

CAL. NO.	C.P. NO.		REPORTS		REMARKS	CAL. NO.	C.P. NO.		REPORTS		REMARKS
			TO	FROM					TO	FROM	
		MINUTES			APPROVED						
1	C 870550	HDK			Sched. 5/20/87						
2	C 860433	ZSQ									
3	C 870003	ZMR									
4	N 870002	ZRR									
5	C 860553	ZMM									
6	C 870643	PSR			Hrg. Closed						
7	C 870461	PPM			" "						
8	C 870593	PPM			" "						
9	N 870484	HSM		RUC	" "						
10	N 870395	ZRY			" "						
	N 870197	ZRY (A)			" "						
11	NOTICE										
	N 870197 (A)	ZRY			" "						
	NOTICE										
12	C 870551	HDK	✓		Fav. Rpt.						
13	C 870552	HDK	✓		" "						
14	N 870083	HGK	✓		" "						
15	C 870084	HUK	✓		" "						
16	C 870085	HDK	✓		" "						
17	C 841069	MMK	✓		" "						
18	C 860685	ZMK	✓		" "						
19	C 860686	ZSK	✓		" "						
20	C 860687	ZSK	✓		" "						
21	C 860688	ZSK	✓		" "						
22	C 860689	ZSK	✓		" "						
23	C 860690	ZSK	✓		" "						
24	C 860691	ZSK	✓		" "						
25	C 860691	ZSK (A)			Withdrawn						
26	C 860692	ZSK	✓		Fav. Rpt.						
27	C 860693	ZSK	✓		" "						
28	C 860261	ZMO	✓		" "						
29	C 860262	ZSQ	✓		" "						
30	C 870476	477	PPR		" "						
31	N 870088	ZAR			Auth. Appr.						
32	N 860900	ZCR			Rpt. Adopted						
33	C 870555	HDX	✓		Fav. Rpt.						
34	C 870556	HDX	✓		" "						
35	C 870557	HDX	✓		" "						
36	C 870558	HDX	✓		" "						
37	C 870559	HDX	✓		" "						
38	C 870560	HDX	✓		" "						
39	C 870553	HDM	✓		" "						
40	C 870554	HDM	✓		" "						
41	C 870041	GFM	✓		" "						
42	C 870439	PPM	✓		" "						
43											
44											

PRESENT:
 S. Deutsch, Chairperson
 S. Gagliardo, Commissioner
 * G. McNeil, "
 D. Scannell, "
 D. Scheinberg, "

ADJOURNED: 1:17 p.m.

* G. McNeil voted on Calendars No. 9, 31, 32 and 41 only. He did not participate on any other reports.

Logged

**COMPREHENSIVE
CITY PLANNING CALENDAR**

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, May 6, 1987

MEETING AT 10:00 A.M.

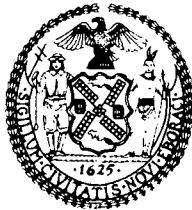
in the

BOARD OF STANDARDS AND APPEALS

161 Avenue of the Americas

11th Floor Hearing Room

New York, New York



Edward I. Koch, Mayor

City of New York

[No. 8]

Prepared by Lory R. Alcalá, Calendar Officer

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

1. A quorum shall consist of four members.
2. Final action by the Commission shall be by the affirmative vote of not less than four members.
3. Except by unanimous consent, matters upon which public hearings 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.

CALENDARS: Any member of a Community Planning Board, any civic association or non-profit organization may write the Calendar Officer of the Commission to be placed on the mailing list to receive the Comprehensive City Planning Calendar which consists of the City Planning Commission Public Meeting Calendar, Supplemental Calendar and Special Meeting Calendar, and Community Board Public Hearing Notices. Calendars are also available to the public in the Calendar Information Office, 2 Lafayette Street, Room 1614, New York, N.Y. 10007. Any other individual or organization wishing to be placed on the calendar mailing list (\$60.00 for a two year subscription pro-rated) may do so by contacting the Calendar Information Office, 566-8510.

B

CITY PLANNING COMMISSION

2 Lafayette Street, New York, N.Y. 10007

SYLVIA DEUTSCH, *Chairperson*

SALVATORE C. GAGLIARDO

GARRISON McNEIL

DANIEL T. SCANNELL,

DENISE M. SCHEINBERG, *Commissioners*

LORY R. ALCALA, *Calendar Officer*

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

ORDER OF BUSINESS AND INDEX

WEDNESDAY, May 6, 1987

Calendar No. 8

I. Roll Call; approval of minutes	1
I. Scheduling May 20, 1987	1
II. Public Hearings	34
III. Reports	291

**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 1614, 2 Lafayette Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for May 20, 1987, in City Hall, Room 16, Manhattan, at 10:00 a.m.

GENERAL INFORMATION

HOW TO PARTICIPATE:

Signing up to speak: Anyone wishing to speak on any of the items listed under "Public Hearings" 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 10 sets of each.

Anyone wishing to present facts or to inform the Commission of their views on an item in this calendar, but who cannot or do 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 1614
2 Lafayette Street, New York, N.Y. 10007

(Extra copies of this form may be obtained in the Calendar Information Office—Room 1614, 2 Lafayette Street.)

Subject _____

Date of Hearing _____ Calendar No.: _____

Borough _____ Identification No.: _____

CB No.: _____

Position:

Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

WEDNESDAY, May 6, 1987

APPROVAL OF MINUTES OF Regular Meetings of April 22, 1987

**I. PUBLIC HEARINGS ON THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, MAY 20, 1987
STARTING AT 10 A.M. IN CITY HALL, MANHATTAN**

BOROUGH OF BROOKLYN

No. 1

CD 4

C 870550 HDX

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a four (4) story new law walk-up building with 16 residential units, located on the southerly side of Bushwick Avenue, between Granite and Furman Avenues, **1492 Bushwick Avenue** (Block 3461, Lot 32). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families.** The building has been managed by a community group since July 1, 1986, through HPD's Community Management Program.

Resolution for adoption scheduling May 20, 1987 for a public hearing.

BOROUGH OF QUEENS

No. 2

CD 7

C 860433 ZSQ

IN THE MATTER OF an application submitted by Waldbaums, Inc., pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-922 of the Zoning Resolution **for the grant of a special permit** to allow, in a M1 District, a food store in excess of 10,000 square feet of floor area in order to

facilitate conversion of an existing factory use building into a 39,850 sq. ft. supermarket with accessory retail buildings and group parking facility for 286 cars on property located on 10th Avenue between 154th Street and 152nd Street (Block 4531, Lots 100, 447).

Plans for this **proposed Waldbaums Whitestone Supermarket** are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, New York 10007.

Resolution for adoption scheduling May 20, 1987 for a public hearing.

Nos. 3 and 4

(Proposed amendment to the Zoning Map and Zoning Resolution for the proposed establishment of a new Special Hillside Preservation District.)

No. 3

CD 1

C 870003 ZMR

IN THE MATTER of an application submitted by the Department of City Planning pursuant to Sections 197-c and 200 of the New York City Charter for amendment of the Zoning Map, Section Nos. 21a, 21b, 21c and 21d establishing a Hillside Preservation District within an area bounded by Carroll Place, Nicholas Street, Richmond Terrace, Stuyvesant Place, Hamilton Avenue, St. Marks Place, Fort Place, Montgomery Avenue, St. Pauls Avenue, Van Duzer Street, Richmond Road, Concord Place, a line 100 feet east of Starbuck Street, North Narrows Road, Clove Road, Howard Avenue, Highland Avenue, Victory Boulevard, Royal Oak Road, Rice Avenue, Slosson Avenue, Martling Avenue, Brookside Avenue, Forest Avenue, Clove Road, Bard Avenue, Forest Avenue, Hart Boulevard, Castleton Avenue, Conyningham Avenue, Springhill Avenue, Kissel Avenue, Henderson Avenue, Kissel Avenue, Harbor Road, Richmond Terrace, Tysen Street, Fillmore Street, Sailors Snug Harbor Park, Henderson Avenue, Franklin Place, Fillmore Street, York Avenue, Richmond Terrace, Jersey Street, Crescent Avenue, Beechwood Avenue, Cleveland Street and Westervelt Avenue, Borough of Staten Island, CB #1, as shown on a diagram dated February 23, 1987.

Resolution for adoption scheduling May 20, 1987 for a public hearing.

CD 1

N 870002 ZRR

IN THE MATTER of an amendment, pursuant to Section 200 of the New York City Charter for an amendment to the Zoning Resolution for the establishment of a Special Hillside Preservation District.

Matter in *italics* is defined in Sections 12-10 or 119-01.

12-10 DEFINITIONS

*** Special Hillside Preservation District

The "Special Hillside Preservation District" is a Special Purpose District designated by the letters HS, in which special regulations set forth in Article XI, Chapter 9 apply to all *developments, enlargements or site alterations*. The *Special Hillside Preservation District* appears on the *zoning maps* superimposed on other districts, and its regulations supplement or modify those of the districts on which its is superimposed. ***

ARTICLE XI

Special Purpose Districts

(continued)

Chapter IX Special Hillside Preservation District

Article XI—Special Purpose Districts—Chapter 9

Special Hillside Preservation District

119-00 GENERAL PURPOSES

The Hillside Preservation District (hereinafter also referred to as the "Special District") established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following special purposes:

- (a) To reduce hillside erosion, landslides and excessive storm water runoff associated with development by conserving vegetation and protecting natural terrain.
- (b) To preserve hillsides having unique aesthetic value to the public.
- (c) To guide development in areas of outstanding natural beauty in order to protect, maintain and enhance the natural features of such areas.
- (d) To promote the most desirable use of land and to guide future development in accordance with a comprehensive development plan. To protect the neighborhood character of the district.

119-01

Definitions

Definitions specially applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

Average Percent of Slope

The "average percent of slope" of a *zoning lot* is the average slope of all portions of a *zoning lot* excluding those portions having slopes of 35 percent or greater and shall be determined according to the following equation:

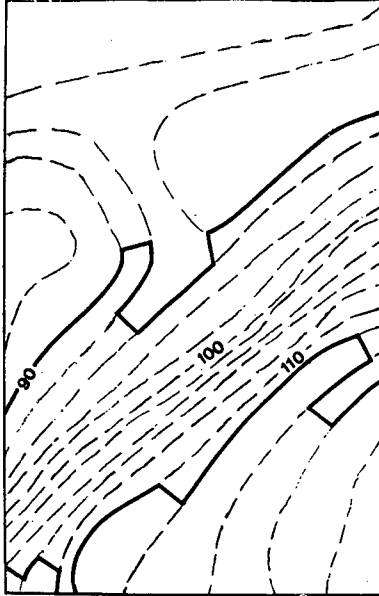
$$S = \frac{IL}{A} \times 100$$

Where:

- S** = Average Percent of Slope.
- I** = Contour interval in feet.
- L** = Combined length of contour lines in feet, excluding those portions bordering or lying within areas having a slope of 35% or greater.
- A** = Gross area in square feet of the *zoning lot*, excluding those portions of the *zoning lot* having a slope of 35% or greater.
- 100** = Factor which yields slope as a percentage.

(119-02)
(Definitions)

CALCULATING AREAS HAVING
A SLOPE EQUAL TO OR GREATER THAN 35 PERCENT
AN ILLUSTRATIVE EXAMPLE



$$X = \frac{\text{contour interval in feet}}{0.35} = \frac{2}{0.35} = 5.7 \text{ feet}$$

X = distance between contour lines which indicates a slope of 35%.

In order to calculate the area having a slope equal to or greater than 35 percent, one can use a map with two-foot contour intervals and a scale of one inch equal 20 feet, such as the map pictured above. A 35 percent slope, on a map with two-foot contour intervals, is indicated by contour lines which are 5.7 feet apart, rounded to the nearest 1/10th of a foot. On a map whose scale is one inch to 20 feet, 5.7 feet is represented by .3 of an inch, rounded to the nearest 1/10th of an inch. Identify where the contour lines are .3 of an inch or less apart. Connect these contour lines (as indicated by the heavy lines on the map above) and calculate the area.

Buildable Area

A "buildable area" is a portion of a *zoning lot* having a slope of less than 35 percent.

Hillside

A "hillside" is defined as ground where the ratio of change in elevation to horizontal distance results in a 10 percent or greater slope or *average percent of slope*.

Large Tree

A "large tree" is a tree which at maturity is 30 feet or more in height and has a single trunk unbranched for at least 7 feet above the ground.

Small Tree

A "small tree" is a tree which at maturity is between 20 feet and 30 feet in height and has a single trunk unbranched for at least 7 feet above the ground.

Shrub

A "shrub" is a woody plant which has several erect, spreading or procumbent stems and a general bushy appearance.

Site Alteration

For the purposes of this chapter, a "site alteration" is an alteration on any vacant tract of land, *land with minor improvements* or any tract of land containing *buildings or other structures*. *Site alterations* shall include the following:

- a) Removal of *top soil*;
- b) Excavating, filling, land contour work and other topographic modifications where the ground elevation of the land existing on (the effective date of the Special District designation) is modified by two feet or more;
- c) Dumping, changes in existing drainage systems and changes in grade, alignment or width of public rights-of-way;
- d) Removal of vegetation beyond 15 feet of the foundation of an existing *building*, except when the plant materials' continued presence would create hazards or dangers (such as an area affected by storm or plant disease) to persons, property or other plant material which it would not be possible or practical to eliminate by pruning or routine maintenance.

Special Hillside Preservation District

The "Special Hillside Preservation District" is a Special Purpose District designated by the letters HS, in which special regulations set forth in Article XI, Chapter 9 apply to all *developments, enlargements or site alterations*. The *Special*

Hillsides Preservation District appears on the *zoning maps* superimposed on other districts, and its regulations supplement or modify those of the districts on which it is superimposed.

Tier I

A “Tier I” *development, enlargement or site alteration* is any *development, enlargement or site alteration* that occurs on a *zoning lot* having an *average percent of slope* of less than 10%.

Tier II

A “Tier II” *development, enlargement or site alteration* is any *development, enlargement or site alteration* that occurs on a *zoning lot* having an *average percent of slope* equal to or greater than 10%

Topsoil

“Topsoil” is soil containing undisturbed humus and organic matter capable of sustaining vigorous plant growth and is generally the top six inches of soil.

119-02

General Provisions

In harmony with the general purpose and intent of this resolution and the general purposes of the *Special Hillsides Preservation District*, the regulations of the districts upon which this Special District is superimposed are supplemented or modified in accordance with the provisions of this Chapter. Except as modified by the express provisions of this Chapter, the regulations of the underlying districts remain in effect.

Any *development, enlargement or site alteration* on the *buildable area* of a *zoning lot* where the *average percent of slope* is less than 10% shall be regulated by the provisions set forth in Section 119-10 (PROVISIONS REGULATING *TIER I DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS*). Any *development, enlargement or site alteration* on the *buildable area* of a *zoning lot* having an *average percent of slope* equal to or greater than 10% shall be governed by the provisions set forth in Section 119-20 (PROVISIONS REGULATING *TIER II DEVELOPMENT, ENLARGEMENTS AND SITE ALTERATIONS*).

No *development, enlargement or site alteration* is permitted on any portion of a *zoning lot* having a slope of 35% or more. Said portion of a *zoning lot* shall remain in its natural state, unless an authorization is granted by the City Planning Commission pursuant to Section 119-30 (SPECIAL REVIEW PROVISIONS). Those portions of a *zoning lot* having a slope of 35% or more, however, may count as *lot area* for the purposes of the applicable regulations on *yards, floor area ratio, open space ratio, lot area per dwelling unit or lot area per room*.

The following uses, including *enlargements* to such uses, shall not be permitted within the *Special Hillside Preservation District* unless an authorization is granted by the City Planning Commission pursuant to Section 119-30 (SPECIAL REVIEW PROVISIONS): commercial uses; community facility uses; group parking facilities of 30 cars or more, whether or not they are necessary to satisfy parking requirements.

When the *Special Hillside Preservation District* is designated on a public park or portion thereof, *site alterations*, the construction of new park related facilities such as, but not limited to, roadways, parking lots, comfort stations, storage facilities, swimming pools, eating establishments, tennis courts, amphitheaters and stadia, and improvements to existing park related facilities shall not be subject to the provisions of Section 119-10 (PROVISIONS REGULATING TIER I DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERNATIONS) or Section 119-20 (PROVISIONS REGULATING TIER II DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS) but shall require an authorization from the City Planning Commission pursuant to Section 119-31 (Authorizations).

When computing *floor area* within the *Special Hillside Preservation District*, *floor area* shall include floor space within a floor to ceiling volume that has at least one-half the area of its exterior walls above adjoining grade level.

119-03

Applicability of Large-scale Residential Development Regulations

Any *development* on a *zoning lot* having an *average percent of slope* of 10 percent or greater, which is used predominantly for residential use, may be treated as a *large-scale residential development* and special authorizations or special permits for such *developments* may be granted in accordance with the provisions of Article VII, Chapter 8, as modified herein, regardless of whether such *development* will have the area, number of buildings, or number of dwelling units specified in the definition of *large-scale residential developments* as set forth in Section 12-10 (DEFINITIONS). However, bonuses which may be granted for *large-scale residential developments* under the provisions of Section 78-32 (Bonus for Good Site Plan), Section 78-33 (Bonus for Common Open Space) or Section 78-35 (Special Bonus Provisions) may not be granted for *developments* which have less than the minimum area, number of buildings, or number of dwelling units required by the definition of a *large-scale residential development*.

Notwithstanding the provisions of Section 78-06 (Ownership), a *zoning lot* having an *average percent of slope* of 10 percent or greater which is the subject of an application under this section may include adjacent properties in more than one

ownership, provided that the application is filed jointly by the owners of all the properties included. Any subdivision of the tract before, during or after *development* shall be subject to the provisions of Section 78-51 (General Provisions).

119-04

Future Subdivision

Within the *Special Hillside Preservation District* no *zoning lot* existing on (the effective date of this Chapter) may be subdivided without certification by the City Planning Commission that the proposed subdivision complies with the regulations of the *Special Hillside Preservation District* and that all *hillside*s are preserved to the greatest extent possible under future *development* options.

A plan for such subdivision shall be filed with the Commission and shall include a survey map indicating existing topography at 2 foot contour intervals and all individual trees of 6 inch caliper or more.

When a *zoning lot* existing on (the effective date of this Chapter) is intended to be subdivided and is more than 5 acres, a site plan of the entire subdivision shall be filed with the Commission. The site plan shall include the proposed *street* system within the area, *block* and *zoning lot* layouts and any other information required by the Commission.

In the event that any *zoning lot* proposed for subdivision contains a *development*, *enlargement* or *site alteration* which has been undertaken contrary to the provisions of this chapter, the Commission shall not approve the subdivision until violations are removed from the *zoning lot* in accordance with the Commission's requirements under Section 119-40 (COMPLIANCE).

119-05

Applicability to Public or Publicly-Assisted Housing or Non-profit Residences for the Elderly

The following *developments* for Public or Publicly-assisted Housing or *Non-profit residences for the elderly* which have been approved prior to (the effective date of this amendment) and which have not met the requirements of Section 11-33 (Building Permits for Minor or Major Development Issued before Effective Date of Amendment) shall not be subject to the provisions of Section 119-20 (PROVISIONS REGULATING *TIER II DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS*), but shall be subject instead to the provisions of Section 119-10 (PROVISIONS REGULATING *TIER I DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS*), whether or not said *development* is located on a *zoning lot* having an *average percent of slope* of 10 percent or greater.

- (a) Publicly-assisted housing *developments* approved by the City Planning Commission and the Board of Estimate which limit maximum tenant income and receive cash and/or interest subsidies under Federal mortgage programs;
- (b) Low rent public housing *developments* owned by or constructed for the New York City Housing Authority or other public authority and receiving cash subsidies;
- (c) Housing *developments* approved by the City Planning Commission and the Board of Estimate that are reserved for low-income tenants for a period of not less than 40 years at rentals equivalent to rentals in low rent public housing *developments* receiving cash subsidies;
- (d) Publicly-assisted housing *developments* approved by the City Planning Commission and the Board of Estimate which limit maximum tenant income and receive rent subsidy contracts under Federal rent subsidy programs;
- (e) All government assisted *developments* which receive New York City or New York State assistance to reduce total development cost by \$10,000 or 10 percent, whichever is less, and limit maximum tenant income to the income limits established by the United States Department of Housing and Urban Development for New York City mortgagors assisted under Section 235 of the National Housing Act, as amended;
- (f) City, State, or Federally approved subsidized housing *developments* which limit tenant income, and/or provide rent subsidies, for a minimum of 20% of the units for low- and moderate-income tenants.

119-10 PROVISIONS REGULATING TIER I

DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS

Tier I developments, enlargements and site alterations shall be regulated by the provisions set forth in this Section.

119-11

Tier I Tree Planting Requirements

All *Tier I developments, enlargements and site alterations* shall comply with the tree planting requirements set forth in this section, whether or not existing vegetation is removed as a result of such *development, enlargement or site alteration*. However, the requirements set forth herein shall not apply to any *enlargement* of an existing residential *building*, provided that such *enlargement* does not increase the *lot coverage* of said *building*.

(a) On-site trees

On-site trees, pre-existing or newly planted, shall be provided on the *zoning lot* at the rate of 1 tree for each one thousand square feet of *lot area* or portion thereof.

(b) Street trees

Street trees, pre-existing or newly planted, shall be provided 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 shall be provided at the rate of 1 tree for each 25 feet of frontage. Trees shall be planted in accordance with the requirements of the Department of Highways and Department of Parks.

For any existing tree of at least 6 inch caliper which is preserved, credit for one tree shall be given for the first 6 inches of caliper, and for each additional 4 inches of caliper, credit for an additional tree shall be given.

Trees newly planted to meet this requirement shall be of at least 3 inch caliper at the time of planting. On-site trees shall be of a species selected from Appendix B, and street trees shall be of a species selected from Appendix C.

119-12

Tier I Submission Requirements

For all *Tier I developments, enlargements or site alterations* the following materials shall be submitted to the Department of Buildings. However, the submission requirements set forth herein shall not apply to an *enlargement* of an existing residential *building*, provided that such *enlargement* does not increase the *lot coverage* of said *building*. No building permit shall be issued until the Department of Buildings determines that the requirements of the *Special Hillside Preservation District* have been met.

- (a) A survey map prepared by licensed surveyor showing topography at two foot contour intervals and indicating the existing slope of the land as it occurs in categories of 10-14%, 15-19%, 20-24%, 25-29%, 30-34%, 35% and above.
- (b) A site plan prepared by a registered architect or professional engineer indicating the location of all existing *buildings or other structures*, the location of all proposed *buildings or other structures*, the location and species of all understory, including shrubs and ground cover, and the location, caliper and species of all trees of 6 inch caliper or more.
- (c) A tree-planting plan, prepared by a registered landscape architect indicating the location and species of all new plantings.

119-13

Administration of *Tier I* Requirements

No permanent Certificate of Occupancy shall be issued by the Department of Buildings unless an inspection report verifying that the requirements of Section 119-10 (**PROVISIONS REGULATING *TIER I* DEVELOPMENTS, ENLARGEMENTS AND *SITE ALTERATIONS***) have been met is filed by a registered landscape architect, licensed surveyor, registered architect or professional engineer with the Department of Buildings.

119-20 **PROVISIONS REGULATING *TIER II******DEVELOPMENTS, ENLARGEMENTS AND *SITE ALTERATIONS****

Tier II developments, enlargements and site alterations shall be regulated by the provisions set forth in this Section. However, any *Tier II enlargement* of an existing residential *building*, provided that such *enlargement* does not increase the *lot coverage* of said *building*, shall be exempted from the provisions of Section 119-211 (Lot coverage controls), Sections 119-213 (Grading controls) to Sections 119-217 (Controls during construction) inclusive, Section 119-22 (*Tier II Submission Requirements*) and Section 119-23 (*Administration of Tier II Requirements*).

119-21

***Tier II* Requirements for Development**

119-211

Lot coverage controls

The maximum permitted percent of *lot coverage* on a *zoning lot* shall be determined by Table I.

If an authorization is granted for a *development, enlargement or site alteration* on a *zoning lot* or portion of a *zoning lot* having a slope of 35% or greater pursuant to Section 119-311, the maximum permitted percent of lot coverage for said *zoning lot* shall not exceed the maximum set forth in Table I for *zoning lots* having an *average percent of slope* between 30% and 34.9%.

However, any *development, enlargement or site alteration* which receives an authorization pursuant to Section 119-312 (*Authorization of certain uses within the Special Hillside Preservation District*) and is located in a commercial district shall be exempt from the provisions of this section.

