

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, JULY 14, 2004
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 040456 HAX	3	PARKVIEW COMMONS	Scheduled to be Heard 7/28/04
2	C 010384 ZMK	1	226 FRANKLIN STREET	“ ”
3	N 040137 ZRK	1	SPECIAL GREENPOINT MIXED-USE DISTRICT	“ ”
4	C 040096 PPK	1	1063 FLUSHING AVENUE	“ ”
5	C 030412 MMK	6	RED HOOK IKEA	“ ”
6	C 030413 ZMK	6	“ ”	“ ”
7	C 030414 ZSK	6	“ ”	“ ”
8	C 030415 ZSK	6	“ ”	“ ”
9	N 030416 ZAK	6	“ ”	Not Scheduled/Hearing Not Required
	N O T I C E	6	“ ”	“ ”
10	C 040443 ZMM	11	HARLEM PARK HOTEL	Scheduled to be Heard 7/28/04
11	C 040444 ZSM	11	“ ”	“ ”
12	C 040445 ZSM	11	“ ”	“ ”
13	C 040476 HAM	10	CASSIOPEIA APARTMENTS	“ ”
14	C 040189 ZMR	3	GREAT KILLS REZONING	“ ”
15	C 040206 ZMR	3	SOUTHERN GREAT KILLS REZONING	“ ”
16	C 040314 HAM	3	EAST 4 TH STREET CULTURAL DISTRICT	Hearing Closed

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:														
		In Favor - Y Oppose - N Abstain - AB Recuse - R														
Calendar Numbers:		23	24	25	26	27	28	29	30	31	32	33	34	35	36	
Amanda M. Burden, AICP, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Irwin Cantor, P.E.	P	Y	Y	Y	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Richard W. Eaddy	P	Y	Y	Y	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Alexander Garvin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Jane D. Gol	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Christopher Kui	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
John Merolo	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Karen A. Phillips	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Dolly Williams, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

MEETING ADJOURNED AT: 2:53 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

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New York, New York 10007-1216
(212) 720-3370

CAL NO.	ULURP NO.	CD NO	PROJECT NAME	C.P.C. ACTION
17	C 030284 MMM	8	MAIN STREET ROOSEVELT ISLAND	Hearing Closed
18	N 040414 ZRY	cw	LOWER DENSITY GROWTH MANAGEMENT	" "
19	C 010645 ZMK	2	WATER STREET DEVELOPMENT	" "
20	C 010646 ZSK	2	" "	" "
21	C 010647 ZSK	2	" "	" "
22	C 030492 ZSK	2	" "	" "
	N O T I C E	2	" "	" "
23	C 040306 HAK	6	RED HOOK HOMES	Favorable Report Adopted
24	N 040487 PXX	13	OFFICE SPACE	" "
25	C 040293 HAM	3	DIVERSITY HOUSES	" "
26	N 040396 ZRM	1	BATTERY PARK CITY/SITE 26	" "
27	C 020441 MMQ	5	ANDREWS AVENUE BRIDGE	" "
28	C 040252 PQQ	12	AGENCY OPERATED BOARDING HOME	" "
29	N 040424 BDQ	1,2	QUEENS PLAZA/COURT SQUARE BID	Unqualified Approval
30	C 010656 MMR	3	OLMSTED-BEIL HOUSE PARK	Favorable Report Adopted
31	C 030449 ZMR	3	TIDES OF CHARLESON	" "
32	C 030450 ZSR	3	" "	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:												
		In Favor - Y Oppose - N Abstain - AB Recuse - R												
Calendar Numbers:		37	38	39										
Amanda M. Burden, AICP, Chair	P	Y	Y											
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y											
Angela M. Battaglia	P	Y	Y	L										
Irwin Cantor, P.E.	P	Y	Y	A										
Angela R. Cavaluzzi, R.A.	P	Y	Y	I										
Richard W. Eaddy	P	Y	Y	D										
Alexander Garvin	P	Y	Y											
Jane D. Gol	P	Y	Y	O										
Christopher Kui	P	Y	Y	V										
John Merolo	P	Y	Y	E										
Karen A. Phillips	P	Y	Y	R										
Dolly Williams, Commissioners	P	Y	Y											

MEETING ADJOURNED AT

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, JULY 14, 2004
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
33	N 030453 ZAR	3	TIDES OF CHARLESON	Authorization Approved
34	N 030451 RAR	3	“ ”	“ ”
35	N 030452 RAR	3	“ ”	“ ”
36	C 040278 PPR	2	SEAVIEW SENIOR HOUSING	Favorable Report Adopted
37	N 040275 ZAR	2	“ ”	Authorization Approved
38	N 040277 ZAR	2	“ ”	“ ”
39	N 040202 ZRY	cw	COMMUNITY FACILITY TEXT	Laid Over

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:													
		In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:															
Amanda M. Burden, AICP, Chair															
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Alexander Garvin															
Jane D. Gol															
Christopher Kui															
John Merolo															
Karen A. Phillips															
Dolly Williams, Commissioners															

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

CITY PLANNING COMMISSION

WEDNESDAY, JULY 14, 2004

**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. 13]

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: first in Section I, (Scheduling Dates for Future Public Hearings), second in Section II, (Public Hearings), and third in Section III, (Reports). 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.*

RICHARD W. EADDY

ALEXANDER GARVIN

JANE D. GOL

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 10:00 a. m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

ORDER OF BUSINESS AND INDEX

WEDNESDAY, JULY 14, 2004

Roll Call; approval of minutes	1
I. Scheduling of July 28, 2004	1
II. Public Hearings	13
III. Reports	54
IV. Schedule of Meetings: July 1, 2004 - December 31, 2004	127

**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 July 28, 2004 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 and Community Board Chairpersons 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 opposition and those speaking in support of the proposal.

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: _____

JULY 14, 2004

APPROVAL OF MINUTES OF Regular Meeting of June 23, 2004

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, JULY 28, 2004
STARTING AT 10:00 A.M.
IN SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

PARKVIEW COMMONS

CD

C 040456 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 436 East 161st Street; 867, 869, 871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160th Street and a portion of the demapped street bed of East 160th Street between Elton and Melrose avenues, part of Site 43 within the Melrose Commons Urban Renewal Area (Block 2382, Lots 16, 20, 22-25, 27-28 and 30), 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 nine-story building tentatively known as Parkview Commons, with approximately 109 units of low-income housing and one unit for a superintendent, to be developed under the New York State Housing Trust Fund Program.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

BOROUGH OF BROOKLYN

Nos. 2 and 3

226 FRANKLIN STREET

No. 2

CD 1

C 010384 ZMK

IN THE MATTER OF an application submitted by the American Package Company Inc. pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 12c:**

1. **changing from an M1-1 District to an M1-2/R6A District property bounded by** Freeman Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street; and
2. **establishing a Special Mixed Use District (MX-8) bounded by** Freeman Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street;

as shown on a diagram (for illustrative purposes only) dated April 12, 2004.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 3

SPECIAL GREENPOINT MIXED-USE DISTRICT

CD 1

N 040137 ZRK

IN THE MATTER OF an application submitted by the American Package Company., Inc. 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 XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-8) in Greenpoint, Community District 1, Brooklyn.

Matter in underline is new, to be added;

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

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

* * *

Article XII - Special Purpose Districts

Chapter 3

Special Mixed Use District

* * *

123-90

SPECIAL MIXED USE DISTRICTS SPECIFIED

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed-Use District# - 8:
Greenpoint, Brooklyn

The #Special Mixed-Use District# - 8 is established in Greenpoint in Brooklyn as indicated on the #zoning maps#.

* * *

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 4

1063 FLUSHING AVENUE

CD 1

C 040096 PPK

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for **the disposition of one (1) city-owned property located at 1063 Flushing Avenue** (Block 3013, Lot 30), pursuant to zoning.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

Nos. 5, 6, 7, 8 and 9

RED HOOK IKEA

No. 5

CD 6

C 030412 MMK

IN THE MATTER OF an application, submitted by Ikea Properties, Inc., 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 Otsego Street between Beard Street and the United States Bulkhead Line;

- the elimination, discontinuance and closing of Halleck Street between segments of Columbia Street;
- the widening of Beard Street between Otsego Street and Richards Street;
- the establishment of Ikea Plaza/Beard Street between Otsego Street and Richards Street.
- adjustment of grades necessitated thereby; and
- acquisition or disposition of real property related thereto,

in accordance with Map Nos. Y-2661 and X-2662 dated April 14, 2004 and signed by the Borough President.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 6

CD 6

C 030413 ZMK

IN THE MATTER OF an application submitted by IKEA Properties, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 16a and 16b, changing from an M3-1 District to an M1-1 District property bounded by** Beard Street, Halleck Street, a line 300 feet westerly of Columbia Street, a line 550 feet southerly of Halleck Street and its easterly prolongation, Columbia Street, a line 1190 feet southerly of Halleck Street and its easterly and westerly prolongation, and the southwesterly prolongation of a line 200 feet northwesterly of Dwight Street, as shown on a diagram (for illustrative purposes only) dated April 26, 2004.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 7

CD 6

C 030414 ZSK

IN THE MATTER OF an application submitted by IKEA Properties, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit**

pursuant to Section 74-922 of the Zoning Resolution **to allow the development of large retail establishments (Use Group 6 and 10A) with no limitation on floor area on a zoning lot located at 1 Beard Street, a.k.a. 21 Erie Basin** (Block 612, Lot 130), in M1-1** and M3-1 Districts.

** Note: A portion of the site is proposed to be rezoned from an M3-1 District to an M1-1 District under a related application (C 030413 ZMK) for a change in the Zoning Map.

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.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 8

CD 6

C 030415 ZSK

IN THE MATTER OF an application submitted by IKEA Properties, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 62-736 of the Zoning Resolution to modify the maximum building height requirements of Section 62-341(b)(3) to facilitate the development of a 3-story commercial building development on a zoning lot located at 1 Beard Street, a.k.a. 21 Erie Basin** (Block 612, Lot 130), in M1-1** and M3-1 Districts.

** Note: A portion of the site is proposed to be rezoned from an M3-1 District to an M1-1 District under a related application (C 030413 ZMK) for a change in the Zoning Map.

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.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 9

CD 6

N 030416 ZAK

IN THE MATTER OF an application submitted by IKEA Property, Inc. for **the grant of an authorization pursuant to Section 62-722 of the Zoning Resolution to modify the requirements of Sections 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AND VISUAL CORRIDORS) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) to facilitate the development of a 3-story commercial building development on a zoning lot located at 1 Beard Street, a.k.a. 21 Erie Basin (Block 612, Lot 130), in M1-1** and M3-1 Districts.**

** Note: A portion of the site is proposed to be rezoned from an M3-1 District to an M1-1 District under a related application (C 030413 ZMK) for a change in the Zoning Map.

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.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

NOTICE

On Wednesday, July 28, 2001, at 10:00 a.m., in Spector Hall at the Department of City Planning, 22 Reade Street in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an amendment to the zoning map to change a M3-1 zoning district to a M1-1 zoning district on property located on Beard and Hallack streets, between Columbia and Dwight streets (Block 612, Lot 130) in the Red Hook section of Brooklyn Community Districts 6, as well as demapping portions of Beard and Otsego streets, widening a portion of Beard Street, special permits to allow a large retail establishment in a M1-1 zone and to modify bulk on a waterfront site, and an authorization and certification to modify waterfront public access and visual corridors.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 03DCP041K.

BOROUGH OF MANHATTAN

Nos. 10, 11 and 12

HARLEM PARK HOTEL

No. 10

CD 11

C 040443 ZMM

IN THE MATTER OF an application submitted by 1800 Park Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 6a and 6b:**

- 1. eliminating from an existing R7-2 District a C1-4 District property bounded by** a line midway between East 124th Street and East 125th Street/Dr. Martin Luther King Boulevard, the westerly boundary line of the Metro North Rail Road right-of-way, East 124th Street, and a line 100 feet westerly of Park Avenue;
- 2. changing from an R7-2 District to a C4-7 District property bounded by** a line midway between East 124th Street and East 125th Street/Dr. Martin Luther King Boulevard, the westerly boundary line of the Metro North Rail Road right-of-way, East 124th Street, and a line 85 feet easterly of Madison Avenue; and
- 3. changing from a C4-4 District to a C4-7 District property bounded by** East 125th Street/Dr. Martin Luther King Boulevard, the westerly boundary line of the Metro North Rail Road right-of-way, a line midway between East 124th Street and East 125th Street/Dr. Martin Luther King Boulevard, and a line 215 feet westerly of Park Avenue;

as shown on a diagram (for illustrative purposes only) dated May 10, 2004 and subject to the conditions of CEQR Declaration E-133.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 11

CD 11

C 040444 ZSM

IN THE MATTER OF an application submitted by 1800 Park Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-721(a) of the Zoning Resolution **to modify the height and setback regulations of Section 33-43 (Maximum Height of Walls and Required Setbacks) and the tower regulations of Section 33-45 (Tower Regulations) of the Zoning Resolution to facilitate the development of a 42-story mixed use building on a zoning lot located at 1800 Park Avenue** (Block 1749, Lots 24, 31, 33, 35, 40 and 43), in a C4-7** District.

** Note: The site is proposed to be rezoned from R7-2, R7-2/C1-4 and C4-4 Districts to a C4-7 District under a related application (C 040443 ZMM) for a change in the Zoning Map.

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.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 12

CD 11

C 040445 ZSM

IN THE MATTER OF an application submitted by 1800 Park Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-52 of the Zoning Resolution **to allow an attended public parking garage with a maximum capacity of 369 spaces on portions of the ground floor, cellar 1 level, cellar 2 level and cellar 3 level of a proposed 42-story mixed use building on a zoning lot located at 1800 Park Avenue** (Block 1749, Lots 24, 31, 33, 35, 40 and 43), in a C4-7** District.

** Note: The site is proposed to be rezoned from R7-2, R7-2/C1-4 and C4-4 Districts to a C4-7 District under a related application (C 040443 ZMM) for a change in the Zoning Map.

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.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 13

CASSIOPEIA APARTMENTS

CD 10

C 040476 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 246 West 116th Street (Block 1831, Lots 56) 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 seven-story building tentatively known as Cassiopeia Apartments, with approximately 32 units for low-income persons and one unit for a superintendent, to be developed under the New York State Housing Trust Fund Program.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

BOROUGH OF STATEN ISLAND

No. 14

GREAT KILLS REZONING

CD 3

C 040189 ZMR

IN THE MATTER OF an application submitted by Gifford's Civic Association and Councilman Andrew J. Lanza pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section Nos. 26d and 33c:**

- 1. changing from an R3-1 District to an R2 District property bounded by:**
 - a. Arthur Kill Road, Miles Avenue, Daleham Street, and Giffords Lane;
 - b. Arthur Kill Road, Corbin Avenue, a line 100 feet southeasterly of Daleham Street, and Greaves Avenue;
 - c. Barlow Avenue, Greaves Avenue, Jumel Street, a line 100 feet northeasterly of Miles Avenue, Kennington Street, Miles Avenue, Leverett Avenue, Greaves Avenue, the southerly boundary line of the New York City Railroad Right-of-Way (leased by Staten Island Rapid Transit (SIRT)), Giffords Lane, Woodland Avenue, a line midway between Brookfield Avenue and Colon Avenue, Leverett Avenue, Colon Avenue, a line 165 feet northerly of Woodland Avenue, Stieg Avenue, the westerly centerline prolongation of Howton Avenue, and Giffords Lane; and
 - d. the southwesterly centerline prolongation of Hereford Street, Giffords Lane, Barlow Avenue, Elverton Avenue, Arkansas Avenue, and Pemberton Avenue;
- 2. changing from an R3-1 District to an R3X District property bounded by** Nahant Street, Corbin Avenue, a line 200 feet southeasterly of Dewey Avenue, and Greaves Avenue;
- 3. changing from an R3-1 District to an R3A District property bounded by** Woodland Avenue, Giffords Lane, a line 100 feet southerly of Margaret Street and its westerly prolongation, a line midway between Brookfield Avenue and Colon Avenue, and Genesee Avenue;

4. **changing from an R3-2 District to an R2 District property bounded by** Arthur Kill Road, a line 135 feet northeasterly of Corbin Avenue, the northeasterly centerline prolongation of Fairfield Street, and Corbin Avenue;
5. **changing from an R3-2 District to an R3A District property bounded by:**
 - a. the northeasterly centerline prolongation of Fairfield Street, a southwesterly boundary line of United Hebrew Cemetery, a southwesterly boundary line of Ocean View Cemetery, Country Woods Lane and its northeasterly centerline prolongation, and Corbin Avenue; and
 - b. a line 100 feet southerly of Margaret Street and its westerly prolongation, Giffords Lane, Baltimore Street, Lamoka Avenue, and a line midway between Brookfield Avenue and Colon Avenue;

within the Special South Richmond Development District, as shown on a diagram (for illustrative purposes only) dated June 7, 2004.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

No. 15

SOUTHERN GREAT KILLS REZONING

CD 3

C 040206 ZMR

IN THE MATTER OF an application submitted by Councilman Andrew J. Lanza pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 33c:**

1. **changing from an R3A District to an R1-2 District property bounded by** Clinton Road and its southwesterly centerline prolongation, Ramble Road, Dent Road, Highland Road, Ocean Road, Great Kills Road, Cottage Avenue, Hillside Terrace, Durant Avenue, a line 160 feet southwesterly of Hillside Terrace, Grandview Terrace, a line 250 feet southwesterly of Hillside Terrace, Rustic Place, and Cleveland Avenue;

2. changing from an R3A District to an R3X District property bounded by:

- a. Amboy Road, Fieldway Avenue, Ocean Road and its southwesterly center line prolongation, Highland Road, Dent Road, Ramble Road, Clinton Road and its southwesterly centerline prolongation, Cleveland Avenue, a line 125 feet northwesterly of Rustic Place, Nelson Avenue, Locust Place, and Hillside Terrace; and
- b. Rustic Place, a line 250 feet southwesterly of Hillside Terrace, Grandview Terrace, Cleveland Avenue, Monticello Terrace, Nelson Avenue, a line 150 feet southeasterly of Rustic Place, and Cleveland Avenue; and

3. changing from an R3-1 District to an R3X District property bounded by Amboy Road, Hillside Terrace, Locust Place, and Brown Avenue;

within the Special South Richmond Development District, as shown on a diagram (for illustrative purposes only) dated June 7, 2004.

