;
14. changing from an R2 District to an R5D District property bounded by:
- a. Union Turnpike, 161st Street, a line 100 feet southerly of Union Turnpike, a line 100 feet easterly of Parsons Boulevard, Goethals Avenue, and Parsons Boulevard; and
 - b. Union Turnpike, 164th Street, a line 100 feet southerly of Union Turnpike, and a line midway between 164th Street and 164th Place;

15. changing from an R3-2 District to an R5D District property bounded by Union Turnpike, a line midway between 164th Street and 164th Place, 81st Avenue and its westerly centerline prolongation, a line midway between 162nd Street and 164th Street, a line 100 feet southerly of Union Turnpike, and 161st Street;
16. changing from an R4 District to an R5D District property bounded by:
 - a. 81st Avenue and its westerly centerline prolongation, a line 120 feet westerly of 164th Place, Goethals Avenue, a line 140 feet westerly of 164th Place, 82nd Road, 164th Street, Goethals Avenue, and a line midway between 162nd Street and 164th Street; and
 - b. 82nd Drive, a line 100 feet easterly of Parsons Boulevard, 84th Road, a line 100 feet westerly of Parsons Boulevard, Hoover Avenue, and Parsons Boulevard;
17. establishing within an existing R3-2 District a C1-3 District bounded by Union Turnpike, 169th Street, a line 100 feet southerly of Union Turnpike, and 168th Street; and
18. establishing within a proposed R5D District a C1-3 District bounded by
 - a. Parsons Boulevard, Union Turnpike, a line midway between 164th Street and 164th Place, 81st Avenue and its westerly centerline prolongation, a line midway between 162nd Street and 164th Street, and a line 100 feet southerly of Union Turnpike; and
 - b. Parsons Boulevard, 82nd Drive, a line 100 feet easterly of Parsons Boulevard, and Grand Central Parkway;

as shown on a diagram (for illustrative purposes only) dated February 21, 2006 and subject to the conditions of CEQR Declaration E-165.

Resolution for adoption scheduling May 10, 2006, for a public hearing.

No. 4

VERNON BOULEVARD REZONING

CD 1

C 020087 ZMQ

IN THE MATTER OF an application submitted by the Alma Realty Company pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a:

- 1) changing from an R5 District to an R7-1 District property bounded by the U.S. Pierhead and Bulkhead Line of the East River, the southwesterly boundary line of Rainey Park, Vernon Boulevard, and 35th Avenue; and
- 2) changing from an R5 District to an M1-1 District property bounded by the U.S. Pierhead and Bulkhead Line of the East River, 35th Avenue, Vernon Boulevard, and a line 60 feet southwesterly of 35th Avenue;

as shown on a diagram (for illustrative purposes only) dated February 21, 2006.

Resolution for adoption scheduling May 10, 2006, for a public hearing.

BOROUGH OF BROOKLYN

No. 5

GREENPOINT/WILLIAMSBURG/INCLUSIONARY HOUSING TEXT

CD 1

N 060413 ZRK

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), to apply the Inclusionary Housing Program to R7-3 Districts in Community District 1, Borough of Brooklyn.

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter in # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

23-922

Community Districts 1 and 7, Borough of Brooklyn

The Inclusionary Housing Program shall apply in the following areas:

- (a) In the following areas of Community District 1, in the Borough of Brooklyn, located in an area bounded by South 5th Street, Grand Street Extension/Borinquen Place, Union Avenue, Metropolitan Avenue, Humboldt Street, Meeker Avenue, Russell Street, Engert Avenue, McGuinness Boulevard, the Newtown Creek, and the East River:
 - (1) Waterfront Access Plan BK-1, as set forth in Section 62-352;
 - (2) all #Special Mixed Use Districts#;
 - (3) all R6A, R6B and R7A Districts; and
 - (4) R6 Districts within the following areas:
 - (i) the #block# bounded by Havemeyer Street, North Sixth Street, Metropolitan Avenue and North Fifth Street;
 - (ii) the #block# bounded by Roebling Street, North Fifth Street, Havemeyer Street, Metropolitan Avenue, and North Fourth Street;
 - (iii) those #blocks# bounded by Wythe Avenue, Grand Street, Berry Street and South Third Street;
 - (iv) those #blocks# and portions of #blocks# bounded by Bedford Avenue, North 1st Street, Driggs Avenue, Fillmore Place, Roebling Street, and a line coincident with the centerline of the long dimension of the #blocks# bounded by Bedford Avenue, Grand Street, Roebling Street and South First Street;
 - (v) that portion of the #block# bounded by Havemeyer Street, Hope Street, Marcy Avenue, and South First Street that is within 100 feet of Grand Street; and
 - (vi) that portion of the #block# bounded by Franklin Street, Huron Street, Manhattan Avenue and India Street that is within 100 feet of Franklin Street and 100 feet of India Street.
- (b) In Community District 1, in the Borough of Brooklyn, in all R7-3 districts.
- ~~(b)~~(c) In Community District 7, in the Borough of Brooklyn, in all R8A districts.

* * *

In Community Districts 1 and 7, Borough of Brooklyn

The provisions of this Section 23-942 shall apply in the designated areas set forth in Section 23-922, except within Waterfront Access Plan BK-1 and in R7-3 districts within Community District 1, Borough of Brooklyn.

* * *

**Chapter 2
Special Regulations Applying in the Waterfront Area**

Table of Contents

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 Special Bulk Regulations ~~within Waterfront Access Plan BK-1~~ in Certain Areas
Within Community District 1, Brooklyn62-35

* * *

**62-322
Residential development In R1, R2, R6, R7, R8, R9 and R10 Districts**

For #residential buildings# in R1, R2, R6, R7, R8, R9 and R10 Districts, the regulations of Section 23-14 (Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio) through Section 23-15 (Maximum Floor Area Ratio in R10 Districts) shall not apply, ~~except as provided in Section 62-323.~~ In lieu thereof, the maximum #floor area ratio# and #lot coverage# for any #building or other structure# on a #zoning lot# within a #waterfront block# shall be as specified in the following table, except as provided for in Sections 62-323 (Non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts) and 62-35 (Special Bulk Regulations in Certain Areas in Community District 1, Brooklyn):

MAXIMUM FLOOR AREA RATIO AND MAXIMUM LOT COVERAGE
FOR RESIDENTIAL BUILDINGS

District	Maximum #Floor Area Ratio#	Maximum #Lot Coverage# (in percent)
R1 R2	.50	35
R6B	2.00	60

R6	2.43	65
R6A R7B	3.00	65
R7-1 R7-2	3.44	65
R7A R8B	4.00	70
R7-3 R7X	5.00	70
R8 R8A R8X	6.02	70
R9 R9A	7.52	70
R9-1 R9X	9.00	70
R10	10.00*	70

* In R10 Districts, the #floor area ratio# for any #building# on a #zoning lot# within a #waterfront block# may be increased to a maximum of 12.0 pursuant to Section 23-90 (INCLUSIONARY HOUSING).

* * *

62-35
Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn
~~within Waterfront Access Plan BK-1~~

In R7-3 Districts in Community District 1, Borough of Brooklyn, and Wwithin Waterfront Access Plan BK-1, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

62-351
Special floor area regulations

(a) Maximum permitted #floor area ratio#

In R6 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# shall be 2.43.

In R7-3 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# shall be 3.75.

In R8 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# shall be 4.88.

In R6, R7-3 and R8 Districts, the maximum permitted #floor area ratio# for any #zoning lot# containing #residences# may be increased for #developments# and #enlargements# that provide #lower income housing# pursuant to Section 62-352 (Inclusionary Housing).

- (b) #Buildings# used for #accessory# off-#street# parking spaces

Within Waterfront Access Plan BK-1, ~~the~~ #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above the height of the #base plane#.

62-352

Inclusionary Housing

The provisions of Section 23-90 (INCLUSIONARY HOUSING) shall apply in R7-3 Districts in Community District 1, Borough of Brooklyn and in R6 and R8 Districts within Waterfront Access Plan BK-1 as modified in this Section.

* * *

- (b) #Floor area# increase

- (1) For #zoning lots# located in R8 Districts, or located partially in R8 Districts and partially in R6 Districts, the maximum permitted #floor area ratio# on such #zoning lots# may be increased in R6 Districts from 2.43 to 2.75, and in R8 Districts from 4.88 to 6.5; and for #zoning lots# located in R7-3 Districts, the maximum permitted #floor area ratio# on such #zoning lots# may be increased from 3.75 to 5.0; provided that:
 - (i) at least 20 percent of the total #residential floor area# on the #zoning lot# is occupied by #lower income households#; or
 - (ii) at least 10 percent of the total #residential floor area# on the #zoning lot# is occupied by #lower income households# and at least 15 percent of the total #residential floor area# on the #zoning lot# is occupied by #moderate income households#.
- (2) For #zoning lots# located entirely within R6 Districts, the maximum permitted #floor area ratio# may be increased from 2.43 to 2.75 provided that:
 - (i) at least 7.5% of the total #residential floor area# on the #zoning lot# is occupied by #lower income households#, or
 - (ii) at least 5% of the total #residential floor area# on the #zoning lot# is occupied by #lower income households# and at least 5%

of the total #residential floor area# on the #zoning lot# is occupied by #moderate income households#.