TABLE I

**PERMITTED PERCENT OF LOT COVERAGE ON A ZONING LOT
BY ZONING DISTRICT AND AVERAGE PERCENT OF SLOPE, AND
RESIDENCE TYPE**

Average Percent of Slope	Zoning District*						
	R1-1	R2	R3-1	R4	R5	R6	R6
	R1-2		R3-2			1-2	
						Fam.	Other
10-14.9	22.5%	22.5%	22.5%	36.0%	45.0%	48.6%	32.4%
15-19.9	20.0%	20.0%	20.0%	32.0%	40.0%	43.2%	28.8%
20-24.9	17.5%	17.5%	17.5%	28.0%	35.0%	37.8%	25.2%
25-29.9	15.0%	15.0%	15.0%	24.0%	30.0%	32.4%	21.6%
30-34.9	12.5%	12.5%	12.5%	20.0%	25.0%	27.0%	18.0%

* or residential district equivalent when zoning lot is located within a commercial district

119-212**Height limit controls**

For any *development* or *enlargement* the maximum height of a *building* or *other structure* or portion thereof shall be that which is shown in Table II.

For the purposes of this chapter, the height of a *building* is to be measured at all points adjacent to the *building* from the adjoining ground up (i.e., footprint of the building) and at no point shall it exceed the maximum height permitted in Table II.

Any *development*, *enlargement* or *site alteration* which receives an authorization pursuant to Section 119-312 (Authorization of certain uses within the *Special Hillside Preservation District*) and is located in a commercial district shall be exempt from the provisions of this section.

Any *development* which utilizes the regulations applying to a *predominantly built up area* of Section 23-141 shall be subject to the height limitations of Section 23-691.

TABLE II
MAXIMUM HEIGHT OF A BUILDING OR OTHER STRUCTURE

Zoning District*	Maximum Height
R1, R2, R3, R4	36 feet
R5	60 feet
R6	70 feet

* or residential district equivalent when zoning lot is located within a commercial district

119-213

Grading controls

The following grading requirements shall apply to all Tier II *developments, enlargements or site alterations.*

- (a) With the exception of private streets and driveways, no grading shall take place beyond 15 feet of the location of a *building* foundation, measured from the foundation perimeter.
- (b) Cut slopes shall be no steeper than two horizontal to one vertical; subsurface drainage shall be provided as necessary for stability.
- (c) Where two cut slopes intersect, the corners shall be rounded with a minimum radius of 25 feet.
- (d) Fill slopes shall be no steeper than two horizontal to one vertical; fill slopes shall not be located on natural slopes 2:1 or steeper, or where fill slope toes out within 12 feet horizontally of the top of an existing or planned cut slope.
- (e) Borrowing for fill shall be prohibited unless the material is obtained from a cut permitted under an approved grading plan obtained for some purpose other than to produce fill material, or imported from outside the *Special Hillside Preservation District.*
- (f) Fills shall be compacted to at least 95 percent of maximum density, as determined by ASSHO T99 or ASTM D698.
- (g) All retaining walls or cuts with a total vertical projection in excess of 3 feet and associated with cut or fill surfaces shall be designed as structural members keyed into stable foundations and capable of sustaining the design loads.
- (h) The edge of any cut or fill slope meets the grade existing on (the effective date of this chapter) should be blended into such grade in a vertical or horizontal arc with a radius of not less than 25 feet.

- (i) The top and toe of any cut or fill slope, or where any excavation meets the grade existing on (the effective date of this chapter), should be rounded in a vertical arc with a radius not less than 5 feet.
- (j) Tops and toes of cut and fill slopes shall be set back from *lot lines* a horizontal distance of 3 feet plus one-fifth the height of the cut or fill but need not exceed a horizontal distance of 10 feet; tops and toes of cut and fill slopes shall be set back from *buildings* and structures a horizontal distance of 6 feet plus one-fifth the height of the cut or fill, but need not exceed a horizontal distance of 10 feet.

119-214

Requirements for private streets and driveways

In addition to the requirements of Section 119-213 (Grading controls), all private streets and driveways shall comply with the following:

- (a) The maximum grade of a private street or driveway shall not exceed 10%.
- (b) the paved portion accessible to vehicles of said private street or driveway shall not exceed 30 feet in width.
- (c) The width of the graded section beyond the curb back or edge of pavement of a private street shall extend 3 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 one foot beyond the curb back.
- (d) The maximum horizontal distance of disturbed soil surface shall not exceed 80 feet.

119-215

Landscaping controls

- (a) To the maximum extent possible, existing trees, shrubs and ground cover shall be retained. Vegetation that is removed or destroyed as a result of a *development, enlargement or site alteration* shall be replaced unless:
 - (i) It is located in areas to be occupied by *buildings, private streets, driveways, areas for required accessory parking or within a distance of 15 feet of a building foundation; or*
 - (ii) The continued presence of the vegetation would interfere with the growth or health of trees of six-inch caliper or more designated for preservation and belonging to a species listed in Appendices A, B or C.
 - (iii) The continued presence of the vegetation would create special hazards or dangers or persons or property, which it would not be possible or practical to eliminate by pruning or routine maintenance; or

- (iv) An authorization has been granted by the City Planning Commission under the provisions of this Chapter approving the removal of such vegetation.
- (b) Any vegetation that cannot be preserved as a result of a proposed *development, enlargement or site alteration* and is not exempted from replacement under paragraph A of this section shall be replaced as follows. For every 500 square feet of *lot area* of removed vegetation, or portion thereof, there shall be provided the following plantings of the size and number indicated below. The area of removed vegetation shall be measured so as to include any portions of the zoning lot that were located within the drip line of a removed tree of six-inch caliper or more. Species of vines/ground cover and shrubs shall be selected from Appendix A. Species of on-site trees shall be selected from Appendix B.
- i) Vines/Ground Cover—Vines/ground cover shall be planted one at one foot on center and at the rate of one stem for every square foot of *lot area* of removed vegetation; and
 - ii) *Large trees*—*Large trees* shall be planted at the rate of one three inch caliper tree for every 500 square feet of *lot area* of removed vegetation; or
 - iii) *Small trees*—*Small trees* shall be planted at a rate of one eight foot high tree for every 100 square feet of *lot area* of removed vegetation; or
 - iv) *Shrubs*—*Shrubs* shall be planted at a rate of one 1-gallon container-grown material for every 25 square feet of *lot area* of removed vegetation.

119-216

Tier II tree planting requirements

All *Tier II developments, enlargements and site alterations* shall comply with the following tree planting requirements, whether or not existing vegetation is removed as a result of such *development, enlargement or site alteration*. However, the requirements set forth herein shall not apply to an *enlargement* of an existing residential building, provided that such *enlargement* does not increase the *lot coverage* of said building.

(i) On-site trees

On-site trees, pre-existing or newly planted, shall be provided on the *zoning lot* at the rate of 1 tree for each one thousand square feet of *lot area* or portion thereof.

(ii) Street trees

Street trees, pre-existing or newly planted, shall be provided 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 shall be provided at the rate 1

tree for each 25 feet of frontage. Trees shall be planted in accordance with the requirements of the Department of Highways and Department of Parks.

For any existing tree of at least six inch caliper which is preserved, credit for one tree shall be given for the first six inches of caliper, and for each additional four inches of caliper, credit for an additional tree shall be given.

Trees newly planted to meet this requirement shall be of at least 3 inch caliper at the time of planting. On-site trees shall be of a species selected from Appendix B, and street trees shall be of a species selected from Appendix C.

119-217

Controls during construction

The following requirements must be met during construction:

- (a) No construction equipment of any kind shall operate beyond 15 feet of the perimeter of a *building* foundation except those vehicles engaged in the construction of private streets, driveways or required accessory parking areas. This provision may be waived by the Commissioner of the Department of Buildings should it be determined that the particular conditions of the site make a 15 foot limit infeasible or impractical.
- (b) Construction fences shall be erected around all vegetation proposed for retention and those portions of the fence that are downhill from the construction site shall have hay bales placed adjacent to them.
- (c) Borrowing for fill shall be prohibited unless the material is obtained from a cut permitted under an approved grading plan obtained for some purpose other than to produce fill material, or imported from outside the *Special Hillside Preservation District*.
- (d) Stockpiling shall be placed on the flattest portion of the *zoning lot* or behind a containment wall where it will not contribute to the erosion potential and where it will not endanger any tree scheduled for preservation.
- (e) Top soil shall be used in area to be revegetated as soon as construction is complete.
- (f) All exposed earth areas shall have straw immediately placed on it and seeded with annual rye grass during construction.

119-22

Tier II Submission Requirements

For all *Tier II developments, enlargements* or *site alterations* the following materials shall be submitted to the Department of Buildings. However, the submission requirements set forth herein shall not apply to an *enlargement* of an

existing residential *building*, provided that such *enlargement* does not increase the *lot coverage* of said *building*. No building permit shall be issued until the Department of Buildings determines that the requirements of the *Special Hillside Preservation District* have been met.

- (a) A survey map prepared by licensed surveyor showing topography at two foot contour intervals and indicating the existing slopes of the land as it occurs in categories of 10-14%, 15-19%, 20-24%, 25-29%, 30-34%, 35% and above.
- (b) A site plan prepared by a registered architect or professional engineer indicating the location of all existing *buildings or other structures*, the location of all proposed *buildings or other structures*, the location and species of all understory, including shrubs and ground cover, and the location, caliper and species of individual trees of 6 inch caliper or more.
- (c) A grading plan which will indicate at least one longitudinal and one latitudinal cross-section showing both the original and proposed final ground surfaces, with grades, slopes and elevations noted.
- (d) An alignment and paving plan for any private road with a typical cross section.
- (e) A landscaping and revegetation plan, prepared by a registered landscape architect, indicating the extent of vegetation removal required for site preparation and development and the location and species of all new plantings.
- (f) A construction plan prepared by a registered landscape architect, a registered architect, a licensed surveyor or professional engineer showing the proposed location for stockpiling any soil or construction material, the proposed method for protecting trees, understory shrubs, and ground cover during construction as well as a description of the equipment to be employed in processing and disposing of soil and other material to be removed from the site.
- (g) An affidavit prepared by a registered landscape architect, a registered architect, a licensed surveyor or professional engineer stipulating the following:
 - (i) Prior to construction, no grading, filling, clearing or excavation of any kind shall be initiated until approval of a final grading plan by the Department of Buildings.
 - (ii) No construction equipment of any kind shall pass over areas to be preserved, according to the approved plans.
 - (iii) Construction fences meeting the requirements of Section 119-217 (2) shall be erected around all vegetation proposed for retention.
 - (iv) Construction controls (e.g. erosion protection, drainage measures, etc.) shall be implemented according to the approved plan.

119-23

Administrative of *Tier II* Requirements

All *developments, enlargement* or *site alterations* which are subject to the above requirements shall file directly with the Department of Buildings.

No permanent Certificate of Occupancy shall be granted unless an inspection report verifying that the requirements of Section 119-20 have been met is filed by a registered landscape architect, a registered architect, a licensed surveyor or professional engineer with the Department of Buildings.

119-30 SPECIAL REVIEW PROVISIONS

119-31

Authorizations

Upon application, the City Planning Commission may grant authorizations for modifications of specified regulations of this Chapter and for the underlying district regulations in accordance with the provisions of Sections 119-311 (Authorization of a *development, enlargement* or *site alteration* on a *zoning lot* or portion of a *zoning lot* having a slope of 35 percent or more) to 119-318 (Modification of yard and height and setback regulations) inclusive.

The Commission may prescribe appropriate conditions and safeguards, including covenants running with the land which shall permit public or private enforcement reflecting terms, conditions, and limitations, of any authorizations hereunder to minimize adverse effects on the *hillsides* and the character and quality of the community.

119-311

Authorization of a *development, enlargement* or *site alteration* on a *zoning lot* or portion of a *zoning lot* having a slope of 35% or more

The City Planning Commission may grant authorizations to allow *developments, enlargements* and *site alterations* on portions of a *zoning lot* having a slope of 35% or more.

As a condition for granting such authorizations, the Commission shall find:

- (a) that the *development* or *enlargement* or *site alteration* is not feasible without such modification, or that the requested modification will permit a *development, enlargement* or *site alteration* which satisfies the purposes of this chapter;
- (b) that such modification is the least modification required to achieve the purpose for which it is granted;
- (c) that the modification requested has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;

- (d) that the requested modification will not disturb the drainage patterns and soil conditions of the area;
- (e) that the *development, enlargement or site alteration* takes advantage of the natural characteristics of the site.

Any *development, enlargement or site alteration* requiring an authorization pursuant to this section shall be subject to all the requirements of Section 119-20 (PROVISIONS REGULATING TIER II DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS) for which an authorization or special permit has not been obtained.

In addition, all *developments, enlargements and site alterations* that require an authorization pursuant to this section shall be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorizations and Special Permits).

119-312

Authorization of certain uses within the *Special Hillside Preservation District*

The City Planning Commission may grant authorizations for *commercial uses, community facility uses*, for group parking facilities of 30 cars or more and for *enlargements* to any such *uses* and facilities.

As a condition for such authorization, the Commission, upon review of the site plan, shall find that:

- (a) that the proposed *development, enlargement or site alteration* will not disturb the drainage pattern and soil conditions of the area;
- (b) that the proposed *development, enlargement or site alteration* has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;
- (c) that such *development, enlargement or site alteration* is so located as not to impair the essential character of the surrounding area;
- (d) that the design of such *development, enlargement or site alteration* takes full advantage of all special characteristics of the site;
- (e) that vehicular access and egress for such *development, enlargement or site alteration* is located and arranged so as to draw a minimum of vehicular traffic to and through local *streets* in nearby *residential* areas; and

(f) that where vehicular access and egress is located on an arterial, such location affords the best means for controlling the flow of traffic generated by such *development* to and from such arterial.

Applications for authorizations of group parking facilities over 30 cars or for *enlargements* to group parking facilities shall be referred to the Department of Traffic for its report with respect to anticipated traffic congestion.

Any *development, enlargement or site alteration* that requires an authorization pursuant to this section and is located on a *zoning lot* having an *average percent of slope* of 10% or greater shall be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorizations and Special Permits).

Section 119-313

Modification of landscaping and tree planting requirements

The Commission may authorize modifications to Section 119-11, (*Tier I Tree Planting Requirements*), Section 119-215 (Landscaping controls) and Section 119-216 (*Tier II tree planting requirements*).

As a condition for granting such authorizations, the Commission shall find:

- (a) that the *development, enlargement or site alteration* is not feasible without such modifications, or that the requested modification will permit a *development, enlargement or site alteration* which satisfies the purposes of this charter;
- (b) that such modification is the least modification required to achieve the purpose for which it is granted;
- (c) that the ecology and soil conditions of the site are such that the substitution of other plant material would be as appropriate as the tree planting requirements being modified;

Where on-site restoration of vegetation would result in over-crowding or would adversely affect the ecology of the site, the Commission may authorize planting of one or more trees on adjoining public sidewalks or in a nearby public area within the *Special Hillside Preservation District*. The Commission may also allow the substitution of other plant material provided a detailed landscaping plan is filed with the Commission for approval and certification.

Any *development, enlargement or site alteration* that requires an authorization pursuant to this section and is located on a *zoning lot* having an *average percentage of slope* of 10% or greater shall be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain

Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorization and Special Permits).

Section 119-314

Modification of lot coverage controls

For any *development* or *enlargement* on a *zoning lot* having an *average percent of slope* of 10% or greater, the City Planning Commission may authorize variations in the *lot coverage* controls set forth in Section 119-211 (Lot coverage controls).

As a condition for granting such authorization the Commission shall find:

- (a) that the *development* or *enlargement* is not feasible without such modification, or that the requested modification will permit a *development* or *enlargement* which satisfies the purpose of this chapter;
- (b) that by allowing the permitted *floor area* in a *building* of *buildings* of lower height to cover more land, the preservation of *hillsides* having aesthetic value to the public would be assured, and that such preservation would not be possible by careful siting of higher *building* containing the same permitted *floor area* on less land;
- (c) that such modification is the least modification required to achieve the purpose for which it is granted;
- (d) that the modification requested has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;
- (e) that the requested modification will not disturb the drainage pattern and soil conditions of the area;
- (f) that the proposed modification does not impair the essential character of the surrounding area.

All *developments*, *enlargements* or *site alterations* that require an authorization pursuant to this section shall be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorizations and Special Permits).

119-315

Modification of height limit controls

For any *development* or *enlargement* on a *zoning lot* having an *average percent of slope* of 10% or greater, the City Planning Commission may authorize variations in the height limit controls set forth in Section 119-212 (Height limit controls).

As a condition for granting such authorizations, the Commission shall find:

- (a) that the *development* or *enlargement* is not feasible without such modification, or that the requested modification will permit a *development* or *enlargement* which satisfies the purpose of this chapter;
- (b) that by concentrating permitted *floor area* in a *building* or *buildings* or greater height covering less land, the preservation of existing topography and vegetation and the preservation of *hillsides* having aesthetic value to the public will be assured, and that such preservation would not be possible by careful siting of lower *buildings* containing the same permitted *floor area* and covering more land;
- (c) that such modification is the least modification required to achieve the purpose for which it is granted;
- (d) that the requested modification will not disturb the soil conditions of the area;
- (e) that the proposed modification does not impair the essential character of the surrounding area;
- (f) that the proposed modification will not have adverse effects upon light, air and privacy of adjacent properties.

All *developments*, *enlargements* or *site alterations* that require an authorization pursuant to this section shall also be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorizations and Special Permits).

Section 119-316

Modification of grading controls

For any *development*, *enlargement*, or *site alteration* on a *zoning lot* having an *average percent of slope* of 10% or greater, the City Planning Commission may authorize variations in the grading controls set forth in Section 119-213 (Grading controls).

As a condition for granting such authorization, the Commission shall find:

- (a) that the *development*, *enlargement* or *site alteration* is not feasible without such modifications, or that the requested modifications will permit a *development*, *enlargement* or *site alteration* which satisfies the purposes of this chapter;
- (b) that such modification is the least modification required to achieve the purpose for which it is granted;
- (c) that the modification requested has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;

- (d) that the requested modification will not disturb the drainage pattern and soil conditions of the area;
- (e) that the proposed modification does not impair the essential character of the surrounding area;
- (f) that the benefits to the surrounding area from the proposed modification outweigh any disadvantages which may be incurred thereby in the area.

All *developments, enlargements or site alterations* that require an authorization pursuant to this section shall also be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorizations and Special Permits).

Section 119-317

Modification of requirements for private streets and driveways

For any *development, enlargement or site alteration* on a *zoning lot* having an *average percent of slope* of 10% or greater, the City Planning Commission may authorize variations in the requirements for private streets and driveways as set forth in Section 119-214 (Requirements for private streets and driveways).

As a condition for granting such authorizations, the Commission shall find:

- (a) that the *development or enlargement* is not feasible without such modification, or that the requested modification will permit a *development, enlargement or site alteration* which satisfies the purposes of this chapter;
- (b) that such modification is the least modification required to achieve the purpose for which it is granted;
- (c) that the requested modification will not disturb the drainage pattern and soil conditions of the area;
- (d) that the modification requested has minimal impact on the existing natural topography and vegetation and blends harmoniously with it;

All *developments, enlargements, or site alterations* that require an authorization pursuant to this section shall also be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorizations and Special Permits).

119-318

Modifications of certain bulk regulations

For any *development or enlargement* on a *zoning lot* having an *average percent of slope* of ten percent or greater, the City Planning Commission may authorize

variations in required *front, rear, or side yards*, variations in required space between *buildings* on the same *zoning lot* and modifications in the underlying district height and setback regulations.

As a condition for granting such authorizations the Commission shall find:

- (a) that *development* on the *zoning lot* is not feasible without such modification, or that the requested modification will permit a *development, enlargement or site alteration which better satisfies the purposes of this chapter*;
- (b) that such modification is the least modification required to achieve the purpose for which it is granted;
- (c) that the proposed bulk and placement of *buildings* and the proposed arrangement of *open spaces* will not have significant adverse effects upon the light, air and privacy for existing *development* in adjacent areas or the opportunities therefor in future *development*.

All *developments, enlargements or site alterations* that require an authorization pursuant to this section shall also be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorizations and Special Permits).

Section 119-319

Authorization to allow *site alterations*, the construction of new park related facilities and improvements to existing park related facilities within *public parks*.

Upon application, the City Planning Commission may authorize *site alterations*, the construction of new park related facilities such as, but not limited to, roadways, parking lots, comfort stations, storage facilities, swimming pools, eating establishments, tennis courts, amphitheaters and stadia, and improvements to existing park related facilities.

As a condition for granting such authorizations, the Commission shall make the following findings:

- (a) that the proposed action will have a minimal impact on the existing natural topography of the surrounding area and blend harmoniously with it;
- (b) that the proposed action will have minimal impacts on the drainage pattern and soil conditions in the area;
- (c) that the proposed action will preserve to the greatest extent possible the trees and vegetation within the park; and
- (d) that the proposed action is compatible with the neighborhood character of the area.

An application to the City Planning Commission for an authorization pursuant to this section shall include the following:

(i) a survey map prepared by a licensed surveyor showing existing topography at the two-foot contour intervals;

(ii) a site plan prepared by a registered architect or professional engineer indicating the location of all existing buildings or other structures, the location of all proposed buildings or other structures, the location of all understory including shrubs and ground cover, and the caliper and species of all individual trees of 6 inch caliper or more;

(iii) any other information necessary to evaluate the request.

In issuing authorizations under this Section, the Commission may impose conditions or safeguards, such as special landscape requirements, to minimize adverse effects on the character of the *Special Hillside Preservation District*.

119-32

Special Permits

The City Planning Commission, after public notice and hearing and subject to Board of Estimate action, may grant special permits for modification of the underlying district regulations in accordance with the provisions of Section 119-321 (Modification of use regulations).

119-321

Modification of use regulations

For any *development* or *enlargement* on a *zoning lot* having an *average percent of slope* of ten percent or greater, the City Planning Commission may grant special permits to allow *single-family semi-detached residences* in R1 and R2 districts, or *single-family attached residences* in R1, R2 and R3-1 districts, or *two-family attached residences* in R3-1 districts.

As a condition for granting such special permits the Commission shall find:

- (a) that *development* on this *zoning lot* is not feasible without such modification, or that the requested modification will permit a *development, enlargement or site alteration* which better satisfies the purposes of this chapter;
- (b) that the change of housing type requested constitutes the most effective method of preserving the existing topography and vegetation;
- (c) that the preservation of existing topography and vegetation requires the permitted *development* to be concentrated to the extent feasible, in the remaining portion of the tract;

- (d) that for such concentration of *development*, better standards of privacy and usable *open space* can be and are achieved under the development plan by inclusion of the proposed *residential building* types;
- (e) that such modification is the least modification required to achieve the purpose for which it is granted;
- (f) that the *aggregate width of street walls* of a residential building, or a number or of a number of *residential buildings* separated by party walls, shall not exceed 100 feet;
- (g) that the proposed *street* system for the *development* is so located as to draw a minimum of vehicular traffic to and through *streets* in the adjacent area;
- (h) that the siting of the *building* or *buildings* will not adversely affect adjacent properties by impairing privacy or access of light and air; and
- (i) that the existing topography and vegetation and the proposed planting effectively screen all attached *one-family* residences from the *lot lines* along the *development* perimeter.

In no case shall the minimum *required lot* area of the underlying district be reduced.

The Commission may impose appropriate conditions or safeguards, such as special landscaping requirements to minimize any adverse effects on the character of the surrounding area.

All *developments, enlargements* or *site alterations* that require a special permit pursuant to this section shall also be subject to the provisions of Section 119-33 (Special Erosion and Sedimentation Prevention Requirements for Certain Authorizations and Special Permits) and Section 119-34 (Special Submission Requirements for Certain Authorizations or Special Permits).

119-33

Special Erosion & Sedimentation Prevention

Requirements for Certain Authorizations and Special Permits

Any *development, enlargement* or *site alteration* which requires an authorization or special permit and which is subject to the provisions of Section 119-20 (PROVISIONS REGULATING TIER II DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS), shall be subject to the provisions of this section. The requirements of this section shall supplement any other requirements which must also be met.

Prior to construction at least one of the erosion and sedimentation control measures described below shall be selected. A plan describing how the selected erosion and

sedimentation control measure will be implemented and justifying its selection on the basis of the particular conditions of the site, shall be prepared by a professional engineer and submitted to the City Planning Commission.

(a) Benches and berms - These are level terraces or ledges constructed across sloping land to provide a relatively flat construction site or to reduce the length and grade of a slope. Benches and berms reduce runoff and erosion hazards by slowing down the velocity of water and providing greater intake opportunity;

(b) Diversion channels - These are earth channels with a supporting ridge on the lower side constructed across the slope lengths, break up concentration of runoff and move water to stable outlets at a non-erosive velocity;

(c) Debris or sediment basins - These consist of a dam or embankment, a pipe outlet, and an emergency spillway situated at the low corner of the site to provide a temporary means of trapping and storing sediment while releasing the water. Protects property below the installation from damage by excessive sedimentation and debris;

(d) Retention ponds - These are impoundment-type ponds that temporarily store runoff water and release it at rates which minimize erosion and prevent flooding. May be located above the site to trap water before it enters the area or within the site to protect properties below the site;

(e) Grassed waterways or outlets - These are natural or excavated channels to dispose of excess runoff water from diversions, berms, benches, and other areas at non-erosive velocities. Waterways or outlets are shaped or graded and established in suitable vegetation as needed, depending on the supplemental measure used to slow the velocity of runoff.