Resolution for adoption scheduling July 28, 2004 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF MANHATTAN

No. 16

EAST 4TH STREET CULTURAL DISTRICT

CD 3

C 040314 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 59-61 East 4th Street (Block 460, Lot 56), 62-72 East 4th Street (Block 459, Lots 17-19, 21-22) and 19 East 3rd Street (Block 459, Lot 40), Sites 4 and 5 within the Cooper Square Urban Renewal Area, as an Urban Development Action Area;
 - 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 sponsor to be selected by HPD;

to facilitate the rehabilitation and disposition of six buildings and a vacant lot, tentatively known as the East 4th Street Cultural District, to preserve and promote the cultural activity of East 4th Street.

(On June 23, 2004, Cal. No. 5, the Commission scheduled July 14, 2004 for a public hearing which has been duly advertised.)

Close the hearing.

No. 17

MAIN STREET ROOSEVELT ISLAND

CD 8

C 030284 MMM

PUBLIC HEARING:

IN THE MATTER OF an application, submitted by Hudson Related Associates, LLC, 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 establishment of a southerly extension of Main Street;
- the elimination, discontinuance and closing of a portion of Main Street at the existing southerly terminus;
- adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 8, Borough of Manhattan, in accordance with Map No. 30212 dated March 4, 2004 and signed by the Borough President.

(On June 23, 2004, Cal. No. 9, the Commission scheduled July 14, 2004 for a public hearing which has been duly advertised.)

Close the hearing.

CITYWIDE

No. 18

LOWER DENSITY GROWTH MANAGEMENT

Citywide

N 040414 ZRY

PUBLIC HEARING:

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 to the Zoning Resolution** of the City of New York to establish a lower density growth management area, 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**

* * *

**11-40
EXCEPTIONS, VARIANCES, AUTHORIZATIONS OR PERMITS**

* * *

**11-44
Authorizations or Permits in Lower Density Growth Management Areas**

The provisions of this Section 11-44 shall apply within #lower density growth management areas#.

- (a) Notwithstanding the provisions of N040414ZRY and subject to the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) with respect to amendments of this Resolution other than N040414ZRY, Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and Section 11-43 (Renewal of Authorization or Special Permit), the following provisions shall apply with respect to special permits and authorizations granted by the City Planning Commission or for which certification or referral for public review has been made prior to (effective date of amendment):
1. Any #development# or #enlargement#, including minor modifications thereto, granted a special permit or authorization by the City Planning Commission and, where applicable, the City Council, prior to (the effective date of amendment) may be #developed# or #enlarged# pursuant to the terms of such permit or authorization and, to the extent not modified under the terms of such permit or authorization, in accordance with the regulations in effect at the time such permit or authorization was granted.
 2. Any application for a special permit certified by the Department of City Planning or application for an authorization referred by the Department of City Planning for public review prior to May 24, 2004 may be continued pursuant to the regulations in effect at the time of certification or referral and, if granted by the City Planning Commission, and, where applicable, the City Council, may be #developed# or #enlarged# pursuant to the terms of such permit or authorization, including minor modifications thereto, and, to the extent not modified under the terms of such permit or authorization, in accordance with the regulations in effect at the time such application was certified or referred for public review.
- (b) Notwithstanding the provisions of N040414ZRY, the following provisions shall apply to certain #developments# within the #Special South Richmond Development District#:
1. #Developments#, including minor modifications thereto, within the #Special South Richmond Development District# that contain #designated open space# and a portion of the #waterfront esplanade#, where such #development# is conditioned upon a restrictive declaration that includes a site plan for such #development#, including

provisions for public access to such #designated open space# and #waterfront esplanade#, may be #developed# in accordance with the regulations in effect prior to (effective date of amendment).

2. #Developments# within the #Special South Richmond Development District# accessed by in part by #private roads# and consisting in part of construction within #streets# that are unimproved, and for which a conservation easement has been granted to the City, and for which the Board of Standards and Appeals has granted a permit pursuant to Section 35 of the General City Law, and an application for an authorization for such #development# has been filed pursuant to paragraph (a) of Section 26-27 prior to May 1, 2004, may be #developed# in accordance with the regulations in effect prior to (effective date of amendment).

**12-10
Definitions**

* * *

Floor area

"Floor area" is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of walls separating two #buildings#. In particular, #floor area# includes:

* * *

- (i) floor space used for #accessory# off-street parking spaces provided in any #story# after June 30, 1989:
 - (1) within #detached# or #semi-detached single-# or #two-family residences# in R2X, R3, R4 or R5 Districts, except that in R3, R4A and R4-1 Districts in #lower density growth management areas#, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space and in excess of 500 square feet for two such spaces;
 - (2) within #residential buildings developed# or #enlarged# pursuant to the optional regulations applicable in a #predominantly built-up area#;

- (3) in excess of 100 square feet per required space in individual garages within other residential buildings (attached residential buildings, rowhouses or multiple dwellings) in R3-2, R4 or R5 Districts, except that in R3-2 Districts within lower density growth management areas, floor area shall only include floor space in excess of 300 square feet for one such space and in excess of 500 square feet for two such spaces. However, all of the floor space within any story in individual garages shall be considered floor area where, subsequent to June 7, 1989, the level of any yard except that portion of a yard in front of a garage on the zoning lot is lowered below the lower of:
- (i) curb level; or
 - (ii) grade existing on June 7, 1989.

* * *

However, the floor area of a building shall not include:

* * *

- (6) floor space used for accessory off-street parking spaces provided in any story:
- (i) up to 200 square feet per required space existing on June 30, 1989 within residential buildings in R3, R4 or R5 Districts, except that for detached or semi-detached single- or two-family residences in R3, R4A and R4-1 Districts within lower density growth management areas, floor area shall not include up to 300 square feet for one required space and up to 500 square feet for two required spaces;
 - (ii) up to 100 square feet per required space in individual garages in attached residential buildings, rowhouses or multiple dwellings in R3, R4, or R5 Districts except that in R3-2 Districts within lower density growth management areas, up to 300 square feet for one such space and up to 500 square feet for two such spaces, except for:
 - (1) residential buildings developed or enlarged after June 30, 1989 pursuant to the optional regulations applicable in a predominantly built-up area;

- (2) #residential buildings# where, subsequent to June 7, 1989, the level of any #yard#, except that portion of a #yard# in front of a garage on the #zoning lot# is lowered below the lower of #curb level# or grade existing on June 7, 1989.

* * *

Lower density growth management area

A "lower density growth management area" is any R1, R2, R3, R4A or R4-1 District in the following designated areas, and any #development# accessed by #private roads# in R1 through R5 Districts within such areas:

The Borough of Staten Island

* * *

Private road

Except in #lower density growth management areas#, a private road is a right-of-way, other than a #street#, that provides vehicular access from a #street# to any #dwelling unit# within a #development# where five or more #dwelling units# are within #buildings# or #building segments# that are located wholly beyond 50 feet of a #street line# or #street setback line#.

An individual driveway serving fewer than five parking spaces shall not be considered a #private road#.

In #lower density growth management areas#, a private road is a right-of-way, other than a #street#, that provides vehicular access from a #street# to:

- (a) three or more #buildings# or #building segments# located wholly beyond 50 feet of a #street line# or #street setback line#; or
- (b) one or two #buildings# or #building segments# located wholly beyond 50 feet of a #street line# or #street setback line# that contain five or more #dwelling units#.

* * *

**Chapter 2
Use Regulations**

* * *

**22-40
SUPPLEMENTAL USE REGULATIONS**

* * *

**22-43
Detached and Semi-Detached Two-Family Residences**

~~R3-1 R3A R3X R3~~ R4-1 R4A

In R3A, R3X or R4A Districts, and in R3-2 Districts within #lower density growth management areas#, a #detached two-family residence# shall be designed so that at least 75 percent of the #floor area# of one #dwelling unit# is located directly above or directly below the other, and in R3-1 or R4-1 Districts, a #semi-detached two-family residence# shall be designed so that at least 75 percent of the #floor area# of one #dwelling unit# is located directly above or directly below the other.

The City Planning Commission may, upon application, authorize the waiver of these requirements provided that the Commission finds that:

- (a) the #development# is compatible with the scale and character of the surrounding area; and
- (b) the design of:
 - (1) the #detached building# does not give the appearance of a #semi-detached building#; or
 - (2) the #semi-detached building# does not give the appearance of an #attached building#; and each #dwelling unit# has a perimeter wall with windows facing a #side yard#.

Applications for authorizations shall be referred to the affected Community Board for a period of at least 30 days for comment. The City Planning Commission shall grant in whole or in part or deny the application within 60 days of the completion of the Community Board review period.

* * *

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-00
APPLICABILITY AND GENERAL PURPOSES

* * *

23-012
Lower Density Growth Management Areas

For areas designated as #lower density growth management areas# pursuant to Section 12-10 (DEFINITIONS), the underlying district regulations shall apply to all #residential developments# or #enlargements#. Such regulations are superceded or supplemented as set forth in the following Sections:

- 11-44 Authorizations or Permits in Lower Density Growth Management Areas
- 12-10 (DEFINITIONS) “floor area”; “lower density growth management area”;
and ‘private road”
- 22-43 (Detached and Semi-Detached Two-Family Residences)
- 23-141 (Open space and floor area regulations in R1, R2, R3 R4 or R5 Districts)
- 23-32 (Minimum Lot Area or Lot Width for Residences)
- 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents)
- 23-461 (Side yards for single-or two-family residences)
- 23-462 (Side yards for all other residential buildings)
- 23-533 (Required rear yard equivalents)
- 23-541 (Within 100 feet of corners)
- 23-542 (Along short dimension of block)
- 23-544 (For portions of through lots)
- 23-631 (Height and setback in R1, R2, R3, R4 and R5 Districts)
- 23-711 (Standard minimum distance between buildings)
- 23-88 (Minimum Distance Between Lot Lines and Building Walls in Lower Density
Growth Management Areas)
- 25-22 (Requirements Where Individual parking Facilities Are Provided)
- 25-23 (Requirements Where Group parking Facilities Are Provided)
- 25-621 (Location of parking spaces in certain districts)

- 25-622 (Location of parking spaces in lower density growth management areas)
- 25-631 (Location and width of curb cuts in certain districts)
- 25-632 (Driveway and curb cut regulations in lower density growth management areas)
- 25-64 (Restrictions on Use of Open Space for Parking)
- 25-66 (Screening)
- 26-30 (SPECIAL REGULATIONS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS), inclusive
- 26-40 (STREET TREE PLANTING REQUIREMENTS FOR LOWER DENSITY GROWTH MANAGEMENT AREAS)
- 105-702 (Applicability of lower density growth management area regulations)
- 119-05 (Applicability of Parking Location Regulations)
- 119-214 (Tier II requirements for driveways, private roads and location of parking spaces)

* * *

**23-10
OPEN SPACE AND FLOOR AREA REGULATIONS**

* * *

**23-141
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*
R3-1			
R3-2**	35	65	.50*
R4**	45	55	.75*
R4B	55	45	.90
R5**	55	45	1.25
R5B	55	45	1.35

~~*—the #floor area ratio# in this table may be increased by up to 20 percent provided that any such increase in #floor area# is located under a sloping roof which rises at least 3 and 1/2 inches in vertical distance for each foot of horizontal distance and the structural headroom of such #floor area# is between 5 and 8 feet.~~

~~**—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 Section 23-12 (f) (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots).~~

In addition, the following rules shall apply:

- (1) In R2X, R3, R4, R4A and R4-1 Districts, except R3, R4A and R4-1 Districts within #lower density growth management areas#, the #floor area ratio# in this table may be increased by up to 20 percent provided that any such increase in #floor area# is located under a sloping roof which rises at least 3 and 1/2 inches in vertical distance for each foot of horizontal distance and the structural headroom of such #floor area# is between 5 and 8 feet.
- (2) In R3, R4A and R4-1 Districts in #lower density growth management areas#, the #floor area ratio# in this table may be increased by up to 20 percent provided that any such increase in #floor area# is located in

a portion of a #building# covered by a sloping roof that rises at least seven inches in vertical distance for each foot of horizontal distance.

- (3) In R3-2, R4 and R5 Districts, except R4A, R4B, R4-1 and R5B 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 Section 23-12 (f) (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots).
- (4) In R3, R4A and R4-1 Districts within #lower density growth management areas#, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence# may be increased by up to 300 square feet for one parking space and up to 500 square feet for two parking spaces provided such spaces are in a garage located in the #side lot ribbon# pursuant to Section 23-12 (f) (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots).

* * *

**23-30
LOT AREA AND LOT WIDTH REGULATIONS**

* * *

**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
	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_*
	2,375	25	R3A_*_R4B R4-1*_R5B
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#:

* * *

~~Parking spaces, off-street, open, #accessory#, except such spaces located within a #front yard#, that are:~~

- ~~(1) #accessory# to any #residential use# in R4B or R5B Districts;~~
- ~~(2) #accessory# to a #residential building# where no more than two parking spaces are required in R1 or R2 Districts, except R2X Districts, or in R2X, R3, R4 or R5 Districts, unless such spaces are located in a permitted #side lot ribbon#;~~
- ~~(3) #accessory# to a #residential building# where more than two parking spaces are required in R3, R4 or R5 Districts unless such spaces or~~
- ~~(4) not screened from #zoning lots# situated across the #street# in the manner specified in Section 25-66 (Screening);~~

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 R4B or R5B Districts, 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#.

Steps and ramps for access by the handicapped;

* * *

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 following table, 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 YARDS

Number Re-quired	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 R3-1 R3-2 R4-R10
2	10	2*	R2X R3X R4A
1	8	0*	R3A R4-1 R4B R5B

* * *

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 following table, 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

* * *

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 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.

* * *

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 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.

Any such #rear yard equivalent# shall be unobstructed from its lowest level to the sky, except as provided in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

**23-54
Other Special Provisions for Rear Yards**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the #rear yard# requirements set forth in Section 23-47 (Minimum Required Rear Yards) shall be modified as set forth in 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#, 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#, 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

* * *

23-631

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

* * *

R2X R3 R4 R4A R4-1

- (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) and (h) of this Section.

For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#. Furthermore, for the purposes of this Section, #building segments# may be considered to be

separate #buildings# and abutting #semi-detached buildings# may be considered to be one #building#.

The perimeter walls of a #building or other structure# are those portions of the outermost walls enclosing the #floor area# within a #building or other structure# at any level and height is measured from the #base plane#. Perimeter walls are subject to setback regulations at a maximum height above the #base plane# of:

21 feet	R2X R3 R4A
25 feet	R4 R4-1
<u>26 feet*</u>	<u>R3 R4A R4-1</u> <u>within #lower density growth management</u> <u>areas#</u>

* In R3, R4A and R4-1 Districts within #lower density growth management areas#, where a #base plane# is established at a #base flood elevation# higher than grade, the maximum perimeter wall height shall be 21 feet above such base flood elevation or 26 feet above grade, whichever is more.

* * *

23-70
MINIMUM REQUIRED DISTANCE BETWEEN TWO OR MORE BUILDINGS ON A SINGLE ZONING LOT

* * *

23-711
Standard minimum distance between buildings

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the required minimum distance between a #residential building# and any other #building# on the same #zoning lot# shall vary according to the

height of such #buildings# and the presence of #legally required windows# in facing building walls. Such minimum distance shall be, in feet, as indicated in the following table:

Wall Condition*	Maximum Building Height above #Base Plan- e# or #Curb Level#, as Applicable (in feet)				
	25	35	40	50	Over 50
Wall to Wall	20	25	30	35	40
Wall to Window	30	35	40	45	50
Window to Window	40	45	50	55	60

* Wall condition shall be defined as:

"wall to wall" is a condition where two walls of #buildings# face each other, and neither wall contains a #legally required window#;

"wall to window" is a condition where two walls of #buildings# face each other, and one wall contains a #legally required window# and the other wall does not contain a #legally required window#;

"window to window" is a condition where two walls of #buildings# face each other, and both walls contain a #legally required window#.

In addition, the following rules shall apply:

- (a) the minimum distances set forth in this table shall be provided at the closest point between #buildings#;
- (b) any portion of a #building# that qualifies as a #building segment# may be treated as a separate #building# for the purposes of determining the minimum distance required between such #building segment# and another #building# or #building segment#;

- (c) where #buildings# of different heights face each other, the average of the heights of such #buildings# shall determine the minimum distance required between them;
- (d) projections having a maximum height of 25 feet above adjoining grade, a maximum depth of five feet, and an aggregate width not exceeding 25 percent of the building wall from which they project, may penetrate the minimum spacing requirements; and
- (e) portions of #buildings# above 125 feet that exceed, in aggregate, a #lot coverage# of 40 percent, shall be spaced at least 80 feet apart.
- (f) in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of this paragraph, (f) shall apply to any #zoning lot# with a #building# located behind another #building# so that lines drawn perpendicular to the #street line# intersect both such #buildings#, and where the #private road# provisions do not apply. For the purposes of this paragraph, a “front building” shall be any #building# with no #building# located between it and the #street line# so that lines drawn perpendicular to the #street line# do not intersect any other #building#, and a “rear building” shall be any other #building# on the #zoning lot#. The minimum distances set forth in the table above shall apply, except that a minimum distance of 45 feet shall be provided between any rear building and any front building.

* * *

23-88

Minimum Distance between Lot Lines and Building Walls in Lower Density Growth Management Areas

- (a) On #corner lots# in #lower density growth management areas#, for #zoning lots# with multiple #buildings# or #building segments#, an open area at least 30 feet in depth shall be provided between the #side lot line# and the #rear wall line# of any #building# or #building segment# that does not front upon two #streets# in its entirety.
- (b) In R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of this paragraph, (b), shall apply to any #zoning lot# not accessed by #private roads# where a #residential building# is located wholly beyond 50 feet of a #street line# and behind another #residential building# fronting upon the same #street line# so that lines drawn perpen

of dicular to the #street line# intersect both such #buildings#. For the purposes this paragraph, a “front building” shall be any #building# with no #building# located between it and the #street line# so that lines drawn perpendicular to the #street line# do not intersect any other #building#, and a “rear building” shall be any other #building# on the #zoning lot#. An open area with a minimum width of 15 feet shall be provided between any such rear building and the #side lot line# of an adjoining #zoning lot#, and an open area with a minimum width of 30 feet shall be provided between any such rear building and the #rear lot line# of an adjoining #zoning lot#. The permitted obstruction provisions of Sections 23-44 for #side yards# shall apply where such open areas adjoin a #side lot line#, and the permitted obstruction provisions of Section 23-44 for #rear yards# shall apply where such open areas adjoin a #rear lot line#.