Where #lower# or moderate #income housing# is provided on a #zoning lot# other than the #zoning lot# occupied by the #compensated development#, the percentage of #residential floor area# required to be occupied by such households, pursuant to this Section, shall be determined as a percentage of the #residential floor area# on the #zoning lot# of such #compensated development#, inclusive of #floor area# bonused pursuant to this Section.

* * *

62-354

Special height and setback regulations

Within Waterfront Access Plan BK-1, the provisions of Section 62-341 (Developments on land and platforms) are modified as follows:

* * *

Resolution for adoption scheduling May 10, 2006, for a public hearing.



BOROUGH OF MANHATTAN

No. 6

POSTGRADUATE CENTER FOR MENTAL HEALTH

CD 3

C 060311 HAM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 276 East 3rd Street (Block 372, Lot 11), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD.

to facilitate the development of a four story building, tentatively known as the Post Graduate Center for Mental Health, with approximately 9 residential units.

Resolution for adoption scheduling May 10, 2006, for a public hearing.

No. 7

VILLAGE ALLIANCE BID

CD 2, 3

N 060415 BDM

IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the Village Alliance Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the amendment of the Village Alliance Business Improvement District.

Resolution for adoption scheduling May 10, 2006, for a public hearing.

II. REPORTS

BOROUGH OF THE BRONX

No. 8

NETHERLAND AVENUE/SAR CITY MAP CHANGE

CD 8

C 030425 MMX

IN THE MATTER OF an application, submitted by Salanter Akiba Riverdale (SAR) Academy pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the elimination of a portion of Netherland Avenue between West 259th Street and West 261st Street;
- the adjustment of grades; and
- any acquisition or disposition of real property related thereto,

in accordance with Map No. 13103 dated June 29, 2005 and signed by the Borough President.

(On March 8, 2006, Cal. No. 1, the Commission scheduled March 22, 2006 for a public hearing. On March 22, 2006, Cal. No. 21, the hearing was closed.)

For consideration.

No. 9

JESUP HEIGHTS II

CD 4

C 060250 HAX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 1510-1530 Jesup Avenue (Block 2872, Lots 281, 285 and p/o 287) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and

- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a 6-story building, tentatively known as Jesup Heights II, with approximately 67 residential units under the New York State Housing Trust Fund Corporation and the New York City Housing Development Corporation Low Income Housing Tax Credits Program.

(On February 22, 2006, Cal. No. 2, the Commission scheduled March 8, 2006 for a public hearing. On March 8, 2006, Cal. No. 17, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 10

GRAND STREET CHILD AND FAMILY CARE CENTER

CD 4

C 050371 PQK

IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for acquisition of property located at 783 Knickerbocker Avenue (Block 3413, Lot 6), for continued use as a child care center.

(On March 8, 2006, Cal. No. 3, the Commission scheduled March 22, 2006 for a public hearing. On March 22, 2006, Cal. No. 25, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 11

OLCOTT HOTEL GARAGE

CD 7

N 050489 ZAM

IN THE MATTER an application submitted by BCRE West 72nd Street LLC & Steller 85 LLC for the grant of an authorization pursuant to Section 13-551 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 15 spaces in

the cellar level of an existing building on property located at 27-33 West 72nd Street (a.k.a. 22-26 West 73rd Street, (Block 1125, Lot 12), in R10A and R8B Districts, within the Upper West Side-Central Park West Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF BROOKLYN

No. 12

A & D PLUMBING

CD 4

C 060221 PPK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 134 Evergreen Avenue (Block 3162, Lot 28), pursuant to zoning.

(On April 5, 2006, Cal. No. 1, the Commission scheduled April 26, 2006 for a public hearing which has been duly advertised.)

Close the hearing.

No. 13

CD 10 OFFICE SPACE

CD 10

N 060425 PXX

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 8119 5th Avenue (Block 5994, Lot 4) (Community Board 10 District Office).

(On April 13, 2006, the Commission duly advertised April 26, 2006 for a public hearing.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 14

COMMON GROUND COMMUNITY RESIDENCE

CD 3

C 060277 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development and Common Ground Community Housing Development Fund Corporation, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area and Percentage of Lot Coverage) to apply to a proposed approximately 99,158 square-foot, 12-story Non-Profit Institution with Sleeping Accommodations (U.G. 3A), on property located at 133 Pitt Street (Block 345, Lots 56 & 58), in an R7-2 District, partially within the Pueblo Nuevo Urban Renewal Area.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On April 5, 2006, Cal. No. 2, the Commission scheduled April 26, 2006 for a public hearing which has been duly advertised.)

Close the hearing.

No. 15

FABRIA HOUSES

CD 3

C 060281 HAM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1.) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 212-214 East 7th Street (Block 389, Lot 24) and 617-619 East 9th Street (Block 392, Lot 53), as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area; and

2.) pursuant to Section 197-c of the New York City Charter for the disposition of such lots to a developer to be selected by HPD.

to facilitate the development of two, six-story buildings, tentatively known as Fabria Houses, with approximately 37 residential units.

(On April 5, 2006, Cal. No. 3, the Commission scheduled April 26, 2006 for a public hearing which has been duly advertised.)

Close the hearing.

No. 16 Withdrawn

COMPTROLLER'S OFFICE SPACE

CD 1

N 060424 PXM

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 199 Water Street (Block 74, Lots 1001-1036, 7501) (Comptroller's Office).

(On April 13, 2006, the Commission duly advertised April 26, 2006 for a public hearing.)

Close the hearing.

BOROUGH OF QUEENS

Nos. 17 & 18

FEDERAL JEANS

No. 17

CD 14

C 050418 MMQ

PUBLIC HEARING:

IN THE MATTER OF an application, submitted by the Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Beach 79th Street, Beach 80th Street, Beach 81st Street, Beach 82nd Street, Beach 83rd Street;
- the elimination of Finnard Avenue;
- the delineation of permanent sewer easements;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

all within an area bounded by Beach 77th Street, Beach Channel Drive, Beach 84th Street and Rockaway Freeway, in accordance with Map No. 4987 dated December 1, 2005 and signed by the Borough President.

(On April 5, 2006, Cal. No. 4, the Commission scheduled April 26, 2006 for a public hearing which has been duly advertised.)

Close the hearing.

No. 18

CD 14

C 050419 HDQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter for the disposition to the Economic Development Corporation of Block 16100 (Lots 31 and 38); Block 16103 (Lots 1 and 60); Block 16104 (Lots 1 and 28); Block 16105 (Lot 1); and Block 16106 (Lot 1), Site 1 within the Arverne Urban Renewal Area.

(On April 5, 2006, Cal. No. 5, the Commission scheduled April 26, 2006 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 19

SOUTH BEACH BLUEBELT

CD 2

C 060196 PCR

CONTINUED PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at Oceanside Avenue between Wentworth Avenue and Orlando Street (Block 3491, Lot 125), and the site selection of property located in the bed of Oceanside Avenue between McLaughlin and Vulcan streets (Block 3500, Lot 200), for the storage and conveyance of storm water.

(On March 22, 2006, Cal. No. 7, the Commission scheduled April 5, 2006 for a public hearing. On April 5, 2006, Cal. No. 18, the hearing was continued.)

Close the hearing.

No. 20

OAKWOOD BEACH BLUEBELT

CD 3

C 060197 PCR

CONTINUED PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection and acquisition of properties, including the beds of certain streets, generally bounded by Grayson Street, Tysens Lane, Emmet Avenue, and the Raritan Bay, for the storage and conveyance of storm water.

A list of the specific properties proposed to be acquired may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6th floor, Staten Island, New York, 10301 – 2511.

(On March 22, 2006, Cal. No. 8, the Commission scheduled April 5, 2006 for a public hearing. On April 5, 2006, Cal. No. 19, the hearing was continued.)

Close the hearing.