119-34

Special Submission Requirements for Certain Authorizations and Special Permits

When a development, enlargement or site alteration is subject to the provisions of Section 119-20 (PROVISIONS REGULATING TIER II DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS), an application to the City Planning Commission for an authorization or special permit shall include the submission requirements that follow. These requirements shall be in addition to the requirements set forth in Section 119-22 (Tier II Submission Requirements).

(a) A drainage plan and soil report prepared by a professional engineer to assess whether or not there will be a major impact on natural features. The drainage plan shall describe the temporary (during construction) and permanent measures to collect, direct and discharge stormwater drainage from the site, indicating the direction of drainage flow and providing detailed plans and locations of all surface

and subsurface drainage devices, walls, dams, sediment basins, stormwater storage (detention and retention) facilities, and other drainage facilities and protective devices. Such report shall include an estimate of runoff from the site after completion of proposed *developments, enlargements or site alterations* and provide a description with supporting information of the manner in which the proposed *development, enlargement or site alteration* complies with the requirements of Local Law 7 of 1974.

- (b) An erosion and sedimentation plan as described in Section 119-32.
- (c) For any *development or site alteration* on a tract of land 40,000 square feet or greater, a landscape plan prepared by a registered landscape architect which shows the location and species of all new plantings of trees, shrubs and ground covers and the proposed method preserving existing trees, shrubs and ground covers.
- (d) Any other information the Commission may deem necessary to evaluate the request.

The applicant's submission shall also include a statement admitting authorized Department of City Planning personnel to the site for the purposes of recording or verifying survey data.

119-35

Administration of Special Review Provisions

Where a permit other than a building permit is required for a *development, enlargement, or site alteration* within the *Special Hillside Preservation District* from any City agency, an application for such permit shall be filed simultaneously with such agency and the City Planning Commission.

No permanent Certificate of Occupancy shall be granted unless an inspection report verifying that the requirements of Section 119-20 (PROVISIONS REGULATING TIER II DEVELOPMENTS, ENLARGEMENTS AND SITE ALTERATIONS) and 119-30 (SPECIAL REVIEW PROVISIONS) have been met is filed by a registered landscape architect, a licensed surveyor or professional engineer with the Department of Buildings.

Section 119-40

COMPLIANCE

In the event that a *development, enlargement or site alteration* is undertaken, or has been undertaken, contrary to the provisions of this Chapter, any permit issued by the Department of Buildings for any *use development, enlargements or site alteration* on the affected *zoning lot* shall be revoked.

No building permit or permanent certificate of occupancy shall be issued by the Department of Buildings for any *use, development, enlargement or site alteration* or such *zoning lot* until the violations are removed from the *zoning lot* pursuant to a restoration plan certified by the City Planning Commission.

If (such) violations have not ceased within 90 days of receipt of the Commissions' requirements, the Department of Buildings shall institute such action as may be necessary to prosecute the violations. For compliance with restoration requirements to remove violations, the Department of Buildings may allow an additional 90 days.

Where on-site restoration of vegetation would result in over-crowding or would adversely affect the ecology of the site, the Commission may authorize planting of one or more trees on adjoining public sidewalks or in a nearby public area within the *Special Hillside Preservation District*. The Commission may also allow the substitution of other plant material provided a detailed landscaping plan is filed with the Commission for approval and certification.

APPENDIX A

Selection List for Shrubs and Vines

SHRUBS

COMMON

Rose-acacia
Rose, rugosa
Sumac, fragrant
Sumac, staghorn
Sweet fern
Willow purple osier

BOTANTICAL

Deciduous

Robinia hispida
Rosa, rugosa
Rhus aromatica
Rhus typhina
Comptonia peregrina
Salix purpurea

Evergreen

Barberry, juliane
Juniper, spreading
Pine, mugo
Viburnum, leatherleaf
Yew, English
Yew, Japanese
Yew, medium

Berberis julianae
Juniperus chinensis
Pinus mugo
Viburnum rhytidophyllum
Taxus baccata
Taxus cuspidata
Taxus media

VINES

Bittersweet, common	Celastrus scandens
Bittersweet, oriental	Celastrus orbiculata
Ivy, English	Hedera helix
Juniper, spreading	Juniperus horizontalis
Teaberry	Gualtheria procumbens
Rose, Wichura	Rosa wichuraiana

APPENDIX B

Tree Selection List for ON-SITE Trees

<u>COMMON</u>	<u>BOTANICAL</u>	<u>VARIETIES</u>
<i>SMALL</i> (20-30 feet at maturity)		
	Deciduous	
Choke cherry	Prunus virginiana	
Crabapple, flowering	Malus	Almey Crimson Brilliant Dorothea Jay Darling Spectabilis albi-plena Hopa Strathmore Red Jade
Hawthorn, Washington	Crataegus phaenopyrum	
Hornbeam, American	Carpinus caroliniana	
	Evergreen	
Cedar, Eastern Red	Juniperus virginiana	
Juniper, Common	Juniperus communis	
<i>LARGE</i> (30+ feet at maturity)		
	Deciduous	
Atlantic white cedar	Chamaecyparis thyoides	
Black cherry	Prunus serotina	
Buckeye, yellow	Aesculus octandra	
Cranapple flowering	Malus	Dolgo
Locust, black	Robinia pseudo acacia	

Locust, thornless honey	<i>Gleditsia triacanthus</i> <i>inermis</i>
Mountain Ash, American	<i>Sorbus americana</i>
Oak, black	<i>Quercus velutina</i>
Oak, scarlet	<i>Quercus coccinea</i>
Sweet gum	<i>Liquidamber styraciflua</i>
	Evergreen
Aborvitae, American	<i>Thuja occidentalis</i>
Pine, pitch	<i>Pinus rigida</i>
Pine, white	<i>Pinus strobus</i>
Spruce, black	<i>Picea mariana</i>
Spruce, white	<i>Picea glauca</i>

APPENDIX C

Tree Selection List for Street Trees

COMMONBOTANICAL

Ash Green	<i>Froxinus pennsylvatica lanceolata</i>
Cork Tree, Amur	<i>Phellodendran amurense</i>
Elm, smooth leaf	<i>Ulmus carpintolia</i>
Flowering cherry	<i>Prunus</i>
Golden Rain tree	<i>Koelreuteria Paniculata</i>
Japanese Pagoda	<i>Sophora japonica</i>
Katsura	<i>Cercidiphyllum iaponicum</i>
Linden, Silver	<i>Tilia petiolaris</i>
Oak-Willow	<i>Quercus phellas</i>
Russian olive	<i>Elaegnus Augustifolia</i>
Sweetgum	<i>Sweetgum</i>
Sycamore London Plane	<i>Platanus Acerifolia</i>
Zelkova, Japanese	<i>Zelkovaserrata</i>

Resolution for adoption scheduling May 20, 1987 for a public hearing.

BOROUGH OF MANHATTAN**No. 5****CD 10****C 860553 ZMM**

IN THE MATTER OF an application submitted by the **Harlem Commonwealth Council Inc.**, pursuant to Sections 197-c and 200 of the **New York City Charter** for *amendment of the Zoning Map*, Section No. 6a changing from a C4-4 District to a C4-7 District, property bounded by west 125th Street, Frederick Douglass Boulevard, a line midway between west 125th Street and west 126th Street and a line 275 feet west of Adam Clayton Powell jr. Boulevard, as shown on a diagram dated March 2, 1987.

Resolution for adoption scheduling May 20, 1987 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF STATEN ISLAND

No. 6

CD 1

C 870643 PSR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Human Resources Administration pursuant to Section 197-c of the New York City Charter for the **selection and acquisition of property** located on the west side of Central Avenue between Hyatt Street and Victory Boulevard (Block 6, Lots 14, 18), for the *rehabilitation of a former office building for a shelter facility for homeless families.*

(On April 22, 1987, Cal. No. 1, the Commission scheduled May 6, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 7

CD 3

C 870461 PPM

PUBLIC HEARING:

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition** of one **City-owned property** located at **302 Broome Street** (Block 419, Lot 76).

(On April 22, 1987, Cal. No. 2, the Commission scheduled May 6, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 8

CD 3

C 870593 PPM

PUBLIC HEARING:

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of two City-owned properties.**

Block	Lot	Location
343	72,73	N/S Delancey Street, 100 feet E/O Ridge St.
387	33	69 Avenue C

A list and description of the properties can be seen at 2 Lafayette Street, Room 1514, New York, New York 10007.

(On April 22, 1987, Cal. No. 3, the Commission scheduled May 6, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 9

CD 1

N 870484 HSM

PUBLIC HEARING:

IN THE MATTER OF an amendment to the Nassau Street Mall Plan pursuant to Section 197-a of the New York City Charter.

The proposed amendment would provide for: the addition of John Street between Broadway and Williams Street to the mall plan area; the designation of this area as sub-district "B" within the Mall Plan; designating the original mall plan area, Nassau Street between Liberty and Spruce Streets, as sub-district "A"; and other changes in the plan reflecting the added area.

(On April 22, 1987, Cal. No. 4, the Commission scheduled May 6, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

Citywide

N 870385 ZRY

N 870197 ZRY (A)

CONTINUED PUBLIC HEARING:

(Amendments to the Zoning Resolution pertaining to the establishment of new zoning districts; establishment of the Quality Housing Program; elimination of the special permit for Housing Quality Developments and modification of street wall and height regulations in certain contextual districts)

Note: The Quality Housing text amendments, N870385ZRY, were referred to all community and borough boards on November 10, 1986. These proposed amendments were based on the assumption that N870197ZRY, the R8B contextual zoning amendments, would be approved by the Board of Estimate prior to the Planning Commission's public hearing on Quality Housing. Because additional time for public comment on N870197ZRY was provided, both proposed amendments are before the Planning Commission at the same time. To clarify the interrelationship of these two proposals, the Commission is hereby calendaring a combined text amendment, incorporating both N870197(A)ZRY and N870385ZRY.

The proposed R8B contextual zoning amendments, N870197ZRY, were referred to all community and borough boards on November 12, 1986. These amendments were the subject of a public hearing held by the Planning Commission on March 4 and 18, 1987.

The R8B amendments as modified, N870197(A)ZRY, have been integrated into Sections 23-51, 23-633, 24-351, 24-523, 34-223 and 33-433, set forth in the Quality Housing amendments, N870385ZRY.

IN THE MATTER OF amendments, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of the City of New York, relating to various sections concerning: the establishment of new zoning districts (R6A, R6B, R7A, R7B, R7X, R8X, C1-6A, C1-7A, C2-6A, C4-2A, C4-3A, C4-4A, C4-5A, C4-5X, C5-1A, C6-3A, C6-4A); the establishment of the Quality Housing Program; the elimination of the special permit for Housing Quality Developments; and the modification of street wall and height and setback regulations in certain contextual districts, as follows:

Matter in **Bold Type** is new;

Matter in [brackets] is old, to be omitted;

Matter in *italics* is defined in Section 12-10 or 28-02.

Article 1
General Provisions

Chapter 1 Title, Establishment of Controls, and Interpretation of Regulations

* * *

11-12

Establishment of Districts

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

Residence Districts

* * *

R6A General Residence District

R6B General Residence District

* * *

R7A General Residence District

R7B General Residence District

R7X General Residence District

* * *

R8X General Residence District

* * *

Commercial Districts

* * *

C1-6A Local Retail District

* * *

C1-7A Local Retail District

* * *

C2-6A Local Service District

* * *

C4-2A General Commercial District

* * *

C4-3A General Commercial District

* * *

C4-4A General Commercial District

* * *

C4-5A General Commercial District

* * *

C4-5X General Commercial District

* * *

C5-1A Restricted Central Commercial District

* * *

C6-3A General Central Commercial District

* * *

C6-4A General Central Commercial District

* * *

12-10 DEFINITIONS

* * *

Lot Coverage, Quality Housing

“Quality Housing lot coverage” is that portion of the zoning lot which, when viewed directly from above, would be covered by a residential building, or any portion thereof, developed or enlarged pursuant to the Quality Housing Program. Obstructions permitted pursuant to Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not be included in Quality Housing lot coverage.

* * *

Manhattan Core

The “Manhattan Core” is the Borough of Manhattan south of 96th Street excluding Community District 3.

* * *

Physical Culture or Health Establishments

* * *

[Non-commercial physical culture or health facilities in a Housing Quality development under Section 74-95 (Housing Quality Development), may qualify as

a *community facility use* provided that such health related facilities are located in a C2, C4, C5 or C6 District and provided further that the Commission makes the findings as set forth in Section 73-36 (Physical Culture of Health Establishments) of the Zoning Resolution in lieu of the special permit procedure pursuant thereto.]

* * *

Sky exposure or front sky exposure plane

A “sky exposure plane” or a “front sky exposure plane” is an imaginary inclined plane:

- (a) Beginning above the *street line* (or where so indicated, above the *front yard line*) at a height set forth in the district regulations; and
- (b) Rising over a *zoning lot* at a ratio of vertical distance to horizontal distance set forth in the district regulations.

Sky exposure plane, rear

A “rear sky exposure plane” is an imaginary inclined plane:

- (a) Beginning above a line **at a distance of 100 feet from and parallel to the *street line*** and at a height set forth in the district regulations, and
- (b) Rising over a *zoning lot* at a ratio of vertical distance to horizontal distance set forth in the district regulations.

* * *

Article II

Residential District Regulations

* * *

Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

23-00 APPLICABILITY AND GENERAL PURPOSES

23-01

Applicability of This Chapter

* * *

[All districts in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the Section indicated in Column C.

Column A	Column B	Column C
R8A	R8	23-142, 23-143, 13-145, 23-22
R8B		23-223, 23-25, 23-533, 23-632 23-633, 23-71
R9A	R9	23-142, 23-143, 23-145, 23-22 23-223, 23-533, 23-632, 23-633 23,71
R9X	R9	23-142, 23-143, 23-145, 23,22 23-223, 23-25, 23-533, 23-632 23-71
R10A	R10	23-145, 23-15, 23,22, 23-223, 23-533, 23-632, 23-633, 23-71]

* * *

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

* * *

23-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

23-012

Quality Housing Program

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

In other R6, R7, R8, R9 or R10 Districts the *bulk* regulations applicable to Quality Housing *developments* may, as an alternative, be applied if the *zoning lot* is *developed* pursuant to all of the requirements of the Quality Housing Program. Such *development* may be subsequently *enlarged* only pursuant to the Quality Housing Program. However, these *bulk* regulations shall not apply in these districts to:

- (a) *enlargement of buildings* unless such *buildings* have been *developed* pursuant to the Quality Housing Program;
- (b) *extensions* or conversions;
- (c) *developments* on a *zoning lot* containing existing *buildings*;
- (d) *developments* on *zoning lots* resulting from the subdivision of a *zoning lot* containing existing *buildings*, if such *development* or subdivision results in a *non-compliance* or an increase in the degree of an existing *non-compliance* pursuant to the non-Quality Housing *bulk* regulations applicable in such districts.

The Quality Housing Program shall not apply in Special Purpose Districts except the *Special Limited Commercial District* and the *Special Transit Land Use District* or to Article VII, Chapter 8 (Large Scale Residential Developments).

23-02

General Purposes of Residential Bulk Regulations

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of density as well as of the physical volume of buildings is established. [In order to open up residential areas to light and air and encourage better standards of open space, moderately higher levels of density and of building volume are permitted when greater amounts of open space are provided.]

* * *

23-13

Balconies

23-131

In R1 through R10 Districts

R1, R2, R3, R4, R5, R6, R7, R8, R9, R10

In the districts indicated, balconies which;

- (a) are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height;
- (b) are located at or higher than the floor level of the third *story* of a *building* or at least 20 feet above *curb level* and except that in the case of a *residential building* not more than 32 feet in height, such balconies may be located at or above the floor level of the second *story* provided that such

balcony is located not lower than seven feet above *curb level*, or seven feet above adjacent natural grade, whichever is higher;

- (c) have an aggregate length, at the level of any *story*, not exceeding 50 percent of the length at that level of the plane surface of the *building* wall from which they project; and
- (d) have an aggregate area of projection at the level of any *story*, not exceeding, in square feet, 1.8 times the length in feet at that level of such plane surface,

may, by a distance not exceeding nine feet, penetrate any *sky exposure plane* or project into or over any required open area set forth in the following sections:

- [a] (i) *Open space*, as defined in Section 12-10 (DEFINITIONS);
- [b] (ii) *Plazas*, as defined in Section 12-10 (DEFINITIONS);
- [c] (iii) *Rear yards*, as defined in Section 12-10 (DEFINITIONS);
- [d] (iv) *Initial setback distances*, or *sky exposure planes*, as set forth in Section 23-63 (Maximum Height of Frontal Wall and Required Front Setbacks);
- [e] (v) *Alternate front setbacks* or *sky exposure planes*, as set forth in Section 23-64 (Alternate Front Setbacks);
- [f] (vi) *Open areas not occupied by towers*, as set forth in Section 23-65 (Tower Regulations);
- [g] (vii) *Required side and rear setbacks*, as set forth in Section 23-66 (Required Side and Rear Setbacks);
- [h] (viii) *Required distances between buildings*, as set forth in Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot);
- [i] (ix) *Pedestrian mall*.

However, for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program the provisions of Section 23-132 (Balconies in R6A through R10A Districts) shall apply.

23-132

Balconies in R6A through R10A Districts**R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X**

- (a) In the districts indicated, balconies may be provided as set forth in Section 23-131 paragraphs (a) through (d) except that projections shall conform to the provisions of paragraph (b) below. In addition, balconies may be enclosed by the *building* walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and such balcony is counted as *Quality Housing lot coverage*. The area of such balcony shall be excluded from the definition of *floor area*.
- (b) In no event shall balconies:
- (i) project by a distance greater than seven feet as measured from the plane surface of the *building* wall from which it projects;
 - (ii) penetrate the *front or rear sky exposure planes*;
 - (iii) project into the minimum required distance between *buildings* on the same *zoning lot*;
 - (iv) cover more than 10 percent of the area designated as outdoor recreation space pursuant to Section 28-30 (RECREATION SPACE AND PLANTING AREAS).

23-14

Minimum Required Open Space Ratio, Maximum Quality Housing Lot Coverage and Maximum Floor Area Ratio in R1 through R9 Districts and R6A through R10A Districts

**R1,R2,R3,R4,R5,R6,R7,R8,R9,R6A,R7A,R8A,
R9A,R6B,R7B,R8B,R7X,R8X,R9X,R10A**

In the districts indicated, except as otherwise provided in Section 23-19 (Special Provisions for Zoning Lots Divided by District Boundaries), for any *building* on a *zoning lot*, the minimum required *open space ratio* shall not be less than set forth in this Section; the maximum *Quality Housing lot coverage* shall not exceed the *Quality Housing lot coverage* as set forth in this Section; and the maximum *floor area ratio* shall not exceed the *floor area ratio* set forth in this Section. Any given

lot area or area of *open space* shall be counted only once in determining the *floor area ratio* or the *open space ratio*.

Any *building*, in addition to complying with the provisions of this Section, shall be subject to the provisions set forth in Section 23-22 (Required Lot Area Per Dwelling Unit or Per Room) as well as all other applicable *bulk* regulations as set forth in this Chapter.

* * *

23-142

In R6, R7, R8 or R9 Districts

R6,R7,R8,R9

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), Section 23-145 [In R8A, R8B, R9A, R9X or R10A Districts] (**For residential buildings developed or enlarged pursuant to the Quality Housing Program**) and Section 23-146 (**Optional provisions for certain R5 and R6 Districts in Brooklyn**), in the districts indicated the minimum required *open space ratio* and the maximum *floor area ratio* for any *building* on a *zoning lot* shall be as set forth in the following table for *buildings* with the *height factor* indicated in the table.¹

Table unchanged

* * *

23-143

For high buildings in R6, R7, R8 or R9 Districts

R6,R7,R8,R9

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), [and Section 23-145 (In R8A, R8B, R9A, R9X or R10A Districts)] in the districts indicated, for *buildings* with *height factors* greater than 21, the minimum required *open space ratio* shall be as set forth in the following table:

Table unchanged

* * *

23-144

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

R3,R4,R5,R6,R7

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

Table unchanged

* * *

However, in R6 and R7 Districts the minimum required *open space ratio* shall not apply to *non-profit residences for the elderly developed, or enlarged* where permitted, pursuant to the Quality Housing Program. Such *developments or enlargements* shall be subject to the requirements of R6A or R7A Districts, respectively, as set forth in Section 23-147 (For non-profit residences for the elderly in R6A, R6B, R7A, R7B and R7X Districts).

[23-145

In R8A, R8B, R9A, R9X or R10A Districts

R8A,R9A,R8B,R9X

In the districts indicated, the *height factor* and *open space ratio* regulations shall not apply.

The maximum permitted *floor area ratio* and the maximum permitted *lot coverage* on a *zoning lot* shall be as set forth in the following table:

Table Unchanged

* * *

For the purposes of this Section any obstructions on a *zoning lot* pursuant to Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not count as *lot coverage*.]

23-145

For residential buildings developed or enlarged pursuant to the Quality Housing Program

R6,R7,R8,R9,R10

In the districts indicated, the maximum *Quality Housing lot coverage* and the maximum *floor area ratio* for any *residential building* on a *zoning lot developed or enlarged* pursuant to the Quality Housing Program shall be as set forth in the table below and the maximums for *developments*, or *enlargements* where permitted, located within 100 feet of a *wide street* in R6, R7 and R8 Districts without a letter suffix outside the *Manhattan Core*, shall be as designated by the same district with an asterisk.

Maximum *Quality Housing*
Lot Coverage (in percent)

<i>Corner Lot</i>	<i>Interior Lot or Through Lot</i>	<i>Maximum Floor Area Ratio</i>	<i>District</i>
80	60	2.43	R6
80	65	3.00	R6*,R6A,R7B
80	60	2.00	R6B
80	65	3.44	R7
80	65	4.00	R7*,R7A
80	70	5.00	R7X
80	70	6.02	R8,R8A,R8X
80	70	7.20	R8*
80	70	4.00	R8B
80	70	7.52	R9,R9A
80	70	9.00	R9X
100	70	10.00	R10,R10A

Note: This Section shall not apply to *enlargements of buildings* which were not *developed* pursuant to the Quality Housing Program in R6, R7, R8, R9 and R10 Districts without a letter suffix.

* * *

23-147

For non-profit residences for the elderly in R6A, R6B, R7A, R7B and R7X Districts

R6A,R7A,R6B,R7B,R7X

In the districts indicated, the maximum *Quality Housing lot coverage* and the maximum *floor area ratio* for *non-profit residences for the elderly* shall be as set forth in the following table:

Maximum Quality Housing Lot Coverage (in percent)			
Corner Lot	Interior Lot or Through Lot	Maximum Floor Area Ratio	District
80	60	3.90	R6A
80	60	2.00	R6B
80	65	5.01	R7A
80	65	3.90	R7B
80	70	5.01	R7X

* * *

23-15

Maximum Floor Area Ratio in R10 Districts

R10

In the district indicated, the *floor area ratio* for any building on a zoning lot shall not exceed 10.0 except as provided in the following sections:

Section 23-16 (Floor Area Bonus for a Plaza)

Section 23-17 (Floor Area Bonus for a Plaza-Connected Open Area)

Section 23-18 (Floor Area Bonus for Arcades)

Section 23-19 (Special Provisions for Zoning Lots Divided by District Boundaries)

Section 82-08 (Modification of Bulk and Height and Setback Requirements)

Notwithstanding any other provision of this Resolution, the maximum *floor area ratio* shall not exceed 12.0.

Any *building*, in addition to complying with the provisions of this Section, shall be subject to the provisions set forth in Section 23-22 (Required Lot Area Per Dwelling Unit or Per Room), as well as to all other applicable *bulk* regulations as set forth in this Chapter.

All *developments* or *enlargements* located within the boundaries of Community Board 7 in the Borough of Manhattan shall be subject to the requirements of Section 23-151 (R10 Infill) and no *floor area* bonus shall be granted for such *developments* or *enlargements*, except as otherwise set forth in Section 23-151.

The provisions of Sections 23-16 (Floor Area Bonus for a Plaza), 23-17 (Floor Area Bonus for a Plaza—Connected Open Area) and 23-18 (Floor Area Bonus for

Arcades) shall not apply to *developments or enlargements*, pursuant to the Quality Housing Program.