* * *

Chapter 5
Accessory Off-Street Parking and Loading Regulations

* * *

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

* * *

25-22
Requirements Where Individual Parking Facilities Are Provided

(a) R1 R2 R3 R4 R5 R6 R7-1

In the districts indicated, except in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, where #group parking facilities# are not provided, one #accessory# off-street parking space, open or enclosed, shall be provided for each #dwelling unit#, except in the case of two- or three-family #residential buildings# in a #predominantly built-up area#, two #accessory# parking spaces per #building# shall be provided.

(b) R1 R2 R3 R4A R4-1

In the districts indicated, within #lower density growth management areas#, where #group parking facilities are not provided, two #accessory# off-street

parking spaces shall be provided for each #single-family residence# and three #accessory# off-street parking spaces shall be provided for each #two-family residence#. For all other #residences#, #accessory# off-street parking space shall be provided for at least 150 percent of the total number of #dwelling units# within such #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 #Dwell- ing Units#	District
100*	R1 R2 R3 <u>R4A R4-1</u>
<u>100</u>	<u>R4 R4B</u>
85	R5
70	R6
66	R5B
60	R7-1
50** <u></u>	R6A R6B R7-2 R7A R7B R7X R8B*** <u></u>
40	R8 R9 R10

* In R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, two #accessory# off-street parking spaces shall be provided for each #single-family residence# and three #accessory# off-street parking spaces shall be provided for each #two-family residence#. For all other #residences#, #accessory# off-street parking space shall be provided for at least 150 percent of the total number of #dwelling units# within such #residences#.

** 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#.

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

* * *

**25-60
ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES**

* * *

**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).

* * *

**25-622
Location of parking spaces in lower density growth management areas**

The provisions of this Section 25-622 shall apply in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#.

Required #accessory# off-street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# or prolongation thereof of the #building#.

For #zoning lots# with less than 33 feet of #street# frontage, access to all parking spaces through a #front yard# shall be only through a single driveway no more than 10 feet in width.

For #zoning lots# with at least 33 feet of #street# frontage, access to all parking spaces through a #front yard# shall be only through a driveway no more than 20 feet in width.

No more than two unenclosed required parking spaces may be located in tandem (one behind the other), except that no tandem parking shall be permitted in any #group parking facility# with more than four spaces.

* * *

25-631

Location and width of curb cuts in certain districts

All curb cuts shall comply with the provisions of this Section, except that in #lower density growth management areas#, the provisions of Section 25-632 shall apply.

* * *

25-632

Driveway, curb cut and screening regulations in lower density growth management areas

The provisions of this Section shall apply within all #lower density growth management areas#, except that these provisions shall not apply to any #zoning lot# occupied by only one #single-family detached residence# with at least 60 feet of frontage along one #street# and, for such residences on #corner lots#, with at least 60 feet of frontage along two #streets#.

- (a) For #zoning lots# with less than 33 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of ten feet, shall be permitted.

- (b) For #zoning lots# with at least 33 feet of frontage along a #street#, multiple curb cuts are permitted. The maximum width of a curb cut serving a driveway 12 feet or less in width shall be 10 feet, including splays. Driveways wider than 12 feet at any point within a #front yard# shall be accessed by a single curb cut with a minimum width of 17 feet and a maximum width, including splays, of 18 feet.
- (e) The center line of each curb cut shall be coincident with the centerline of the driveway that it serves;
- (f) All driveways shall be located at least 13 feet from any other driveway on the same or adjoining #zoning lots#. However, driveways may be paired with other driveways on adjoining #zoning lots# provided the aggregate width of such paired driveways, including any space between them, does not exceed 20 feet.
- (g) All #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.
- (h) The requirements of paragraphs (f) and (g) of this Section may be waived where the Commissioner of Buildings certifies that, due to the location of driveways and curb cuts on adjacent #zoning lots#, there is no way to locate the driveways and curb cuts in compliance with this requirement of this Section, and that at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#;
- (i) The maximum grade of a driveway shall not exceed 11 percent.
- (j) For multiple #buildings# on a single #zoning lot#, access to all parking spaces shall be provided entirely on the same #zoning lot#.

25-632 25-633

Prohibition of curb cuts in certain districts

* * *

25-64

Restrictions on Use of Required Open Space for Parking

Restrictions on the use of open space for parking and driveways are set forth in this Section. For #zoning lots# in #lower density growth management areas#, the provisions of paragraph (b) shall apply.

- (a) In accordance with the provisions of Section 23-12 (Permitted Obstructions in Open Space), driveways, private streets, open #accessory# off-street parking spaces, or open #accessory# off-street loading berths may not use more of the required #open space# on any #zoning lot# than the percent set forth in the following table:

Percent	District
50	R1 R2 R3 R6 R7 R8 R9 R10
66	R4 R5

- (b) In #lower density growth management areas#, the following regulations shall apply:

- (1) Driveways, #private roads# and open #accessory# off-street parking spaces may occupy no more than 50 percent of the #lot area# not covered by #residential buildings# in R1, R2 and R3 Districts, occupy no more than 66 percent of the #lot area# not covered by #residential buildings# in R4 and R5 Districts, and
- and may
- by
- (2) The area within 30 feet and perpendicular to the #rear wall line# of any #building# or #building segment# that does not front upon two #streets# in its entirety shall not be occupied by driveways
- or off-street
- any
- detached#
- parking spaces, except that this provision shall not apply to #zoning lot# occupied by only one #single# or #two-family or #semi-detached residence#.

* * *

**25-66
Screening**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, except where such districts are located in #lower density growth management areas#, all open off-street parking areas or groups of individual garages with 10 spaces or more, which are located either at natural grade or on a roof, shall be screened from all adjoining #zoning lots#, including such #zoning lots# situated across a #street#, by either:

(a)(1) a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or

(b)(2) a wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

In addition, such screening shall be maintained in good condition at all times; (c), may be interrupted by normal entrances or exits; and (d) shall have no signs hung or attached thereto other than those permitted in Section 22-323 (Signs for parking areas).

(b) In lower density growth management areas, all open parking areas with five or more spaces shall be screened from adjoining zoning lots by a landscaped strip at least four feet wide densely planted with evergreen shrubs at least four feet high at time of planting, and of a type that may be expected to form a year round dense screen six feet high within three years. Such screening shall be maintained in good condition at all times.

* * *

**Chapter 6
Special Urban Design Guidelines - Streetscape
Special Requirements for Developments in R9 and R10 Districts, and
~~Special Requirements for Developments with Private Roads~~, and Street Tree Planting**

**26-00
Applicability of this Chapter**

The regulations of this Chapter shall apply to:

(a) #developments# in R9 and R10 Districts, as set forth in Section 26-10 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS IN R9 AND R10 DISTRICTS). However, the provisions of Section 26-10 shall not apply within any Special

Purpose District or to any #building developed# or #enlarged# pursuant to the Quality Housing Program;

- (b) #developments# in R3, R4 and R5 Districts accessed by #private roads#, as set forth in Section 26-20 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS), except where such #developments#:
 - (1) consist entirely of #single-family detached residences#; or
 - (2) where such #developments# are accessed by #private roads# that existed on February 6, 2002; or
 - (3) are located within #lower density growth management areas#, in which case the provisions of paragraph (c) of this Section shall apply;
- (c) #developments# in #lower density growth management areas# accessed by #private roads#, as set forth in Section 26-30.(SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS , and
- (d) #developments# in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, as set forth in Section 26-40 (SPECIAL REQUIREMENTS FOR STREET TREE PLANTING)

* * *

26-30
SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS

For all #developments# accessed by #private roads# in #lower density growth management areas#, the provisions of Section 26-20 through 26-27, inclusive, shall apply. In addition, such regulations are supplemented or superceded in accordance with the provisions of this Section.

26-31
Yards

For the purposes of this Section, a #private road# shall be considered to be a #street#, and a line seven feet from and parallel to the required curb of the #private road# shall be considered to be a #street line#, and the applicable #yard# regulations of Section 23-40, inclusive, and 23-50, inclusive, shall be applied accordingly. However, no #yard# shall be required along that side of a #private road#, or portion thereof, that does not have a building wall facing it. Furthermore, where a #building# on a #through lot# fronts upon a #street# and a #private road#, one #front yard# shall have a depth of at least 30 feet. Where such 30 foot #front yard# adjoins a #street#, such #yard# shall include a landscaped strip at least eight feet wide to screen the #yard# from such #street#, densely planted with evergreen shrubs at least four feet high at time of planting, and of a type expected to form a year round dense screen at least six feet high within three years.

26-32

Minimum Distance Between Walls and Lot Lines

For the purposes of applying the provisions of Section 23-88 (Minimum Distance Between Lot Lines and Building Walls in Lower Density Growth Management Areas), the required curb of the #private road# shall be considered to be a #street line#.

26-33

Entrances, Parking Location and Curb Cuts

The entrances and exits of all #private roads# shall be located not less than 50 feet from the intersection of any two #street lines#.

No required #accessory# off-street parking spaces shall be located between the required curbs of a #private road#, except where such spaces:

- (a) are perpendicular to the road bed, and
- (b) are located on only one side of a #private road# or portion of a #private road#, so that no such spaces are located on opposite sides of the road bed, or within 20 feet of being opposite to one another, and
- (c) are within rows of not more than 10 adjacent spaces. Such rows shall be separated one from another by a planting strip at least 18 feet deep and 8 feet wide, within which a tree of at least three inch caliper is planted.

All #accessory# off-street parking spaces shall comply with the parking location and curb cut regulations set forth in Section 25-632. For the purposes of applying such regulations, the #private road# shall be considered to be a #street#. In addition, the provisions of Section 25-64 (Restrictions on Use of Open Space) and Section 25-66 (Screening) shall apply.

26-34

Lighting, Signage and Crosswalks

All #private roads# shall be #developed# with street lighting, street signage and crosswalks to minimum Department of Transportation standards for public #streets#.

26-35

Screening

All #private roads# shall be screened from adjoining #zoning lots# by a landscaped strip at least eight feet wide, and all open off-street parking areas with five or more spaces shall be screened from adjoining #zoning lots# by a landscaped strip at least four feet wide. Such landscaped strips shall be densely planted with evergreen shrubs at least four feet high at time of planting, and of a type that may be expected to form a year-round dense screen at least six feet high within three years. Such screening shall be maintained in good condition at all times.

26-40

STREET TREE PLANTING REQUIREMENTS FOR LOWER DENSITY GROWTH MANAGEMENT AREAS

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 Commissioner of Buildings 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.

* * *

Article X - Special Purpose Districts

* * *

**Chapter 5
Special Natural Area District**

* * *

**105-70
SPECIAL REGULATIONS FOR RESIDENTIAL DEVELOPMENT**

In order to carry out the purposes of this Chapter, all #developments# used predominantly for #residential use# shall be subject to the provisions of this Section.

* * *

**105-702
Applicability of lower density growth management area regulations**

The regulations for #developments# or #enlargements# within #lower density growth management areas# are modified as follows:

(a) Parking location regulations

#Accessory# parking spaces shall be permitted within a #front yard#, and

(b) Private road regulations

The provisions of paragraph (b) of Section 119-214 (Tier II requirements for driveways and private roads) shall apply to all #developments# or #enlargements# accessed by #private roads#.

* * *

Article X - Special Purpose Districts

**Chapter 7
Special South Richmond Development District**

* * *

**107-251
Special provisions for arterials**

* * *

(b) Building setback

Along portions of the #arterials#, as indicated on the District Plan, a 20 foot #building# setback shall be provided for the full length of the #front lot line# abutting such #arterial#. The front #building# setback area shall be unobstructed from its lowest level to the sky except as permitted by this Section. ~~The front #building# setback area may be used for #accessory# off-street parking or loading facilities provided the depth of the setback area is at least 35 feet.~~ Where a front #building# setback area at least 35 feet in depth is provided, such setback area may be used for required #accessory# off-street parking or loading facilities. No portion of such required setback area may be used for open storage.

In the case of the service roads of the West Shore Expressway, a 30 foot #building# setback shall be provided and required off-street parking and loading facilities are permitted within such setback. Within the required front #building# setback, there shall be provided one tree of three-inch caliper or more, pre-existing or newly planted, for each 400 square feet of such front open area. The trees shall be selected in accordance with the table set forth in APPENDIX B.

* * *

**107-30
TOPOGRAPHIC AND TREE REGULATIONS**

* * *

**107-321
Tree preservation**

* * *

Replacement trees to be planted shall be of a caliper no less than ~~six~~ three inches and be of a species listed in Appendix B and the sum of whose calipers shall be at least equivalent to that of the trees removed.

* * *

**107-322
Tree requirements**

* * *

(b) Sidewalk trees

All ~~#developments#~~ and ~~#site alterations#~~ in the Special District shall preserve existing trees or provide and maintain trees of three-inch caliper or more at the time of planting along the entire length of the ~~#street#~~ frontage of the ~~#zoning lot#~~. The trees shall be located between the ~~#front lot line#~~ and the curb line, and ~~20~~ 25 feet on center or one tree per ~~20~~ 25 feet of frontage. ~~On private streets, trees shall be planted between the curb and a line parallel to, and 10 feet from, the curb, and 20 feet on center or one tree per 20 feet of frontage.~~ These trees shall be planted in accordance with the requirements of the ~~Department of Transportation and the~~ Department of Parks and Recreation, except where the Commissioner of Buildings determines that such tree planting would be infeasible.

* * *

107-33
Preservation of Natural Features

For any #development# or #enlargement#, the Chairperson of the City Planning Commission may modify the applicable regulations governing the location of required parking spaces, driveways and curb cuts where the Chairperson certifies to the Commissioner of Buildings that such modifications are necessary so as to avoid the destruction of existing topography and trees of six inch caliper or more.

* * *

107-40
SPECIAL USE, BULK AND PARKING REGULATIONS

* * *

107-421
Special provisions for existing detached residences

In R3X Districts, a ~~one-#story# or two-#story detached residence#, existing prior to September 9, 1999,~~ may be enlarged to no more than three ~~#stories#,~~ provided that:

- (a) ~~it is located on a #zoning lot# having a minimum #lot area# of 3,800 square feet and a minimum #lot width# of 40 feet;~~
- (b) ~~such #enlargement# does not exceed a maximum perimeter wall height of 21 feet and a maximum building height of 35 feet; and~~
- (c) ~~such #enlargement# complies with all other applicable district regulations.~~

107-43
Height and Setback Regulations

107-431
Maximum height of perimeter walls

In R3X Districts, a ~~#detached residence#~~ may have a maximum perimeter wall height of 25 feet, provided that:

- (a) ~~it is located on a #zoning lot# having a minimum #lot area# of 5,700 square feet and a minimum #lot width# of 60 feet; and~~
- (b) ~~the #development# complies with all other applicable district height and setback regulations.~~

107-432

Maximum height for buildings or structures**107-43****Maximum Height for Buildings or Structures**

Subject to the requirements for maximum height of walls and required setbacks in Sections 23-63, 24-52 or 33-43, and Section 107-431, no #building# shall exceed a height of four#stories# and no structure other than #buildings# shall exceed a height of 50 feet, unless modified by a special permit of the City Planning Commission, pursuant to Section 107-73 (Exceptions to Height Limit).

* * *

107-45**Required Open Space for Residences**

Any required #open space# on a #zoning lot# which includes #designated open space# is subject to the special regulations set forth in Section 107-22 (Designated Open Space).

~~For #residential developments# which include #designated open space#, not more than 50 percent of the required #open space# not within the #designated open space# may be occupied by driveways, private streets, open #accessory# parking spaces or open #accessory# off-street loading berths, except that a greater percentage may be so occupied if authorized by the City Planning Commission in accordance with the provisions of Section 107-661 (Modification of Permitted Obstructions):~~

For #residential developments# which include #designated open space#, driveways, private streets, open #accessory# parking spaces or open #accessory# off-street loading berths may occupy not more than the area set forth below:

- (a) In R1, R2, R3-1, R3-2 and R4 Districts, not more than 50 percent of the required #open space# not within the #designated open space#.
- (b) In R3A and R3X Districts, not more than 50 percent of the #lot area# not occupied by #residential buildings# and not within the #designated open space#.
- (c) In R4A and R4-1 Districts, not more than 50 percent of the #lot area# not occupied by #residential buildings# and not within the #designated open space#.

However, in all districts, a greater percentage may be so occupied if authorized by the City Planning Commission in accordance with the provisions of Section 107-661 (Modification of Permitted Obstructions).

**107-46
Yard and Court Regulations**

* * *

**107-462
Side yards**

In all districts, except R1 Districts, for all #single-# or #two-family detached# and #semi-detached residences#, the #side yards# shall relate to the height of the #building# as set forth in the following table, except that in R1, R2, R3, R4A and R4-1 Districts, on a #corner lot#, one #side yard# shall be at least 20 feet in width:

REQUIRED SIDE YARDS

District	Type of #Residence#	Height (in #stories#)	Number of #Side Yards# Required	Required Total Width	Required Minimum Width of any #Side Yard#
R2 R3-1	#de-	1-2	2	15	5
R3-2	tached#	3-4	2	20	5
	#de-	1-2	1	9	9
	tached#	3-4	1	15	15
	#semi-detached#				
	#semi-detached#				
R3A R4A	#de-tached#	1-4	2	15	5

R3X	#de-	1-2	2	15	5
	tached#	3	2	20	8
	#de-	4	2	25	10
	tached#				
	#detached				
	#				
R4-1	#de-	1-4	2	15	5
	tached#	1-4	1	9	9
	#semi-de-				
	tached#				

In R1 Districts, the #side yard# regulations of Section 23-46 shall apply.

* * *

**107-60
AUTHORIZATIONS**

* * *

**107-62
Yard and Court Regulations**

For any #development#, the City Planning Commission may authorize variations in the #yard# or #court# regulations as set forth in Section 107-46 (Yard and Court Regulations) or in the location of parking, driveway, or curb cut regulations as set forth in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), Section 25-621 (Location of parking spaces in certain districts), Section 25-622 (Location of parking spaces in lower density growth management areas), and Section 25-631 (Location and width of curb cuts in certain districts) for the purpose of allowing proper arrangements of #buildings#, driveways or required parking areas so as to avoid the destruction of existing topography and individual trees of six inch caliper or more. #Rear yard#, #side yard# or #side yard# equivalent variations shall not be authorized on the periphery of a #development# unless acceptable agreements are jointly submitted for #development# of two or more adjacent #zoning lots# by the owners thereof, incorporating the proposed #yard# or #side yard# equivalent variations along their common #lot lines#.

As a condition for granting such authorizations, the Commission shall find that the proposed placement of #buildings# and arrangement of #open spaces# will not have adverse effects upon light, air and privacy on adjacent #zoning lots#.