IV. CITY PLANNING COMMISSION 2006 SCHEDULE OF MEETINGS
January 1 to June 30

	SUN	MON	TUE	WED	THU	FRI	SAT	Notes
JANUARY	1	2 <small>NEW YEAR'S DAY OBSERVED</small>	3	4	5	6	7	
	8	9 <small>REVIEW SESSION</small>	10	11 <small>CPC PUBLIC MEETING</small>	12	13	14	
	15	16 <small>MARTIN LUTHER KING, JR. DAY</small>	17	18	19	20	21	
	22	23 <small>REVIEW SESSION</small>	24	25 <small>CPC PUBLIC MEETING</small>	26	27	28	
	29	30	31					
FEBRUARY				1	2	3	4	
	5	6 <small>REVIEW SESSION</small>	7	8 <small>CPC PUBLIC MEETING</small>	9	10	11	
	12	13 <small>LINCOLN'S BIRTHDAY</small>	14	15	16	17	18	
	19	20 <small>PRESIDENTS' DAY</small>	21 <small>*REVIEW SESSION</small>	22 <small>CPC PUBLIC MEETING</small>	23	24	25	*Review Session will be held on <u>Tuesday, February 21st</u>
	26	27	28					
MARCH				1 <small>ASH WEDNESDAY</small>	2	3	4	
	5	6 <small>REVIEW SESSION</small>	7	8 <small>CPC PUBLIC MEETING</small>	9	10	11	
	12	13	14	15	16	17	18	
	19	20 <small>REVIEW SESSION</small>	21	22 <small>CPC PUBLIC MEETING</small>	23 <small>ST. PATRICK'S DAY</small>	24	25	
	26	27	28	29	30	31		
APRIL							1	
	2	3 <small>REVIEW SESSION</small>	4	5 <small>CPC PUBLIC MEETING</small>	6	7	8	
	9	10 <small>PALM SUNDAY</small>	11	12	13 <small>PASSOVER</small>	14 <small>GOOD FRIDAY</small>	15	
	16	17 <small>EASTER SUNDAY</small>	18	19	20	21	22	
	23	24 <small>REVIEW SESSION</small>	25	26 <small>CPC PUBLIC MEETING</small>	27	28	29	
30								
MAY		1	2	3	4	5	6	
	7	8 <small>REVIEW SESSION</small>	9	10 <small>CPC PUBLIC MEETING</small>	11	12	13	
	14	15	16	17	18	19	20	
	21	22 <small>REVIEW SESSION</small>	23	24 <small>CPC PUBLIC MEETING</small>	25	26	27	
	28	29 <small>MEMORIAL DAY OBSERVED</small>	30	31				
JUNE					1	2	3	
	4	5 <small>REVIEW SESSION</small>	6	7 <small>CPC PUBLIC MEETING</small>	8	9	10	
	11	12	13	14	15	16	17	
	18	19 <small>REVIEW SESSION</small>	20	21 <small>CPC PUBLIC MEETING</small>	22	23	24	
	25	26	27	28	29	30		

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.

V. CITY PLANNING COMMISSION 2006 SCHEDULE OF MEETINGS
July 1 to December 31

	SUN	MON	TUE	WED	THU	FRI	SAT	Notes
JULY	2	3	4 INDEPENDENCE DAY	5	6	7	8 1	
	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14	15	
	16	17	18	19	20	21	22	
	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28	29	
	30	31						
AUGUST			1	2	3	4	5	
	6 REVIEW SESSION	7	8 CPC PUBLIC MEETING	9	10	11	12	
	13	14	15	16	17	18	19	
	20 REVIEW SESSION	21	22 CPC PUBLIC MEETING	23	24	25	26	
27	28	29	30	31				
SEPTEMBER						1	2	
	3 LABOR DAY	4	5	6	7	8	9	
	10 REVIEW SESSION	11	12 CPC PUBLIC MEETING	13	14	15	16	
	17	18	19	20	21	22 ROSH HASHANAH	23	
24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29	30		
OCTOBER	1 YOM KIPPUR	2	3	4	5	6	7	
	8 COLUMBUS DAY OBSERVED	9 *REVIEW SESSION	10 *CPC PUBLIC MEETING	11	12	13	14	*Review Session will be held on <u>Tuesday, October 10th</u>
	15	16	17	18	19	20	21	
	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27	28	
29	30	31						
NOVEMBER				1	2	3	4	
	5	6	7 ELECTION DAY	8	9	10 VETERANS DAY OBSERVED	11	
	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17	18	
	19	20	21	22	23 THANKSGIVING	24	25	
26	27	28	29	30				
DECEMBER						1	2	
	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8	9	
	10	11	12	13	14	15	16 1 ST DAY HANUKKAH	
	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22	23	
24 31	25 CHRISTMAS	26 1 ST DAY KWANZAA	27	28	29	30		

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.

Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.

**SUPPLEMENTAL
CITY PLANNING CALENDAR
of
The City of New York**

CITY PLANNING COMMISSION

WEDNESDAY, APRIL 26, 2006

**MEETING AT 10:00 A.M. AT SPECTOR HALL
22 READE STREET
NEW YORK, NEW YORK**



Michael R. Bloomberg, Mayor

City of New York

[No. 8A]

Prepared by Yvette V. Gruel, Calendar Officer

To view the Planning Commission Calendar and/or the Zoning Resolution on the World Wide Web, visit the Department of City Planning (DCP) home page at:
nyc.gov/planning

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

1. A quorum shall consist of seven members.
2. Final action by the Commission shall be by the affirmative vote of not less than seven members.
3. Except by unanimous consent, matters upon which public hearing are required by law shall lie over until the next meeting following the public hearing.
4. Matters not on the calendar may be considered by unanimous consent.

NOTE - Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: in Section I, (Scheduling Dates for Future Public Hearings), in Section II, (Reports), and in Section III, (Public Hearings). Matters scheduled for public hearing by Community Boards appear in a separate calendar available in the Calendar Information Office.

NOTICE--CALENDARS: City Planning Commission calendars and disposition sheets are now available on the Department of City Planning's web site (www.nyc.gov/planning). The availability of these documents on-line will occur earlier than the current printed documents.

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below. Any individual or organization that would like to receive paper copies of the aforementioned documents will be able to do so at a fee of \$120.00 annually. Please have the certified check made out to the **City of New York -- Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216.

For Calendar Information: call (212) 720-3368, 3369, 3370.

Note to Subscribers: Notify us of change of address including E-mail by writing to:

City Planning Commission
Calendar Information Office
22 Reade Street - Room 2E
New York, New York 10007-1216

**B
CITY PLANNING COMMISSION**

22 Reade Street, New York, N.Y. 10007-1216

- AMANDA M. BURDEN, *AICP, Chair*
- KENNETH J. KNUCKLES, *Esq., Vice Chairman*
- ANGELA M. BATTAGLIA
- IRWIN G. CANTOR, *P.E.*
- ANGELA R. CAVALUZZI, *R.A.*
- ALFRED C. CERULLO, **III**
- RICHARD W. EADDY
- JANE D. GOL
- LISA A. GOMEZ
- CHRISTOPHER KUI
- JOHN MEROLO
- KAREN A. PHILLIPS
- DOLLY WILLIAMS, *Commissioners*
- YVETTE V. GRUEL, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00a.m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

ORDER OF BUSINESS

WEDNESDAY APRIL 26

I. Matters To Be Scheduled for Public Hearing.....1

**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for May 10, 2006 at Spector Hall 22 Reade Street, New York, at 10:00 a.m.

**I. PUBLIC HEARING ON THE FOLLOWING MATTER TO BE
SCHEDULED FOR WEDNESDAY, MAY 10, 2006**

I. SCHEDULING

CITYWIDE

No. 1

R5D TEXT

Citywide

N 060338(A) ZRY

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to various sections concerning the creation of an R5D Zoning District, as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article 1

General Provisions

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12

Establishment of Districts

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

Residence Districts

* * *

R5 General Residence District

R5A Detached Residence District

R5B General Residence District

R5D General Residence District

* * *

**12-10
Definitions**

* * *

Predominantly built-up area

A "predominantly built-up area" is a #block# entirely within R4 or R5 Districts including a #Commercial District# mapped within such #Residential Districts# having a maximum area of 4 acres which is #developed# with #buildings# on #zoning lots# comprising 50 percent or more of the area of the #block#. However, a #predominantly built-up area# shall not include a #block# which is located partly in a R4A, R4-1, R4B, ~~or~~ R5B or R5D District.

* * *

**Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts**

**23-00
APPLICABILITY AND GENERAL PURPOSES**

* * *

**23-011
Quality Housing Program**

- (a) In R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, any #development# or #enlargement# shall comply with the applicable district #bulk# regulations as set forth in this Chapter and any #residential development#, #enlargement#, #extension# or conversion shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program). In R5D Districts, certain requirements of Article II Chapter 8 shall apply as set forth in Section 28-01 (Applicability of this Chapter).

* * *

23-10
OPEN SPACE AND FLOOR AREA REGULATIONS

* * *

23-141
Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts

R1 R2 R3 R4 R5

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), in the districts indicated, the minimum required #open space# or #open space ratio#, the maximum #lot coverage# and the maximum #floor area ratio# for any #building# on a #zoning lot# shall be as set forth in the following tables:

* * *

(b)

District	Maximum #Lot Coverage# (in percent)	Minimum Required #Open Space# (in percent)	Maximum #Floor Area Ratio#
R3A R3X	governed by #yard# requirements		.50
R4A R4-1	governed by #yard# requirements		.75
R2X	governed by #yard# requirements		.85
R2A	30	70	.50
R3-1	35		.50
R3-2			
R4	45	55	.75
R4B	55	45	.90
R5	55	45	1.25
R5A	governed by #yard# requirements		1.10
R5B	55	45	1.35
<u>R5D</u>	<u>60*</u>	<u>40*</u>	<u>2.0</u>

* For #corner lots#, the maximum #lot coverage# shall be 80 percent and the minimum required #open space# shall be 20 percent.