* * *

23-19

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In the districts indicated, whenever a *zoning lot* is divided by a boundary between districts or is **subject to other regulations resulting in** [with] different minimum required *open space ratios*; [or] different maximum *floor areas ratios*; **different Quality Housing lot coverages**; or *open space ratios and Quality Housing lot coverages*, on portions of the *zoning lot* the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

23-22

Required Lot Area per Dwelling Unit, Lot Area per Room or Floor Area per Room

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

* * *

(c) In R3, R6, R7, **R8**, R9, and R10 Districts, the *lot area* required is expressed in terms of *rooms*, and as indicated, the total *lot area* or a *zoning lot* shall not be less than as set forth in this Section, except as provided in the following sections:

* * *

However, for residential buildings developed, or enlarged where permitted, pursuant to the Quality Housing Program, the *lot area* requirement shall be as set forth in (d) below.

(d) In [the] **R6A, R6B, R7A, R7B, R7X**, R8A, R8B, **R8X**, R9A, R9X and R10A Districts the *lot area* requirement is expressed in terms of *dwelling units* or *rooming units* and the *lot area per dwelling unit* or *rooming unit* shall not be less than as set forth in this Section, except as provided in the following sections:

* * *

Any given *lot area* shall be counted only once in meeting the *lot area* requirements.
23-223

In R6, R7, R8, R9 or R10 Districts

* * *

[3 In the districts indicated, the required *lot area per dwelling unit* shall not be less than as set forth in the following table:

REQUIRED LOT AREA

(in square feet)

Per <i>Dwelling</i> <i>Unit</i>	Per <i>Rooming</i> <i>Unit</i>	District
110	44	R8A
130	104	R8B
98	78	R9A
83	66	R9X
75	60	R10A]

R6,R7,R8,R9,R10

(3) In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program, the *lot area per dwelling unit* or *rooming unit* shall not be less than as set forth in the table below and the *lot area per dwelling unit* or *rooming unit* for *developments, or enlargements* where permitted, located within 100 feet of a *wide street* in R6, R7 and R8 Districts without a letter suffix outside the *Manhattan Core*, shall be as designated by the same district with an asterisk.

REQUIRED AREA

(in square feet)

Per <i>Dwelling</i> <i>Unit</i>	Per <i>Rooming</i> <i>Unit</i>	District
290	206	R6
357	250	R6B
235	167	R6*,R6A,R7B
206	138	R7
177	125	R7*,R7A,R8B
142	100	R7X
127	88	R8,R8A,R8X
106	80	R8*
102	78	R9,R9A
92	66	R9X
82	60	R10,R10A

NOTE: This section shall not apply to *enlargements* of *buildings* which were not *developed* pursuant to the Quality Housing Program in R6, R7, R8, R9 or R10 Districts without a letter suffix.

* * *

23-225

Lot area requirements for non-profit residences for the elderly
R3,R4,R5,R6,R7

(a) In the districts indicated, the required *lot area per room* for *non-profit residences for the elderly* shall be not less than as set forth in the following table:

Table Unchanged

* * *

Non-profit residences for the elderly developed, or enlarged where permitted, pursuant to the Quality Housing Program shall be subject to (b) below.

R6,R7

(b) In the districts indicated, the required *lot area per dwelling unit* or *rooming unit* for *non-profit residences for the elderly developed, or enlarged* where permitted, pursuant to the Quality Housing Program shall not be less than as set forth in the following table:

REQUIRED LOT AREA

(in square feet)		
Per <i>Dwelling</i> <i>Unit</i>	Per <i>Rooming</i> <i>Unit</i>	District
183	146	R6,R6A,R7B
338	270	R6B
143	114	R7,R7A,R7X

NOTE: This Section shall not apply to *enlargements of residences* which were not *developed* pursuant to the Quality Housing Program in R6 and R7 Districts without a letter suffix.

* * *

23-25

Special Provisions for Buildings Used Partly for Non-Residential Uses

R1,R2,R3,R6,R7,R8,R9,R10

In the districts indicated, if a *building* is used partly for *residences* and partly for *non-residential uses* (other than *community facility uses*, the provisions for which are set forth in Article II, Chapter 4), for each 100 square feet of *floor area* used for such *non-residential uses*, at least the amount *lot area* set forth in the following table shall be provided. Such *lot area* shall be in addition to that required for the *residential uses* under the provisions of Section 23-22 (Required Lot Area per Dwelling Unit or Per Room).

REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA

<u>Square Feet</u>	<u>Districts</u>
200	R1,R2,R3
45	R6
50	R6B
30	R6A,R7,R7B
25	R7A, R8B
20	R7X,R8
17	R8A,R8X
15	R9,R9A
11	R9X
10	R10,R10A
* * *	

23-28

Special Provisions for Zoning Lots Divided by District Boundaries
R1,R2,R3,R4,R5,R6,R7,R9,R10

In all districts, as indicated, whenever, a *zoning lot* is divided by a boundary between districts or is subject to other regulations resulting in [with] different requirements for *lot area per dwelling unit* or *per room* or for *lot area* for permitted non-residential uses on portions of the *zoning lot*, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

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*:

* * *

Steps, and ramps for access by the handicapped

* * *

In R6B and R7B Districts, and in R6 and R7 Districts without a letter suffix on *narrow streets* except within 100 feet of a *wide street*, unenclosed balconies subject to the applicable provisions of Section 23-13 (Balconies) may project over a required *front yard* for a distance not exceeding 50 percent of the depth of the *front yard* or seven feet whichever is less.

(b)

* * *

23-45

Minimum Required Front Yards

R1,R2,R3,R4,R5,**R6,R7,R6B,R7B**

In the districts indicated, *front yards* shall be provided as set forth in the following table, except that for a *corner lot* in an R1-2 District, one *front yard* may have a depth of 15 feet, and for a *corner lot* in an R3, or R4 or R5 District one *front yard* may have a depth of 10 feet.

FRONT YARD

Feet	District
20	R1
15	R2,R3
18	R4,R5
5	R6B,R7B

In R6 and R7 Districts without a letter suffix, *front yards* with a minimum depth of five feet shall be provided for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program on *narrow streets* except within 100 feet of a *wide street*.

* * *

23-462

Side yards for all other residential buildings

R3, R4, R5, R6, R7, R8, R9, R10

* * *

R6, R7, R8, R9, R10

(b) In the districts indicated, no *side yards* are required. However, if any open area extending along a *side lot line* is provided at any level, it shall be at least eight feet wide.

* * *

23-464

Side yards for buildings used for permitted non-residential uses

* * *

R6,R7,R8,R9,R10

- (b) In the districts indicated, no *side yards* are required. However, if any open area extending along a *side lot line* is provided at any level, it shall be at least eight feet wide.

* * *

23-51

Special Provisions Applying along District Boundaries

R6,R7,R8,R9,R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4, or R5 Districts coincides with *side lot line* of a *zoning lot*, a *side yard* at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, portions of *buildings developed or enlarged* in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X and R10A Districts, or portions of *residential buildings developed, or enlarged* where permitted, pursuant to the *Quality Housing Program* in other R6, R7, R8, R9 and R10 Districts, shall comply with the requirements for R6B Districts in Sections 23-45 (Minimum Required Front Yards) and 23-633 (Street wall and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.

* * *

23-53

Special Provisions for Through Lots

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts as indicated, the regulations of this Section shall apply to all *through lots*. [except that] In the case of a *zoning lot* occupying an entire *block*, no *rear yard* or *rear yard equivalent* shall be required except as otherwise provided in Section 23-533 (Required rear yard equivalents).

* * *

23-533

Required rear yard equivalents

R4,R5,R6,R7,R8,R9,R10

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

- (a) An open area with a minimum depth of 60 feet, linking adjoining *rear yards*, or if no such *rear yards* exist, then 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. **Buildings developed or enlarged in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X and R10A Districts or residential buildings developed, or enlarged where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, shall provide a rear yard equivalent only as set forth in this paragraph.**

* * *

[(d) In R8A, R8B, R9A, R9X and R10A Districts the provisions of paragraphs (b) and (c) above shall not apply.]

* * *

23-55

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated whenever a zoning lot is divided by a boundary between districts or is subject to other regulations resulting in [with] different yard regulations on portions of the zoning lot the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

23-62

Permitted Obstructions

In all Residence Districts, the following shall not be considered obstructions and may thus penetrate a maximum height limit or [a] front or rear sky exposure planes set forth in Section 23-63 (Maximum Height of Front Wall and Required Front Setbacks), or Section 23-69 (Limited Height Districts):

* * *

23-63

Maximum Height of Front Wall and Required Front Setbacks

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

* * *

[In the Borough of Manhattan, in R7-2 Districts, the City Planning Commission may authorize modifications of front height and setback regulations for new residential developments not exceeding 7 stories in height provided the Commission finds that such development preserves neighborhood scale and does not alter the essential character of the surrounding area and adversely affect access to light and air.]

* * *

23-632

Front setbacks in districts where front yards are not required

* * *

[(b) In R8A, R8B, R9A, RX and R10A Districts the maximum height of a *street wall* or any other portion of a *building or other structure* shall be as set forth in Section 23-633 (Street wall and height and setback regulations in certain districts).]

R6A, R7A, R8A, R9A, R10A, R6B, R7B, R8B, R7X, R8X, R9X

(b) In the districts indicated, and for any *development*, or *enlargement* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, the provisions of this Section shall be inapplicable. In lieu thereof, the provisions of Section 23-633 (Street wall and height and setback regulations in certain districts) shall apply.

23-633

Street wall and height and setback regulations in certain districts

R6A, R7A, R8A, R9A, R10A, R6B, R7B, R8B, R7X, R8X, R9X

In the districts indicated, *street wall*, and height and setback regulations are set forth in this section. The provisions of Sections 23-64 (Alternate Front Setbacks) and 23-65 (Tower Regulations) shall not apply.

1. Location of Street Wall

R8A, R9A, R9X, R10A

(a) In the districts indicated, the *street wall* of any *development* or *enlargement* for the first two *stories* or 23 feet, whichever is greater, shall be located on the *street line* and extend the entire [width] **length of the street line** of the *zoning lot*, except as provided in paragraph [(b)](f) and [(3)] **sub-section 3 (Modification of Street Wall Requirements)** below.

However, at the intersection of two *street lines* the *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two street lines and lines parallel to and five feet from each street line.** [Recesses are permitted only for entrances and windows.]

Except as provided in [(3)] **sub-section 3** below, for any *development* or *enlargement* fronting on a *wide street* the *street walls* above the level of the second *story* or 23 feet, whichever is greater, shall comply with one of the following options. Under all options, at the intersection of two *street lines*, the mandatory

street wall may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line*.**

Option 1

Mandatory *street walls* shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot* [fronting on] **along a wide *street*.**

Option 2

At least 50% of the aggregate length of the *street walls* shall comply with Option 1. The remainder of the aggregate length of the mandatory *street walls* at each *story* may be recessed from the *street line* to a depth not exceeding 10 feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street walls* at each *story*.

Option 3

A minimum of 75% of the aggregate area of the mandatory *street walls* at each *story* shall be within five feet of the *street line* provided that the mandatory *street walls* shall **abut the *street line*** at least once every 25 feet.

These location provisions shall apply to all *development* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.

R8A, R9A, R9X, R10A

- (b) In the districts indicated, on a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street*, the *street wall* of any *development* or *enlargement* shall be located no further from the *street line* than the front wall of [the nearest] **any adjacent existing *building*** on [an adjacent] **the same or another *zoning lot*** fronting on the same *street line*. If the mandatory *street wall* is located within five feet of the *street line* it shall comply with one of the following options.

Option 1

A maximum of 50% of the aggregate length of the mandatory *street wall* at each *story* may be recessed from the *street line* to a depth not exceeding ten feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street wall* at each *story*.

Option 2

A minimum of 75% of the aggregate area of the *street wall* at each *story* shall be within five feet of the *street line*.

No *street wall* facing a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street* is required if the resulting open area is maintained as follows:

1. Its elevation shall be within 2 feet of the abutting sidewalk.
2. No wall or fence above a height of 30 inches above curb level shall consist of elements more than 1½ inches thick and less than 5 inches apart.
3. Its entire area shall be covered by decorative unit pavers, shrubbery, grass, or landscaped elements not more than 30 inches high, and
4. If such resulting area is 1,500 to 2,000 square feet, it shall contain at least three 4" caliper trees, and there shall be one additional 4" caliper tree for each additional 1,000 square feet or fraction thereof; or
5. If such resulting area is less than 1,500 square feet and contains fewer than three 4" caliper trees, it shall contain shrubbery for at least 25 per cent of its area.

R8B

- (c) [In the district indicated the *street wall* of any *development* or *enlargement* on a *wide street* shall be located no further from the *street line* than the front wall of the nearest *building* on an adjacent *zoning lot* fronting on the same *street line*; and on a *narrow street* the *street wall* of any *development* or *enlargement* shall be neither closer to nor further from the *street line* than the front wall of the nearest *building* on an adjacent *zoning lot* fronting on the same *street line* and shall extend the entire width of the *zoning lot* except as provided in (3) below. Recesses and projections are permitted provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 per cent of the length of the mandatory *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not project more than two feet from the mandatory *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 23-84 (Outer Court Regulations).]

In the district indicated the *street wall* of any *development* or *enlargement* shall be located in accordance with the provisions of paragraphs (i) through (iv) below, except as provided in sub-section 3 (Modification of Street Wall Requirements). A *narrow street* having a *street line* measuring less than 230 feet between intersecting *street lines* shall be considered a *wide street* in applying the provisions of paragraphs (i) through (iv) below.

- (i) On a *wide street* the *street wall* shall be located within 8 feet of the *street line*. However, if the front wall of any adjacent existing *building* on the same or

another *zoning lot* fronting on the same *street line* is further than 8 feet from the *street line*, the *street wall* may be set back further than 8 feet but not more than either of such adjacent front walls. This requirement shall apply to all *developments* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.

- (ii) On a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street*, but within 100 feet of such intersection, the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*. Where a *zoning lot* is located at the intersection of a *wide street* and a *narrow street* no *street wall* is required along such 50 foot portion of the *narrow street* frontage, provided any resulting open area is maintained as specified for open areas in Section 23-633 sub-section 1 paragraph (b) above. However, if a *street wall* is provided within the optional *street wall* portion of the *narrow street* frontage of such *zoning lot* it shall be subject to the location requirements of paragraph (i) above.
- (iii) On a *narrow street* beyond a distance of 100 feet from its intersection with a *wide street* the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*.
- (iv) The mandatory *street wall* pursuant to paragraphs (i), (ii), and (iii) above shall extend the entire length of the *street line* of the *zoning lot* from *side lot line* to *side lot line* or intersecting *street wall*, except as provided in paragraph (ii) above, or sub-section 3 (Modification of Street Wall Requirements). Recesses and projections are permitted, except within 20 feet of a *street* corner, provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 per cent of the *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not extend more than two feet from the *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 23-84 (Outer Court Regulations).

R6B,R7B,R6A,R7A,R7X,R8X

- (d) In the districts indicated, and for *residential buildings developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, all *street walls* of any *development* or *enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street wall* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below. These *street wall* requirements shall be applicable to only one *street* on

through lots which extend less than 110 feet in maximum depth from street to street, but shall apply to both streets on deeper through lots.

These street wall requirements shall be inapplicable along a wide street within 15 feet of its intersection with a narrow street or to any street wall located beyond 100 feet from a street line.

R6B,R7B

- (e) In the districts indicated, on a narrow street except within a distance of 100 feet from its intersection with a wide street, if the front wall of an adjacent existing building on the same or an abutting zoning lot fronting on the same street is between five and 15 feet from the street line, then the front wall of the development or enlargement shall be neither closer to nor further from the street line than the front wall of an adjacent existing building.

[R8A, R8B, R9A, R9X, R10A]

- (f) [(d) In the districts indicated a] A vertical enlargement in excess of one story or 15 feet to an existing building is permitted only pursuant to the mandatory requirements of the above provisions or as a vertical extension of the existing street wall except as provided in [(3)] sub-section 3 below.

2. Height of Street Wall

[R8A, R8B, R9A, R9X, R10A]

[In the districts indicated the mandatory minimum height above curb level of a street wall, without a setback, shall be as set forth in Column A, or the height of the building, whichever is less; the maximum permitted height of a street wall without a setback at the street line shall be as set forth in Column B; and above such specified maximum height the building or other structure shall not penetrate the sky exposure plan as set forth in Column B in the table below:]

Column A		Column B			
Sky Exposure Plane**					
Mandatory minimum height of street wall (in feet)		Maximum permitted height of street wall without setback at the street line (in feet)	Slope over zoning lot (expressed as a ratio of vertical to horizontal distance)		
Wide street*	Narrow street*		Vertical	Horizontal	
60	23	85	1.5 to	1	R8A
55	23***	60	1.0 to	1	R8B**
60	23***	100	1.5 to	1	R9A
110	23***	110	2.0 to	1	R9X
125	23***	150	2.5 to	1	R10A

*The mandatory minimum height of a *street wall* on *wide streets* shall apply to all *developments* or *enlargements* on *zoning lots* on *narrow streets* within 50 feet of the intersection with a *wide street*.

**The *sky exposure plane* shall begin at the maximum permitted height of the *street wall* at the *street line* except that in an R8B district a setback of 20 feet from the *street wall* is required at a height of 60 feet.

***No setback shall be permitted below a height of 55 feet except as provided in paragraph 1(d) above.]

R6A,R6B,R7A,R7B,R7X,R8A,R8B,R8X,R9A,R9X,R10A

(a) In the districts indicated, and for *residential buildings developed* or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, no *street wall* shall penetrate the *front sky exposure plane* set forth in the table below.

R8A,R8B,R9A,R9X,R10A

(b) In the districts indicated, the minimum height above *curb level* of a mandatory *street wall* without setback, shall be as specified in the table below, unless the height of the *building* is less than such minimum. If such *street wall* along a *narrow street* rises above such minimum height no setbacks shall be permitted below a height of 55 feet except as provided in 1(f) above. The minimum height of a mandatory *street wall* on *wide streets* shall apply to all *developments* or *enlargements* on *zoning lots* on *narrow streets* within 50 feet of the intersection of a *wide street*.

R7X,R8X

(c) In the districts indicated, and for *residential buildings developed* or *enlarged* where permitted, pursuant to the Quality Housing Program on *wide streets* in R8 Districts outside the *Manhattan Core*, one of three sets of *sky exposure planes* as set forth in the table below may apply. Alternates 2 and 3 require a minimum setback of 10 feet from the *street wall* from a height of between 65 and 70 feet above *curb level* to the height above the *street line* of the *front sky exposure plane*. The Alternate 3 *sky exposure planes* may apply only if the width of the *street wall* of the *building* above the mandatory front setback level on the *wide street* is less than 50% of the width of the *wide street* frontage of the *zoning lot*. The Alternate 2 *sky exposure planes* may apply if such percentage is between 51% and 90%.

3. Modifications of Street Wall Requirements

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

- (a) In the districts indicated, on a *zoning lot* where there is an existing *building* to remain, and when there is to be a new *development* or *enlargement*, that includes new *street walls*, the requirements governing height and location of *street walls* shall not apply within a volume defined by the rear wall of the existing *building* [(W²)], the *front lot line* [(W¹)], the prolongations of the side walls [(L)], and [a height of 150 feet above *curb level*. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined the requirements governing *street wall* height and location shall apply.]

the roof of the existing building. If after (the effective date of this amendment), any exterior demolition or destruction occurs within this volume or to the boundaries of this volume, or if any development or enlargement occurs above this volume the requirements governing street wall height and location shall apply.

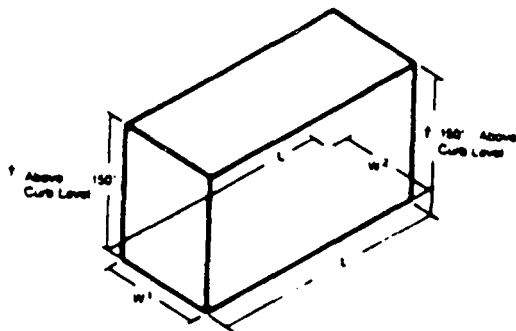


ILLUSTRATION OF STREET WALL REQUIREMENTS
FOR CONTEXTUAL ZONES

L Sidewall and prolongation of existing building

W¹ Front lot line

W²Rear wall of existing building]

* * *

[R8B]

4. Front and Rear Sky Exposure Planes

[In the district indicated, no *building or other structure* shall penetrate a *rear sky exposure plane* beginning at a distance of 100 feet from the *street line*, at a height of 30 feet above *curb level* with a slope of 1 foot vertical to 1 foot horizontal.]

No portion of a *building or other structure* shall penetrate the *front or rear sky exposure planes* set forth in the table below.

Both the *front and rear sky exposure planes* shall rise in opposite directions over the *zoning lot* at a ratio of vertical distance to horizontal distance as set forth in the table below and shall terminate at a line where they intersect. When a *street line* intersects any other *street line*, the *front sky exposure planes* of both *street frontages* shall terminate at a line where the *front sky exposure planes* intersect and the *rear sky exposure planes* shall terminate at a line where the *rear sky exposure planes* intersect. In plan, the line of intersection of these planes shall bisect the interior angle formed at the line of intersection of these *street lines* as shown in the diagram below.

* * *

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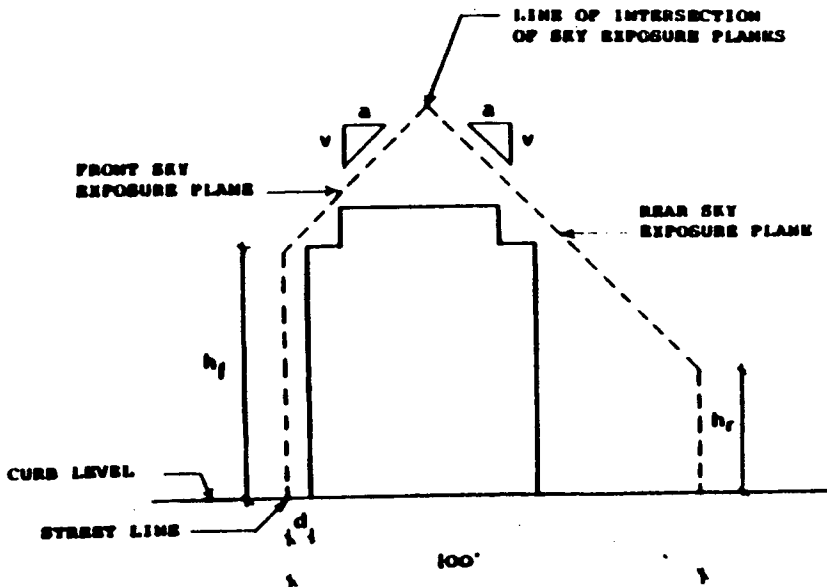
TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
R6B (1)	20	20	-	-	30	1.0 to 1.0	0	1.0 to 1.0
R6 (Narrow Street) (1)(2)	-	15	-	-	35	1.0 to 1.0	10	1.0 to 1.0
R6 (Wide Street - (3) Inside Core) (4)	8	15	-	-	55	1.0 to 1.0	10	1.0 to 1.0
R6A, R6 (Wide Street (3) - Outside Core) (4)	8	15	-	-	60	1.0 to 1.0	15	1.0 to 1.0
R7B (1)	8	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
R7 (Narrow Street) (1)(2)	-	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
R7 (Wide (3) Street - Inside Core) (4)	8	15	-	-	60	1.0 to 1.0	30	1.0 to 1.0
R7A, R7 (Wide Street (3) - Outside Core) (4)	8	15	-	-	65	1.0 to 1.0	30	1.0 to 1.0
R7X - Alt - 1	8	15	-	-	85	1.0 to 1.0	45	1.0 to 1.0
- Alt - 2	8	15	-	-	115	1.0 to 1.0	80	1.0 to 1.0
Alt - 3	8	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0
R8B (7)	(5)	(5)	55	23	60	1.0 to 1.0	30	1.0 to 1.0
R8 (Narrow Street) (2)	-	15	-	-	80	1.0 to 1.0	70	1.0 to 1.0
R8 (Wide Street - (3) Inside Core) (4)	8	15	-	-	85	1.5 to 1.0	80	1.0 to 1.0
R8A	0	(6)	60	23	85	1.5 to 1.0	80	1.0 to 1.0

TABLE: STREET WALL, AND HEIGHT AND SETBACK REGULATIONS (continued)

District (8)	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
					Front Sky Exposure Plane		Rear Sky Exposure Plane	
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
R8 - Alt - 1 R8 (Wide Street - (8) Outside Core) (4)	8	15	-	-	85	1.5 to 1.0	80	1.0 to 1.0
R8A - Alt - 2	8	15	-	-	135	1.0 to 1.0	125	1.0 to 1.0
R8B - Alt - 3	8	15	-	-	140	1.0 to 1.0	145	1.0 to 1.0
R9 (Narrow Street) (2)	-	15	-	-	93	1.5 to 1.0	100	1.0 to 1.0
R9 (Wide Street) (3)	8	15	-	-	102	1.5 to 1.0	100	1.0 to 1.0
R9A	0	(6)	60	23	102	1.5 to 1.0	100	1.0 to 1.0
R9B	0	(6)	105	23	120	2.0 to 1.0	120	1.0 to 1.0
R10 (Narrow Street) (2)	-	18	-	-	150	2.5 to 1.0	120	1.0 to 1.0
R10 (Wide Street) (3)	8	18	-	-	150	2.5 to 1.0	140	1.0 to 1.0
R10A	0	(6)	125	23	150	2.5 to 1.0	140	1.0 to 1.0