* * *

107-465

Rear yards

~~In all underlying districts, except R1 Districts, for permitted #single# or #two family residences#, the required #rear yard# shall have a depth of at least 20 feet and there shall be a 10 foot rear setback above the first #story#~~

* * *

107-467

Modifications of special yard regulations for certain zoning districts

On application, the City Planning Commission may, by certification, modify the underlying #rear yard# regulations and the requirements of Section ~~107-465 (Rear yards)~~ and 107-466 (Special yard regulations for certain zoning lots) and thereby allow #single# or #two-family residences# to be built on the #side# or #rear lot line#, provided the following conditions are satisfied:

* * *

Article XI - Special Purpose Districts

Chapter 9

Special Hillside Preservation District

* * *

119-05

Applicability of Parking Location Regulations

The regulations for #developments# in #lower density growth management areas# are modified to allow required #accessory# parking spaces to be located in a #front yard#.

* * *

119-214**Tier II requirements for driveways and private roads**

The provisions set forth in this Section and Section 119-213 (Grading controls) shall apply to driveways and to #private roads# that provide access to #buildings developed# after December 11, 1999. The provisions for #private roads# set forth in ~~Article H, Chapter 6, Section 26-20, inclusive, shall not apply. However, the provisions for #private roads# in #lower density growth management areas# of Sections 26-31 through 26-34 shall apply.~~

(a) Driveways

- (1) the maximum grade of a driveway shall not exceed 10 percent;
- (2) the paved width of a driveway shall not exceed 18 feet; and
- (3) the maximum length of a driveway from a #private road# or #street# to an #accessory# parking space shall not exceed 80 feet.

(b) #Private roads#

- (1) the maximum grade of a #private road# shall not exceed 10 percent;
- (2) the width of the graded section beyond the curb back or edge of pavement of a #private road# shall extend no more than three feet beyond the curb back or edge of pavement on both the cut and the fill sides of the roadway. If a sidewalk is to be installed parallel to the roadway, the graded section shall be increased by the width of the sidewalk plus no more than one foot beyond the curb back;
- (3) the paved width of a #private road# shall not exceed 30 feet;
- (4) curbs shall be provided along each side of the entire length of a #private road# and #accessory# parking spaces may be located between the required roadbed and curb;
- (5) a curb cut, excluding splays, from a #street# to a #private road# may be as wide as such #private road#;

- (6) curb cuts providing access from #private roads# to parking spaces shall not exceed the width of the driveway served and in no event shall exceed a width of 18 feet, including splays;
 - (7) a minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts;
 - (8) along the entire length of a #private road#, trees shall be provided and maintained at the rate of one tree for every 25 feet of #private road# frontage and shall comply with the requirements set forth in Section 119-216 (Tier II tree planting requirements); and
 - (9) no building permit shall be issued by the Department of Buildings without approval by the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety. Such approval may include the modification of #private road# width as set forth in paragraph (b)(3) of this Section.
- (10) For the purposes of applying the #yard# regulations of Section 26-31, the curb of the #private road# shall be considered to be the #street line#.

The City Planning Commission may by authorization or special permit, as applicable, pursuant to Section 119-30 (SPECIAL REVIEW PROVISIONS), allow modifications to, or waivers of, the requirements of this Section. The approval of the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety shall be a condition precedent for any modification or waiver.

(On June 23, 2004, Cal. No. 10, the Commission scheduled July 14, 2004 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF BROOKLYN

Nos. 19, 20, 21 and 22

WATER STREET DEVELOPMENT

No. 19

CD 2

C 010645 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Two Trees Management Co. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 12d:**

- 1. changing from an M1-2 District to an M1-2/R8 District property bounded by Water Street, a line 230 feet westerly of Main Street, Front Street, and Dock Street; and**
- 2. establishing a Special Mixed Use District (MX-2) within the area bounded by Water Street, a line 230 feet westerly of Main Street, Front Street, and Dock Street;**

as shown on a diagram (for illustrative purposes only) dated March 24, 2004, and subject to the conditions of CEQR Declaration E-132.

(On June 23, 2004, Cal. No. 1, the Commission scheduled July 14, 2004 for a public hearing which has been duly advertised.)

Close the hearing.

No. 20

CD 2

C 010646 ZSK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Two Trees Management Co. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-743(a)(2) of the Zoning Resolution **to allow the location of a proposed 16-story mixed use building without regard for the applicable yard, court and height and setback regulations, on a zoning lot located at 38-64 Water Street a.k.a. 9-43 Dock Street** (Block 36, Lots 1, 3, and 14), within a General Large Scale Development (Block 36, Lots 1, 3, 14, 16, and 116, Block 26, Lots 33 and 38), within M1-2/R8*, M1-2/R8A and M3-1 Districts, partially within a Special Mixed Use District (MX-2)*, partially within the Fulton Ferry Historic District.

* Note: A portion of the site is proposed to be rezoned by changing an M1-2 District to an M1-2/R8 District, and by establishing a Special Mixed Use District (MX-2), under a related application (C 010645 ZMK) for a change in the Zoning Map.

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.

(On June 23, 2004, Cal. No. 2, the Commission scheduled July 14, 2004 for a public hearing which has been duly advertised.)

Close the hearing.

No. 21

CD 2

C 010647 ZSK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Two Trees Management Co. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-512 of the Zoning Resolution **to allow an attended public parking garage with a maximum capacity of 327 spaces on portions of the cellar floor,**

ground floor and second floor, and to allow floor space up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS), in a proposed 16-story mixed use building on a zoning lot located at 38-64 Water Street a.k.a. 9-43 Dock Street (Block 36, Lots 1, 3, and 14), within a General Large Scale Development (Block 36, Lots 1, 3, 14, 16, and 116, Block 26, Lots 33 and 38), within M1-2/R8*, M1-2/R8A and M3-1 Districts, partially within a Special Mixed Use District (MX-2)*, partially within the Fulton Ferry Historic District.

* Note: A portion of the site is proposed to be rezoned by changing an M1-2 District to an M1-2/R8 District, and by establishing a Special Mixed Use District (MX-2), under a related application (C 010645 ZMK) for a change in the Zoning Map.

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.

(On June 23, 2004, Cal. No. 3, the Commission scheduled July 14, 2004 for a public hearing which has been duly advertised.)

Close the hearing.

No. 22

CD 2

C 030492 ZSK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Two Trees Management Co. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-711 of the Zoning Resolution **to modify the use regulations of Section 42-00 (Use Regulations) to allow residential use (Use Group 2 uses) on the 2nd floor, 3rd floor and 4th floor of an existing 4-story building on a zoning lot located at 85 Water Street** (Block 26, Lots 33 and 38), in an M3-1 District, within a General Large Scale Development (Block 36, Lots 1, 3, 14, 16, and 116, Block 26, Lots 33 and 38), within M1-2/R8*, M1-2/R8A and M3-1 Districts, partially within a Special Mixed Use District (MX-2)*, partially within the Fulton Ferry Historic District.

* Note: A portion of the site is proposed to be rezoned by changing an M1-2 District to an M1-2/R8 District, and by establishing a Special Mixed Use District (MX-2), under a related application (C 010645 ZMK) for a change in the Zoning Map.

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.

(On June 23, 2004, Cal. No. 4, the Commission scheduled July 14, 2004 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On Wednesday, July 14, 2001, at 10:00 a.m., in Spector Hall at the Department of City Planning, 22 Reade Street in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an amendment to the zoning map to change an M1-2 zoning district to an M1-2/R8 (MX-2) zoning district, for the western portion of the block bounded by Water, Front, Dock and Main Streets in the DUMBO area of Community District 2, Brooklyn, as well as a Special Permit pursuant to Section 74-743 of the Zoning Resolution for bulk modifications in a General Large-Scale Development, a Special Permit pursuant to Section 74-512 of the Zoning Resolution to permit the construction of a public parking garage in excess of 150 spaces and to allow a portion of the garage floor area to be exempted from the definition of floor area, and a Special Permit pursuant to Section 74-711 of the Zoning Resolution to allow use modifications for a building located within a Historic District.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 01DCP004K.

III. REPORTS

BOROUGH OF BROOKLYN

No. 23

RED HOOK HOMES

CD 6

C 040306 HAK

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 73-77 Wolcott Street and 84 Dikeman Street (Block 576, Lots 15, 22, 23 and 49), 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 two, four-story buildings tentatively known as Red Hook Homes, with approximately 41 units of mixed-income housing, to be developed under the New York State Housing Trust Fund Program.

(On May 26, 2004, Cal. No. 1, the Commission scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 3 the hearing was closed.)

For consideration.

No. 24

OFFICE SPACE

CD 13

N 040487 P XK

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 1209 Surf Avenue (Block 7266, Lot 250). (Community Board 13 Office.)

(On June 10, 2004, the Commission duly advertised June 23, 2004 for a public hearing. On June 23, 2004, Cal. No. 12, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 25

DIVERSITY HOUSES

CD 3

C 040293 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 242-246 East 2nd Street (Block 385, Lots 47-49) and 227-231 East 3rd Street (Block 386, Lots 55-56) as an Urban Development Action Area;
 - 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 the development of two, seven-story buildings tentatively known as Diversity Houses, with approximately 44 units of low-income housing and community facility space, to be developed under the New York State Housing Trust Fund Program.

(On May 26, 2004, Cal. No. 4, the Commission Scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 4, the hearing was closed.)

For consideration.

No. 26

BATTERY PARK CITY/SITE 26

CD 1

N 040396 ZRM

IN THE MATTER OF an application submitted by the Battery Park City Authority pursuant to Section 201 of the New York City Charter; for an amendment of the Zoning Resolution of the City of New York concerning Article VIII, Chapter 4 (Special Battery Park District) relating to Section 84-30 (Zone C) regarding commercial development.

Matter in underline is new, to be added;

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

Matter within *italics* is defined in the Zoning Resolution;

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

84-30

ZONE C

84-31

General Provisions

Zone C is designed to provide for commercial and mixed *use development*, parking and ancillary retail and service *uses* as permitted pursuant to this Chapter. Zone C is divided into two subzones: C-1 and C-2. The location and boundaries of ~~Zone C~~ the C subzones are

shown on ~~Appendices 1 and 2~~ and in Appendix 3 of this Chapter. Except as expressly modified by the provisions of this Chapter, the regulations applying to a C6-6 District shall apply in Zone C of the *Special Battery Park City District*.

84-32

Use Regulations

Use regulations applicable in C6-6 Districts shall apply, subject to the provisions of Sections 84-031 (Special permit uses) and 84-032 (Uses not permitted). In addition, the following *uses* shall be permitted:

Indoor interactive entertainment facilities, with eating and drinking, consisting of mechanical, electronic or computer-supported games provided that a minimum of four square feet of waiting area within the *zoning lot* shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms.

Parking facilities, public, subject to Section 84-341

Physical culture or health establishments

Sporting goods or equipment, sale or rental, including instruction in skiing, sailing or skin diving, as permitted in Use Group 14.

84-33

Bulk Regulations

Bulk regulations otherwise applicable in C6-6 Districts and equivalent *Residential Districts* are hereby modified to the extent set forth in this Section and Sections 84-331 through 84-333, inclusive.

The height and setback regulations otherwise applicable in C6-6 Districts, and equivalent *Residential Districts*, are superseded by the regulations set forth in Section 84-332 (Mandatory front building walls), Section 84-333 (Limited height of buildings), Appendices 3.1 and 3.2.

84-331**Floor area regulations**

Notwithstanding any other provisions of this Resolution, the permitted *floor area ratio* for any *development* or *enlargement* shall not exceed 15.0. The *floor area ratio* of a *residential building* or the *residential* portion of a *mixed building* shall not exceed 10.0. The *floor area* bonus provisions shall not apply.

84-332**Mandatory front building walls**

Where Appendix 3.1 shows a requirement for a *development* to be built to a *mandatory front building wall line*, any such *development* shall have a mandatory front building wall coincident with and constructed along such *mandatory front building wall line* for a minimum of 80 percent of the length of the frontage required to have the mandatory front building wall, which shall rise without setback for a height above *curb level* not less than 110 feet nor more than 140 feet; in subzone C-1, and not less than 60 feet nor more than 140 feet in subzone C-2 except that the mandatory front wall building wall on Murray Street within subzone C-2 may rise without setback to the maximum height established pursuant to section 84-333 and, provided further, that the mandatory front building wall requirement shall not apply to the building frontage along a pedestrian right-of-way in subzone C-2.

However, where Appendix 3.1 shows a mandatory front wall along Murray Street, such front building wall may be located either along the *street line* of Murray Street or at a right angle to North End Avenue within 30 feet from the intersection of Murray Street and North End Avenue.

At 140 feet above *curb level*, the building must setback at least 15 feet from the street line of Vesey Street, North End Avenue and Murray Street; except that there shall be no required setback along Murray Street in subzone C-2. Front wall recesses for architectural and decorative purposes are permitted in mandatory front walls, provided that:

- (a) the aggregate area of front wall recesses below the maximum height of the required front wall is less than 50 percent of the required mandatory front building wall;
- (b) the maximum depth of any recess shall be 20 feet;

- (c) recesses with a depth of less than two feet shall not be considered recesses for the purposes of this Section; and
- (d) recesses shall not be open to the sky.

84-333**Limited height of buildings**

~~Above a height of 140 feet above *curb level*, the *lot coverage* of any development, or portion thereof, may not exceed 40 percent of the total area of Zone C:~~

The maximum height of any *building*, or portion thereof, shall not exceed 400 feet on any portion of ~~Zone~~ subzone C-1 shown as a *special height location* in Appendix 3.2, except that permitted obstructions pursuant to Section 33-42 shall be allowed to penetrate ~~the~~ maximum height limit.

The maximum height of any *building*, or any portion thereof, located within subzone C-2 shall not exceed 180 feet above-*curb level* except that

(a) the maximum height of any *building* or portion thereof shown as a *special height location* shall not exceed the height set forth in Appendix 3.2; and

(b) Sections 23-62 and 33-42 (Permitted Obstructions) are hereby made inapplicable. Any portion of a *building or other structure* that exceeds an established height limit shall be subject to the following provisions:

(1) The following shall not be considered obstructions and may thus penetrate a maximum height limit:

Chimneys or flues, with a total width not exceeding 10 percent of the *aggregate width of street walls of a building* at any level;

Elevator or stair bulkheads, roof water tanks, cooling towers or other *accessory mechanical equipment* (including enclosure walls), provided that either 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 at *curb level*, or the *lot coverage* of all such obstructions does not exceed 20 percent of the *lot coverage* of the *building* and the height of all such obstructions does not exceed 40 feet;

Flagpoles and aerials;

Parapet walls, not more than four feet high;

Wire, chain link or other transparent fences.

(2) The maximum permitted size of enclosure walls surrounding elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment may be increased by authorization of the City Planning Commission, provided the Commission finds that:

(i) the width of such additional enclosure wall at each building face does not exceed 80 percent of the width of the enclosure wall as allowed in paragraph (b)(1) of this Section;

(ii) the additional area of the enclosure wall at each building face is not more than 50 percent of the area permitted as-of-right; and

(iii) the enclosure wall is compatible with the *building* and the urban design goals of the Special District and complements the design by providing a decorative top.

(c) Notwithstanding the above, in no event shall the height of any *building*, including Permitted Obstructions, exceed 800 feet above *curb level*.

84-34

Parking Regulations and Curb Cuts

Notwithstanding any other regulations of this Resolution, off-street parking spaces shall be permitted pursuant to this Section.

84-341

Off-street parking

Accessory off-street parking spaces are not required in Zone C. However, a maximum of 300 public parking spaces are permitted in ~~Zone C~~ subzones C-1 and C-2 combined, provided that:

- (a) such spaces shall be completely enclosed;
- (b) no portion of ~~me~~the parking facility, other than entrances and exits, shall be visible from adjoining *zoning lots*, streets, parks or the *Esplanade*;
3. no exhaust vents shall open onto any *street* or park; and
4. the parking facility shall not be more than 23 feet above *curb level*.

84-342

Off Street loading

The number of required *accessory* loading berths in subzone C-2 may be reduced by up to 50% of the number required pursuant to 36-62 (Required Accessory Off-Street Loading Berths).

84-343

Curb cuts

Curb cuts are permitted only in locations indicated in Appendix 3.5 and along any *street* or right-of-way not shown on Appendix 3.5. The aggregate width of all curb cuts for ~~Zone~~subzone C-1 shall not exceed 50 feet. The aggregate width of all curb cuts for subzone C-2 shall not exceed 60 feet.