In addition, the following rules shall apply:

* * *

(3) In R3-2, R4 and R5 Districts, except R4A, R4B, R4-1, R5A, ~~and~~ R5B and R5D Districts, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence developed# after June 30, 1989, may be increased by 100 square feet if at least one enclosed #accessory# off-street parking space is provided in a garage located in the #side lot ribbon# pursuant to paragraph (f) of Section 23-12 (Permitted Obstructions in Open Space), Section 23-441 (Location of garages in side yards of corner lots) or Section 23-442 (Location of garages in side yards of other zoning lots).

* * *

(e) In R4 and R5 Districts, except for #zoning lots developed# with #single-#, #two-# or three-#family residences#, 33 percent of the required #open space# on a #zoning lot#, except such #open space# in a #front yard# or, in R5D Districts, open area between the #streetline# and #street wall# of a #building# or its prolongation, shall have a minimum dimension of 12 feet and shall not be used for driveways, private streets, open or enclosed #accessory# off-street parking spaces, or open or enclosed #accessory# off-street loading berths.

23-144

For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts

R3 R4 R5 R6 R7

In the districts indicated, except R5D Districts, the minimum required #open space ratio# and the maximum #floor area ratio# for #non-profit residences for the elderly# shall be as set forth in the following table:

Districts	Maximum #Floor Area Ratio#	Minimum #Open Space Ratio#
R3	0.95	66.5
R4	1.29	39.4
R5	1.95	23.1
R6	3.90	17.7

R7

5.01

12.8

In R5D Districts, the #open space# and #floor area# regulations set forth in Section 23-141 shall apply to #non-profit residences for the elderly#.

* * *

23-22

Maximum Number of Dwelling Units or Rooming Units

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum number of #dwelling units# or #rooming units# shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. In R1 through R5 Districts, no #rooming units# shall be permitted and any #dwelling unit# shall be occupied by only one #family#. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

For the purposes of this Section, where a #floor area ratio# is determined pursuant to Sections 23-142 or 23-143, notwithstanding the #height factor# of the #building#, the maximum #residential floor area ratio# shall be 2.43 in an R6 District within 100 feet of a #wide street#, 3.44 in an R7 District, and 6.02 in an R8 District. In an R6 District beyond 100 feet of a #wide street#, the maximum #residential floor area ratio# shall be as specified in Sections 23-142 or 23-143, or 2.2, whichever is greater.

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS OR ROOMING UNITS

District	Factor for #Dwelling Units#	Factor for #Rooming Units#
R1-1	4,750	
R1-2	2,850	
R2, R2A	1,900	
R2X	2,900	
R3-1 R3-2*	625	
R3A	710	

R3-2 R4 R4-1 R4B	870	
R3X	1,000	
R4A	1,280	
R5 <u>R5D</u>	760	
R4** R5** R5B	900	
R5A	1,560	
R5B***	1,350	
R6 R7 R8B	680	500
R8 R8A R8X R9 R9A	740	530
R9-1 R9X R10	790	600

- * for #single-# and #two-family detached# and #semi-detached residences#
- ** for #residences# in a #predominantly built-up area#
- *** for #buildings# subject to the provisions of Section 25-633 (Prohibition of curb cuts in certain districts)

23-221

Maximum number of dwelling units or rooming units for non-profit residences for the elderly

R3-2 R4 R5 R6 R7

In the districts indicated, except R4-1, R4A, R4B and R5A Districts, the maximum number of #dwelling units# or, where permitted, #rooming units# for #non-profit residences for the elderly#, shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. No #rooming units# shall be permitted in R3-2, R4 or R5 Districts. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS OR ROOMING UNITS

District	Factor for #Dwelling Units#	Factor for #Rooming Units#
----------	-----------------------------	----------------------------

R3-2	680	
R4 R5B	680	
R5 <u>R5D</u>	700	
R6 R7	710	570

* * *

23-32**Minimum Lot Area or Lot Width for Residences**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as provided in Section 23-33 (Special Provisions for Existing Small Lots), no #residence# is permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

REQUIRED MINIMUM
LOT AREA AND LOT WIDTH

Type of #Residence#	Minimum #Lot Area# (in sq. ft.)	Minimum #Lot Width# (in feet)	District
#Single-family detached#	9,500	100	R1-1
	5,700	60	R1-2
	3,800	40	R2 R2A
	2,850	30	R2X
#Single-# or #two-family detached# or #zero lot line# where permitted	3,800	40	R3-1 R3-2 R4-R10
	3,325	35	R3X
	2,850	30	R4A* R5A
	2,375	25	R3A* R4B R4-1*
			R5B <u>R5D</u>
Any other permitted	1,700	18	R3-R10*

- * In #lower density growth management areas#, for #two-family detached# and #two-family zero lot line residences#, where permitted, in R3A, R4A and R4-1 Districts, and for #two-family semi-detached residences# in R3-1, R3-2 and R4-1 Districts, the minimum #lot area# shall be 3,135 square feet and the minimum #lot width# shall be 33 feet.

* * *

**23-40
YARD REGULATIONS**

* * *

**23-44
Permitted Obstructions in Required Yards or Rear Yard Equivalents**

In all #Residence Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

- (a) In any #yard# or #rear yard equivalent#:

* * *

Overhangs in R4 and R5 Districts, except R4A, R4-1, R4B, R5A, ~~or~~ R5B or R5D Districts, which are that portion of a #building# above the first #story# including the #basement# which projects not more than three feet into the required 18 foot #front yard#. In no case shall the lowest level of the projected portion be less than seven feet above the level of the #front yard# at the face of the #building#. Supports for the projected portion of any #building# are permitted obstructions within the required #front yard#, provided that the total area occupied by such supports does not exceed 15 percent of the area underneath the projected portion. No support may extend beyond the three-foot projection;

Parking spaces, off-street, open, #accessory#, within a #side# or #rear yard#;

Parking spaces, off-street, open, within a #front yard# that are #accessory# to a #residential building# where:

- (1) in R2X, R3, R4 and R5 Districts, no more than two parking spaces are required, provided such spaces are located in a permitted #side lot ribbon#;

- (2) in R3, R4 and R5 Districts, more than two parking spaces are required, provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts) and the screening requirements of Section 25-66.

However, no such parking spaces shall be permitted in any #front yard# within a R4B, ~~or R5B~~ or R5D District, and no such required spaces shall be permitted in any #front yard# within any R1, R2, R3, R4A or R4-1 District within a #lower density growth management area#.

* * *

**23-45
Minimum Required Front Yards**

R1 R2 R3 R4 R5

- (a) In the districts indicated, #front yards# shall be provided as set forth in the following table, except that for a #corner lot# in an R1-2 District, one #front yard# may have a depth of 15 feet and, for a #corner lot# in an R3 District, one #front yard# may have a depth of 10 feet.

Front Yard	District
20 feet	R1
15 feet	R2 R3-1 R3-2
15 feet	R2A
10 feet*	R3A R3X R4A R4-1 R5A
10 feet**	R4 R5
5 feet*	R4B R5B <u>R5D</u>

* Except as provided in paragraphs (b) and (c) of this Section.

** If the depth of a #front yard# exceeds 10 feet or the #zoning lot# is #developed# pursuant to the optional regulations applicable in a #predominantly built-up area#, the depth of a #front yard# shall be at least 18 feet. However, on a #corner lot#, if one #front yard# has a depth of at least 18 feet, the other #front yard# shall have a depth of at least 10 feet.

Furthermore, if an opening to an #accessory# off-street parking space is located within the #street wall# of a #residential building#, there shall be an open area between the opening and the #street line# which is at least 8 and 1/2 feet in width by 18 feet in depth, except this provision shall not apply in R5D Districts.

R2A R3A R3X R4A R4-1 R4B R5A R5B R5D

- (b) For the purpose of paragraphs (b) and (c) the area between the #street line# and the front building wall of adjacent #buildings# on the same or adjoining #zoning lots# shall be considered adjacent #front yards#.

Except as provided in paragraph (c) of this Section, in the districts indicated, if adjacent #residential buildings# on the same or on adjoining #zoning lots# fronting on the same #street# have #front yards# greater than the minimum set forth in paragraph (a) of this Section, then a #front yard# shall be provided which:

- (1) in R2A, R3A, R3X, R4A, R4-1 or R5A Districts is at least as deep as an adjacent #front yard#; and
- (2) in R4B, ~~or R5B~~ and R5D Districts is no deeper than the deepest adjacent #front yard# and no shallower than the shallowest adjacent #front yard#.

However, a #front yard# need not exceed 20 feet in depth.

In determining the depth of the adjacent #front yards#, balconies, and projections from the front building wall that do not exceed 33 percent of the aggregate width of the #building#, shall be disregarded.