- (1) A front yard with a minimum depth of 5 feet is required.
- (2) Refers to that portion of a district on a narrow street except within a distance of 100 feet from its intersection with a wide street.
- (3) Refers to that portion of a district which is within 100 feet of a wide street.
- (4) Core refers to (Manhattan Core).
- (5) Varies, see Section 23-633 1(c).
- (6) Varies, see Section 23-633 1(b).
- (7) A setback of 20 feet from the mandatory street wall is required at a height of 60 feet.



h_f is the height at which the front sky exposure plane begins at the street line

h_r is the height at which rear sky exposure plane begins at the 100-foot line

d is the maximum street wall set back distance

v is the vertical distance

a is the horizontal distance

ILLUSTRATION OF SKY EXPOSURE PLANES

SECTION 23-633

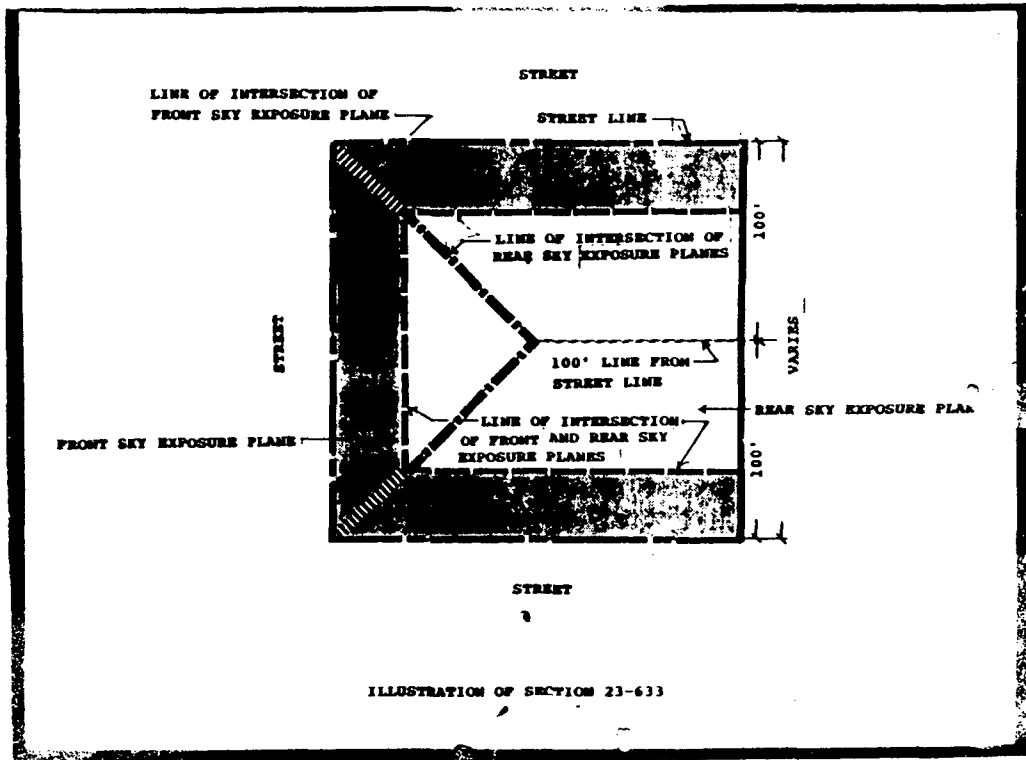


ILLUSTRATION OF SECTION 23-633

23-634

Provisions for lots more than 100 feet in depth

R6A,R6B,R7A,R7B,R7X,R8A,R8B,R8X,R9A,R9X,R10A

In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts no *building* subject to the provisions of Section 23-633 (Street wall and height and setback regulations in certain districts) shall be permitted beyond 100 feet from a *street line*, except for permitted obstructions in *rear yards*.

* * *

23-663

Required rear setbacks for tall buildings in other districts

R6, R7, R8, R9, R10

* * *

This Section shall not apply to *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program.

* * *

23-68

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts, or is subject to other regulations resulting in [with] different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 23-65 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

23-692

Additional Regulations for Narrow Buildings or Enlargements

In R7-2, R7X, R8, R9, R10 Districts, or in C1 or C2 Commercial Districts with equivalent *residential floor area ratios*, and in C4-6A, C4-7A and C6-2A Districts, if the width of a *street wall* of a new *building* or the enlarged portion of an existing *building* is 45 feet or less, the alternate front setback and tower regulations of Section 23-64 (Alternate Front Setbacks), 23-65 (Tower Regulations), 33-44 (Alternate Front Setbacks) and 33-45 (Tower Regulations) shall be inapplicable.

* * *

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

23-71

Minimum Distance between Buildings on a Single Zoning Lot

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts as indicated, the minimum distance between a *residential building* and any other *building* on the same *zoning lot* shall be as provided in this Section except that these provisions do not apply:

* * *

(e) [In R8A, R9A, R9X and R10A Districts, except that on any *zoning lot* if a *development* or *enlargement* results in two or more *buildings* detached from one another at any level, such *buildings* shall at no point be less than eight feet apart.]

to residential buildings developed, or enlarged where permitted, pursuant to the Quality Housing Program and to all buildings in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10A Districts provided that on any zoning lot if a development or enlargement results in two or more buildings detached from one another at any level, such buildings shall at no point be less than eight feet apart.

* * *

Chapter 4 Bulk Regulations for Community Facility Buildings in Residence Districts

24-00 APPLICABILITY, GENERAL PURPOSES, AND DEFINITIONS

24-01

Applicability of this Chapter

* * *

[All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
R8A	R8	24-11, 24-382, 24, 52, 24-523
R8B	R8	24-11, 24-21, 24, 382 24-52, 24-523
R9A	R9	24-11, 24-21, 24-22, 24, 382
R9X		24-52, 24-523

R10A

R10

24-11, 24-22, 24-382, 24-52,
24-523]

When two or more *buildings* on a single *zoning lot* are used in any combination for *community facility uses* and *residential* or other permitted *uses*, the regulations set forth in Sections 24-11 to 24-173, inclusive, relating to Floor Area and Lot Coverage Regulations and in Sections 24-21 to 24-23, inclusive, relating to Lot Area Requirements for Buildings used Partly for Residential Uses, shall apply as if such *building* were a single *building* used partly for *community facility use*. However, for *buildings* in which the *residential* portion is *developed* or *enlarged* pursuant to the Quality Housing Program the regulations relating to *floor area* or *Quality Housing lot coverage* in Article II, Chapter 3 shall apply to the *residential* portion, and no portion of such *building* shall violate the height and setback regulations set forth in Section 24-523.

Buildings with *residential* units *developed* pursuant to the Quality Housing Program may be *enlarged* only pursuant to the Quality Housing Program. *Buildings* which are not *developed* pursuant to the Quality Housing Program may not be *enlarged* pursuant to the Quality Housing Program.

* * *

24-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

* * *

24-02

General Purposes of Community Facility Bulk Regulations

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of the physical volume of buildings and their degree of lot coverage is established. [In order to open up residential areas to light and air and to encourage better standards of open space, moderately greater building volume is permitted in appropriate districts when larger open areas are provided.]

* * *

24-10 FLOOR AREA AND LOT COVERAGE REGULATIONS

24-11

Maximum Floor Area Ratio and Percent of Lot Coverage

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

* * *

[Maximum Floor Area Ratio and Maximum Lot Coverage Table.]

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE

Floor Area Ratio	Lot coverage (percent of lot area)		
	Corner Lot	Interior Lot or Through Lot	
1.00	60	55	R1
1.00	60	55	R2
1.00	60	55	R3
2.00	60	55	R4
2.00	60	55	R5
4.80	70	65	R6
3.00	80	60	R6A
2.00	80	60	R6B
4.80	70	65	R7-1
6.50	70	65	R7-2
4.00	80	65	R7A
3.00	80	65	R7B
5.00	80	70	R7X
6.50	75	65	R8
6.50	80	70	R8A
4.00	80	70	R8B*
6.00	80	70	R8X
10.00	75	65	R9
7.50	80	70	R9A
9.00	80	70	R9X
10.00	75	65	R10
10.00	100	70	R10A

* 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.

24-111

Maximum floor area ratio for certain community facility uses

* * *

R3,R4,R5,R6,R7,R8,R9,R10A

* * *

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

The provisions of Section 24-111(b) are not applicable in R8 Districts in Community Board 8 in the Borough in Manhattan.

<u>Maximum Floor Area Ratio Permitted</u>	<u>District</u>
0.50	R3
0.75	R4
1.27	R5
2.00	R6B
2.43	R6
3.00	R6A,R7B
3.44	R7
4.00	R7A,R8B
6.02	R8
6.02	R8A
6.00	R8X
7.52	R9
7.50	R9A
9.00	R9X
10.00	R10A

* * *

24-174

Location of open space for residential portion

R1,R2,R3,R4,R5,R6,R7,R8,R9

- (a) In the districts indicated, the *open space* required for the *residential* portion of the *building* under the provisions of Article II, Chapter 3 may be at a level higher than 23 feet above *curb level*. Such *open space* may be provided at ground floor level or upon the roof of the *community facility* portion of such *building*, provided that the level of any *open space* may not be higher than two and one-half feet below the sill level of any *legally required window* opening on

such roof area, in the *residential* portion of such *building*. *Open space* located on the roof of a separate *community facility building* may not be at a level higher than 23 feet above *curb level*.

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X.

(b) In the districts indicated, and for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts the provisions of Section 28-30 (RECREATION SPACE AND PLANTING AREAS) shall apply.

24-175

Balconies in R3 through R10 districts

R3,R4,R5,R6,R7,R8,R9,R10

In the districts indicated, the regulations set forth in this Section shall apply to the *residential* portion of a *building* used partly for *residential use* and partly for *community facility use* or to any portion of a *building* used for living or sleeping accommodations.

Balconies which:

- (a) Are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and
- (b) Are located at or higher than the floor level of the fourth *story* of a *building*, and
- (c) Have an aggregate length, at the level of any *story*, not exceeding 50 percent of the length at that level of the plane surface of the *building* wall from which they project, and
- (d) Have an aggregate area of projection at the level of any *story*, not exceeding, in square feet, 1.8 times the length in feet at that level of such plane surface,

may, by a distance not exceeding nine feet, penetrate any *sky exposure plane* or project into or over any required open area set forth in the following Sections:

- (i) [a] *Open Space*, as defined in Section 12-10 (Definitions);
- (ii) [b] *Plazas*, as defined in Section 12-10 (Definitions);
- (iii) [c] *Rear yards*, as defined in Section 12-10 (Definitions);
- (iv) [d] *Initial setback distances* or *sky exposure planes*, as set forth in Section 24-52 (Maximum Height of Front Wall and Required Front Setbacks);
- (v) [e] *Alternate front setbacks* or *sky exposure planes*, as set forth in Section 24-53 (Alternate Front Setbacks);

- (vi) [f] Open area not occupied by towers, as set forth in Section 24-54 (Tower Regulations);
- (vii) [g] Required side and rear setbacks, as set forth in Section 24-55 (Required Side and Rear Setbacks);
- (viii) [h] *Pedestrian mall.*

However, for buildings in which the residential portion is developed, or enlarged where permitted, pursuant to the Quality Housing Program, the regulations for balconies shall be as set forth in Section 24-176 (Balconies in R6A through R10A Districts).

24-176

Balconies in R6A through R10A Districts

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

- (a) In the districts indicated, balconies may be provided as set forth in Section 24-175 paragraphs (a) through (d) except that projections shall conform to the provisions of paragraph (b) below. In addition, balconies may be enclosed by the building walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and such balcony is counted as *Quality Housing lot coverage*. The area of such balcony shall be excluded from the definition of *floor area*.
- (b) In no event shall balconies:
 - (i) project by a distance greater than seven feet as measured from the plane surface of the *building wall*;
 - (ii) penetrate the *front or rear sky exposure plane*;
 - (iii) project into the minimum required distance between *buildings* on the same *zoning lot*;
 - (iv) cover more than 10 percent of the area designated as outdoor recreation space pursuant to Section 28-30 (RECREATION SPACE AND PLANTING AREAS).

* * *

24-18

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations resulting in [with] different maximum *floor area ratios*; different minimum *open space ratios*; [or] different maximum percents of *lot coverage*; or *open space ratios* and *Quality Housing lot coverages*, on portions of the *zoning lot*, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

24-21

Required Lot Area

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, if a *building* is used partly for *residence* and partly for *community facility use*, the provisions of this Section shall apply.

In R1, R2, R3, R6, R7, R8, R9 and R10 Districts, for each 100 square feet of *floor area* used for such *community facility use*, at least the amount of *lot area* set forth in the following table shall be provided. Such *lot area* shall be in addition to that required for the *residential uses*, which shall be set forth in Section 23-22.

Any given *lot area* shall be counted only once in meeting the *lot area* requirements.

REQUIRED LOT AREA
PER 100 SQUARE FEET
OF FLOOR AREA USED
FOR COMMUNITY
FACILITY USE

in Square Feet

District

100

R1, R2, R3

50

R6B

33

R6A, R7B

25

R7A, [R8A], R8B

20

R6, R7-1, R7X

15

R7-2, R8, R8A, R8X

13

R9A

11

R9X

10

R9, R10, R10A

* * *

24-23

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations resulting in [with] different *lot*

area requirements on portions of the *zoning lot*, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

24-34

Minimum Required Front Yards

R1,R2,R3,R4,R5,R6,R7,R6B,R7B

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

<u>Front Yard</u> (in feet)	<u>District</u>
20	R1
15	R2, R3, R4
10	R5
5	R6B, R7B

In other R6 and R7 Districts, *front yards* with a minimum depth of five feet shall be provided for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program on *narrow streets* except within 100 feet from the intersection with a *wide street*.

24-35

Minimum Required Side Yards

* * *

R6,R7,R8,R9,R10

(b) In the districts indicated, no *side yards* are required. However, if any open area extending along a *side lot line* is provided at any level it shall be at least eight feet wide.

24-351

Special provisions applying along district boundaries

R6,R7,R8,R9,R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4, or R5 District coincides with a *side lot line* of a *zoning lot*, a *side yard* at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, the requirements for R6B Districts in Sections 24-34 (Minimum Required Front Yards) and 24-523 (Street wall and height and setback regulations in certain districts) shall apply to any portion of a *building*

located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District if the *building* that contains such portion is:

- (a) within an R6A, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10A District; or
- (b) within R6, R7, R8, R9 and R10 Districts without a letter suffix and any portion of the *zoning lot* is *developed* pursuant to the Quality Housing Program.

* * *

24-38

Special Provisions for Through Lots

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, the regulations of this Section shall apply to all *through lots*. [except that] In the case of a *zoning lot* occupying an entire *block*, no *rear yard* or *rear yard equivalent* shall be required **except as otherwise provided in Section 24-382 (Required rear yard equivalents)**.

* * *

24-382

Required rear yard equivalents

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

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

- (a) An open area with a minimum depth of 60 feet, linking adjoining *rear yards*, or if no such *rear yards* exist, then 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. **However, developments or enlargements in R6A, R6B, R7A, R7X, R8A, R8B, R8X, R9A, R9X and R10A Districts or buildings the residential portion of which is developed, or enlarged where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, shall provide a rear yard equivalent only as set forth in this paragraph.**

* * *

[(d) In R8A, R9A, R9X and R10A Districts the provisions of paragraphs (b) and (c) above shall not apply.]

* * *

24-40 SPECIAL PROVISIONS FOR ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a zoning lot is divided by a boundary between districts or is subject to other regulations resulting in [with] different yard regulations on portions of the zoning lot, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

24-51

Permitted Obstructions

In all Residence Districts, the following shall not be considered obstructions and may thus penetrate a maximum height limit or [a] front or rear sky exposure planes set forth in Section 24-52 (Maximum Height of Front Wall and Required Setbacks), Section 24-53 (Alternate Front Setbacks), or Section 24-59 (Limited Height Districts):

* * *

24-52

Maximum Height of Front Wall and Required Front Setbacks

* * *

[(b) In R8A, R9A, R9X and R10A Districts the maximum height of a street wall or of any other portion of a building or other structure shall be as set forth in Section 24-523 (Street wall and height and setback regulations in certain districts).]

* * *

24-522

Front setbacks in districts where front yards are not required

(a) existing text to remain

* * *

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

(b) In the districts indicated, and for any development, or enlargement where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, the provisions of this section shall be inapplicable. In lieu thereof, the provisions of Section 24-523 (Street wall and height and setback regulations in certain districts) shall apply.

24-523

Street wall and height and setback regulations in certain districts

R6A, R7A, R8A, R9A, R10A, R6B, R7B, R8B, R7X, R8X, R9X

In the districts indicated, *street wall*, and height and setback regulations are set forth in this section. The provisions of Sections 24-53 (Alternate Front Setbacks) and 24-54 (Tower Regulations) shall not apply.

1. Location of Street Wall

R8A, R9A, R9X, R10A

(a) In the districts indicated, the *street wall* of any *development* or *enlargement* for the first two *stories* or 23 feet, whichever is greater, shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot*, except as provided in paragraph [(b)](f) and [(3)] **sub-section 3 (Modification of Street Wall Requirements)** below.

However, at the intersection of two *street lines* the *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line***. [Recesses are permitted only for entrances and windows.]

Except as provided in [(3)] **sub-section 3** below, for any *development* or *enlargement* fronting on a *wide street* the *street walls* above the level of the second *story* or 23 feet, whichever is greater, shall comply with one of the following options. Under all options, at the intersection of two *street lines*, the mandatory *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line***.

Option 1

Mandatory *street walls* shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot* [fronting on] **along a *wide street***.

Option 2

At least 50% of the aggregate length of the *street walls* shall comply with Option 1. The remainder of the aggregate length of the mandatory *street walls* at each *story* may be recessed from the *street line* to a depth not exceeding 10 feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street walls* at each *story*.

Option 3

A minimum of 75% of the aggregate area of the mandatory *street walls* at each *story* shall be within five feet of the *street line* provided that the mandatory *street walls* shall abut the *street line* at least once every 25 feet.

These location provisions shall apply to all *development* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.

R8A, R9A, R9X, R10A

- (b) In the districts indicated, on a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street*, the *street wall* of any *development* or *enlargement* shall be located no further from the *street line* than the front wall of [the nearest] **any adjacent existing building** on [an adjacent] **the same or another zoning lot** fronting on the same *street line*. If the mandatory *street wall* is located within five feet of the *street line* it shall comply with one of the following options.

Option 1

A maximum of 50% of the aggregate length of the mandatory *street wall* at each *story* may be recessed from the *street line* to a depth not exceeding ten feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street wall* at each *story*.

Option 2

A minimum of 75% of the aggregate area of the *street wall* at each *story* shall be within five feet of the *street line*.

No *street wall* facing a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street* is required if the resulting open area is maintained as follows:

1. Its elevation shall be within 2 feet of the abutting sidewalk.
2. No wall or fence above a height of 30 inches above *curb level* shall consist of elements more than 1½ inches thick and less than 5 inches apart.
3. Its entire area shall be covered by decorative unit pavers, shrubbery, grass, or landscaped elements not more than 30 inches high, and
4. If such resulting area is 1,500 to 2,000 square feet, it shall contain at least three 4" caliper trees, and there shall be one additional 4" caliper tree for each additional 1,000 square feet or fraction thereof; or
5. If such resulting area is less than 1,500 square feet and contains fewer than three 4" caliper trees, it shall contain shrubbery for at least 25 per cent of its area.

R8B

- (c) [In the district indicated the *street wall* of any *development* or *enlargement* on a *wide street* shall be located no further from the *street line* than the front wall of the nearest *building* on an adjacent *zoning lot* fronting on the same *street line*; and on a *narrow street* the *street wall* of any *development* or *enlargement* shall be neither closer to nor further from the *street line* than the front wall of the nearest *building* on an adjacent *zoning lot* fronting on the same *street line* and shall extend the entire width of the *zoning lot* except as provided in (3) below. Recesses and projections are permitted provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 per cent of the length of the mandatory *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not project more than two feet from the mandatory *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 23-84 (Outer Court Regulations).]

In the district indicated the *street wall* of any *development* or *enlargement* shall be located in accordance with the provisions of paragraphs (i) through (iv) below, except as provided in sub-section 3 (Modification of Street Wall Requirements). A *narrow street* having a *street line* measuring less than 230 feet between intersecting *street lines* shall be considered a *wide street* in applying the provisions of paragraphs (i) through (iv) below.

- (i) On a *wide street* the *street wall* shall be located within 8 feet of the *street line*. However, if the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line* is further than 8 feet from the *street line*, the *street wall* may be set back further than 8 feet but not more than either of such adjacent front walls. This requirement shall apply to all *developments* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.
- (ii) On a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street*, but within 100 feet of such intersection, the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*.

Where a *zoning lot* is located at the intersection of a *wide street* and a *narrow street* no *street wall* is required along such 50 foot portion of the *narrow street* frontage, provided any resulting open area is maintained as specified for open areas in Section 24-523 sub-section 1 paragraph (b) above.

However, if a *street wall* is provided within the optional *street wall* portion of the *narrow street* frontage of such *zoning lot* it shall be subject to the location requirements of paragraph (i) above.

- (iii) On a *narrow street* beyond a distance of 100 feet from its intersection with a *wide street* the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*.
- (iv) The mandatory *street wall* pursuant to paragraphs (i), (ii), and (iii) above shall extend the entire length of the *street line* of the *zoning lot* from *side lot line* to *side lot line* or intersecting *street wall*, except as provided in paragraph (ii) above, sub-section 3 (Modification of Street Wall Requirements). Recesses and projections are permitted, except within 20 feet of a *street* corner, provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 percent of the *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not extend more than two feet from the *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 24-63 (*Outer Court Regulations*).

R6B,R7B,R8X,R6A,R7A,R7X

(d) In the districts indicated, and for any *development*, or *enlargement* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, all *street walls* of any *development* or *enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street walls* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below. These *street wall* requirements shall be applicable to only one *street* on *through lots* which extend less than 110 feet in maximum depth from *street* to *street*, but shall apply to both *streets* on deeper *through lots*. These *street wall* requirements shall be inapplicable along a *wide street* within 15 feet of its intersection with a *narrow street*, or to any *street wall* located beyond 100 feet from a *street line*.

R6B,R7B

(e) In the districts indicated, on a *narrow street* except within a distance of 100 feet from its intersection with a *wide street*, if the front wall of an adjacent existing *building* on the same or an abutting *zoning lot* fronting on the same *street* is between five and 15 feet from the *street line*, then the front wall of the *development* or *enlargement* shall be neither closer to nor further from the *street line* than the front wall of an adjacent existing *building*.

[R8A, R8B, R9A, R9X, R10A]

(f) [(d) In the districts indicated a] A vertical *enlargement* in excess of one *story* or 15 feet to an existing *building* is permitted only pursuant to the mandatory requirements of the above provisions or as a vertical extension of the existing *street wall* except as provided in [(3)] **sub-section 3** below.

2. Height of Street Wall

[R8A, R8B, R9A, R9X, R10A]

[In the districts indicated the mandatory minimum height above *curb level* of a *street wall*, without a setback, shall be as set forth in Column A, or the height of the *building*, whichever is less; the maximum permitted height of a *street wall* without a setback at the *street line* shall be as set forth in Column B; and above such specified maximum height the *building or other structure* shall not penetrate the *sky exposure plane* as set forth in Column B in the table below:]

Column A		Column B		Sky Exposure Plane**		
Mandatory minimum height of <i>street wall</i> (in feet)	Maximum permitted height of <i>street wall</i> without setback at the <i>street line</i> (in feet)	Slope over <i>zoning lot</i> (expressed as a ratio of vertical to horizontal distance)		Vertical	Horizontal	
		Wide street*	Narrow street*			
60	23	85	1.5	to	1	R8A
55	23***	60	1.0	to	1	R8B**
60	23***	100	1.5	to	1	R9A
110	23***	110	2.0	to	1	R9X
125	23***	150	2.5	to	1	R10A

*The mandatory minimum height of a *street wall* on *wide streets* shall apply to all *developments* or *enlargements* on *zoning lots* on *narrow streets* within 50 feet of the intersection with a *wide street*.

**The *sky exposure plane* shall begin at the maximum permitted height of the *street wall* at the *street line* except that in an R8B district a setback of 20 feet from the *street wall* is required at a height of 60 feet.

***No setback shall be permitted below a height of 55 feet except as provided in paragraph 1(d) above.]

R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A

(a) In the districts indicated, and for any *development*, or *enlargement* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, no *street wall* shall penetrate the *front sky exposure plane* set forth in the table below.