Appendix 1 (1/8/97)
Special Battery Park City District
District Plan

Appendix 2.2 (2/27/01)
Special Battery Park City District
Special Height Locations

Appendix 3 (TBD)
Special Battery Park City District
Zone A North Residential Neighborhood and Zone C

Appendix 3.1 (TBD)
Special Battery Park City District
Mandatory Front Building Walls

Appendix 3.2 (TBD)
Special Battery Park City District
Special Height Locations

Appendix 3.4 (TBD)
Special Battery Park City District
Parking Setbacks

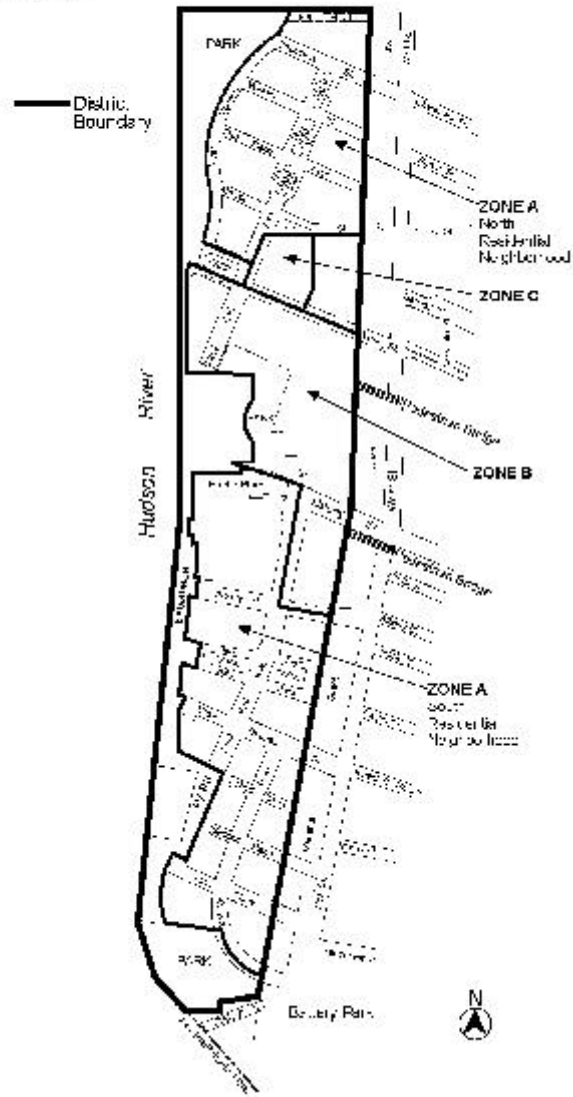
Appendix 3.5 (TBD)
Special Battery Park City District
Curb Cut Locations

Existing

(1/8/97)

Appendix 1

Special Battery Park City District
District Plan

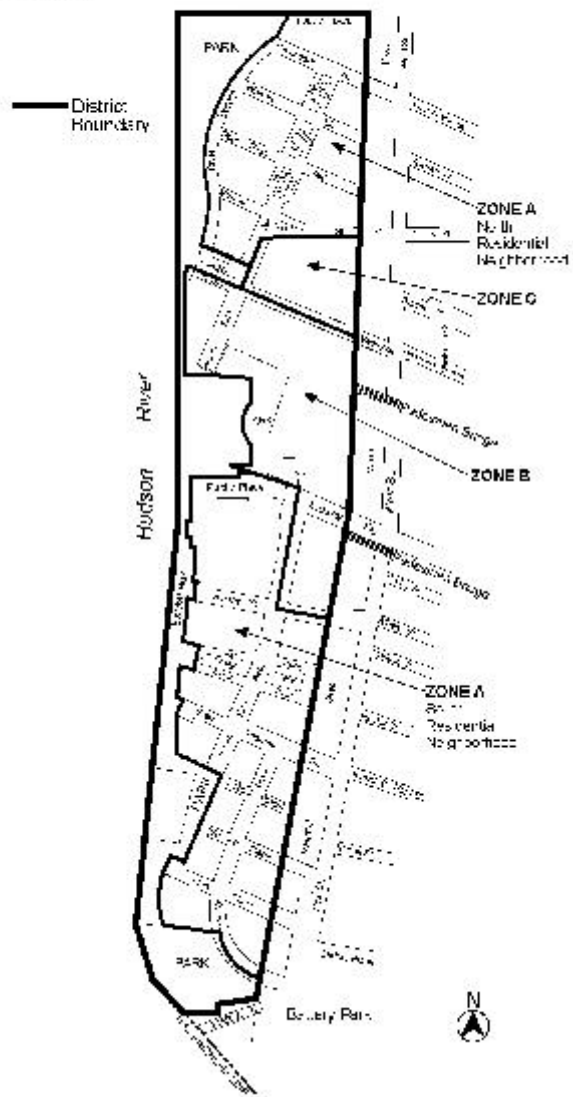


Proposed

T.B.D.

Appendix 1

Special Battery Park City District District Plan



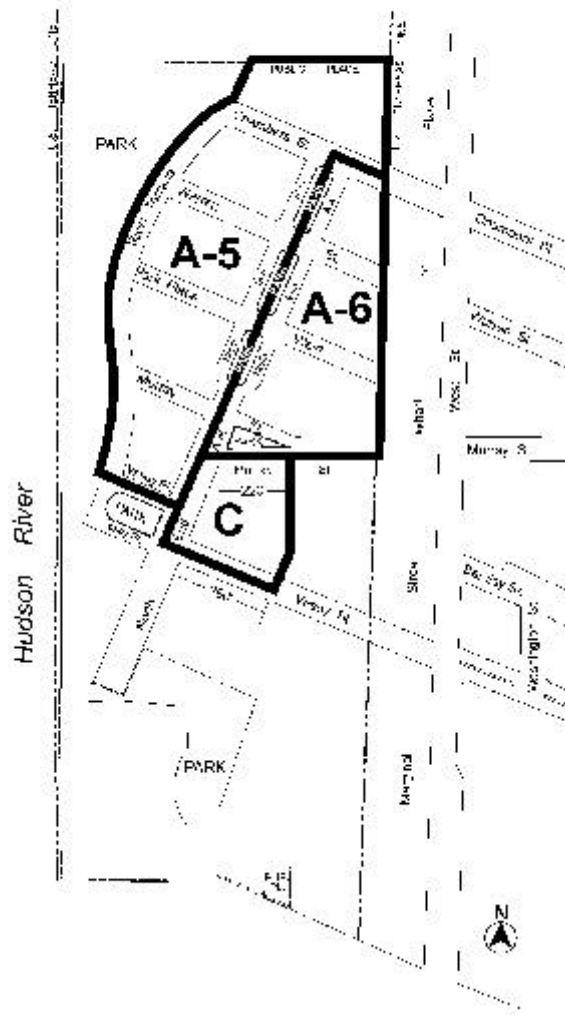
Existing

(1/8/97)

Appendix 3

Special Battery Park City District

Zone A North Residential Neighborhood and Zone C



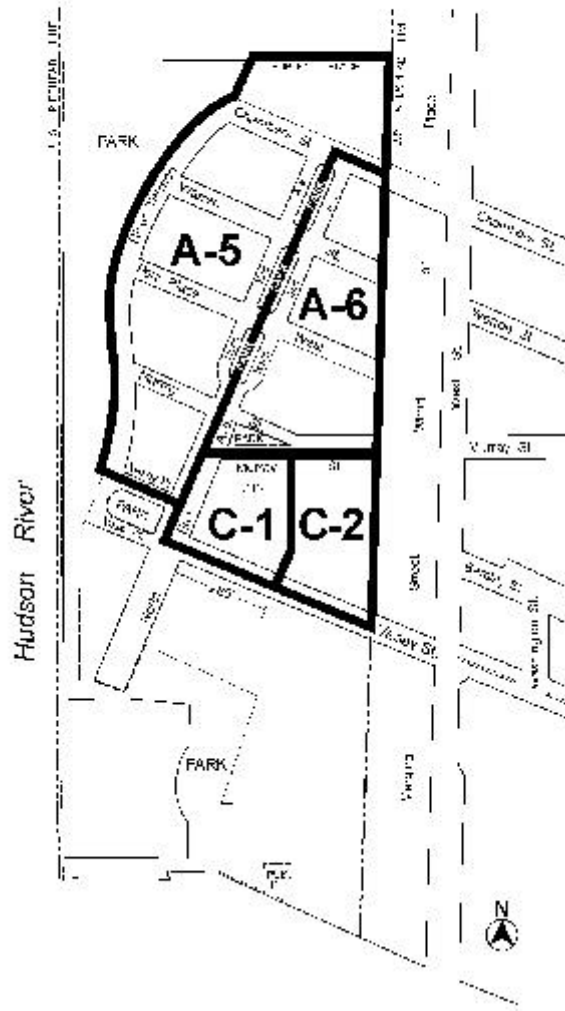
Proposed

T.H.D.

Appendix 3

Special Battery Park City District

Zone A North Residential Neighborhood and Zone C

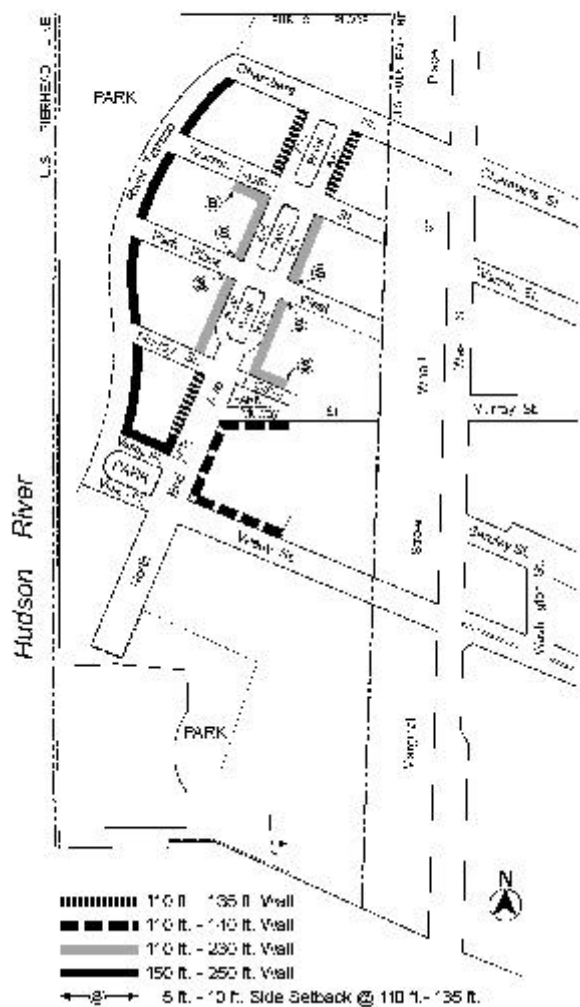


Existing

(2/27/01)

Appendix 3.1

Special Battery Park City District
Mandatory Front Building Walls

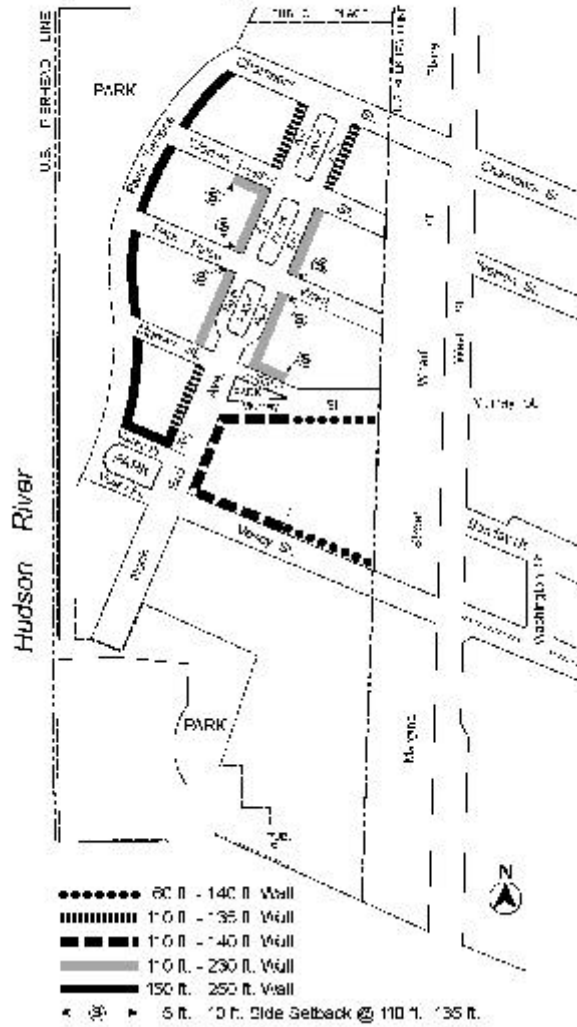


Proposed

T.B.D.

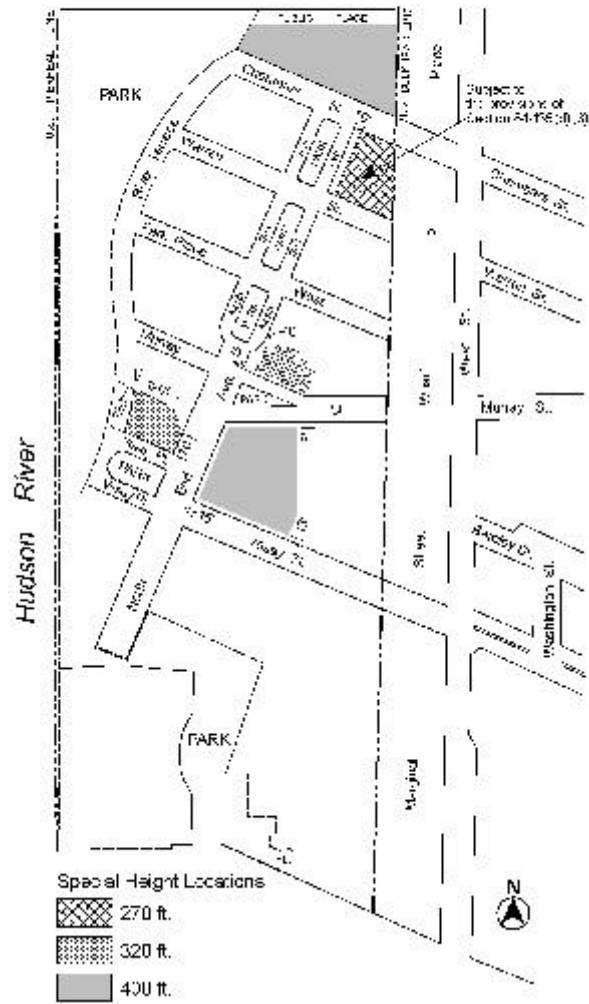
Appendix 3.1

Special Battery Park City District
Mandatory Front Building Walls



Existing
(2/27/01)

Appendix 3.2
Special Battery Park City District
Special Height Locations

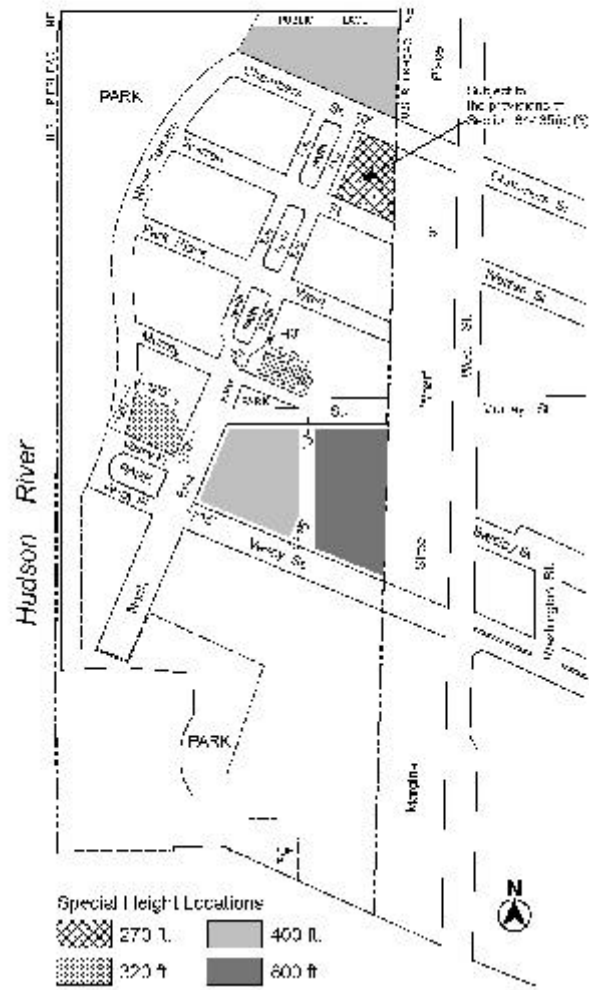


Proposed

F.B.D.

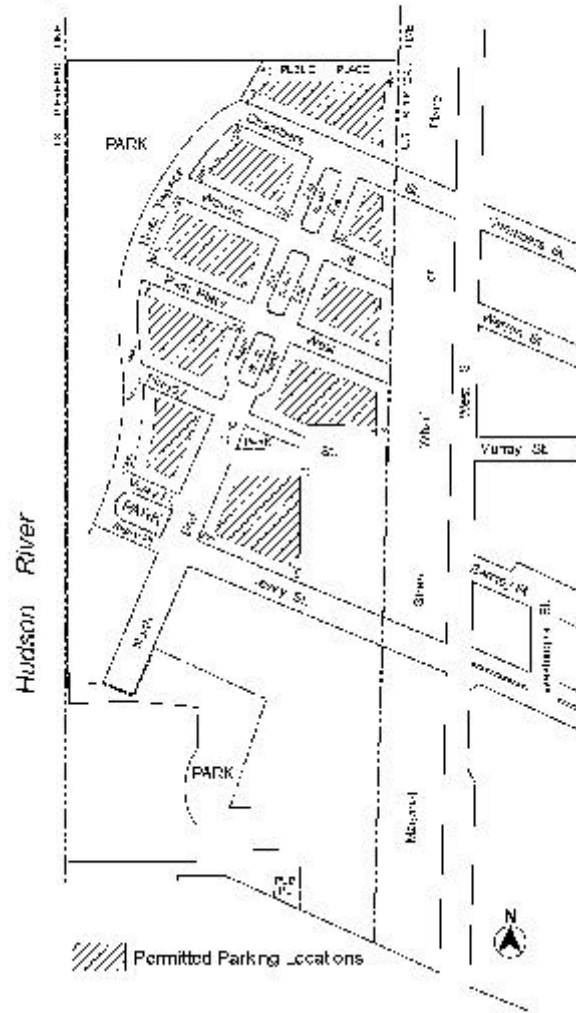
Appendix 3.2

**Special Battery Park City District
Special Height Locations**



Existing
(1897)

Appendix 3.4
Special Battery Park City District
Parking Setbacks

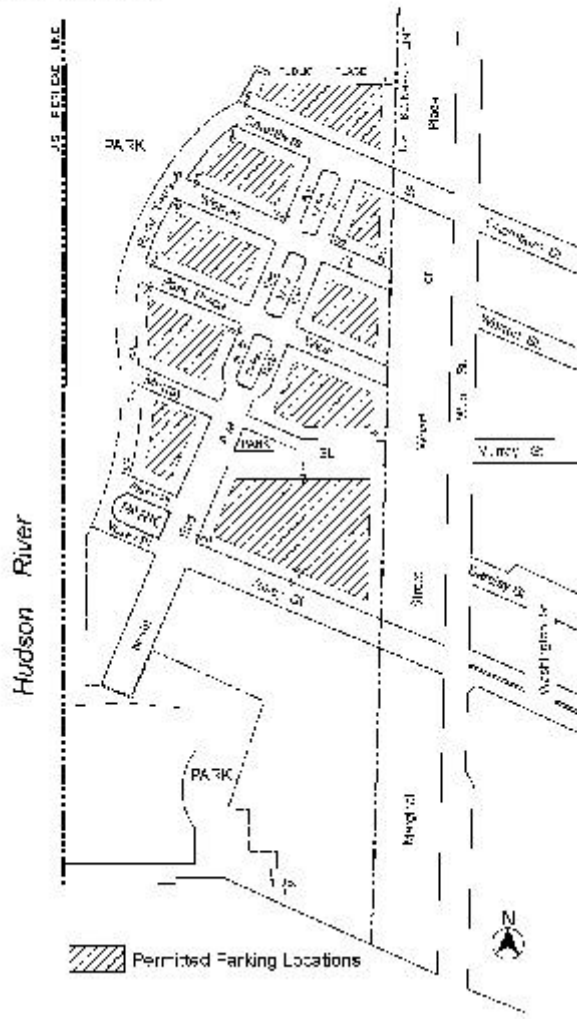


Proposed

T.B.D.