For new #developments# or #enlargements#, projections into the required #front yard# are permitted provided that the aggregate width of all projections at the level of any #story# does not exceed 33 percent of the aggregate width of the #building#. The depth of such projections shall not exceed three feet into the #front yard#. However, balconies shall be subject to the provisions of Sections 23-13 (Balconies) and 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

- (c) The provisions of paragraph (b) of this Section determining the depth of a #front yard# by the location of a #front yard# on an adjacent #zoning lot#, are modified as follows:
- (1) on #corner lots#, these provisions shall apply on only one #street# frontage; and
 - (2) these provisions shall not apply to:

- (i) any #street# frontage of a #zoning lot# where such frontage has a length of at least 150 feet along such #street
- (ii) any #zoning lot# located in historic districts designated by the Landmarks Preservation Commission; or
- (iii) a frontage of any #zoning lot# where the depths of 50 percent of the #front yards# within 150 feet of the #side lot lines# of such #zoning lot# are shallower by more than two feet than the shallowest of the adjacent #front yards#.

R1 R2 R3 R4 R5

- (d) For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the provisions of paragraphs (a) and (b) of this Section are modified as follows:

The depth of the #front# yard may vary between the requirements of paragraph (a) of this Section, or as modified in any applicable Special District, and the depth of the #front yard# of any adjacent #zoning lot#.

* * *

23-461
Side yards for single- or two-family residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, for #single-family detached residences# or, where permitted, for #two-family detached residences#, #side yards# shall be provided as set forth in the table in this paragraph, except that on #corner lots# in #lower density growth management areas#, and on #corner lots# in R2A Districts, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARDS

Number Required	Required Total Width (in feet)	Required Minimum Width of any #Side Yard# (in feet)	District
2	35	15	R1-1

2	20	8	R1-2
2	13	5	R2 R2A R3-1 R3-2 R4-R10
2	10	2*	R2X R3X R4A R5A
1	8	0*	R3A R4-1 R4B R5B <u>R5D</u>

* An open area with a minimum width of eight feet, parallel to the #side lot line#, is required along a common #side lot line# between a new #development#, #enlargement# or alteration and a #residential building# on an adjacent #zoning lot#, except that the total width of #side yards# on a #zoning lot# need not exceed 13 feet, with both #side yards# at least five feet wide. However, where an adjacent #zoning lot# has an existing #detached residence# with #side yards# totaling 13 feet in width with one #side yard# at least five feet wide, or an existing #semi-detached residence# with a #side yard# at least eight feet wide, the open area shall have a minimum width of ten feet except that the total width of #side yards# on a #zoning lot# need not exceed 13 feet, with both #side yards# at least five feet wide. Only chimneys, eaves, gutters, downspouts, open #accessory# off-street parking spaces, steps, and ramps for access by the handicapped shall be permitted obstructions in such open area and such obstructions may not reduce the minimum width of the open area by more than three feet.

R3-1 R3-2 R4 R4-1 R4B R5

(b) In the districts indicated, for #single-# or #two-family semi-detached residences#, a #side yard# shall be provided as set forth in the table in this paragraph, except that on #corner lots# in #lower density growth management areas#, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARD

Feet	District
8	R3-1 R3-2 R4 R5
4*	R4-1 R4B R5B <u>R5D</u>

- * An open area with a minimum width of eight feet parallel to the #side lot line#, is required along a common #side lot line# between a new #development#, #enlargement# or alteration and a #residential building# on an adjacent #zoning lot#. However, where an adjacent #zoning lot# has an existing #detached residence# with #side yards# totaling 13 feet in width with one #side yard# at least five feet wide, or an existing #semi-detached residence# with a #side yard# at least eight feet wide, the open area shall have a minimum width of ten feet. Only chimneys, eaves, gutters, downspouts, open #accessory# off-street parking spaces, steps, and ramps for access by the handicapped are permitted obstructions in such open area and such obstructions may not reduce the minimum width of the open area by more than three feet.

23-462

Side yards for all other residential buildings

R3-2 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, for all other #residential buildings#, #side yards# shall be provided as follows:

R3-2 R4 R5

- (a) In the districts indicated, except R4B, ~~or~~ R5B and R5D Districts, two #side yards#, each with a minimum required width of eight feet, shall be provided. However, if a #detached residential building# has an #aggregate width of street walls# of more than 80 feet, two #side yards# shall be provided, each equal to not less than 10 percent of such #aggregate width of street walls#. For #residential buildings# not exceeding two #stories# and a #basement# in height, no such #side yard# need be more than 15 feet wide. However, on #corner lots# in #lower density growth management areas#, one #side yard# shall be at least 20 feet in width.

R4B R5B R5D

- (b) In the districts indicated, no #side yards# are required; however, where a #residential building# on an adjacent #zoning lot# has a #side yard#, an open area with a minimum width of eight feet and parallel to the #side lot line# is required along the common #side lot line# between the new #development#, #enlargement# or alteration and the #residential building# on the adjacent #zoning lot#.

* * *

23-463
Maximum aggregate width of street walls

R3-2 R4 R5

In the districts indicated, except R4B₁, ~~R5B~~ or R5D Districts, the #aggregate width of street walls# of a #residential building#, or a number of #residential buildings# separated by party walls, shall not exceed the length set forth in the following table:

MAXIMUM
 AGGREGATE WIDTH OF STREET WALLS

Feet	District
125	R3-2
185	R4 R5

* * *

23-48
Special Provisions for Existing Narrow Zoning Lots

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except R2X, R3A, R3X, R4A, R4-1, R4B, R5A₁, ~~R5B~~ or R5D Districts, the required total width of #side yards# for a #single-family detached# or #two-family detached residence# may be reduced by four inches for each foot by which the width of a #zoning lot# is less than that required under the provisions of Section 23-32 (Minimum Lot Area or Lot Width for Residences) if such #zoning lot# consists entirely of a tract of land which:

- (a) has less than the prescribed minimum #lot width#; and
- (b) was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961 and on the date of application for a building permit.

However, in no event shall the required width of a #side yard# be less than five feet.

In R5D Districts, no #side yards# shall be required for any #zoning lot# having a width of less than 30 feet along a #street# and existing on the effective date of establishing such district on the #zoning map#.

* * *

23-533

Required rear yard equivalents

R4 R5 R6 R7 R8 R9 R10

In the districts indicated, and in R1, R2 and R3 Districts within #lower density growth management areas#, on any #through lot# that is 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 60 feet, linking adjoining #rear yards# or, if no such #rear yards# exist, an open area with a minimum depth of 60 feet, midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts; or
- (b) two open areas, each adjoining and extending along the full length of a #street line# and each with a minimum depth of 30 feet measured from such #street line#, except that in R6, R7, R8, R9 or R10 Districts, the depth of such required open area along one #street line# may be decreased, provided that:
 - (1) a corresponding increase of the depth of the open area along the other #street line# is made; and
 - (2) any required front setback areas are maintained; or
- (c) an open area adjoining and extending along the full length of each #side lot line# with a minimum width of 30 feet measured from each such #side lot line#.

However, in #lower density growth management areas# and in R5D, R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A and R10X Districts, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, on any #through lot# at least 180 feet in maximum depth from #street# to #street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

* * *

23-541

Within one hundred feet of corners

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas#, ~~R2A, and R5A~~ and R5D Districts, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

23-542

Along short dimension of block

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas# R2A, ~~and~~ R5A and R5D Districts, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

* * *

23-60

HEIGHT AND SETBACK REGULATIONS

* * *

23-621

Permitted obstructions in certain districts

* * *

R5D

- (d) In R5D Districts, permitted obstructions shall be as set forth in Section 23-62, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may exceed a maximum height limit provided that the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage.

* * *

23-631

Height and setback in R1, R2, R3, R4 and R5 Districts

* * *

R2A R2X R3 R4 R4A R4-1 R5A

- (b) In the districts indicated, the height and setback of a #building or other structure# shall be as set forth herein except where modified pursuant to paragraphs ~~(g)~~(h) and ~~(h)~~(i) of this Section.

* * *

R5

- (d) In the district indicated, except R5A, ~~and~~ R5B and R5D Districts, ...

* * *

R5D

- (f) In the district indicated, no portion of a #building or other structure# shall penetrate a plane 40 feet above the #base plane#.