R8A, R8B, R9A, R9X, R10A

- (b) In the districts indicated, the minimum height above *curb level* of a mandatory *street wall* without setback, shall be as specified in the table below, unless the height of the *building* is less than such minimum. If such *street wall* along a *narrow street* rises above such minimum height no setbacks shall be permitted below a height of 55 feet except as provided in 1(f) above. The minimum height of a mandatory *street wall* on *wide streets* shall apply to all *developments* or *enlargements* on *zoning lots* on *narrow streets* within 50 feet of the intersection with a *wide street*.

R7X,R8X

- (c) In the districts indicated, and for any *development*, or *enlargement* where permitted, pursuant to the Quality Housing Program on *wide streets* in R8 Districts outside the *Manhattan Core* one of three sets of *sky exposure planes* as set forth in the table below may apply. Alternatives 2 and 3 require a minimum setback of 10 feet from the *street wall* from a height of between 65 and 70 feet above *curb level* to the height above the *street line* of the *front sky exposure plane*. The Alternate 3 *sky exposure planes* may apply only if the width of the *street wall* of the *building* above the mandatory front setback level on the *wide street* is less than 50% of the width of the *wide street* frontage of the *zoning lot*. The Alternate 2 *sky exposure planes* may apply if such percentage is between 51% and 90%.

3. Modifications of Street Wall Requirements

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

- (a) In the districts indicated, on a *zoning lot* where there is an existing *building* to remain, and when there is to be a new *development* or *enlargement*, that includes new *street walls*, the requirements governing height and location of *street walls* shall not apply within a volume defined by the rear wall of the existing *building* [(W²)], the *front lot line* [(W¹)], the prolongations of the side walls [(L)], and [a height of 150 feet above *curb level*. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined, the requirements governing *street wall* height and location shall apply.]

the roof of the existing *building*. If, after (the effective date of this amendment), any exterior demolition or destruction occurs within this volume or to the boundaries of this volume, or if any *development* or *enlargement* occurs above this volume the requirements governing *street wall* height and location shall apply.

[

150' Above
Curb Level

Above 150'
Curb Level

L - Sidewall and prolongation of existing building

W¹ Front lot line

W² Rear wall of existing building]

* * *

[R8B]

4. Front and Rear Sky Exposure Planes

[In the district indicated, no *building or other structure* shall penetrate a *rear sky exposure plane* beginning at a distance of 100 feet from the *street line*, at a height of 30 feet above *curb level* with a slope of 1 foot vertical to 1 foot horizontal].

No portion of a *building or other structure* shall penetrate the *front or rear sky exposure planes* set forth in the table below.

Both the *front and rear sky exposure planes* shall rise in opposite directions over the *zoning lot* at a ratio of vertical distance to horizontal distance as set forth in the table below and shall terminate at a line where they intersect. When a *street line* intersects any other *street line*, the *front sky exposure planes* of both *street frontages* shall terminate at a line where the *front sky exposure planes* intersect

and the *rear sky exposure planes* shall terminate at a line where the *rear sky exposure planes* intersect. In plan, the line of intersection of these planes shall bisect the interior angle formed at the line of intersection of these *street lines* as shown in the diagram below.

TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
P6B (1)	20	20	-	-	30	1.0 to 1.0	0	1.0 to 1.0
R6 (Narrow Street) (1)(2)	-	15	-	-	35	1.0 to 1.0	10	1.0 to 1.0
R6 (Wide Street - (3) Inside Core) (4)	8	15	-	-	55	1.0 to 1.0	10	1.0 to 1.0
R6A, R6 (Wide Street (3) - Outside Core) (4)	8	15	-	-	60	1.0 to 1.0	15	1.0 to 1.0
R7B (1)	8	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
R7 (Narrow Street) (1)(2)	-	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
R7 (Wide (3) Street - Inside Core) (4)	8	15	-	-	60	1.0 to 1.0	30	1.0 to 1.0
R7A, R7 (Wide Street (3) - Outside Core) (4)	8	15	-	-	65	1.0 to 1.0	30	1.0 to 1.0
R7X - Alc - 1	8	15	-	-	85	1.0 to 1.0	45	1.0 to 1.0
- Alc - 2	8	15	-	-	115	1.0 to 1.0	80	1.0 to 1.0
Alc - 3	8	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0
R8B (1)	(5)	(5)	55	23	60	1.0 to 1.0	30	1.0 to 1.0
R8 (Narrow Street) (2)	-	15	-	-	80	1.0 to 1.0	70	1.0 to 1.0
R8 (Wide Street - (3) Inside Core) (4)	8	15	-	-	85	1.5 to 1.0	80	1.0 to 1.0
R8A	0	(6)	60	23	85	1.5 to 1.0	80	1.0 to 1.0

TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS (continued)

District (A)	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
					Front Sky Exposure Plane		Rear Sky Exposure Plane	
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
RA - Alt - 1, RB (Wide Street) - (3) Outside Core (4)	8	15	-	-	85	1.5 to 1.0	80	1.0 to 1.0
RAA - Alt - 2	8	15	-	-	135	1.0 to 1.0	125	1.0 to 1.0
RBA - Alt - 3	8	15	-	-	170	1.0 to 1.0	145	1.0 to 1.0
RY (Narrow Street) (2)	-	15	-	-	93	1.5 to 1.0	100	1.0 to 1.0
RZ (Wide Street) (3)	8	15	-	-	102	1.5 to 1.0	100	1.0 to 1.0
RYA	0	(6)	60	23	102	1.5 to 1.0	100	1.0 to 1.0
RYL	0	(6)	105	23	120	2.0 to 1.0	120	1.0 to 1.0
R10 (Narrow Street) (2)	-	18	-	-	150	2.5 to 1.0	120	1.0 to 1.0
R10 (Wide Street) (3)	8	18	-	-	150	2.5 to 1.0	140	1.0 to 1.0
R10A	0	(6)	125	23	150	2.5 to 1.0	140	1.0 to 1.0

(1) A front yard with a minimum depth of 5 feet is required.

(2) Refers to that portion of a district on a narrow street except within a distance of 100 feet from its intersection with a wide street.

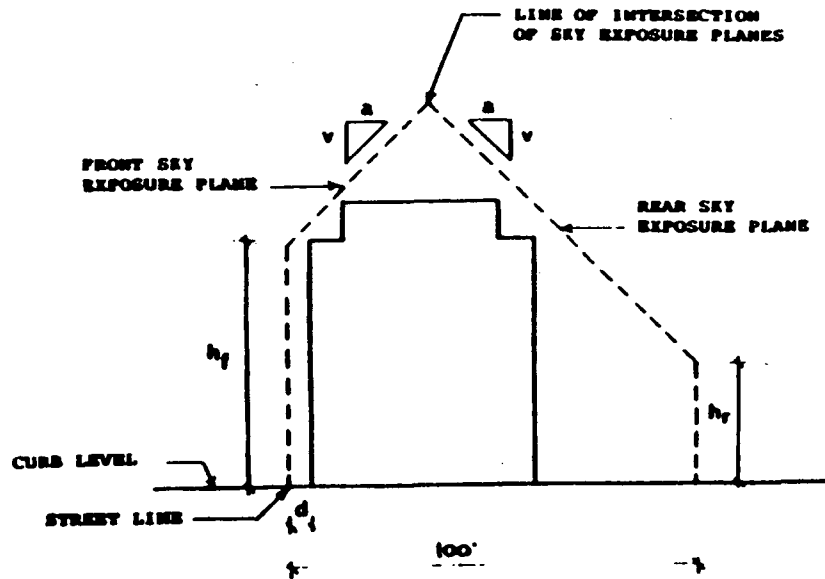
(3) Refers to that portion of a district which is within 100 feet of a wide street.

(4) Core refers to Manhattan Core.

(5) Varies, see Section 24-23 1(c).

(6) Varies, see Section 24-23 1(b).

(7) A setback of 20 feet from the mandatory street wall is required at a height of 60 feet.



h_f is the height at which the front sky exposure plane begins at the street line

h_r is the height at which rear sky exposure plane begins at the 100-foot line

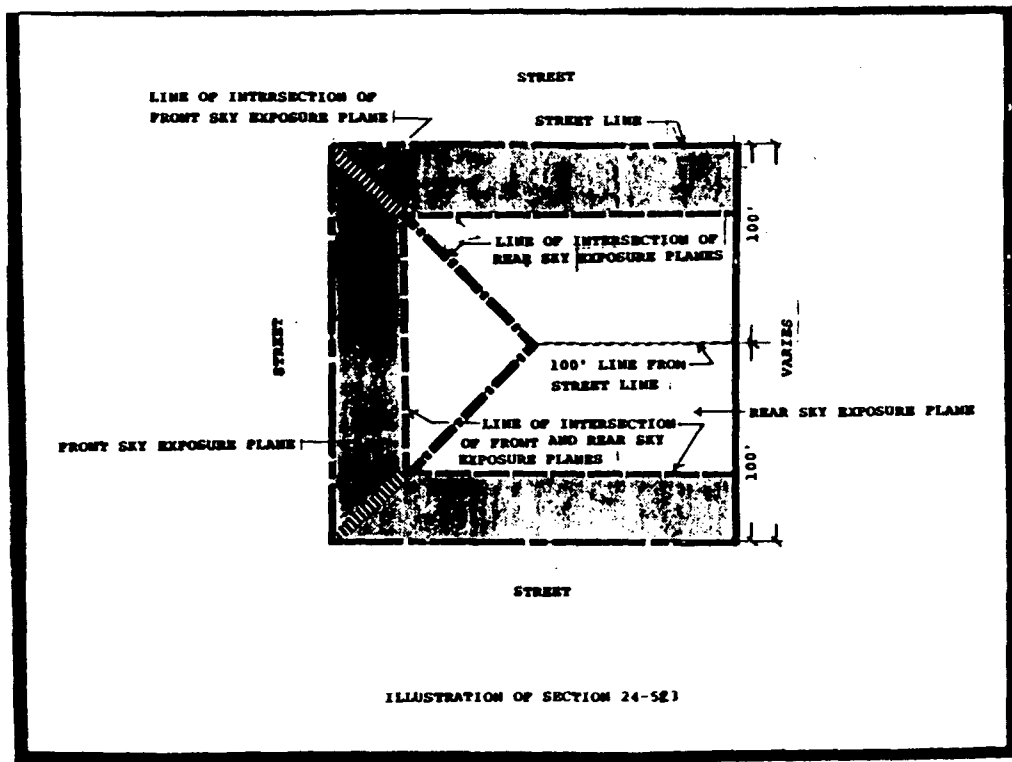
d is the maximum street wall set back distance

v is the vertical distance

a is the horizontal distance

ILLUSTRATION OF SKY EXPOSURE PLANES

SECTION 24-523



24-524

Provisions for lots more than 100 feet in depth

R6A,R6B,R7A,R7B,R7X,R8A,R8B,R8X,R9A,R9X,R10A

In the districts indicated, and for any *development*, or *enlargement* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts no *building* subject to the provisions of Section 24-523 (Street wall and height and setback regulations in certain districts) shall be permitted beyond 100 feet from a *street line*, except for permitted obstructions in *rear yards*.

* * *

24-58

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts, or is subject to other regulations resulting in [with] different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 24-54 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

24-591

Additional regulations for narrow buildings or enlargements

R7-2,R8,R9,R10,R7X

If the width of the *street wall* of a new *building* or the enlarged portion of an existing *building* is 45 feet or less, the provisions of Section 23-692 (Additional regulations for narrow buildings or enlargements) shall apply to such new or enlarged *building*.

* * *

Chapter 5 Accessory Off-Street Parking and Loading Regulations

Off Street Parking Regulations

25-00 GENERAL PURPOSES AND DEFINITIONS

* * *

25-024

District designations

40

R8 R9 R10

* In R6 and 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.

* * *

25-24

Modification of Requirements for Small Zoning Lots

R6,R7,R8,R9,R10

In the districts indicated, for small *zoning lots*, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions of this Section. **The provisions of this Section shall not apply to R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X and R10A Districts or to residences developed or enlarged pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts.**

* * *

25-25

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

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, *accessory off-street parking spaces shall be provided for at least that percentage of the total number of dwelling units in each category as set forth in the following table, for:*

- (a) All *dwelling units* in publicly-assisted housing *developments* approved by the City Planning Commission and the Board of Estimate which limit maximum tenant income and receive cash and/or interest subsidies under Federal mortgage programs;
- (b) All *dwelling units* in low rent public housing *developments* owned by or constructed for the New York City Housing Authority or other public authority and receiving cash subsidies, or *dwelling units* in new housing *developments* approved by the City Planning Commission and the Board of Estimate that are reserved for low-income tenants for a period of not less than 40 years at rentals equivalent to rentals in low rent public housing *developments* receiving cash subsidies;

- (c) All *dwelling units* in publicly-assisted housing *developments* approved by the City Planning Commission and the Board of Estimate which limit maximum tenant income and receive rent subsidy contracts under Federal rent subsidy programs, other than such *developments* owned by or constructed for the New York City Housing Authority which have received "plan" and "project" approval prior to June 30, 1975; and *non-profit residences for the elderly* or *dwelling units* for the elderly;
- (d) *Non-profit residences for the elderly* or *dwelling units* in a publicly-assisted or public housing *development* that are reserved for elderly tenants for a period of not less than 40 years and that comply with the appropriate space requirements for related *accessory* social and welfare facilities set forth in the definition of a *non-profit residence for the elderly* in Section 12-10 (DEFINITIONS).
- (e) All government assisted *dwelling units* or *rooming units* in *developments* which receive New York City or New York State assistance to reduce total development cost by \$10,000 or 10 percent, whichever is less, and limit maximum tenant income to the income limits established by the United States Department of Housing and Urban Development for New York City mortgagors assisted under Section 235 of the National Housing Act, as amended.

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or <i>Dwelling Units</i> for Low Income Tenants	<i>Non-Profit Residences for the Elderly</i> or <i>dwelling units</i> for the Elderly	Government Assisted Housing	District
80	65	50	1	80	R1, R2
80	65	50	35	80	R3, R4
70	56	42.5	31.5	70	R5
55	45	35	22.5	55	R6**

39	32	25	16	35	R6A, R6B, R7B
45	38	30	20	45	R7- 1**
30	23	15	12.5	25	R7-2, R7A, R7X, R8B*
30	21	12	10	25	R8, R8A, R8X, R9, R10

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

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

<u>District</u>	<u>Applicable District Parking Requirement</u>
R6	R6A
R7-1	R7A

25-26

Waiver of Requirements for Small Number of Spaces

* * *

25-261

For new developments or enlargements

R6,R7,R8,R9,R10

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

Maximum Number of Spaces Waived

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

25-262

For conversions

R6,R7-1,R7A,R7-B,R7X

In the districts indicated², the conversions in *buildings*, or portions thereof, which result in the creation of additional *dwelling units* or *rooming units*, the maximum number of *accessory* off-street parking spaces for which requirements are waived is 20 spaces, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

* * *

25-28

Special Provisions for Zoning Lots Divided by
District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is **subject to other regulations** having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

**25-30 REQUIRED ACCESSORY OFF-STREET
PARKING SPACES FOR PERMITTED
NON-RESIDENTIAL USES**

25-31

General Provisions

* * *

REQUIRED OFF-STREET PARKING SPACES FOR
NON-RESIDENTIAL USES

Parking spaces
required in
relation
to specified unit
of measurement

Type of use

FOR COMMUNITY FACILITY USES

Hospitals and
related
facilities¹

1 per 5 beds R1 R2 R3 R4 R5

1 per 8 beds R6 **R7B** R7-1

1 per 10 beds **R7A R7X** R7-2
R8 R9 R10

Square feet of
floor area:

Medical offices
or group medical
centers

None required **R7A R7X** R7-2
R8 R9 R10

1 per 400 R1 R2 R3

1 per 500 R4 R5

1 per 800 R6 **R7B** R7-1

Churches

None required **R7A R7X** R7-2
R8 R9 R10

1 per 10 fixed
seats R1 R2 R3

1 per 15 fixed
seats R4 R5

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

Clubs,
community

Rated Capacity:

<p>centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf</p>	<p>None required</p>	<p>R7A R7X R7-2 R8 R9 R10</p>
<p>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.</p>	<p>1 per 10 persons</p>	<p>R1 R2 R3 R4 R5</p>
<hr/>		
<p>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.</p>	<p>1 per 20 persons</p>	<p>R6 R7B R7-1</p>

Square feet of floor area

Libraries, museums, or non-commercial art galleries ¹	None required	R7A R7X R7-2 R8 R9 R10
	1 per 1,000	R1 R2 R3 R4 R5
	1 per 2,000	R6 R7-1 R7B
College dormitories, fraternity or houses	None required	R7A R7X R7-2 R8 R9 R10
	1 per 6 beds	R1 R2 R3 R4 R5
	1 per 12 beds	R6 R7B R7-1
Colleges, universities, or seminaries (a) Classrooms, laboratories, student	Square feet of <i>floor area</i> :	
	None required	R7A R7X R7-2 R8 R9 R10
	1 per 2,000	R6 R7B R7-1
(b) Theatres, auditoriums, gymnasiums, or stadiums	Rated capacity: None required	R7A R7X R7-2 R8 R9 R10
	1 per 8 persons	R1 R2 R3 R4 R5
	1 per 16 persons	R6 R7-1 R7B
Agricultural uses, including greenhouses, nurseries, or truck gardens	Square feet of <i>lot area</i> used for selling purposes: None required	R7A R7X R7-2 R8 R9 R10
	1 per 1,000	R1 R2 R3 R4 R5
	1 per 2,500	R6 R7-1 R7B
	Square feet of <i>lot area</i> :	

Outdoor skating rinks	None required	R7A R7X R7-2 R8 R9 R10
	1 per 800	R1 R2 R3 R4 R5
	1 per 2,000	R6 R7-1 R7B
Outdoor tennis courts	Number of Courts: None required	R7A R7X R7-2 R8 R9 R10
	1 per 2 courts	R1 R2 R3 R4 R5
	1 per 5 courts	R6 R7-1 R7B
Philanthropic or non-profit institutions with sleeping accommodations; all types of nursing homes, health related facilities, domiciliary care facilities or sanitariums	None required	R7A R7X R7-2 R8 R9 R10
	1 per 10 beds	R1 R2 R3 R4 R5
	1 per 20 beds	R6 R7-1 R7B
Schools	Square feet of <i>floor area</i> : None required	R3 R4 R5 R6 R7 R8 R9 R10
	1 per 1,500	R1 R2
	* * *	
Post Offices	Square feet of <i>floor area</i> : None required	R7A R7X R7-2 R8 R9 R10
	1 per 800	R1 R2 R3
	1 per 1,200	R4 R5
	1 per 1,500	R6 R7-1 R7B

FOR USES PERMITTED BY SPECIAL PERMIT

Camps, overnight or day, with a minimum of either 10,000 square of *lot area* or 10 employees

1 per 2,000 square feet of *lot area* or 1 per 3 employees, whichever will require a lesser number of spaces

R1 R2 R3 R4 R5
R6 R7 R8 R9
R10

Square feet of *floor area*:

Fire or police stations

None required

R7A R7X R7-2
R8 R9 R10

1 per 500 R1 R2 R3 R4 R5
1 per 800 R6 R7-1 R7B

Square feet of *floor area*:

Riding academies or stables

None required

R7A R7X R7-2
R8 R9 R10

1 per 500 R1 R2 R3 R4 R5
1 per 800 R6 R7-1 R7B

* * *

25-33

Waiver of Requirements for Spaces below Minimum Number

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, except for the *uses* listed in Section 25-331 (Exceptions to application of waiver provisions), the parking requirements set forth in Section 25-31 (General Provisions) or Section 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to permitted non-residential *uses*, if the total number of accessory off-street parking spaces required for all such *uses* on the *zoning lot* is less than the number of spaces set forth in the following table:

Number of Spaces

10	R1 R2 R3 R4 R5
25	R6 R7-1 R7B
40	R7A R7X R7-2 R8 R9 R10

* * *

25-52

Off-Site Spaces for Residences

* * *

25-521

Maximum distance from zoning lot

R3,R4,R5,R6,R7,R8,R9,R10

In districts indicated, all such spaces shall not be further than the distance set forth in the following table from the nearest boundary of the *zoning lot* occupied by *residences* to which they are *accessory*.

Maximum

Distance
from Zoning
Lot

(a) 600 feet	R3 R4 R5 R6 R7-1 R7B
(b) 1,000 feet	R7A R7X R7-2 R8 R9 R10

* * *

Chapter 6 Special Urban Design Guidelines—Streetscape

* * *

26-02

Applicability of this Chapter

The regulations of this Chapter shall apply to all *developments* constructed after the effective date of this Chapter within R9 and R10 districts. However, this Chapter shall not apply within any Special Purpose District, nor shall it apply to any *development* [for which the Commission has granted a special permit pursuant to Section 74-95 (Housing Quality Developments),] pursuant to the **Quality Housing Program**, except as otherwise set forth herein.

* * *

Chapter 7 Special Urban Design Guidelines—Residential Plazas

* * *

27-01

Applicability of this Chapter

The provisions of this Chapter shall apply to all *developments* constructed after the effective date of this Chapter containing a *plaza* which qualifies for a *floor area* bonus under the provisions of Sections 23-16 and 24-14 (Floor Area Bonus for Plaza). However, this Chapter shall not apply within a Special Purpose District except where permitted within such Special Purpose District, nor shall it apply to any *development pursuant to the Quality Housing Program*, [for which the Commission has granted a special permit pursuant to Section 74-95 (Housing Quality Developments)] except as otherwise set forth therein.

* * *

Chapter 8 The Quality Housing Program**28-00 GENERAL PURPOSES**

The Quality Housing Program is established to foster the provision of multi-family housing which:

- (a) is compatible with existing neighborhood scale and character;
- (b) provides adequately sized, naturally lit and ventilated housing;
- (c) provides on-site recreation space that meets the needs of its occupants; and
- (d) is designed to promote the security and safety of the residents.

28-01

Applicability of this Chapter

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

In other R6, R7, R8, R9 and R10 Districts and in the equivalent *Commercial Districts* listed in Sections 34-111 and 34-112, *residential developments*, or *residential enlargements* where permitted, electing to use the optional Quality Housing *bulk* regulations in Article II, Chapter 3 shall comply with all of the Quality Housing Program standards and requirements set forth in this Chapter. The Quality Housing Program is not applicable to *enlargements of buildings* (unless such *buildings* were *developed* pursuant to the Quality Housing Program), *extensions*, or conversions in these other districts.

The provisions of Article VII, Chapter 8 (Large Scale Residential Developments) are not applicable to *residential developments* pursuant to the Quality Housing Program.

28-02

Definitions

Net square feet of a dwelling unit or rooming unit

The “net square feet of a dwelling unit or rooming unit” is all the *floor area* within the perimeter walls of such unit.

Total Net Residential Floor Area

The “total net residential floor area” is the sum of the *net square feet of a dwelling unit or rooming unit* of all such units in a *development, enlargement, extension or conversion*.

Vertical Circulation Core

A “vertical circulation core” is an elevator core (consisting of one or more elevators) or a central stairwell in a non-elevator *building*.

28-03

Quality Housing Program Elements

The Quality Housing program consists of four components: neighborhood impact; *building interior*; recreation space and planting; and safety and security.

The neighborhood impact component controls the effect of the Quality Housing *building* on the neighborhood and includes *bulk* regulations, street planting and requirements for ground floor glazing in *Commercial Districts*, all of which are mandatory.

The *building interior* component sets minimum and preferred levels for the average size of *residential unit*; establishes minimum amounts of glazed area for each *residential unit*; requires *privacy for ground floor residential units*; mandates laundry facilities and special refuse storage and disposal systems; and encourages daylight in corridors.

The recreation and planting component establishes minimum and preferred space standards for indoor and outdoor recreation space, requires planting of open areas on the site, and encourages balconies.

The safety and security component sets minimum and preferred standards for the number of *residential units per corridor*; requires elevators, or the main stairways in walk-up *buildings*, that are visible from both the *street* and the door of each *residential unit*; mandates security devices for entrances to the *building* from the

accessory parking; and requires secure open area visible from common spaces within the *building*.

Each Quality Housing *building* shall comply with all of the mandatory requirements of this Chapter and meet the preferred level in at least two of the three standards for *residential* unit size, recreation space and number of *residential* units per corridor.

28-10 NEIGHBORHOOD IMPACT

28-11

Bulk Regulations

The *bulk* regulations for Quality Housing *developments* or *enlargements* are set forth in the provisions applicable to the Quality Housing Program in Article II, Chapter 3; Article II, Chapter 4; Article III, Chapter 4 and Article III, Chapter 5.

28-12

Street Tree Planting

All Quality Housing *developments, enlargements, extensions* or conversions 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 time of planting and be placed at approximately equal intervals except where the Commissioner of Highways determines that such tree planting would be infeasible. All street trees shall be planted, maintained and replaced when necessary with the approval of, and in accordance with, the standards of the Department of Parks and Recreation and the Department of Highways.