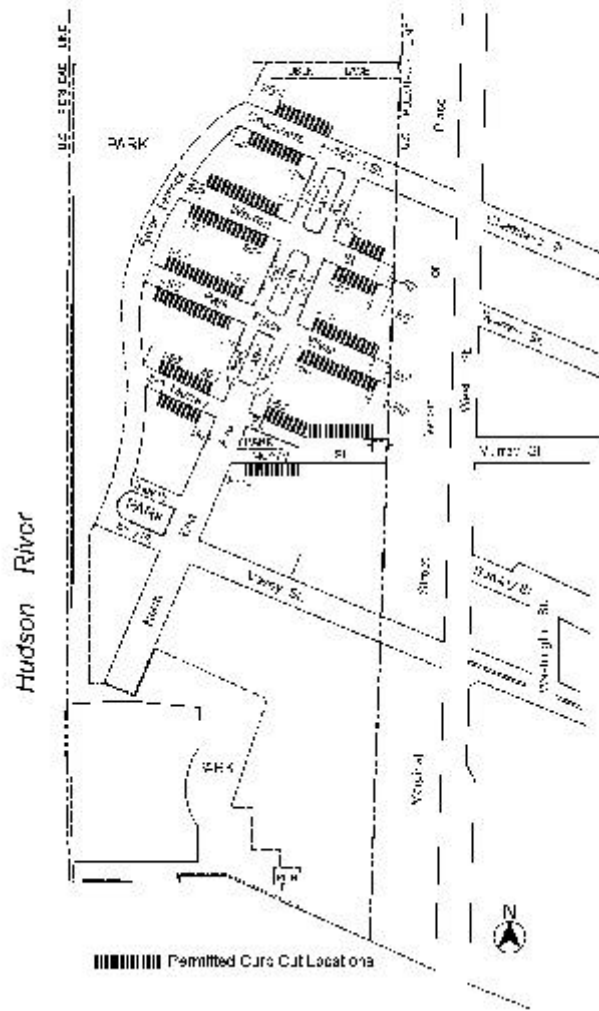
Appendix 3.4

**Special Battery Park City District
Parking Setbacks**

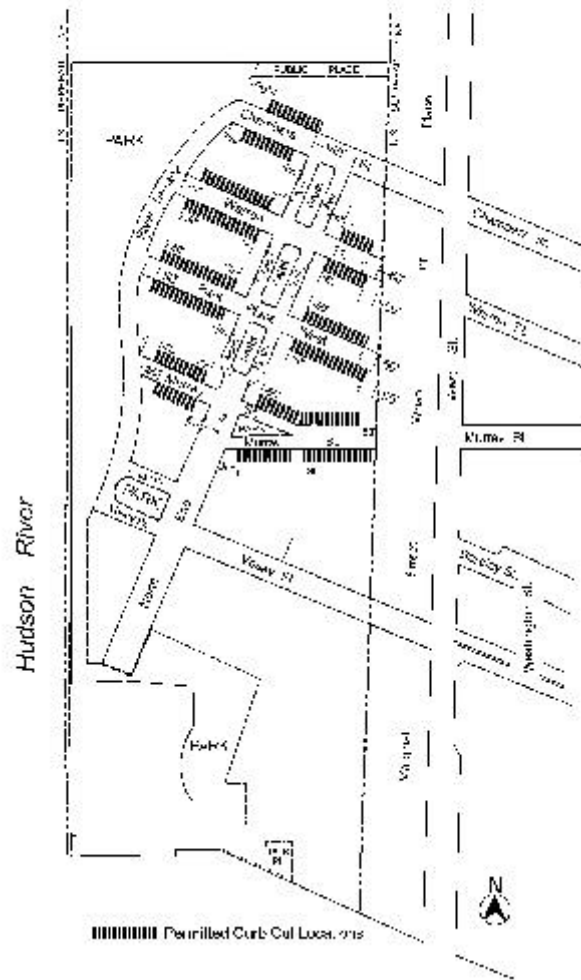


Existing
(1/8/97)

Appendix 3.5
Special Battery Park City District
Curb Cut Locations



Proposed
T.H.D
Appendix 3.5
Special Battery Park City District
Curb Cut Locations



(On May 26, 2004, Cal. No. 5, the Commission scheduled June 9, 2004, for a public hearing. On June 9, 2004, Cal. No. 5, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 27

ANDREWS AVENUE BRIDGE

CD 5

C 020441 MMQ

IN THE MATTER OF an application, submitted by the New York City Department of Transportation 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 establishment of Andrews Avenue between 58th Street and 60th Road;
- the elimination of 58th Street between Arnold Avenue and 60th Street and discontinuance and closing portions thereof;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map No. 4964 dated December 16, 2003 and signed by the Borough President.

(On May 26, 2004, Cal. No. 8, the Commission scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 11, the hearing was closed.)

For consideration.

No. 28

AGENCY OPERATED BOARDING HOME

CD 12

C 040252 PQQ

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 the acquisition of property located at 197-14 119th Avenue (Block 12653, Lot 6), Queens, for continued use as an Agency Operated Boarding Home.

(On May 26, 2004, Cal. No. 9, the Commission scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 12, the hearing was closed.)

For consideration.

No. 29

QUEENS PLAZA/COURT SQUARE BID

CD 1 AND 2

N 040424 BDQ

IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the Queens Plaza/Court Square Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, **concerning the Queens Plaza/Court Square Business Improvement District.**

(On May 26, 2004, Cal. No. 10, the Commission scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 13, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 30

OLMSTED-BEIL HOUSE PARK

CD 3

C 010656 MMR

IN THE MATTER OF an application submitted by the Department of Parks and Recreation (DPR), pursuant to Sections 197-c and 199 of the New York City Charter, for **an amendment to the City Map** involving the establishment of Olmsted-Beil House Park and any **acquisition or disposition of real property related thereto**, Borough of Staten Island, in accordance with map No. 4186, dated November 24, 2003, and signed by the Borough President.

(On May 26, 2004, Cal. No. 11, the Commission scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 15, the hearing was closed.)

For consideration.

Nos. 31, 32, 33, 34 and 35

TIDES OF CHARLESON

No. 31

CD 3

C 030449 ZMR

IN THE MATTER OF an application submitted by PC Group, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 32d;**

- a) changing from an M3-1 District to an R3-2 District property bounded by a line 1250 feet southerly of Androvette Street and its westerly prolongation, Arthur Kill Road, Allentown Lane and its westerly centerline prolongation, the U.S. Pierhead Line and the U.S. Pierhead and Bulkhead Line of Arthur Kill; and
- b) changing from an M1-1 District to an R3-2 District property bounded by:
 - (1) a line perpendicular to a point on the southwesterly street line of Kreischer Street distant 330 feet (as measured along the street line) northwesterly from the intersection of the westerly street line of Arthur Kill Road and the southwesterly street line of Kreischer Street, extending 360 feet southwesterly;
 - (2) Kreischer Street;
 - (3) Arthur Kill Road;
 - (4) a line 1250 feet southerly of Androvette Street;
 - (5) a line 685 feet westerly of Arthur Kill Road;
 - (6) a line 1200 feet southerly of Androvette Street extending 295 feet easterly from its intersection with the fifth-named course; and
 - (7) a line passing through two points, one at the southwesterly terminus of the first-named course and another at the easterly terminus of the sixth-named course,

as shown on a diagram (for illustrative purposes only) dated April 12, 2004.

(On May 26, 2004, Cal. No. 12, the Commission scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 16, the hearing was closed.)

For consideration.

No. 32

CD 3

C 030450 ZSR

IN THE MATTER OF an application submitted by PC Group, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 78-312(f) of the Zoning Resolution **to modify the minimum distance between buildings requirements of Section 23-71 (Minimum Distance between Buildings in a Single Zoning Lot), in connection with a proposed 190-unit residential development, on a zoning lot located west of Arthur Kill Road between Kreischer Street and Allentown Lane** (Block 7596, Lots 116, 200 and part of Lot 1), within a Large-Scale Residential Development, in an R3-2 District*, within the Special South Richmond Development District.

*Note The zoning lot is proposed to be rezoned by changing M1-1 and M3-1 Districts to an R3-2 District, under a related application (C 030449 ZMR) for a change in the zoning map.

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

(On May 26, 2004, Cal. No. 13, the Commission scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 17, the hearing was closed.)

For consideration.

No. 33

CD 3

N 030453 ZAR

IN THE MATTER OF an application submitted by PC Group, Inc. **for the grant of an authorization pursuant to Section 62-722 of the Zoning Resolution to modify the waterfront public access area requirements of Section 62-41 (Requirements for**

Waterfront Public Access), in connection with a proposed restaurant use, on a zoning lot located southwesterly of the intersection of Kreischer Street and Androvette Street (Block 7596, part of Lot 1), in an M1-1 District, within the Special South Richmond Development District.

Plans for this development 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.

No. 34

CD

N 030451 RAR

IN THE MATTER OF an application submitted by PC Group, LLC, for Authorization pursuant to Section 107-68 of the Zoning Resolution for **Modification of Group Parking Facility and Access Regulations, in connection with development of a group parking facility with more than thirty off-street parking spaces accessory to a commercial use and more than one curb cut on an arterial street to provide vehicular access and egress to a proposed residential and commercial development, on zoning lots located west of Arthur Kill Road between Kreischer Street and Allentown Lane** (Block 7596, Lots 116, 200, and part of Lot 1), in M1-1 and R3-2 Districts within the Special South Richmond Development District.

For consideration.

No. 35

CD 3

N 030452 RAR

IN THE MATTER OF an application submitted by PC Group, LLC, for **Authorizations** pursuant to Sections 107-64 and 107-65 of the Zoning Resolution **for Removal of Trees and Modification of Topography, respectively, in connection with a proposed residential and commercial development, on zoning lots located west of Arthur Kill Road between**

Kreischer Street and Allentown Lane (Block 7596, Lots 116, 200, and part of Lot 1), in M1-1 and R3-2 Districts within the Special South Richmond Development District.

For consideration.

Nos. 36, 37 and 38

SEAVIEW SENIOR HOUSING

No. 36

CD 2

C 040278 PPR

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for the disposition of one (1) city-owned property located on the easterly side of Brielle Avenue, south of Wolcott Avenue (Block 955, P/O Lots 1 and 200)**, pursuant to zoning.

(On May 26, 2004, Cal. No. 14, the Commission Scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 14, the hearing was closed.)

For consideration.

No. 37

CD 2

N 040275 ZAR

IN THE MATTER OF an application submitted by Metropolitan Council on Jewish Poverty and St. Francis deSales Development Corporation, **for the grant of certification of future subdivision pursuant to Section 105-90 of the Zoning Resolution and authorizations pursuant to Sections 105-421, 105-423, and 105-424 of the Zoning Resolution to modify topography, alter botanic environment or remove trees, and alter other natural features, respectively**, to allow construction of non-profit housing for the elderly at Brielle Avenue (Block 955, P/O Lots 1 and 200) in an R3-2 district within the Special Natural Area District (NA-1).

For consideration.

No. 38

CD 2

N 040277 ZAR

IN THE MATTER OF an application submitted by Metropolitan Council on Jewish Poverty and Saint Francis De Sales Development Corp. for **the grant of an authorization** pursuant to the following Sections of the Zoning Resolution:

1. Section 23-631(h) to allow the proposed residential buildings to penetrate the height and setback regulations set forth in Section 23-631(b); and
2. Section 26-26(a)(1) to modify the requirements of Sections 26-21 (Requirements for Private Roads), 26-23 (Requirements for Planting Strips) and 26-24 (Requirements for Sidewalks);

to facilitate the construction of a 521-unit non-profit residence for the elderly development, on property located on the southeasterly side of Brielle Avenue, northerly of Rockland Avenue (Block 955, Lot 200 and p/o Lot 1), in an R3-2 District, within the Special Natural Area District (NA-1).

The 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.

 CITYWIDE

No. 39

COMMUNITY FACILITY TEXT

Citywide

N 040202 ZRY

IN THE MATTER OF an application submitted by the Department of City Planning and the City Council Land Use Committee pursuant to Section 201 of the New York City Charter, for **an amendment to the Zoning Resolution** of the City of New York relating to community facilities, as follows:

Matter underlined is new, to be added;
 Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # signs is defined in Section 12-10;
 *** indicates where unchanged text appears in the Zoning Resolution

12-10 DEFINITIONS

Adult physical culture establishments

An "adult physical culture establishment," is any establishment,... except for activities which are excluded below or defined under #physical culture or health establishment# in Section 12-10 and which are, therefore, not included within the definition of an #adult physical culture establishment#:

- (3) hospitals, nursing homes, or ambulatory diagnostic or treatment health care facilities listed in Use Group 4 ~~medical clinics or medical offices~~;

Residence, or residential

A "residence" is a #building# or part of a #building# containing #dwelling units# or #rooming units#, including one-family or two-family houses, multiple dwellings, boarding or rooming houses, or #apartment hotels#. However, #residences# do not include:

- (a) such transient accommodations as #transient hotels#, #motels# or #tourist cabins#, or #trailer camps#;
- (b) #non-profit hospital staff dwellings#;
- (c) student dormitories, fraternity or sorority student houses, monasteries or convents, sanitariums, nursing homes, or other living or sleeping accommodations in #community facility buildings# or portions of #buildings# used for #community facility uses#; or

22-13

Use Group 3

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

A. Community facilities

*College or universities, including professional schools but excluding business colleges or trade schools

*College or school student dormitories ~~or~~ and fraternity or sorority student houses

**Domiciliary care facilities for adults under the jurisdiction of the New York State Board of Social Welfare which have secured certification by such agency.

9/13/84

22-14

Use Group 4

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

A. Community facilities

*** Ambulatory diagnostic or treatment health care facilities, limited to public, private, for-profit or not-for-profit medical, health, and mental health care facilities in which patients are diagnosed or treated by health care professionals licensed by the New York State Department of Education or successor agency for medical, health or mental health conditions, and where such patients are ambulatory rather than admitted. Such facilities shall not include the practice of veterinary medicine, #physical culture or health establishments,# or ophthalmic dispensing.

In #buildings# containing #residences#, such facilities shall be limited to locations below the level of the first #story# ceiling, except that such facilities may be located on a

second #story# provided there is separate access from the outside or directly from a portion of such facility located on the ground floor

~~Churches, rectories, or parish houses~~

~~Government operated health centers or independent out-of-hospital health facilities incorporated pursuant to Article 7 of the New York State Social Services Law.~~

~~Medical offices or group medical centers, including the practice of dentistry or osteopathy, limited to a location below the level of the first #story# ceiling, except that in multiple dwellings such #uses# may be located on the second floor, if:~~

~~— (a) — separate access to the outside is provided; or~~

~~— (b) — such #use# existed on January 1, 1948~~

~~— In R1 or R2 Districts, such #use# is further limited to not more than 1,500 square feet of #floor area# or #cellar# space.~~

Houses of Worship, rectories, or parish houses

Monasteries, convents or novitiates used only for living purposes, provided that such #use# is to be part of a group of #buildings# accommodating ~~church~~ house of worship activities, #schools#, or other ~~church~~ house of worship facilities which existed on December 15, 1961 or any applicable subsequent amendment thereto, and that such #use# is to be located on the same #zoning lot# with one or more #buildings# in such group of #buildings# or on a #zoning lot# which is contiguous thereto or directly across the #street# on which such #buildings# face.

Philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4, provided that the number of persons employed in central office functions shall not exceed 50, and the amount of #floor area# used for central office purposes shall not exceed 25 percent of the total #floor area# or 25,000 square feet, whichever is greater, except that in R1, R2, R3, R4, R5, R6 or R7

Districts the amount of #floor area# used for central office purposes shall in no event exceed 25 percent of the total #floor area#

C. #Accessory uses#

*** Not permitted in R1 or R2 Districts, and, in R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, limited to a maximum of 1,500 square feet of #floor area#.

12/15/61

**22-20
USES PERMITTED BY SPECIAL PERMIT**

9/13/84

**22-21
By the Board of Standards and Appeals**

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

R3A, R3X, R3-1, R4A, R4B, R4-1
Ambulatory diagnostic or treatment health care facilities listed in Use Group 4, limited to a maximum of 10,000 square feet of #floor area#.

R1 R2
College or school student dormitories ~~or~~ and fraternity or sorority student houses

~~R1 R2
Medical offices or group medical centers limited in each case to a maximum of 6,000 square feet of #floor area# or #cellar# space~~

6/12/96

24-33

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#:

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

Any #building# or portion of a #building# used for #community facility uses#, ~~except that any portion of a #building# containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care or treatment of patients) shall not be a permitted obstruction, and~~ provided that the height of such #building# shall not exceed one #story#, nor in any event 23 feet above #curb level#. ~~However, such #building# shall not be a permitted obstruction in R1 or R2 Districts;~~ the following shall not be permitted obstructions:

- (1) in all #residence districts#, any portion of a #building# containing rooms used for living or sleeping purposes, other than a room in a hospital used for the care or treatment of patients;
- (2) in R1, R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, any portion of a #building# used for any #community facility use#;
- (3) in all #residence districts# not listed in paragraph (b)(2) of this Section, beyond one hundred feet of a #wide street#, any portion of a #building# used for a #community facility use# other than a #school#, house of worship, college or university, or hospital and related facilities;

Parking spaces, off-street, #accessory# to a #community facility building# or a #building# used partly for #community facility uses#, provided that the height of an #accessory building# used for such purposes shall not exceed 14 feet above #curb level#. However, such #accessory building# shall not be a permitted obstruction in ~~R1, or R2, R3A, R3X, R3-1, R4A, R4B, or R4-1~~ Districts;

7/26/01

**24-51
Permitted Obstructions**

In all #Residence Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or #front# or #rear sky exposure planes# set forth in Sections 24-52 (Maximum Height of Walls and Required Setbacks), 24-53 (Alternate Front Setbacks) or 24-591 (Limited Height Districts):

- (a) Balconies, unenclosed, subject to the provisions of Section 24-165;
- (b) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any level;
- ~~(c) Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;~~
- ~~(d)~~(c) Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, 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 four times the width, in feet, of the #street wall# of the #building# facing such frontage;
- ~~(e)~~ (d) Flagpoles or aerials;
- ~~(e) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;~~
- (f) Parapet walls, not more than four feet high;
- (g) Spires or belfries;
- (h) Wire, chain link or other transparent fences.

Building columns having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building# are a permitted obstruction, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 24-52, 24-53, or 24-54 (Tower Regulations).