R3A R4A R4B R4-1 R5B

~~(g)~~(g)

* * *

- ~~(g)~~(h) The height and setback regulations of this Section are modified as follows:

* * *

- (3) In R5 Districts, except R5A and R5D Districts, as an alternative front setback regulation for #non-profit residences for the elderly#, no portion of the #building or other structure# shall penetrate a #sky exposure plane# which begins at a height of 27 feet above an #initial setback distance# of 10 feet and rises over the #zoning lot# at a slope of one foot of vertical distance for each foot of horizontal distance to a maximum height of 40 feet above the #base plane#. On #corner lots#, the #sky exposure plane# shall apply to only one #street# frontage. The provisions of this subparagraph may be modified pursuant to Section 23-62 and paragraph ~~(h)~~(i) of this Section.
- (4) In the #Special Ocean Parkway District#, the #Special Coney Island Mixed Use District#, and the #Special Hunters Point Mixed Use District#, for #buildings or other structures developed# or #enlarged# pursuant to the regulations of an R5 District other than an R5D District, no portion of a #building or other structure#, including the apex of a roof, may penetrate a plane 40 feet above the #base plane#. In addition, the maximum height of a #street wall# above the #base plane#

shall be 32 feet. Above such height, a setback of 15 feet is required. Within the setback distance, no portion of the #building or other structure#, including the apex of a roof, may penetrate a plane rising from the maximum #street wall# height at 20 degrees to the horizontal. On #corner lots#, the 32 foot maximum #street wall# height shall apply to only one #street# frontage.

In these special districts, for #developments# or #enlargements# which utilize the optional regulations applicable to a #predominantly built-up area#, the maximum height of a #residential building# shall not exceed 32 feet above the #base plane#. Furthermore, for such #developments# or #enlargements# with pitched roofs, the midpoint of such pitched roof shall not exceed a height of 32 feet above the #base plane#. The provisions of this paragraph may be modified pursuant to Section 23-62 and paragraph ~~(h)~~ (i) of this Section.

* * *

R3-2 R4 R5

~~(h)~~(i) In the districts indicated, except R4A, R4B, R4-1, R5A, ~~and~~ R5B and R5D Districts, the City Planning Commission may authorize a #building or other structure# that penetrates the height and setback regulations set forth in paragraphs (b) and (d) above except for #buildings# utilizing the optional regulations for #predominantly built-up areas#. As a condition for granting such authorizations the Commission shall find that:

* * *

23-661

Required side and rear setbacks for tall residential buildings in low bulk districts

R1 R2 R5

In R1 and R2 Districts, any portion of a #residential building# bounding a #side yard# or a #rear yard# which is more than 30 feet above the mean level of adjacent natural grade shall be set back from such #side yard# line or #rear yard line# for a distance equal to one-half the height of that portion of the #residential building# which is higher than 30 feet above the mean level of adjacent natural grade.

In an R5 District, except R5A and R5D Districts, any portion of a #residential building# bounding a #side yard# or a #rear yard# which is more than 33 feet above the level of the #base plane# shall be set back from such #side yard# line or such #rear yard line# for a distance equal to one-half the height of that portion of the #residential building# which is higher than 33 feet above the level of the #base plane#.

The following are permitted to project into any open area required under the provisions of this Section:

- (a) parapet walls not more than four feet high; and
- (b) chimneys or flues with a total width not exceeding 10 percent of the width of the building's walls facing such open area.

* * *

23-662

Required side and rear setbacks for permitted non-residential uses in low bulk districts

R1 R2 R3 R4 R5

In the districts indicated, except R5D Districts, no portion of any #building# used for permitted non-#residential uses# which is more than 30 feet or more than three #stories#, whichever is less, above the level of a #side yard# or #rear yard#, shall be nearer to a #side lot line# or #rear lot line# bounding such #yard# than a distance equal to the height above yard level of such portion of the #building#.

The following are permitted to project into any open area required under the provisions of this Section:

- (a) parapet walls not more than four feet high; and
- (b) chimneys or flues with a total width not exceeding 10 percent of the width of the building's walls facing such open area.

* * *

Chapter 4

Bulk Regulations for Community Facility Buildings in Residence Districts

* * *

24-011

Quality Housing Program

In R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, any #residential# portion of a #building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In R5D Districts, certain provisions

of Article II Chapter 8 shall apply as set forth in Section 28-01 (Applicability of this Chapter).

* * *

**24-10
FLOOR AREA AND LOT COVERAGE REGULATIONS**

**24-11
Maximum Floor Area Ratio and Percentage of Lot Coverage**

* * *

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE
#Lot coverage# (percent of #lot area#)

#Floor Area Ratio#	#Corner Lot#	#Interior Lot# or #Through Lot#	District
		* * *	
4.80	70	65	R6
3.00	80	60	R6A
2.00	80	60	<u>R5D</u> R6B
4.80	70	65	R7-1
		* * *	

**24-111
Maximum floor area ratio for certain community facility uses**

* * *

R3 R4 R5 R6 R7 R8 R9

- (b) In the districts indicated, for any #zoning lot# containing nursing homes, health-related facilities or domiciliary care facilities for adults, each of which have secured certification by the appropriate governmental agency, sanitariums or philanthropic or non-profit institutions with sleeping accommodations as listed in Use Group 3, the allowable #floor area ratio# shall not exceed the maximum #floor area ratio# as set forth in the following table, except where the permissible #floor area ratio# is modified pursuant to Section 74-902 (Bulk modifications for certain community facility uses).

The provisions of paragraph (b) of this Section are not applicable in R8B Districts in Community Board 8 in the Borough of Manhattan.

MAXIMUM FLOOR AREA RATIO FOR CERTAIN COMMUNITY FACILITIES

District	Maximum #Floor Area Ratio# Permitted
	* * *
R5	1.27
<u>R5D</u> R6B	2.00
R6	2.43
R6A R7B	3.00
	* * *
	* * *

**24-13
Floor Area Bonus for Deep Front and Wide Side Yards**

R3 R4 R5

In the districts indicated, except R5D Districts, the maximum #floor area ratio# set forth in Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) may be increased to the #floor area ratio# set forth in the following table, if #yards# are provided as follows:

* * *

**24-16
Special Provisions for Zoning Lots Containing Both Community Facility and Residential Uses**

* * *

24-161

Maximum floor area ratio for zoning lots containing community facility and residential uses

R1 R2 R3-1 R3A R3X R4-1 R4A R4B R5D R6A R6B R7-2 R7A R7B R7X R8 R9 R10

In the districts indicated, for #zoning lots# containing #community facility# and #residential uses#, the maximum #floor area ratio# permitted for a #community facility use# shall be as set forth in Section 24-11, inclusive, and the maximum #floor area ratio# permitted for a #residential use# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

The following rules shall apply in the designated areas set forth in Section 23-922 (Community District 1, Borough of Brooklyn):

* * *

24-162

Maximum floor area ratios and special floor area limitations for zoning lots containing residential and community facility uses in certain districts

R3-2 R4 R5 R6 R7-1

In the districts indicated, except R4A, R4B, R4-1, R5D, R6A and R6B Districts, the provisions of this Section shall apply to any #zoning lot# containing #community facility# and #residential use#.

* * *

24-30

YARD REGULATIONS

* * *

24-34

Minimum Required Front Yards

R1 R2 R3 R4 R5

In the districts indicated, #front yards# shall be provided as set forth in the following table, except that for a #corner lot# in an R1-2 District, one #front yard# may have a depth of 15 feet.

#Front Yard# (in feet)	District
------------------------	----------

20	R1
15	R2 R3 R4
10	R5
<u>5*</u>	<u>R5D</u>

* In R5D Districts, the provisions set forth in Section 23-45 (Minimum Required Front Yards) shall apply.

**24-35
Minimum Required Side Yards**

R1 R2 R3 R4 R5

- (a) In the districts indicated, if a #building# used for #community facility use# has an #aggregate width of street walls# equal to 80 feet or less, two #side yards# shall be provided, each with a minimum required width of eight feet. If such #building# has an #aggregate width of street walls# equal to more than 80 feet, two #side yards# shall be provided, each equal to not less than 10 percent of the #aggregate width of street walls#. The provisions of this paragraph (a) shall not apply in R5D Districts. In lieu thereof, the #side yard# regulations set forth in Section 23-45 shall apply.

* * *

**24-381
Excepted through lots**

* * *

R5D R6A R6B R7A R7B R7X R8A R8B R8X R9A R9X R10A R10X

- (b) In the districts indicated, and in other R6, R7, R8, R9 and R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions, and such #zoning lot# occupies the entire #block# frontage of a #street#.

**24-382
Required rear yard equivalents**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 60 feet linking adjoining #rear yards# or, if no such #rear yards# exist, an open area with a minimum depth of 60 feet, midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts; or

* * *

- (c) an open area adjoining and extending along the full length of each #side lot line#, with a minimum width of 30 feet measured from each such #side lot line#.