28-13

Ground Floor Glazing

In all *Commercial Districts*, the *street wall* of any non-*residential* portion of a Quality Housing *development* or *enlargement* located within 15 feet of the *street line* shall consist of clear non-tinted glass on at least 35 percent of the facade of such *street wall* to a height of twelve feet above *curb level* so that the *building* interior is visible from the *street*. The lowest point of such glass shall not be higher than four feet above *curb level*.

28-20 BUILDING INTERIOR

28-21

Size of Dwelling Units

The minimum *net square feet* of a *dwelling unit* shall be at least 415 square feet.

The average *net square feet of a dwelling unit* is determined by dividing the *total net residential floor area* within the *development, enlargement, extension* or conversion by the total number of *dwelling units* in such *development, enlargement, extension* or conversion. The result shall be no less than the minimum average *net square feet of a dwelling unit* as set forth in the following table. *Developments, enlargements, extensions* and conversions, electing to use the minimum standards of either Section 28-32 (Required Indoor and Outdoor Recreation Space) or Section 28-41 (Density per Vertical Circulation Core) shall meet or exceed the preferred average *net square feet of a dwelling unit* as set forth in the table below.

SIZE OF DWELLING UNITS

District	Minimum Average Net Square Feet of a Dwelling Unit		Preferred Average Net Square Feet of a Dwelling Unit	
	Non-Profit Residence for Elderly		Non-Profit Residence for Elderly	
	Other Residential Building	Other Residential Building	Other Residential Building	Other Residential Building
R6,R6A, R6B				
R7, R7A, R7B, R7X				
R8B	500	600	550	750
R8,R8A,R8X				
R9,R9A	500	650	550	800
R9X, R10A	500	700	550	800

28-22

Windows

All windows in the *residential* portion of a *building* shall be double glazed.

The minimum area in square feet of *legally required windows* in each *dwelling unit* or *rooming unit* shall not be less than as set forth in the table below.

SIZE OF WINDOWS

Building Height	Minimum Area of Windows as a Percentage of Net Square Feet of a Dwelling Unit or Rooming Unit
Under 13 stories	9.5%
13 or more stories	11.5%

28-23

Visual Privacy

In *developments*, or *enlargements* of nine units or more, except *buildings developed* or *enlarged* pursuant to Section 23-633, 1(a), all *dwelling units* or *rooming units* within ten feet of a sidewalk or an outdoor recreation space or an open *accessory* parking lot on the *zoning lot* shall either:

- (a) have a floor elevation at least three feet six inches above the level of the adjoining sidewalk, outdoor recreation space or *accessory* parking lot; or
- (b) be separated from the adjacent sidewalk, outdoor recreation space or *accessory* parking lot by a two foot wide strip densely planted with shrubs or trees which provide a year round dense screen at least four feet high at the time of planting.

28-24

Refuse Storage and Disposal

Developments, enlargements, extensions and conversions with nine or more *dwelling units* or *rooming units* per *vertical circulation core* shall comply with the provisions of this Section.

All refuse, except materials to be recycled, shall be mechanically compacted in accordance with applicable law. The storage and removal of refuse shall occur entirely within an enclosed area on the *zoning lot* and appropriate locations within the *zoning lot* shall be delineated for this purpose: at least one for *residential uses* and at least one for *community facility* and *commercial uses*. *Residential* storage and removal locations shall be provided at the rate of 2.9 cubic feet per *dwelling unit* or 1.15 cubic feet per *rooming unit*. *Developments* or *enlargements* with 175 or more *dwelling units* or *rooming units* shall store compacted refuse in an on-site container acceptable to the Department of Sanitation.

A refuse disposal room of not less than twelve square feet with no dimension less than three feet shall be provided on each *story* that has entrances to *dwelling units* or *rooming units*. At least two square feet of the door to the disposal room shall be transparent. The refuse disposal room shall contain a chute to the refuse compactor, two containers of at least three cubic feet each and shelf space for the storage of recyclable materials which shall measure at least three feet wide by 14 inches deep by 15 inches high. Twelve square feet of such refuse storage room shall be excluded from the definition of *floor area*.

28-25

Laundry Facilities

All *developments, enlargements, extensions* and conversions with nine or more *dwelling units* or *rooming units*, shall provide laundry facilities as set forth below.

- (a) Every *dwelling unit* shall be provided with a washing machine and a dryer; or
- (b) At least one laundry room shall be provided for the *dwelling units* or *rooming units* which are not provided with a washing machine and dryer, according to the following standards:
 - (i) Each laundry room shall have at least one washing machine and one dryer; in addition one washing machine shall be required for every 20 *dwelling units* or *rooming units* and one dryer for every 40 *dwelling units* or *rooming units*. For the purposes of calculating the number of required machines, any fraction of a required machine 50 percent or greater shall be counted as an additional machine.
 - (ii) For every square foot of floor space occupied by the required machines there shall be a minimum of three additional square feet of unobstructed floor space in the laundry room which shall be equipped with chairs and tables for folding laundry.
 - (iii) At least 35 percent of each door to the laundry room shall be transparent.
 - (iv) The laundry room shall be directly accessible only from a corridor within the *residential* portion of a *building* and shall be accessible to the handicapped. The laundry room shall adjoin a recreation space or planted area unless such laundry room serves only one *story*.
 - (v) The laundry room shall have at least one exterior wall and the minimum aggregate area in square feet of transparent glazed openings in the exterior walls of the laundry room shall not be less than 9.5 percent of the total floor space of the laundry room. All windows shall meet the applicable requirements for windows in Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

That portion of each laundry room which is used to meet the above minimum requirements shall be excluded from the definition of *floor area*.

28-26

Daylight in Corridors

For every square foot of clear non-tinted window provided in a corridor, 14 square feet of that corridor space may be excluded from the definition of *floor area* provided that:

- (a) Such windows shall be measured in the plane of the rough window opening and be at least four feet by five feet;
- (b) Such windows shall be directly visible from 50 percent of the corridor or from the *vertical circulation core*. This standard shall be achieved when a visually unobstructed straight line can be drawn between such corridor, elevator or stairwell and the window; and
- (c) Such windows are located at least 30 feet from a wall or a *side or rear lot line* measured in a horizontal plane, and perpendicular to, the rough window opening.

28-30 RECREATION SPACE AND PLANTING AREAS

28-31

Types of Recreation Space

Child use space is indoor or outdoor recreation space allocated for children under the age of 12.

Joint use space is indoor or outdoor recreation space allocated for both children and adults.

28-32

Required Indoor and Outdoor Recreation Space

All *developments, enlargements, extensions* or conversions with nine or more *dwelling units* or *rooming units* shall provide at least the minimum amount of indoor and outdoor recreation space as set forth in the table below. The amount of recreation space required is expressed as a percentage of the *total net residential floor area* of the *development, enlargement, extension* or conversion. *Developments, enlargements, extensions* or conversions with 40 or fewer *dwelling units* or *rooming units* may aggregate the minimum or preferred recreation space in one type, indoors or outdoors. *Developments, enlargements, extensions* or conversions electing to use the minimum standard of either Section 28-21 (Size of Dwelling Units) or Section 28-41 (Density per Vertical Circulation Core) shall meet or exceed the preferred standard for recreation space as set forth in the table below. *Developments, enlargements, extensions* or conversions that create *rooming units* shall meet the preferred standard for joint use space set forth in the table below for that portion of the *total net residential floor area* used by such units in lieu of providing child use space. In R9 and R10 Districts rooftop greenhouses and solariums may count towards the required outdoor recreation space on a square foot per square foot basis, and shall be excluded from the definition of *floor area*. The floor space of indoor recreation space provided in accordance with the standards set

forth in Sections 28-31 to 28-34 and not exceeding the preferred standard in the table below shall be excluded from the definition of *floor area*.

REQUIRED RECREATION SPACE

(as a percent of the total net residential floor area)

District	Minimum Standard		Preferred Standard			
	Child Use	Joint Use	Child Use	Joint Use		
	Indoor	Outdoor	Indoor	Outdoor		
R6, R6A, R6B, R7, R7A, R7B, R7X	1%	1%	1.5%	2%	1%	3%*
R8, R8A, R8B, R8X, R9, R9A, R9X, R10A	.5%	1%	1.5%	1%	2%	2.5%*

* Unenclosed balconies and terraces with a minimum area of 72 square feet and a minimum depth of six feet may substitute for up to 50 percent of the difference between the minimum and the preferred amounts on a square foot per square foot basis.

The requirement for outdoor recreation space may be modified for conversions provided that the Commissioner of Buildings finds that the open area is of insufficient size to satisfy the outdoor recreation space requirements and that the roof is unsuited for recreation use or cannot be made suitable at reasonable cost.

28-33

Location of Recreation Space

28-331

Indoor recreation space

Indoor recreation space shall be located in a *story* at or above *curb level* or adjoining grade elevation.

28-332

Outdoor recreation space

Outdoor recreation space shall be open to the sky except that *building* projections, not to exceed seven feet in depth, may cover up to ten percent of the outdoor recreation space provided that the lowest level of the projection is at least ten feet above the level of the outdoor recreation space.

28-333

Special regulations for R9 and R10 Districts

In R9 and R10 Districts outdoor recreation space shall be located according to the size of each space provided.

If size of a space is:	the location shall be:
1,500 square feet or more with no dimension less than 30 feet	at any <i>story</i> above <i>curb level</i> or adjoining grade level
1,000 square feet to 1,499 square feet with no dimension less than 25 feet	on a roof at least 14 feet above <i>curb level</i>
less than 999 square feet with no dimension less than 20 feet	on a roof at least 85 feet above <i>curb level</i> or the height of the <i>building</i> whichever is less

28-334

In a mixed use development or enlargement

In a mixed use *development, enlargement, extension* or conversion the recreation space shall be accessible only from the *residential* portion of the *building*.

28-34

Standards for Recreation Space

28-341

Standards for all recreation space

- (a) All recreation spaces shall be accessible to the residents of the *building* for at least 12 hours per day. Such spaces shall be accessible to the handicapped. Ramps, elevators, corridors and doors shall be designed to accommodate wheelchairs.
- (b) In *developments, enlargements, extensions* or conversions with 50 or more *dwelling units* or *rooming units* a restroom with a toilet and sink shall be provided adjacent to one indoor recreation space.
- (c) At least 35 percent of each door to a recreation space shall be transparent.
- (d) Any recreation space shall have a minimum width of 15 feet.
- (e) A plaque, not less than one square foot in size, shall be mounted on a wall at a height of five feet above floor level at the entrance to each recreation space. Such plaque shall include the following statement: "This recreation

space is provided for the use of the residents of this building as required by the New York City Zoning Resolution.”

28-342

Standards for outdoor recreation space

- (a) For every ten *dwelling units* or *rooming units* in the *development, enlargement, extension* or conversion one fixed seat with a back shall be provided in both child and joint use recreation spaces.
- (b) All outdoor recreation spaces shall be enclosed with a fence or wall at least six feet high along the *lot lines*.
- (c) All *dwelling units, rooming units,* and outdoor areas serving individual units shall be separated from the outdoor recreation space by a opaque fence or wall at least four feet high or a four foot wide strip densely planted with shrubs which provide a year round dense screen at least four feet high at the time of planting. No such wall or fence shall be located within six feet of a window or door of a *dwelling unit* or *rooming unit*.
- (d) At a height of 120 feet or more above *curb level* all outdoor recreation space shall be protected from the wind with a screen mounted on the parapet wall. The minimum height of such screen shall be six feet above the roof level provided that only a transparent screen may penetrate a *sky exposure plane*.

28-343

Standards for outdoor child use space

- (a) Outdoor child use space shall be provided with swings, see-saws, sand boxes, sprinklers, wading pools, game tables or other play equipment acceptable to the Commissioner of Buildings as appropriate for child use space.
- (b) The space around the equipment shall be surfaced with a resilient material.

28-344

Standards for outdoor joint use space

Outdoor joint use space shall be provided with *accessory* basketball, handball, volley ball, tennis or badminton courts, shuffleboard, bocci, horseshoe pitching, game tables, exercise courses or other equipment acceptable to the Commissioner of Buildings as appropriate for joint use space.

28-345

Standards for indoor recreation space

- (a) The minimum size of any indoor recreation space shall be 300 square feet and shall be excluded from the definition of *floor area*.
- (b) In *developments, enlargements, extensions* and conversions with 100 or more *dwelling units* or *rooming units*, indoor recreation space shall include a kitchenette.
- (c) Transparent windows shall be provided in the outside walls of the indoor recreation space. The minimum aggregate area in square feet of such windows shall not be less than 9.5 percent of the floor space of the indoor recreation space. All windows shall meet the applicable requirements for windows in Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES) and 50 percent of such windows shall be operable.
- (d) Window sills in child use space shall be no higher than two feet six inches above the floor level and window guards shall be installed in all windows.

28-35

Planting Areas

Areas of the *zoning lot* not included in *Quality Housing lot coverage* shall be planted in accordance with the provisions of this Section.

28-351

Location of required planting

- (a) The area of the *zoning lot* between the *street line* and the *street wall* of the *building* shall be planted, except at the entrance to and exits from the *building*, along fenced outdoor areas serving individual units or adjacent to *commercial uses* fronting on the *street*.
- (b) Sixty percent of the remaining areas of the *zoning lot* which are not *Quality Housing lot coverage* and are not more than 23 feet above *curb level* shall be planted except for areas improved as outdoor recreation space and open *accessory* off-street parking for assisted housing as described in Section 25-25.
- (c) In R9 and R10 Districts the planting and tree requirements may be satisfied within rooftop greenhouses or solariums.

28-352

Standards for planting

Plantings may include grass, ground cover, shrubs, flower beds and trees.

(a) Planting areas shall contain at least the following amounts of topsoil for:

lawns	6 inches
ground cover	9 inches
deciduous shrubs	12 inches
evergreen shrubs	18 inches

(b) Trees shall be placed in a planting area of at least 64 cubic feet with at least 12 inches of topsoil and shall be a minimum of three inch caliper or eight feet high at time of planting.

(c) Up to 30 percent of the required planted area may be developed as lawn and may count toward the required outdoor child use or joint use space on a square foot per square foot basis.

(d) In all districts all *developments* or *enlargements* shall plant at least the number of trees in open areas as set forth in the table below.

REQUIRED TREE PLANTING

Lot Coverage	Required Trees Per Lot Area
70% or less	one tree per 2,000 square feet
71% or more	one tree per 3,500 square feet

28-40 SAFETY AND SECURITY**28-41****Density per Vertical Circulation Core**

In any *development*, *enlargement* or conversion no *vertical circulation core* shall serve more than 15 *dwelling units* and *rooming units* per *story*.* In any *development*, *enlargement* or conversion the number of *dwelling units* and *rooming units* served by a *vertical circulation core* divided by the number of *stories* shall not exceed the minimum standard as set forth in the table below. *Developments*, *enlargements* or conversions electing to use the minimum standard of either Section 28-21 (Size of Dwelling Units) or Section 28-32 (Required Indoor and Outdoor Recreation Space) shall meet or exceed the preferred standard as set forth in the table below.

DENSITY OF DWELLING UNITS PER VERTICAL CIRCULATION CORE

**Average Number of Dwelling Units and
Rooming Units Served by a Vertical
Circulation Core Per Story**

District	Minimum Standard*	Preferred Standard
R6,R6A,R6B,R7,R7A,R7B,R7X	15	11
R8,R8A,R8B,R8X	15	10
R9,R9A,R9X,R10,R10A	15	8

* For *non-profit residences for the elderly* or publicly assisted housing for the elderly the minimum standard shall be 17 *dwelling units and rooming units per vertical circulation core*.

28-42

Entrance to Buildings

In any *development* the main entrance to, and the main lobby of, the *residential* portion of a *building* shall be directly visible from the *street*. The entrance and floor of such lobby shall be within three feet of *curb level* and in multiple dwellings shall be accessible to wheelchairs.

In a *building* used partly for *residential use* and partly for *community facility* or *commercial uses*, the entrances to the *residential* portion of the *building* shall be separate from and unconnected to the entrances or exits of other *uses*. All exits from a garage or parking lot including stairs, passageways or elevators, which lead to the *residential* portion of a *building* shall be controlled by a locked security system which can be activated only by the *residential* occupants of the *building* by means of a key, key pad or similar security device.

28-43

Visibility of the Vertical Circulation Core from the Street

In any *development* the entry door to the *vertical circulation core* in the main lobby shall be clearly and directly visible through the main entrance from the *street*. This standard shall be achieved when a visually unobstructed straight line can be drawn between such entrance and the center of the doors to the *vertical circulation core*.

28-44

Visibility of the Vertical Circulation Core Doors from Dwelling Unit or Rooming Unit Doors

In all *developments, enlargements* or conversions the doors to the *vertical circulation core* at each *story* shall be clearly and directly visible from the entry door to each *dwelling unit* or *rooming unit*. This standard shall be achieved when a

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visually unobstructed straight line can be drawn between the doors to the *vertical circulation core* and the entry door to each *dwelling unit* or *rooming unit*. Such visually unobstructed line shall be straight except as deflected by a single, floor to ceiling, shatterproof mirror at least 12 inches wide appropriately placed in the corridor.

28-50 PARKING FOR QUALITY HOUSING

Except as modified by the provisions of this Section, *accessory* off-street parking for Quality Housing *developments, enlargements* or conversions shall be provided as set forth in Article II, Chapter 5 and Article III, Chapter 6.

28-51

Enclosure of Accessory Off-Street Parking Spaces

Accessory off-street parking spaces for any *dwelling unit* or *rooming unit developed, enlarged* or converted pursuant to the Quality Housing Program shall be within a *completely enclosed building* except as otherwise provided in this section.

28-511

For public, publicly assisted and government assisted housing or non-profit residences for the elderly

For Quality Housing *developments, enlargements* or conversions containing public, publicly assisted and government assisted housing units or *non-profit residences for the elderly* as defined in Section 25-25 (Modification of Requirements for Public, Publicly Assisted and Government Assisted Housing or Non-Profit Residences for the Elderly) *accessory* off-street parking spaces may be unenclosed provided that such parking spaces are screened in accordance with paragraph (a) Section 25-66 (Screening).

28-512

For other residences

For other Quality Housing *developments, enlargements, or conversions, accessory* off-street parking spaces may be unenclosed provided that the requirements of Sections 28-31 to 28-34 (Recreation Space and Planting Areas) and 28-23 (Visual Privacy) are met. Such parking spaces shall be screened in accordance with paragraph (a) Section 25-66 (Screening).

28-513

For off-site *accessory* off-street parking

Off-site *accessory* off-street parking spaces for Quality Housing *developments, enlargements* or conversions may be unenclosed provided that the *zoning lot* on which such spaces are located does not contain a *residential use*.

28-52

Location of Accessory Parking

On-site accessory off-street parking for Quality Housing developments, enlargements or conversions shall not be permitted within a required front yard or a street wall setback distance.

28-53

Non-Conforming Uses

A non-conforming use may be changed to a residential use pursuant to the Quality Housing Program and the applicable district accessory off-street parking requirements shall not apply to such change of use but shall apply to any enlargement.

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

33-00 APPLICABILITY, DEFINITIONS, AND GENERAL PROVISIONS

33-01

Applicability of this Chapter

* * *

[All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
C1 and C2 in R8A and R8B	C1 and C2 in R8	35-411
C1 and C2 in R9A and R9X	C1 and C2 in R9	35-411,35-42, 35-631
C1 and C2 in R10A	C1 and C2 in R10	35-42,35-631
C1-8A,C1-8X	C1-8	35-23,35-412
C2-7A, C2-7X	C2-7	35-42,35-631
C1-9A	C1-9	35-23, 35-42,
C2-8A	C2-8	35-631
C4-6A	C4-6	
C4-7A	C4-7	35-23, 35-42,33-632
C6-1A	C6-1	34-23, 34-412

C6-2A

C6-2

35-23,
35-42, 35-632]

* * *

Special regulations applying only in Special Purpose Districts set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Sections 33-122, 33-123 and 33-126.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 33-120.5, 33-123, 33-131 and 33-151.

* * *

33-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

* * *

33-120.5

Maximum limit on floor area ratio

C1 C2 C3 C4 C5 C6 C7 C8

* * *

[(e) In C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A and C6-2A Districts the provisions of Sections 33-13 (Floor Area Bonus for a Plaza or Plaza Connected Open Area), 33-14 (Floor Area Bonus for Urban Open Space), and 33-15 (Floor Area Bonus for Arcades) shall not apply.

(f) In the districts indicated, where mapped within R9A, R9X or R10A Districts, the provisions of Sections 33-132, 33-142 and 33-152 shall not apply.]

[C1-1, C2-1, C1-2, C2-2, C1-3, C2-3, C1-4, C2-4, C1-5, C2-5]

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

(e) In the districts indicated and in C1 and C2 Districts mapped within R9A, R9X and R10A Districts, the provisions of Section 33-13 (Floor Area Bonus for a Plaza or Plaza Connected Open Area), 33-14 (Floor Area Bonus for Urban Open Space), and 33-15 (Floor Area Bonus for Arcades) shall not apply, and

[In the districts indicated,] no existing *plaza* or other public amenity, open or enclosed, for which *floor area* bonus has been received, pursuant to regulations antedating (the effective date of this amendment) [April 18, 1985] shall be eliminated or reduced in size, without a corresponding reduction in the *floor area* of the *building* or the substitution of equivalent complying area for such amenity elsewhere on the *zoning lot*.

33-121

In districts with bulk governed by Residence District bulk regulations

C1-1,C2-1,C1-2,C2-2,C1-3,C2-3,C1-4,C2-4,C1-5,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
R-1	1.00	0.50	1.00
R-2	1.00	0.50	1.00
R3	1.00	1.00	1.00
R4	1.00	2.00	2.00
R5, R6B	1.00	2.00	2.00
R6A, R7B	2.00	3.00	3.00
R7A, R8B	2.00	4.00	4.00
R6	2.00	4.80	4.80
R7-1	2.00	4.80	4.80
R7X	2.00	5.00	5.00
R7-2	2.00	6.50	6.50
R8	2.00	6.50	6.50
R8A	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
R10A	2.00	10.00	10.00

* * *

33-122

Commercial buildings in all other Commercial Districts

C1-6, C1-7, C2-6, C1-8, C2-7, C1-9, C2-8, C3, C4, C5, C6, C7, C8

In the districts indicated, the maximum *floor area ratio* for a *commercial building* shall not exceed the *floor area ratio* set forth in the following table:

MAXIMUM FLOOR AREA RATIO

0.50	C3
------	----

1.00			C4-1	C8-1
	C1-6			
	C1-6A			
	C1-7	C2-6		
	C1-7A	C2-6A		
	C1-8	C2-7		C8-2
	C1-8A	C2-7A		C8-3
2.00	C1-8X	C2-7X		
	C1-9	C2-8		
	C1-9A	C2-8A		
3.00			C4-2A	
			C4-3A	
3.40			C4-2	
			C4-3	
			C4-4	
			C4-5	
			C4-6	
			C4-6A	
4.00			C4-4A	C5-1
			C4-5A	C5-1A
			C4-5X	
5.00				C8-4
6.00				C6-1
				C6-1A
				C6-2
				C6-2A
				C6-3
				C6-3A
			C4-7	C6-4
			C4-7A	C6-4A
				C5-2
				C5-4
				C6-5
10.00				C6-8
12.00			C5-2A	
15.00			C5-3	C6-6
			C5-5	C6-7
				C6-9

33-123

Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

C1-6,C1-7,C2-6,C1-8,C2-7,C1-9,C2-8,C3,C4,C5,C6,C8

In the districts indicated, the maximum *floor area ratio* for a *community facility building* or for a *building* used for both *commercial* and *community facility uses* shall not exceed the *floor area ratio* set forth in the following table:

MAXIMUM FLOOR AREA RATIO

1.00	C3				
2.00	C4-1				
2.40	C8-1				
3.00	C4-2A C4-3A				
4.00	C1-6A	C2-6A	C4-4A C4-5A		
5.00	C4-5X				
	C4-2				
4.80	C4-3				
	C8-2				
6.00	C6-1A				
	C1-6		C4-4	C6-1	C8-3
6.50	C1-7	C2-6	C4-5	C6-2	C8-4
	C1-7A			C6-2A	
7.50	C1-8A	C2-7A	C6-3A		
9.00	C1-8X	C2-7X			
	C1-8	C2-7	C4-6	C5-1	C6-3
				C5-1A	
10.00	C1-9	C2-8	C4-6A	C5-2	C6-4
			C4-7		C6-4A
	C1-9A	C2-8A	C4-7A	C5-4	C6-5
					C6-8
12.00	C5-2A				
15.00	C6-6				
	C5-3				
	C6-7				
	C5-5				
	C6-9				

* * *

33-17

Special Provisions for Zoning Lots Divided
by District Boundaries

C1,C2,C3,C4,C5,C6,C7,C8

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations resulting in [with] different maximum *floor area ratios* on portions of the *zoning lot*, the provisions set forth in Article VII, Chapter 7 shall apply.