12/15/61

25-30

REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED NON-RESIDENTIAL USES

10/25/93

25-31

General Provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES

Type of #use#

Parking Spaces Required in Relation
to Specified Unit of Measurement - District

FOR COMMUNITY FACILITY USES:

Medical offices or group medical centers

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Square feet of #floor area# and #cellar# space, except #cellar# space #used# for storage:

None required - R7-2 R7A R7X R8 R9 R10

1 per 400 - R1 R2 R3

1 per 500 - R4 R5

1 per 800 - R6 R7-1 R7B

Churches

Houses of Worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room

None required - ~~R6 R7 R7-2 R7A R7X~~ R8 R9 R10

1 per 10 ~~fixed seats~~ persons rated capacity - R1 R2 R3

1 per 15 ~~fixed seats~~ persons rated capacity - R4 R5

~~1 per 20 fixed seats - R6 R7-1 R7B~~

Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers, provided that in R5, R6 and R7-1 Districts, no #accessory# off-street parking spaces shall be required for that portion of a non-profit neighborhood settlement house or community center which is used for youth-oriented activities.

Rated Capacity:

None required - R7-2 R7A R7X R8 R9 R10

1 per 10 persons - R1 R2 R3 R4 R5

1 per 20 persons - R6 R7-1 R7B

College student dormitories, fraternity or sorority student houses

None required - R7-2 R7A R7X R8 R9 R10

1 per 6 beds - R1 R2 R3 R4 R5

1 per 12 beds - R6 R7-1 R7B

12/15/61

25-40

RESTRICTIONS ON OPERATION OF ACCESSORY OFF-STREET PARKING SPACES

12/15/61

25-42

Use of Spaces Accessory to Permitted Non-Residential Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, which are #accessory# to permitted non-#residential uses# shall be used only

by occupants, visitors, customers or employees of such #uses# and shall not be rented except as may be provided for houses of worship pursuant to Section 25-542 (Shared facilities for houses of worship).

12/15/61

**25-50
RESTRICTIONS ON LOCATION OF ACCESSORY OFF-STREET PARKING SPACES**

12/15/61

**25-51
General Provisions**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to #residences#, to permitted #community facility uses#, to #commercial uses# permitted as #accessory uses# in #large-scale residential developments#, or to #uses# permitted by special permit, shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

- Section 25-52 (Off-Site Spaces for Residences)
- Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses)
- Section 25-54 (Joint And Shared Facilities)
- Section 25-55 (Additional Regulations for Required Spaces When Provided Off Site)
- Section 73-45 (Modification of Off-Site Parking Provisions)

12/15/61

**25-53
Off-Site Spaces for Permitted Non-Residential Uses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, off-site parking spaces may be provided in accordance with the provisions set forth in this Section.

25-531

For houses of worship

R1 R2 R3 R4

In the districts indicated, all required off-street parking spaces #accessory# to permitted houses of worship may be provided on a #zoning lot# other than the same #zoning lot# as such house of worship but within the same district or an adjoining district provided that in such instances all such spaces shall be not further than 600 feet from the nearest boundary of the #zoning lot# containing such #uses#.

25-532

For permitted non-residential uses

R5 R6 R7 R8 R9 R10

In the districts indicated, all permitted or required off-street parking spaces #accessory# to permitted non-#residential uses# may be provided on a #zoning lot# other than the same #zoning lot# as such #uses#, but within the same district or an adjoining district other than an R1, R2, R3 or R4 District provided that in such instances all such spaces located in a #Residence District# shall be not further than 200 feet from the nearest boundary of the #zoning lot# containing such #uses#, and all such spaces located in a #Commercial# or #Manufacturing District# shall be not further than 600 feet from the nearest boundary of such #zoning lot#, and provided further that the Commissioner of Buildings determines that:

- (a) there is no way to arrange such spaces on the same #zoning lot# as such #uses#; and
- (b) such spaces are so located as to draw a minimum of vehicular traffic to and through #streets# having predominantly #residential# frontages.

Such parking spaces shall conform to all additional regulations promulgated by the Commissioner of Buildings to minimize adverse effects on the character of surrounding areas.

12/15/61

25-54**Joint And Shared Facilities****25-541****Joint facilities**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined number of #dwelling units# or the combined #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:

Section 25-21 (General Provisions)

Section 25-31 (General Provisions)

Section 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements);

- (b) all such spaces are located in a district where they are permitted under the applicable provisions of Section 25-52 (Off-Site Spaces for Residences), Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), or Section 73-45 (Modification of Off-Site Parking Provisions); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

25-542**Shared parking facilities for houses of worship**

R1 R2 R3 R4 R5

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-

#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.

(b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.

(c) all such spaces conform to all applicable regulations of the district in which they are located.

8/18/77

25-55

Additional Regulations for Required Spaces When Provided Off Site

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Section 25-52 (Off-Site Spaces for Residences), Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), or Section 25-54 (Joint and Shared Facilities), the following additional regulations shall apply:

(a) Such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such #use#.

(b) Such spaces shall conform to all applicable regulations of the district in which they are located.

12/15/61

25-66

Screening

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all open off-street parking areas or groups of individual garages with 10 spaces or more, which are located either at natural grade or on a roof, shall be screened from all adjoining #zoning lots#, including such #zoning lots# situated across a #street#, by either:

- (a) a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
- (b) a wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

For community facilities located in R1, R2, R3, R4 or R5 Districts, except for any parking that is located on a roof, all such parking shall be screened pursuant to paragraph (a) herein.

In addition, such screening:

- (1) shall be maintained in good condition at all times;
- (2) may be interrupted by normal entrances or exits; and
- (3) shall have no #signs# hung or attached thereto other than those permitted in Section 22-323 (Signs for parking areas).

10/31/01

32-01

Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in C1, C2, C3, C4, C5, C6-1, C6-2 or C6-3 Districts.
- (b) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a ~~church~~ house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which

new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph shall not be rendered #non-conforming# if a church house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

6/29/94

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#
R1 R2	1.00	0.50	1.00
R3 <u>R3-1</u> <u>R3A R3X</u>	1.00	1.00	1.00
<u>R3-2</u> R4 R5	1.00	2.00	2.00
R6B	2.00	2.00	2.00
R6A R7B	2.00	3.00	3.00

R7A R8B	2.00	4.00*	4.00
R6 R7-1	2.00	4.80	4.80
R7X	2.00	5.00	5.00
R7-2 R8	2.00	6.50	6.50
R8X	2.00	6.00	6.00
R9	2.00	10.00	10.00
R9A	2.00	7.50	7.50
R9X	2.00	9.00	9.00
R10	2.00	10.00	10.00

 * In R8B Districts, within the boundaries of Community Board 8 in the Borough of Manhattan, the maximum #floor area ratio# on a #zoning lot# containing #community facility uses# exclusively shall not exceed 5.10.

**33-16
 Floor Area Bonus for Front Yards**

8/27/98

**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, 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:

- (a) on #interior lots#, a #front yard# not less than 30 feet in depth is provided;

- (b) on #corner lots#, two #front yards#, each not less than 20 feet in depth, are provided; or
- (c) on #through lots#, a #front yard# not less than 30 feet in depth is provided along each #front lot line#.

MAXIMUM FLOOR AREA RATIO

Districts	Maximum #Floor Area Ratio#
When mapped within R1, R2, or R3 <u>R3-1, R3A or R3X</u> Districts	1.60
When mapped within R4 or R5 Districts	2.40

6/12/96

33-42

Permitted Obstructions

In all #Commercial Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or #front# or #rear sky exposure planes# as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks), 33-44 (Alternate Front Setbacks) or 33-491 (Limited Height Districts):

- (a) Balconies, unenclosed, subject to the provisions of Section 24-165.
- (b) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any given level;
- ~~(c) Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;~~
- ~~(d)~~ (c) Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, 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 four times the width, in feet, of the #street wall# of the #building# facing such frontage;
- ~~(e)~~ (d) Flagpoles or aerials;

(e) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;

(f) Parapet walls, not more than four feet high;

12/15/61

**36-20
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR
COMMUNITY FACILITY USES**

2/9/94

**36-21
General Provisions**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all new #development# after December 15, 1961, for the #commercial# or #community facility uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed#, under single ownership or control, shall be considered a single #zoning lot#.

For those #uses# for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons that may be accommodated by such #uses#.

After December 15, 1961, if an #enlargement# results in a net increase in the #floor area# or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the #floor area# or other specified unit of measurement.

The requirements of this Section shall be waived in the following situations:

- (a) when, as a result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number); or
- (b) when the Commissioner of Buildings has certified, in accordance with the provisions of Section 36-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden), that there is no way to arrange the spaces with access to the #street# to conform to the provisions of Section 36-53 (Location of Access to the Street).

REQUIRED OFF-STREET PARKING SPACES FOR COMMERCIAL
OR COMMUNITY FACILITY USES

Type of #Use#

Parking Spaces Required in Relation
to Specified Unit of Measurement-Districts

FOR COMMUNITY FACILITY USES

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8
C4-4A C4-5 C4-6 C4-7 C5 C6 C8-4

1 per 150* sq. ft. of #floor area#
and #cellar# space, except #cellar#
space used for storage - C1-1 C2-1 C3 C4-1

1 per 300* sq. ft. of #floor area#
and #cellar# space, except #cellar#
space used for storage - C1-2 C2-2 C4-2 C8-1

1 per 400* sq. ft. of #floor area#
and #cellar# space, except #cellar#
space used for storage - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 1,000 sq. ft. of #floor area#
and #cellar# space, except #cellar#
space used for storage - C1-4 C2-4 C4-4 C8-3

except 1 per 400 square feet of #floor area# when located above the first #story# ceiling in C1-1, C1-2, C2-1 or C2-2 Districts mapped within R3-2 Districts

Churches

Houses of Worship, applicable only to the facility's largest room of assembly; however rooms separated by movable partitions shall be considered a single room

None required - C1 and C2 districts mapped within R6, R7, R8, R9 or R10 districts ~~C1-4~~ ~~C1-5~~ C1-6 C1-7 C1-8 C1-9 ~~C2-4~~ ~~C2-5~~ C2-6 C2-7 C2-8 C4-2A C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-2 C8-3 C8-4

1 per 10 ~~fixed seats~~ persons rated capacity - C1 and C2 districts mapped within R1, R2 or R3 districts, ~~C1-1~~ ~~C2-1~~ C3 C4-1

1 per 15 ~~fixed seats~~ persons rated capacity - ~~C1-2~~ ~~C2-2~~ C1 and C2 districts mapped within R4 and R5 districts C4-2 C8-1

~~1 per 20 fixed seats - C1-3 C2-3 C4-2A C4-3 C8-2~~

Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers

None required - C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6
C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4

1 per 10 persons rated capacity - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1

1 per 20 persons rated capacity - C1-3 C2-3 C4-2A C4-3 C7 C8-2

* The parking requirements for ambulatory diagnostic or treatment facilities listed in Use Group 4 and #uses# in parking requirement category B1 may be reduced by permit of the Board of Standards and Appeals in accordance with the provisions of Section 73-44 (Reduction of Parking Spaces for Uses in Parking Requirement Category B1)

** In the case of golf driving ranges, the requirements in this table apply only to that portion of the range used for tees

*** For predominantly open storage of miscellaneous #uses#, the #lot area# used for such #uses# shall be considered as #floor area# for the purposes of these requirements

**** Requirements are in addition to area utilized for ambulance parking

***** Requirements apply only to the #floor area# not used for storage.

College student dormitories ~~or~~ and fraternity or sorority student houses

None required - C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6

1 per 6 beds - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2

1 per 12 beds - C1-3 C2-3 C4-2A C4-3

12/15/61

**36-22
Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in the following Sections, the parking requirements for each type of #use# shall apply to the extent of that #use#:

Section 36-21 (General Provisions)

Section 36-31 (General Provisions)

However, the number of spaces required for ~~churches~~ houses of worship or for #uses# in parking requirement category D (Places of Assembly) when in the same #building# or on the same #zoning lot# as any other #use# may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly).

7/6/72

**36-37
Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

C1 C2 C3 C4 C5 C6

In the districts indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in the following Sections, the parking requirements for each type of #use# shall apply to the extent of that #use#.

Section 36-21 (General Provisions)

Section 36-31 (General Provisions)

However, the number of spaces required for ~~churches~~ houses of worship or for #uses# in parking requirement category D (Places of Assembly) when in the same #building# or on the same #zoning lot# as any other #use# may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly).

12/15/61

**36-40
RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

6/23/66

**36-41
General Provisions**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to #residences# or to #commercial# or #community facility uses# shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

Section 36-42 (Off-Site Spaces for Residences)

- Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses)
- Section 36-44 (Joint and Shared Facilities)
- Section 36-45 (Additional Regulations for Required Spaces When Provided Off-Site)
- Section 73-45 (Modification of Off-Site Parking Provisions)

Such exceptions to the requirement that the spaces be provided on the same #zoning lot# as the #building# or #use# to which they are #accessory# shall not apply in the case of spaces provided in a permitted #public parking garage# in accordance with the provisions of Section 36-57 (Accessory Off-Street Parking Spaces in Public Parking Garages).

12/15/61

36-43
Off-Site Spaces for Commercial or Community Facility Uses

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required off-street parking spaces #accessory# to #commercial# or #community facility uses# may be provided on a #zoning lot# other than the same #zoning lot# as such #uses# but within the same district or an adjoining #Commercial District# or #Manufacturing District#. However, all required spaces shall not be further than 600 feet from the nearest boundary of the #zoning lot# on which such #uses# are located.

12/15/61

36-44
Joint And Shared Facilities

36-441
Joint Facilities

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined number of #dwelling units# or the combined #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:
 - Section 36-21 (General Provisions)
 - Section 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements)
 - Section 36-31 (General Provisions);
- (b) all such spaces are located in a district where they are permitted under the applicable provisions of Section 36-42 (Off-Site Spaces for Residences), Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), or Section 73-45 (Modification of Off-Site Parking Provisions); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

36-442
Shared parking facilities for houses of worship

C1 or C2 districts mapped within R1, R2, R3, R4 or R5 districts C3 C4-1 C4-2 C8-1

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

**36-45
Additional Regulations for Required Spaces When Provided Off Site**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Section 36-42 (Off-Site Spaces for Residences), Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), or Section 36-44 (JointAnd Shared Facilities), the following additional regulations shall apply:

- (a) such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such #use#; and
- (b) such spaces shall conform to all applicable regulations of the district in which they are located.

10/25/95

**42-00
GENERAL PROVISIONS**

In order to carry out the purposes and provisions of this Resolution, the #uses# of #buildings or other structures# and of tracts of land have been classified and combined into Use Groups. A brief statement is inserted at the start of each Use Group to describe and clarify the basic characteristics of that Use Group.

Use Groups 4B, 4C, 5, 6A, 6B, 7, 8, 9B, 9C, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14, 16, 17 or 18, including each #use# listed separately therein, and certain #uses# listed in Use Groups 3A, 4A, 6C, 9A, 10A or 12B are permitted in #Manufacturing Districts# as indicated in Section 42-11 to 42-15, inclusive, except that any such #use# which is also an #adult establishment# shall, in addition, be subject to the provisions of Section 42-01 (Special Provisions for Adult Establishments).

10/31/01

42-01
Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

(b) In all other #Manufacturing Districts#, no #adult establishment# shall be established:

g) less than 500 feet from the following: a ~~church~~ house of worship established prior to (the effective date of this amendment), a #school-#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision; or,

(ii) less than 100 feet from the following: a house of worship established on or after (the effective date of this amendment).

However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph, (b), shall not be rendered #non-conforming# if a ~~church~~ house of worship or a #school# is established: (i) on or after April 10, 1995, and prior to (the effective date of this amendment), less than ~~within~~ 500 feet of such #adult establishment#; or, (ii) on or after (the effective date of this amendment), less than 100 feet of such #adult establishment#.

1/28/71

42-10
USES PERMITTED AS-OF-RIGHT

8/16/79

42-11

Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B

M1

Use Groups 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B as set forth in Sections 32-14, 32-15, 32-16, 32-18, 32-21.

All health facilities listed in Use Group 4A and requiring approval under Article 28 of the Public Health Law of the State of New York, which prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, and houses of worship, are allowed as-of-right and are not subject to the special permit provision of Sections 42-32 and 74-921.

2/26/98

42-14

Use Group 17

M1 M2 M3

Use Group 17 consists primarily of #manufacturing uses# which: ...

B. Manufacturing establishments

Adhesives, excluding manufacture of basic components

Statuary, mannequins, figurines, or religious ~~or church~~ art goods, excluding foundry operations

12/11/01

42-32

By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

M1 M2 M3

#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

M1

#Uses# listed in Use Group 4A Community Facilities, except houses of worship.

M1

Variety stores, with no limitation on #floor area# per establishment [PRC-B]

2/26/67

43-42

Permitted Obstructions

In all #Manufacturing Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or a #sky exposure plane# set forth in Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks), 43-44 (Alternate Front Setbacks) or 43-49 (Limited Height Districts).

- (a) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any given level;
- ~~(b) Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;~~
- (c) ~~(b)~~ Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, 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 four times the width, in feet, of the #street wall# of the #building# facing such frontage;
- ~~(d)~~ ~~(c)~~ Flagpoles or aerials;
- ~~(d)~~ House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;

- (e) Parapet walls, not more than four feet high;

12/15/61

44-20

REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING COMMERCIAL OR COMMUNITY FACILITY USES

10/25/93

44-21

General Provisions

M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all new #development# after December 15, 1961, for the #manufacturing#, #commercial# or #community facility uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed# under single ownership or control shall be considered a single #zoning lot#.

For those #uses# for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons which may be accommodated by such #uses#.

After December 15, 1961, if an #enlargement# results in a net increase in the #floor area# or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the #floor area# or other specified unit of measurement.

The requirements of this Section shall be waived in the following situations:

- (a) When, as the result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number).
- (b) When the Commissioner of Buildings has certified, in accordance with the provisions of Section 44-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden), that there is no way to arrange the spaces with access to the #street# to conform to the provisions of Section 44-43 (Location of Access to the Street).