However, in R5D, R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A and R10X Districts, and in other R6 through R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, on any #through lot# at least 180 feet in depth from #street to street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

* * *

**24-391
Within one hundred feet of corners**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except R5D Districts for #buildings# containing #residences#, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

**24-392
Along short dimension of block**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except R5D Districts for #buildings# containing #residences#, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 220 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

* * *

24-50

HEIGHT AND SETBACK REGULATIONS

* * *

24-521

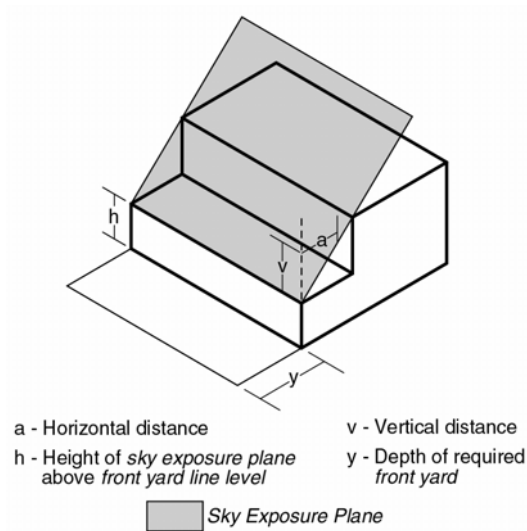
Front setbacks in districts where front yards are required

R1 R2 R3 R4 R5 R5A R5B

In the districts indicated, where #front yards# are required, the front wall or any other portion of a #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table:

**MAXIMUM HEIGHT OF FRONT WALL AND
REQUIRED FRONT SETBACKS**

Height above #Front Yard Line# (in feet)	#Sky Exposure Plane#				District
	Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)				
	On #Narrow Street#		On #Wide Street#		
	Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance	
25	1 to	1	1 to	1	R1 R2 R3
35	1 to	1	1 to	1	R4 R5 <u>R5A</u> <u>R5B</u>



* * *

24-523

Special height and setback regulations ~~within Community District 7, Borough of Manhattan~~

(a) Community District 7, Manhattan

Within the boundaries of Community District 7 in the Borough of Manhattan, all #developments# or #enlargements# located in R10 Districts, except R10A or R10X Districts, shall comply with the requirements of Section 23-634.

(b) R5D Districts

In R5D Districts, all #developments# or #enlargements# shall comply with the height and setback requirements set forth in Section 23-60.

* * *

24-551

Required side setbacks for tall buildings in low bulk districts

R1 R2 R3 R4 R5

In the districts indicated, except R5D Districts, no portion of any #building# that is more than 35 feet or more than three #stories# above the level of a #side yard#, whichever is lower, shall be nearer to a #side lot line# bounding such #yard# than a distance equal to one-half the height above yard level of such portion of the #building#.

* * *

**Chapter 5
Accessory Off-Street Parking and Loading Regulations**

* * *

**25-20
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES**

* * *

**25-23
Requirements Where Group Parking Facilities Are Provided**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for all new #residences developed# under single ownership or control where #group parking facilities# are provided, #accessory# off-street parking spaces shall be provided for at least that percentage of the total number of #dwelling units# set forth in the following table. Such spaces shall be kept available to the residents of the #building# or #development#, in accordance with the provisions of Section 25-41 (Purpose of Spaces, and Rental to Non-Residents).

**PARKING SPACES REQUIRED WHERE
GROUP PARKING FACILITIES ARE PROVIDED**

Percent of Total #Dwelling Units#	District
100*	R1 R2 R3 R4A R4-1
100	R4 R4B
85	R5
70	R6

66 R5B R5D
 60 R7-1
 50** R6A R6B R7-2 R7A R7B R7X R8B***
 40 R8 R9 R10

** In R6 or R7 Districts, for #residences developed# or #enlarged# pursuant to the Quality Housing Program, #accessory# off-street parking spaces shall be provided for at least 50 percent of the total number of #dwelling units#.

* * *

25-25

Modification of Requirements for Public, Publicly-Assisted and Government Assisted Housing or for Non-profit Residences for the Elderly

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

* * *

PARKING SPACES REQUIRED FOR PUBLIC, PUBLICLY-ASSISTED AND GOVERNMENT ASSISTED HOUSING DEVELOPMENTS OR NON-PROFIT RESIDENCES FOR THE ELDERLY

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing #Developments# or #Dwelling Units# for Low Income Tenants	#Non-profit Residences for the Elderly# or #Dwelling Units for the Elderly#	Gov't Assisted Housing	District
80	65	50.0	***	80	R1 R2
80	65	50.0	35.0	80	R3 R4
70	56	42.5	31.5	70	R5
55	45	35.0	22.5	55	<u>R5D</u> R6**
39	32	25.0	16.0	35	R6A R6B R7B

45	38	30.0	20.0	45	R7-1**
30	23	15.0	12.5	25	R7-2 R7A R7X R8B*
30	21	12.0	10.0	25	R8 R8A R8X R9 R10

* * *

**25-26
Waiver of Requirements for Small Number of Spaces**

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, the requirements set forth in Section 25-21 (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in this Section, except that the requirements shall not be waived for #non-profit residences for the elderly#.

However, in R5D Districts, the provisions of this Section 25-26, inclusive, shall only apply to #zoning lots# existing both on (effective date of amendment) and on the date of application for a building permit.

**25-261
For new developments or enlargements**

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, for all new #developments# or #enlargements#, the maximum number of #accessory# off-street parking spaces for which requirements are waived is as set forth in the following table:

Maximum number of spaces waived	District
1	R4B R5B <u>R5D</u>
5	R6 R7-1 R7B
15	R7-2 R7A R7X R8 R9 R10

* * *

25-621

Location of parking spaces in certain districts

All #accessory# off-street parking spaces shall be located in accordance with the provisions of this Section, except that in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of Section 25-622 shall apply. In addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63 (Location of Access to the Street).

- (a) For #zoning lots# with #residential buildings# where no more than two #accessory# parking spaces are required:

* * *

R4B R5B R5D R6B R7B R8B

- (3) In the districts indicated, #accessory# off-street parking spaces shall be located only within a #building#, or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#.

- (b) For #zoning lots# with #residential buildings# where more than two #accessory# parking spaces are required:

* * *

R4B R5B R5D R6B R7B R8B

- (3) In the districts indicated, #accessory# off-street parking spaces shall be located only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#.

* * *

28-01

Applicability of this Chapter

The Quality Housing Program is a specific set of standards and requirements for #buildings# containing #residences#. In R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single-# or #two-family residences#. In R5D Districts, only the

requirements set forth in Sections 28-12 (Street Tree Planting), 28-23 (Refuse Storage and Disposal), 28-33 (Planting Areas) and 28-53 (Location of Accessory Parking) shall apply.

* * *

**28-23
Refuse Storage and Disposal**

In R6 through R10 Districts, #Ddevelopments#, #enlargements#, #extensions# and conversions with nine or more #dwelling units# or #rooming units# per #vertical circulation core# shall comply with the provisions of this Section.

In R5D Districts, #developments#, #enlargements#, #extensions# and conversions with nine or more #dwelling units# per #zoning lot# shall comply with the provisions of this Section. Such provisions shall also apply to any #zoning lot# with less than nine units where such #zoning lot# is part of a #development# or #enlargement# on adjacent #zoning lots# with a total of nine or more #dwelling units#.

The storage of refuse shall occur entirely within an enclosed area on the #zoning lot# and appropriate locations within the #zoning lot# shall be delineated for this purpose: at least one for #residential uses# and at least one for #community facility# and #commercial uses#. #Residential# storage and removal locations shall be provided at the rate of 2.9 cubic feet per #dwelling unit# or 1.15 cubic feet per #rooming unit#.

A refuse disposal room of not less than twelve square feet with no dimension less than three feet shall be provided on each #story# that has entrances to #dwelling units# or #rooming units#. Twelve square feet of such refuse storage room shall be excluded from the definition of #floor area#.

**Chapter 3
Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts**

* * *

**33-10
FLOOR AREA REGULATIONS**

* * *

**33-12
Maximum Floor Area Ratio**

* * *

33-121

In districts with bulk governed by Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the maximum #floor area ratio# for a #commercial# or #community facility building# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:

MAXIMUM FLOOR AREA RATIO

District	For #Commercial Buildings#	For #Community Facility Buildings#	For #Buildings# Used for Both #Commercial# and #Community Facility Uses#
		* * *	
R4 R5	1.00	2.00	2.00
<u>R5D</u> R6B	2.00	2.00	2.00
R6A R7B	2.00	3.00	3.00
		* * *	
		* * *	

33-16

Floor Area Bonus for Front Yards

33-161

In districts with bulk governed by Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, when mapped within an R1, R2, R3, R4 or R5 District, except R5D Districts, on any #zoning lot# on which there are provided #yards# as set forth in this Section, the maximum #floor area ratio# set forth in Section 33-12 (Maximum Floor Area Ratio) for a #community facility building# or a #building# used partly for #commercial use# and partly for #community facility use#, may be increased to the #floor area ratio# set forth in the following table provided that:

* * *

33-283

Required rear yard equivalents

C1 C2 C3 C4-1 C7 C8-1 C8-2 C8-3

In the districts indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 40 feet linking adjoining #rear yards#, or if no such #rear yards# exist, then midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts. In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10 Districts, a #rear yard equivalent# shall be provided only as set forth in this paragraph; or

* * *

33-40

HEIGHT AND SETBACK REGULATIONS

* * *

33-43

Maximum Height of Walls and Required Setbacks

* * *

33-431

In C1 or C2 Districts with bulk governed by surrounding Residence District

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

- (a) In the districts indicated, the maximum height of a front wall and the required front setback of a #building or other structure# shall be determined by the #Residence District# within which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