REQUIRED OFF-STREET PARKING SPACES FOR MANUFACTURING
COMMERCIAL OR COMMUNITY FACILITY USES

Type of #Use#

Parking Spaces Required, in Relation
to Specified Unit of Measurement Districts

FOR COMMUNITY FACILITY USES

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

None required - M1-4 M1-5 M1-6

1 per 300*** sq. ft. of #floor area# _____
and #cellar# space, except #cellar#
space used for storage - M1-1 M1-2 M1-3

Churches

Houses of Worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room

None required - M1-4 M1-5 M1-6

1 per 15 ~~fixed seats~~ persons rated capacity - M1-1 M1-2 M1-3

Clubs, community centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations except ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers

Rated capacity:

None required - M1-4 M1-5 M1-6

1 per 10 persons - M1-1 M1-2 M1-3

*** The parking requirements for ambulatory diagnostic or treatment health care facilities listed in Use Group 4 and #uses# in parking requirement category B1 may be reduced by permit of the Board of Standards and Appeals in accordance with the provisions of Section 73-44 (Reduction of Spaces for ambulatory diagnostic or treatment health care facilities listed in Use Group 4 and Uses in Parking Requirement Category B1)

12/15/61

44-22

Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements

M1 M2 M3

In all districts, as indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in Section 44-21 (General Provisions), the parking requirements for each type of #use# shall apply to the extent of that #use#.

However, the number of spaces required for ~~churches~~ houses of worship or for #uses# in parking requirement category D (Places of Assembly), when in the same #building# or on the same #zoning lot# as any other #use#, may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly).

12/15/61

**44-30
RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET
PARKING SPACES**

6/23/66

**44-31
General Provisions**

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to any permitted #use# shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

- Section 44-32 (Off-Site Spaces for All Permitted Uses)
- Section 44-33 (Joint and Shared Facilities)
- Section 44-34 (Additional Regulations for Required Spaces When Provided Off-Site)
- Section 73-45 (Modification of Off-Site Parking Provisions)

Such exceptions to the requirement that the spaces be provided on the same #zoning lot# as the #building# or #use# to which they are #accessory# shall not apply in the case of spaces provided in a permitted #public parking garage# in accordance with the provisions of Section 44-46 (Accessory Off-Street Parking Spaces in Public Parking Garages).

12/15/61

**44-32
Off-Site Spaces for All Permitted Uses**

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces #accessory# to any permitted #use# may be provided on a #zoning lot# other than the same #zoning lot# as such #use# but within the same district or an adjoining C8 or #Manufacturing District#. However, all required spaces shall be not more than 600 feet from the nearest boundary of the #zoning lot# on which such #use# is located.

12/15/61

44-33

Joint and Shared Facilities

44-331

Joint facilities

M1 M2 M3

In all districts, as indicated, required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:

Section 44-21 (General Provisions)

Section 44-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements)

- (b) all such spaces conform to the provisions of Section 44-32 (Off-Site Spaces for All Permitted Uses); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

44-332

Shared facilities for houses of worship

M1-1 M1-2 M1-3

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.

- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

8/18/77

44-34

Additional Regulations for Required Spaces When Provided Off-Site

M1 M2 M3

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Sections 44-32 (Off-Site Spaces for All Permitted Uses) or 44-33 (Joint and Shared Facilities), the following additional regulations shall apply:

- (a) Such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such #use#.
- (b) Such spaces shall conform to all applicable regulations of the district in which they are located.

10/25/93

62-212

WE uses (Waterfront-Enhancing)

WE #uses# comprise a group of primarily recreational, cultural, entertainment or retail shopping #uses# that, when located at the water's edge, add to the public use and enjoyment of the waterfront. WE #uses# shall be limited to the following:

From Use Group 4:

Churches

Community centers

Houses of worship

*Ice skating rinks, outdoor

Recreation centers, non-commercial

*Philanthropic or non-profit institutions ~~without~~ without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Golf courses

7/22/71

**73-10
SPECIAL PERMIT USES**

12/15/61

73-12

Community Facility Uses in R1, or R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts

In R1, ~~or~~ R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, the Board of Standards and Appeals may permit specified #community facility uses# in accordance with the provisions of this Section.

73-122

College or school student dormitories ~~or~~ and fraternity or sorority student houses

The Board of Standards and Appeals may permit college or school student dormitories ~~or~~ and fraternity or sorority student houses in R1 or R2 Districts, provided that the following findings are made: ...

5/22/63

73-125

~~Medical offices or group medical centers~~

Ambulatory diagnostic or treatment health care facilities

In ~~R1 or R2~~ R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, the Board of Standards and Appeals may permit ambulatory diagnostic or treatment health care facilities listed in Use Group 4, medical offices or group medical centers, including the practice of dentistry or osteopathy; limited in each case to a maximum of ~~6,000~~ 10,000 square feet of ~~floor area~~ and to a location below the level of the first ~~story~~ ceiling, provided that the Board finds following findings are made:

- (a) that the amount of open area and its distribution on the ~~zoning lot~~ conform to standards appropriate to the character of the neighborhood;
- (b) that, notwithstanding the provisions of Section 25-33 (Waiver of Requirements for Spaces below Minimum Number), at least one ~~accessory~~ off-street parking space is provided for each 400 square feet of ~~floor area~~; and
- (c) that all open ~~accessory~~ off-street parking spaces will be screened from all adjoining ~~zoning lots~~, including such ~~zoning lots~~ situated across a ~~street~~, by a strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

12/15/61

73-43

Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly

The Board of Standards and Appeals may permit a reduction in the number of accessory off-street parking spaces required under the provisions of Sections 25-31, 36-21 or 44-21 (General Provisions) for Houses of Worship or Places of Assembly, in accordance with the applicable provisions of the following Sections.

73-431

Reduction of parking spaces for houses of worship

In all districts, the Board of Standards and Appeals may permit a reduction in the number of required #accessory# off-street parking spaces for houses of worship, provided:

- (a) the house of worship will be operated or utilized in such a manner as to reduce demand for on-site parking;
- (b) such reduction is commensurate with the reduced demand for on-site parking.

The Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

73-432

Reduction of parking spaces for places of assembly

In all #Commercial# and #Manufacturing Districts#, the Board of Standards and Appeals may permit a reduction in the number of #accessory# off-street parking spaces required under the provisions of Sections 25-31, 36-21 or 44-21 (General Provisions) for ~~churches~~ or #uses# in parking requirement category D (Places of Assembly) whenever such #uses# are located in the same #building# or on the same #zoning lot# as other #uses#, proportionate to the extent that the Board finds:

- (a) that the spaces #accessory# to such other #uses# will remain available for #use# by persons visiting the ~~church~~ or place of assembly during the entire period that such ~~church~~ or place of assembly remains in #use#; and
- (b) that, in accordance with submitted schedules of the times of operation for all #uses# within the #building# or on the #zoning lot#, there will be no conflict in the #use# of such #accessory# off-street parking spaces, and that the provision of the full quota of required off-street parking spaces for ~~churches~~ and places of assembly is therefore not needed. The permit to reduce such spaces shall be automatically revoked whenever there is a change in the nature of the conditions upon which such reduced requirements were based, including changes in #use#, availability of spaces or hours of operation.

12/15/61

73-44

Reduction of Parking Spaces for Ambulatory Diagnostic or Treatment Facilities Listed in Use Group 4 and Uses in Parking Requirement Category B1

In the districts indicated, the Board of Standards and Appeals may permit a reduction in the number of #accessory# off-street parking spaces required by the provisions of Section 36-21 or 44-21 (General Provisions) for ambulatory diagnostic or treatment facilities listed in Use Group 4 and #uses# in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 14, or 16 to the applicable number of spaces specified in the table set forth at the end of this Section, provided that the Board finds that occupancy by ambulatory diagnostic or treatment facilities listed in Use Group 4 or #uses# in parking category B1 is contemplated in good faith on the basis of evidence submitted by the applicant. In such a case the Board shall require that the certificate of occupancy issued for the #building# within which such #use# is located shall state that no certificate shall thereafter be issued if the #use# is changed to a #use# listed in parking category B unless additional #accessory# off-street parking spaces sufficient to meet such requirements are provided on the site or within the permitted off-site radius.

REDUCED ACCESSORY OFF-STREET PARKING SPACES REQUIRED FOR AMBULATORY DIAGNOSTIC OR TREATMENT FACILITIES LISTED IN USE GROUP 4 AND COMMERCIAL USES IN PARKING REQUIREMENT CATEGORY B1

Parking Spaces Required per Number
of Square Feet of #Floor Area# *

	Districts
1 per 400	C1-1 C2-1 C3 C4-1
1 per 600	C1-2 C2-2 C4-2 C8-1 M1-1 M1-2 M1-3 M2-1 M2-2 M3-1
1 per 800	C1-3 C2-3 C4-3 C7 C8-2

* For ambulatory diagnostic or treatment facilities listed in Use Group 4, parking spaces required per number of square feet of #floor area# or #cellar# space, except #cellar# space #used# for storage

73-45
Modification of Off-Site Parking Provisions

73-454
For houses of worship

The Board of Standards and Appeals may modify, as applicable, the provision of Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), 25-542 (Shared parking facilities for houses of worship), 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), 36-442 (Shared parking facilities for houses of worship), 44-32 (Off-Site Spaces for All Permitted Uses), or 44-332 (Shared facilities for houses of worship) relating to the maximum permitted distance of the location of #accessory# off-street parking spaces for houses of worship, provided that in such instances all such spaces shall be not further than 1,000 feet from the nearest boundary of the #zoning lot# containing such house of worship, upon finding that:

- (a) such spaces conform to all applicable regulations of the district in which they are located;
- (b) the location of such spaces will not result in undue traffic congestion in the area.

The Board may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

7/22/71

73-60
MODIFICATIONS OF BULK REGULATIONS

6/27/63

73-64
Modifications for Community Facility Uses

On a #zoning lot# occupied by any of the #community facility uses# specified herein, and in all districts where such #uses# are permitted as-of-right or by special permit, the Board of Standards and Appeals may permit #developments# or #enlargements# for such #uses#, which do not comply with certain applicable district #bulk# regulations, in accordance with the provisions of this Section.

Such specified #community facility uses# are:

~~Churches, rectories, parish houses, or seminaries~~

College or school student dormitories or fraternity ~~or~~ and sorority student houses

Colleges or universities, including professional schools, but excluding business colleges or trade schools
Community centers

Houses of worship, rectories, parish houses, or seminaries

Libraries, museums, or non-commercial art galleries

Philanthropic or non-profit institutions with or without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4

6/12/96

74-844

Preservation of community facility uses within certain developments containing public open areas

For any #development# on a #zoning lot# a portion of which,...

- (a) that the provision of the new #community facility building# will result in the reinforcement or preservation of an existing ~~church, or other~~ house of worship, community ...

74-92

Use Group 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts

74-921

Use Group 4A community facilities

In M1 Districts, except for houses of worship, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities.

As a condition of granting a special permit for such community facilities, the Commission shall find that:

7/12/84

79-42

Special Permit for Non-profit Hospital Staff Dwelling Buildings

For #non-profit hospital staff dwellings# in #large-scale community facility developments# in Manhattan Community Board 8, the City Planning Commission, may by special permit, allow:

(b) ~~Medical offices~~ Ambulatory diagnostic or treatment health care facilities listed in Use Group 4 on the third floor of such #buildings# in C1 Districts, provided the following findings are made:

- (1) that such ~~offices~~ facilities are used exclusively for staff of, or staff affiliated with, the non-profit or voluntary hospital;

2/8/90

81-722

Use Group T

The following #uses# are subject to the limitations on location and #floor area# of the underlying zoning district:

#Uses# marked with an asterisk (*) are allowed only on #narrow street# frontages.

#Use#

*Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Antique stores

* Catering establishments

* ~~Churches~~

Cigar stores

Hardware stores

* ~~Health centers~~

Historical exhibits

* Household appliance repair shops - not permitted in C5 Districts

* Houses of worship

Ice cream stores

Luggage stores

* ~~Medical offices or group medical centers~~

* Meeting halls

10/9/69

Article VIII - Special Purpose Districts

Chapter 3

Special Limited Commercial District

2/8/90

83-03

Use Group "LC"

Use Group "LC" comprises #residential uses# listed in Use Groups 1 and 2, and a group of specially related #uses# selected from Use Groups 3, 4, 5, 6, 8 and 9 to provide for the special needs, comfort, convenience, enjoyment, education and recreation of the residents of the surrounding communities and of the many visitors who are attracted to its activities.

A. Amusements

Theaters, limited to a capacity of not more than 300 seats

B. Community Facilities

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

~~Churches, rectories, or parish houses~~

Clubs, except:

- (a) clubs, the chief activity of which is a service predominantly carried on as a business;
- (b) non-commercial outdoor swimming pool clubs; or
- (c) any other non-commercial clubs with outdoor swimming pools located less than 500 feet from any #lot line#

Colleges or universities, including professional schools

College or school student dormitories ~~or~~ and fraternity or sorority student houses

Community centers or settlement houses

~~Government operated health centers or independent out-of-hospital health facilities incorporated pursuant to Section 35 of the New York State Social Services Law~~

Houses of worship, rectories, or parish houses

Libraries, museums, or non-commercial art galleries

~~Medical offices or group medical centers, including the practice of dentistry or osteopathy, limited to a location below the level of the first #story# ceiling, except that in multiple dwellings such #uses# may be located on the second floor, if separate access to the outside is provided or such #use# existed on January 1, 1948~~

Monasteries, convents, or novitiates used only for living purposes, provided that such #use# is to be part of a group of #buildings# accommodating ~~church~~ house of worship activities, #schools# or other ~~church~~ house of worship facilities which existed on December 15, 1961, or any applicable subsequent amendment thereto, and that such #use# is to be located on the same #zoning lot# with one or more #buildings# in such group of #buildings# or on a #zoning lot# which is contiguous thereto or directly across the #street# on which such #buildings# face

3/18/76

**97-10
SPECIAL PROVISIONS FOR R(M) SPECIAL NORTHSIDE MIXED USE DISTRICT**

3/18/76

**97-111
Use Group M**

A. Apparel and Textile Manufacturing Establishments

Statuary, mannequins, figurines, or religious ~~or church~~ art, excluding foundry operations

Steel, structural products, including bars, girders, rails, wire rope or similar products

1/9/75

Article X - Special Purpose Districts

**Chapter 6
Special Coney Island Mixed Use District**

1/9/75

**106-311
Use Group M**

Apparel or other textile products from textiles or other materials, including hat bodies or similar products

Statuary, mannequins, figurines, or religious or church art, excluding foundry operations

Textiles, spinning, weaving, manufacturing, printing, knit goods, yarn, thread or cordage, but not dyeing

9/11/75

Article X - Special Purpose Districts

**Chapter 8
Special Franklin Street Mixed Use District**

9/11/75

**108-111
Use Group M**

A. #Manufacturing uses#

Apparel or other textile products from textiles or other materials, including hat bodies or similar products

Statuary, mannequins, figurines or religious ~~or church~~ art, excluding foundry operations

Textiles, spinning, weaving, manufacturing, printing, knit goods, yarn, thread or cordage, but not dyeing

1/20/77

Article XI - Special Purpose Districts

Chapter 2

Special City Island District

3/6/86

112-121

Accessory parking and floor area requirements for eating or drinking establishments

For eating or drinking establishments, the provisions of Sections 36-23 or 44-23 (Waiver of Requirements for Spaces below Minimum Number) or Sections 52-41 (General Provisions) with respect only to #enlargements# or #extensions# to provide off-street parking spaces, 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly) and 73-45 (Modification of Off-Site Parking Provisions) are hereby made inapplicable.

3/26/92

122-10

SPECIAL USE REGULATIONS

In order to preserve the residential character of the Special District, the applicable #use# regulations of the underlying districts are modified as follows:

However, if a #building# on a Commercial Infill Site contains an entrance from the Grand Concourse as well as from the cross-street running underneath the Concourse, such entrance floors at both #street# levels may be occupied by retail #uses# listed in Use Group 6 if they were in existence prior to July 1, 1981 as a lawful #use#. In those cases, the #use# of the remaining #stories# of such #building# shall be limited to business, professional, ~~medical~~ or governmental offices or to ambulatory diagnostic or treatment health care facilities as set forth in Use Group 4A and/or Use Group 6B, regardless of the locational restrictions in Use Group 4.

12/10/97

Article XII - Special Purpose Districts

Chapter 3

Special Mixed Use District

12/10/97

123-21

Modification of Use Groups 2, 3 and 4

The #uses# listed in Use Group 2, and the following #uses# listed in Use Groups 3 and 4: college or school student dormitories ~~or~~ and fraternity or sorority student houses, domiciliary care facilities for adults, nursing homes and health-related facilities, philanthropic or non-profit institutions with sleeping accommodations, monasteries, convents or novitiates, #non-profit hospital staff dwellings# without restriction on location, and non-profit or voluntary hospitals, may only locate in the same #building# as, or share a common wall with a #building# containing, an existing #manufacturing# or #commercial use#, upon certification by a licensed architect or engineer to the Department of Buildings that such #manufacturing# or #commercial use#: ...

12/10/97

123-222

Uses permitted with restrictions

The following #uses# from Use Groups 16 and 17 are permitted in #Special Mixed Use Districts# subject to the certification requirements and locational restrictions of this Section:

From Use Group 17B (Manufacturing Establishments):

Adhesives, excluding manufacture of basic components

Statuary, mannequins, figurines, or religious ~~or church~~ art goods, excluding foundry operations

Steel products, miscellaneous fabrication or assembly, including steel cabinets, doors, fencing, metal furniture, or similar products

(On May 26, 2004, Cal. No. 15, the Commission scheduled June 9, 2004 for a public hearing. On June 9, 2004, Cal. No. 18, the hearing was closed.)

For consideration.

**IV. CITY PLANNING COMMISSION 2004 SCHEDULE OF MEETINGS
July 1 to December 31**

	SUN	MON	TUE	WED	THU	FRI	SAT	Notes
JULY					1	2	3	
	4	5	6	7	8	9	10	
	11	12	13	14	15	16	17	
	18	19	20	21	22	23	24	
	25	26	27	28	29	30	31	
AUGUST	1	2	3	4	5	6	7	
	8	9	10	11	12	13	14	
	15	16	17	18	19	20	21	
	22	23	24	25	26	27	28	
	29	30	31					
SEPTEMBER				1	2	3	4	
	5	6	7	8	9	10	11	*Review Sessions will be held on Tuesday, September 29
	12	13	14	15	16	17	18	
	19	20	21	22	23	24	25	
26	27	28	29	30				
OCTOBER						1	2	
	3	4	5	6	7	8	9	
	10	11	12	13	14	15	16	
	17	18	19	20	21	22	23	
	24	25	26	27	28	29	30	
31								
NOVEMBER		1	2	3	4	5	6	
	7	8	9	10	11	12	13	
	14	15	16	17	18	19	20	
	21	22	23	24	25	26	27	
	28	29	30					
DECEMBER				1	2	3	4	
	5	6	7	8	9	10	11	
	12	13	14	15	16	17	18	
	19	20	21	22	23	24	25	
26	27	28	29	30	31			

*Review Sessions are held in Spector Hall at 22 Reade Street starting at 6:00 P.M.
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.*