#Initial Setback Distance# (in feet)	On #Narrow Street#	On #Wide Street#	Maximum Height of a Front Wall or other portion of a #Building #within the #Initial Setback Distance#	#Sky Exposure Plane#	Slope over #Zoning Lot# (Expressed as a Ratio of Vertical Distance to Horizontal Distance)			
					Height above #Street Line# (in feet)	On #Narrow Street#	On #Wide Street#	Vertical Distance

When mapped within R1, R2, R3, R4 or R5 R5A or R5B Districts

20	15	30 feet or two #stories#, whichever is less	30	1	to 1	1	to 1
----	----	---	----	---	------	---	------

When mapped within R6 or R7 Districts

20	15	60 feet or four #stories#, whichever is less	60	2.7	to 1	5.6	to 1
----	----	--	----	-----	------	-----	------

When mapped within R8, R9 or R10 Districts

20	15	85 feet or six #stories#, whichever is less	85	2.7	to 1	5.6	to 1
----	----	---	----	-----	------	-----	------

However, in accordance with the provisions of Section 32-42 (Location within Buildings), no #commercial building# or portion thereof occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility use# and #commercial use#, when mapped within R4, ~~or R5~~, R5A or R5B Districts, the maximum height of a front wall shall be 35 feet or three #stories#, whichever is less, and the height above #street line# shall be 35 feet

and, when mapped within R7-2 Districts, the maximum height of a front wall shall be 60 feet or six #stories#, whichever is less.

* * *

33-433

Special height and setback regulations in ~~R10 Districts within Community District 7, Borough of Manhattan~~

- (a) Within the boundaries of Community District 7 in the Borough of Manhattan, all #developments# or #enlargements# located in R10 equivalent #Commercial Districts# without a letter suffix shall comply with the requirements of Section 23-634.
- (b) In C1 or C2 Districts mapped within R5D Districts, all #developments# or #enlargements# shall comply with the height and setback requirements of Section 23-60.

* * *

33-441

In C1 or C2 Districts with bulk governed by surrounding Residence District

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the alternate front setback regulations applicable to a #building or other structure# shall be determined by the #Residence District# in which such #Commercial District# is mapped and, except as otherwise set forth in this Section, shall be as set forth in the following table:

ALTERNATE REQUIRED FRONT SETBACKS

Depth of Optional Front Open Area (in feet)	Alternate #Sky Exposure Plane#	
	Slope over #Zoning Lot# (expressed as a ratio of vertical distance to horizontal distance)	
	On #Narrow Street#	On #Wide Street#

On #Narrow Street#	On #Wide Street#	Height above #Street Line# (in feet)	Vertical Distance	Horizontal Distance	Vertical Distance	Horizontal Distance
--------------------	------------------	--------------------------------------	-------------------	---------------------	-------------------	---------------------

When mapped within R1, R2, R3, R4, ~~or~~ R5, R5A or R5B Districts

15	10	30	1.4	to 1	1.4	to 1
----	----	----	-----	------	-----	------

When mapped within R6 or R7 Districts

15	10	60	3.7	to 1	7.6	to 1
----	----	----	-----	------	-----	------

When mapped within R8, R9 or R10 Districts

15	10	85	3.7	to 1	7.6	to 1
----	----	----	-----	------	-----	------

However, in accordance with the provisions of Section 32-42 (Location Within Buildings), no #commercial building#, or portion thereof, occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14 shall exceed in height 30 feet or two #stories#, whichever is less.

For #community facility buildings# or #buildings# used for both #community facility use# and #commercial use#, when mapped within R4, ~~or~~ R5, R5A or R5B Districts, the height above #street line# shall be 35 feet.

* * *

**Chapter 5
Bulk Regulations for Mixed Buildings in Commercial Districts**

* * *

**35-011
Quality Housing Program**

In C1 and C2 Districts mapped within R6 through R10 ~~#Residence~~ Districts# with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-5A, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3X, C6-4A or C6-4X Districts, any #residential# portion of a #mixed building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In C1 and C2 Districts mapped within R5D Districts, #mixed buildings# shall comply with certain regulations of Article II Chapter 8 as set forth in Section 28-01 (Applicability of this Chapter).

* * *

**Chapter 6
Accessory Off-Street Parking and Loading Regulations**

* * *

**36-30
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR
RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS**

* * *

**36-331
In C1 or C2 Districts governed by surrounding Residence District bulk regulations**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the number of required #accessory# off-street parking spaces is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

**REQUIRED PARKING SPACES AS A
PERCENT OF TOTAL DWELLING UNITS**

#Residence District# within which C1 or C2 District is Mapped	Percent
R1 R2 R3 R4	100
R5	85
R6	70
<u>R5D</u>	<u>66</u>
R7-1	60
R6A R6B R7-2 R7A R7B R7X R8B*	50
R8 R9 R10	40

* In the Borough of Brooklyn, R8B Districts are subject to the parking requirements applicable in R8 Districts.

* * *

36-351

In C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the percentage of the total number of #dwelling units# in each category for which #accessory# off-street parking spaces shall be provided is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

PARKING SPACES REQUIRED FOR PUBLIC,
PUBLICLY ASSISTED AND GOVERNMENT ASSISTED HOUSING
DEVELOPMENTS
OR NON-PROFIT RESIDENCES FOR THE ELDERLY
(percent of total #dwelling units#)

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing #Developments# or #Dwelling Units# for Low Income Tenants	#Non-profit Residences for the Elderly# or #Dwelling Units for the Elderly#	Gov't Assisted Housing	District
80	65	50.0	***	80	R1 R2
80	65	50.0	35.0	80	R3 R4
70	56	42.5	31.5	70	R5
55	45	35.0	22.5	55	<u>R5D</u> R6**
39	32	25.0	16.0	35	R6A R6B R7B
45	38	30.0	20.0	45	R7-1**
30	23	15.0	12.5	25	R7-2 R7A R7X R8B*

30 21 12.0 10.0 25 R8 R8A
 R8X R9
 R10

* In the Borough of Brooklyn, R8B Districts are subject to the parking requirements applicable in R8 Districts

** For assisted housing projects #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in C1 and C2 Districts mapped within R6 or R7-1 Districts, the applicable district parking requirements shall be as follows:

District	Applicable District Parking Requirement
R6	R6A
R7-1	R7A

*** #Non-profit residence for the elderly# is not a permitted #use# in R1 or R2 Districts. See Section 22-12 (Use Group 2).

* * *

36-361

For new development or enlargements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, where such districts are mapped within R6, R7, R8, R9, or R10 Districts, the requirements set forth in Section 36-31 (General Provisions) for new #development# or #enlargements# shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the #Residence District# within which the #Commercial District# is mapped.

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

#Residence District# within which C1 or C2 District is Mapped	Maximum Number of Spaces Waived
<u>R5D</u>	<u>1</u>

R6 R7-1 R7B	5
R7A R7X R7-2 R8 R9 R10	15

However, in C1 or C2 Districts mapped within R5D Districts, the provisions of this Section 36-361 shall only apply to #zoning lots# existing both on (the effective date of amendment) and on the date of application for a building permit.

* * *

**36-52
Size and Location of Spaces**

* * *

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A
C4-4D C4-5A C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-4A C6-4X

(b) Location of parking spaces in certain districts

In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A and R10X Districts, #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and any #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront. Where a #zoning lot# is bounded by more than one #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront, this provision need not apply along more than one #street line#.

* * *

**36-53
Location of Access to the Street**

* * *

**36-531
Location of curb cuts in C1 or C2 Districts mapped within R5D Districts**

In C1 or C2 Districts mapped within R5D Districts, a minimum distance of 34 feet of uninterrupted curb space shall be provided between all curb cuts constructed after (effective date of amendment). Furthermore, no curb cuts shall be permitted on the #wide street# frontage of any #zoning lot# existing on (the effective date of amendment) with access to a #narrow street#.

* * *

Article VI: SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

* * *

**Chapter 2
Special Regulations Applying in the Waterfront Area**

* * *

**62-323
Non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts**

R3 R4 R5 R6 R7

In the districts indicated, the maximum #floor area ratio# and #lot coverage# for #non-profit residences for the elderly# on a #zoning lot# within a #waterfront block# shall be as specified in the following table:

**MAXIMUM FLOOR AREA RATIO AND MAXIMUM LOT COVERAGE
FOR NON-PROFIT RESIDENCES FOR THE ELDERLY
IN R3, R4, R5, R6 AND R7 DISTRICTS**

District	Maximum #Floor Area Ratio#	Maximum #Lot Coverage# (in percent)
R3	.95	55
R4	1.29	55
R5	1.95	60
<u>R5D</u> R6B	2.00	60
R6 R6A R7B	3.90	65
R7 R7A R7X	5.01	70

* * *

Resolution for adoption scheduling May 10, 2006 for a public hearing.