* * *

33-25

Minimum Required Side Yards

C1,C2,C3,C4,C5,C6,C7,C8

In all districts, as indicated, no *side yards* are required. However, if an open area extending along a *side lot line* is provided at any level, it shall be either:

* * *

33-283

Required rear yard equivalents

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

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

- (a) An open area with a minimum depth of 40 feet linking adjoining *rear yards*, or if no such *rear yards* exist, then midway (or within five feet of being midway) between the two *street lines* upon which such *through lot* fronts[, or].

In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10 Districts, a *rear yard equivalent* shall be provided only as set forth in this paragraph; or

* * *

- [(d) In C1 and C2 districts mapped within R8A, R9A or R10A Districts and in C1-8A, C1-8X, C1-9A, C2-7A, C2-7X and C2-8A Districts the provisions of paragraphs (b) and (c) above shall not apply.]

* * *

33-294

Other special provisions along certain district boundaries

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

In all districts indicated and in C1 and C2 Districts mapped within R6A, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X and R10A Districts, the *development or enlargement of a building* or portions thereof within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Sections 23-45 (Minimum Required Front Yards) and 23-633 (Street wall and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.

* * *

33-42

Permitted Obstructions

In all *Commercial Districts*, the following shall not be considered obstructions and may thus penetrate a maximum height limit or [a] *front or rear sky exposure planes* set forth in Section 33-43 (Maximum Height of Front Wall and Required Setbacks), Section 33-44 (Alternate Front Setbacks), or Section 33-49 (Limited Height Districts):

* * *

33-43

Maximum Height of Front Wall and Required Front Setbacks

* * *

33-431

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

* * *

[(b) When mapped within R8A, R8B, R9A, R9X or R10A Districts the maximum height of a *street wall* and required front setbacks shall be as set forth in Section 23-633 (Street wall and height and setback regulations in certain districts).]

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

(b) In the districts indicated when mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A or R10A Districts the provisions of Section 26-633

(Street wall and height and setback regulations in certain districts) shall apply.

33-432

In other Commercial Districts

* * *

[(b) In C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A and C6-2A Districts the maximum height of a *street wall* or any other portion of a *building or other structure* shall be as set forth in Section 33-433 (Street wall and height and setback regulations in certain districts).]

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

(b) In the districts indicated, Section 33-433 (Street and height and setback regulations in certain districts) shall apply.

33-433

Street wall and height and setback regulations in certain districts

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

In the districts indicated, *street wall*, height and setback regulations are set forth in this section. The provisions of Sections 33-44 (Alternate Front Setbacks) and 33-45 (Tower Regulations) shall not apply.

1. Location of Street Wall

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

(a) In the districts indicated, the *street wall* of any *development* or *enlargement* for the first two *stories* or 23 feet, whichever is greater, shall be located on the *street line* and extend the entire [width] **length of the *street line* of the *zoning lot*, except as provided in paragraph (c)[(b)] and [(3)] **sub-section 3 (Modification of Street Wall Requirements)** below.**

However, at the intersection of two *street lines* the *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line*. [Recesses are permitted only for entrances and windows.]

Except as provided in [(3)] **sub-section 3** below, for any *development* or *enlargement* [fronting on a *wide street*] the *street walls* above the level of the second *story* or 23 feet, whichever is greater, shall comply with one of the following options. Under all options, at the intersection of two *street lines*, the *mandatory street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line*.**

Option 1

Mandatory *street walls* shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot*.

Option 2

At least 50% of the aggregate length of the *street walls* shall comply with Option 1. The remainder of the aggregate length of the mandatory *street walls* at each *story* may be recessed from the *street line* to a depth not exceeding 10 feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street walls* at each *story*.

Option 3

A minimum of 75% of the aggregate area of the mandatory *street walls* at each *story* shall be within five feet of the *street line* provided that the mandatory *street walls* shall abut the *street line* at least once every 25 feet.

C1-6A,C2-6A,C4-2A,C4-3A,C4-4A,C4-5A,C4-5X

- (b) **In the districts indicated all *street walls* of any *development* or *enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street walls* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below. These *street wall* requirements shall be applicable to only one *street* on *through lots* which extend less than 110 feet in maximum depth from *street* to *street*, but shall apply to both *streets* on deeper *through lots*. These *street wall* requirements shall be inapplicable along a *wide street* within 15 feet of its intersection with a *narrow street*, or to any *street wall* located beyond 100 feet from a *street line*.**

[C1-8A,C1-8X,C1-9A,C2-7A,C2-7X,C2-8A,C4-6A,C4-7A,C6-2A]

- (c) [(b)] A vertical *enlargement* in excess of one *story* or 15 feet to an existing *building* is permitted only pursuant to the mandatory requirements of the above provisions or as a vertical extension of the existing *street wall*.

2. Height of Street Wall

[C1-8A,C1-8X,C1-9A,C2-7A,C2-7X,C2-8A,C4-6A,C4-7A,C6-2A]

[In the districts indicated the mandatory minimum height above *curb level* of a *street wall* without a setback shall be as set forth in Column A, or the height of the *building*, whichever is less; the maximum permitted height of a *street wall* without a setback at the *street line* shall be as set forth in Column B; and above such specified maximum height the *building or other structure* shall not penetrate the *sky exposure plane* as set forth in Column B in the table below:

Column A		Column B				
Sky Exposure Plane**						
Mandatory minimum height of street wall (in feet)	Maximum permitted height of street wall without setback at the street line (in feet)	Slope over zoning lot (expressed as a ratio of vertical to horizontal distance)				
		Vertical	Horizontal			
Wide street*	Narrow street*					
60	23	85	1.5	to	1	C6-2A
60	23***	100	1.5	to	1	C1-8A C2-7A
110	23***	110	2.0	to	1	C1-8X C2-7X
125	23***	150	2.5	to	1	C1-9A C2-8A C4-6A C4-7A

* The mandatory minimum height of a front wall on *wide streets* shall apply to all *developments or enlargements* on *zoning lots* on *narrow streets* within 50 feet of the intersection with a *wide street*.

** The *sky exposure plane* shall begin at the maximum permitted height of the *street wall* at the *street line*.

*** No setback shall be permitted below a height of 55 feet except as provided in paragraph 1(b) above.]

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

(a) In the districts indicated, no *street wall* shall penetrate the *front sky exposure plane* set forth in the table below.

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

(b) In the districts indicated, the minimum height above *curb level* of a mandatory *street wall* without setback, shall be as specified in the table below, unless the height of the *building* is less than such minimum. If such *street wall* along a *narrow street* rises above such minimum height no setbacks shall be permitted below a height of 55 feet except as provided in 1(f) above. The minimum height of a

mandatory *street wall* on *wide streets* shall apply to all *developments* or *enlargements* on *zoning lots* on *narrow streets* within 50 feet of the intersection with a *wide street*.

C4-5X

- (c) In the district indicated, one of three sets of *sky exposure planes* as set forth in the table below shall apply. Alternates 2 and 3 require a minimum setback of 10 feet from the *street wall* from a height of between 65 and 70 feet above *curb level* to the height above the *street line* of the *front sky exposure plane*. The Alternate 3 *sky exposure planes* may apply only if the width of the *street wall* of the *building* above the mandatory front setback level on the *wide street* is less than 50% of the width of the *wide street* frontage of the *zoning lot*. The Alternate 2 *sky exposure planes* may apply if such percentage is between 51% and 90%.

3. Modifications of Street Wall Requirements

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

- (a) In the districts indicated, on a *zoning lot* where there is an existing *building* to remain, and when there is to be a new *development* or *enlargement* that includes *new street walls*, the requirements governing height and location of *street walls* shall not apply within a volume defined by the rear wall of the existing *building* [(W²)], the *front lot line* [(W¹)], the prolongations of the side walls [(L)], and [a height of 150 feet above *curb level*. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined the requirements governing *street wall* height and location shall apply.]the roof of the existing building. If, after (the effective date of this amendment), any exterior demolition or destruction occurs within this volume or to the boundaries of this volume, or if any development or enlargement occurs above this volume the requirements governing street wall height and location shall apply.

[

150' Above
Curb Level

Above 150'
Curb Level

L Sidewall and prolongation of existing building

W¹ Front lot line

W² Rear wall of existing building]

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

(b) In the districts indicated the City Planning Commission may, upon application, authorize modifications in the required *street wall* location of a *development* or *enlargement* if the Commission finds that existing *buildings* or existing open areas serving existing *buildings* to remain on the *zoning lot* would be adversely affected by the location of the *street walls* of the *development* or *enlargement* in the manner prescribed in the paragraphs above.

[R8B]

4. Front and Rear Sky Exposure Planes

No portion of a *building* or *other structure* shall penetrate the *front* or *rear sky exposure planes* set forth in the table below.

Both the *front* and *rear sky exposure planes* shall rise in opposite directions over the *zoning lot* at a ratio of vertical distance to horizontal distance as set forth in the table below and shall terminate at a line where they intersect. When a *street line* intersects any other *street line*, the *front sky exposure planes* of both *street* frontages shall terminate at a line where the *front sky exposure planes* intersect and the *rear sky exposure planes* shall terminate at a line where the *rear sky exposure planes* intersect. In plan, the line of intersection of these planes shall bisect the interior angle formed at the line of intersection of these *street lines* as shown in the diagram below.

* * *

TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Height Above the Street Line (in feet)	Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
						Front Sky Exposure Plane		Rear Sky Exposure Plane	
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street		Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance	
C1 or 2 when mapped within R1 to R10 Districts (1)	-	-	-	-	-	-	-	-	-
C1-6A	8	15	-	-	65	1.0 to 1.0	30	1.0 to 1.0	
C1-7A	0	0	60	25	85	1.5 to 1.0	80	1.0 to 1.0	
C1-8A	0	0	60	23	102	1.5 to 1.0	100	1.0 to 1.0	
C1-8X	0	0	105	23	120	2.0 to 1.0	120	1.0 to 1.0	
C1-9A	0	0	125	23	150	2.5 to 1.0	140	1.0 to 1.0	
C2-6A	8	15	-	-	65	1.0 to 1.0	30	1.0 to 1.0	
C2-7A	0	0	60	23	102	1.5 to 1.0	100	1.0 to 1.0	
C2-7X	0	0	105	23	120	2.0 to 1.0	120	1.0 to 1.0	
C2-8A	0	0	125	23	150	2.5 to 1.0	140	1.0 to 1.0	
C4-2A	8	15	-	-	60	1.0 to 1.0	15	1.0 to 1.0	
C4-3A	8	15	-	-	60	1.0 to 1.0	15	1.0 to 1.0	
C4-4A	8	15	-	-	65	1.0 to 1.0	30	1.0 to 1.0	
C4-5A	8	15	-	-	65	1.0 to 1.0	30	1.0 to 1.0	
C4-5X - Alt - 1	8	15	-	-	85	1.0 to 1.0	45	1.0 to 1.0	
- Alt - 2	8	15	-	-	115	1.0 to 1.0	80	1.0 to 1.0	
- Alt - 3	8	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0	
C4-6A	0	0	125	23	150	2.5 to 1.0	140	1.0 to 1.0	
C4-7A	0	0	125	23	150	2.5 to 1.0	140	1.0 to 1.0	
C5-1A	0	0	105	23	150	2.5 to 1.0	140	1.0 to 1.0	
C6-2A	0	0	60	23	85	1.5 to 1.0	80	1.0 to 1.0	
C6-3A	0	0	60	23	102	1.5 to 1.0	100	1.0 to 1.0	
C6-4A	0	0	125	23	150	2.5 to 1.0	140	1.0 to 1.0	

(1) The height of a street wall and its setbacks shall be the same as that of a residence district within which a C1 or C2 district is mapped.

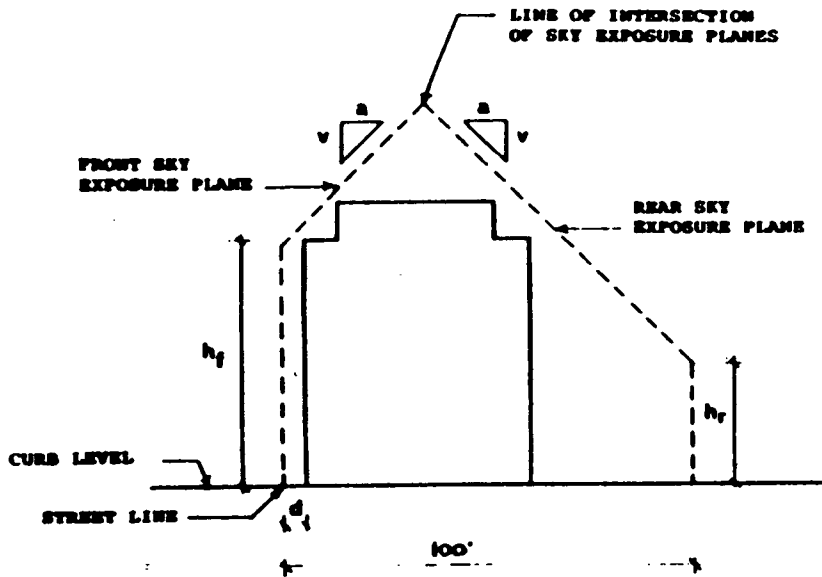


ILLUSTRATION OF SKY EXPOSURE PLANES

SECTION 33-433

h_f is the height at which the front sky exposure plane begins at the street line

h_r is the height at which rear sky exposure plane begins at the 100-foot line

d is the maximum street wall set back distance

v is the vertical distance

a is the horizontal distance

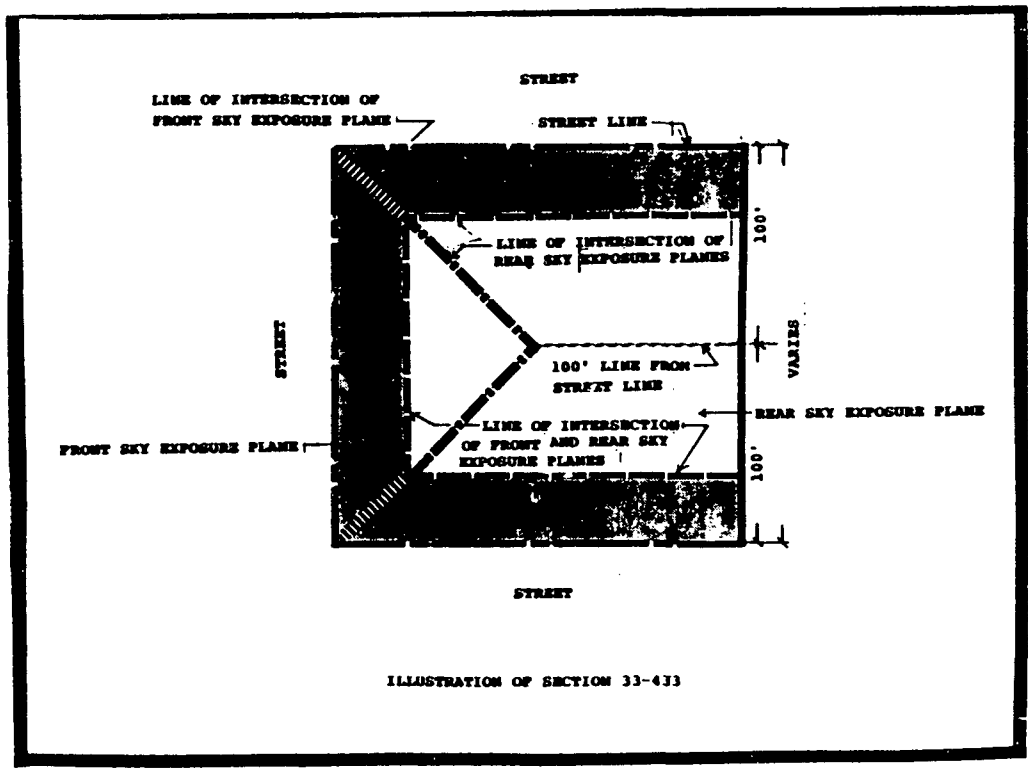


ILLUSTRATION OF SECTION 33-433

33-48

Special Provisions for Zoning Lots Divided
by District Boundaries

C1,C2,C3,C4,C5,C6,C7,C8

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts, **or is subject to other regulations resulting in** [with] different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 33-45 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

Chapter 4 Bulk Regulations for Residential Buildings in Commercial Districts

34-00 APPLICABILITY AND DEFINITIONS

34-01

Applicability of this Chapter

* * *

[All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
C1-8A, C1-8X	C1-8	34-112
C2-7A, C2-7X	C2-7	34-112
C1-9A	C1-9	34-112
C2-8A	C2-8	34-112
C4-6A	C4-6	34-112
C4-7A	C4-7	34-112
C6-1A	C6-1	34-112
C6-2A	C6-2	34-112]

* * *

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Section 34-114.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Section 34-112.

Residential buildings developed, enlarged, extended or converted pursuant to the Quality Housing Program are also subject to the applicable provisions of Article II Chapter 8.

34-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

34-112

Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5, or C6 Districts

C1-6,C1-7,C2-6,C1-8,C2-7,C1-9,C2-8,C3,C4,C5,C6

In the districts indicated, the bulk regulations are the bulk regulations for the *Residence Districts* set forth in the following table:

Applicable Residence District

R3-2			C3		
R5				C4-1	
R6				C4-2	
				C4-3	C6-1A
				C4-2A	
R6A				C4-3A	
				C4-4	
R7	C1-6	C2-6		C4-5	C6-1
R7A	C1-6A	C2-6A		C4-4A	
				C4-5A	
R7X				C4-5X	
R8	C1-7			C4-2F	C6-2
R8A	C1-7A				C6-2A
R9	C1-8	C2-7			C6-3
R9A	C1-8A	C2-7A			C6-3A
R9X	C1-8X	C2-7X			
R10	C1-9	C2-8		C4-6	C6-4
				C4-7	C5
					C6-5
					C6-6
					C6-7

					C6-8
					C6-9
R10A	C1-9A	C2-8A		C4-6A	C6-4A
				C4-7A	C5-1A

* * *

34-223

Special provisions applying along district boundaries

C1,C2,C3,C4,C5,C6

(a) In the districts indicated, if a *Commercial District* boundary coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4, or R5 District and a *side lot line* of any adjoining *zoning lot* in such *Commercial District*, a *front yard* is required for any *residential building* on such *zoning lot* in the *Commercial District*. The depth of such *front yard* shall be equal to the required depth of a *front yard* in the adjacent *Residence District*.

C1,C2,C3,C4,C5,C6

(b) In the districts indicated, along such portion of the boundary of a *Commercial District* which coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4, or R5 District, an open area not higher than *curb level* with a width of at least eight feet is required for a *residential building* on a *zoning lot* within the *Commercial District*. **In addition, if a *residential building* is developed, or enlarged where permitted, pursuant to the Quality Housing Program, that portion of such *building* located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Sections 23-45 (Minimum Required Front Yards) and 23-633 (Street wall and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.**

Chapter 5 Bulk Regulations for Mixed Buildings in Commercial Districts

35-00 APPLICABILITY AND DEFINITIONS

35-01

Applicability of this Chapter

* * *

[All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
----------	----------	----------

C1 and C2 in R8A and R8B	C1 and C2 in R8	35-411
C1 and C2 in R9A and R9X	C1 and C2 in R9	35-411, 35-42 35-631
C1 and C2 in R10A	C1 and C2 in R10	35-42, 35-631
C1-8A, C1-8X, C2-7A, C2-7X	C1-8 C2-7	35-23, 35-412, 35-42, 35-631
C1-9A C2-8A C4-6A	C1-9 C2-8 C4-6	35-23, 35-42, 35-631
C4-7A	C4-7	35-23, 35-42, 35-632
C6-1A	C6-1	35-23, 35-412
C6-2A	C6-2	35-23, 35-42, 35-632]

* * *

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Section 35-24.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 35-23 and 35-412.

35-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

* * *

35-10 GENERAL PROVISIONS

Except as otherwise provided in this chapter, and except as otherwise provided in Article VIII, Chapter 2 (Special Lincoln Square District) the portions of a *mixed building* used for *residential use* are subject to the *bulk* regulations set forth in Article II, Chapter 3, and the portions of a *mixed building* used for *commercial* or *community facility use* are subject to the *bulk* regulations set forth in Article III,

Chapter 3. If the *residential* portion of a *mixed building* is *developed, enlarged, extended* or converted where permitted, pursuant to the Quality Housing Program then the entire *building* shall comply with the applicable provisions of Article II, Chapter 8 (The Quality Housing Program).

* * *

35-23

Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5, or C6 Districts

C1-6,C1-7,C2-6,C1-8,C2-7,C1-9,C2-8,C3,C4,C5,C6

In the districts indicated, the *bulk* regulations for *residential* portions of *mixed buildings* are the *bulk* regulations for the *Residence Districts* set forth in the following table:

APPLICABLE RESIDENCE DISTRICT

R3-2			C3		
R5			C4-1		
			C4-2		
R6			C4-3		C6-1A
R6A			C4-2A		
			C4-3A		
			C4-4		
R7	C1-6	C2-6	C4-5		C6-1
R7A	C1-6A	C2-6A	C4-4A		
			C4-5A		
R7X			C4-5X		
R8	C1-7		C4-2F		C6-2
R8A	C1-7A				C6-2A
R9	C1-8	C2-7			C6-3
R9A	C1-8A	C2-7A			C6-3A
R9X	C1-8X	C2-7X			
					C6-4
					C6-6
					C6-7
			C4-6		C6-8
R10	C1-9	C2-8	C4-7	C5	C6-9

R10A	C1-9A	C2-8A	C4-6A C4-7A	C5-1A	C6-4A
------	-------	-------	----------------	-------	-------

* * *

35-35

Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in Connection with Mixed Buildings

C1,C2,C3,C4,C5,C6,C7,C8

* * *

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

In the districts indicated and in C1 and C2 Districts mapped within R9A, R9X or R10A Districts no *floor area* bonus for a *plaza*, plaza connected open area, arcade or an *urban open space* is permitted and

[in the districts indicated] no existing *plaza* or public amenity, open or enclosed, for which a *floor area* bonus has been received, pursuant to regulations antedating [April 18, 1985.] (the effective date of this amendment) shall be eliminated or reduced in size, without a corresponding reduction in the *floor area* of the *building* or the substitution of equivalent complying area for such amenity elsewhere on the *zoning lot*.

* * *

35-411

In C1 or C2 Districts mapped within Residence Districts

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

In the districts indicated, the minimum required *lot area* per 100 square feet of *floor area* used for *commercial* or *community facility use* in a *mixed building* is determined by the *Residence District* within which any such district is mapped, and shall not be less than as set forth in the following table:

**REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA
IN COMMERCIAL OR COMMUNITY FACILITY USES**

Required Lot Area
(in square feet)

District within which C1 or C2 District is Mapped	<i>Commercial Use</i>	<i>Community Facility Use</i>
R1, R2, R3	100	100
R6B	100	50

R6	50	20
R6A, R7B	30	30
R7-1	30	20
R7-2	30	15
R7A	25	25
R7X	20	20
R8	20	15
R8X	17	17
R8A	17	15
R8B	25	25
R9	15	10
R9A	13	13
R9X	11	11
R10	10	10
R10A	10	10

35-412

In other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

C1-6,C1-7,C2-6,C1-8,C2-7,C1-9,C2-8,C3,C4,C5,C6

In the districts indicated the minimum required *lot area* per 100 square feet of *floor area* used for *commercial* or *community facility use* in a *mixed building* shall not be less than as set forth in the following table:

REQUIRED LOT AREA PER
100 SQUARE FEET OF
FLOOR AREA
IN COMMERCIAL OR
COMMUNITY FACILITY
USES
(IN SQUARE FEET)

<i>Commercial Use</i>	<i>Community Facility Use</i>	
200	100	C3
100	50	C4-1
30	30	C4-2A C4-3A
30	20	C4-2 C4-3
		C6-1A

30	15	C1-6	C2-6	C4-4		
				C4-5		
25	25	C1-6A	C2-6A	C4-4A		
				C4-5A		
20	15	C1-7				
20	20			C4-5X		
17	17	C1-7A				
17	15			C4-2F		C6-1
						C6-2
						C6-2A
15	10	C1-8	C2-7			C6-3
13	13	C1-8A	C2-7A			C6-3A
11	11	C1-8X	C2-7X			
10	10	C1-9	C2-8	C4-6	C5-1	C6-4
		C1-9A	C2-8A	C4-6A	C5-1A	C6-4A
				C4-7		C6-5
				C4-7A	C5-4	C6-8
						C6-6
					C5-3	C6-7
6.5	6.5				C5-5	C6-9

35-42

Density or Lot Area Bonus In Mixed Buildings

* * *

- (b) In C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A, C5-1A, [and] C6-2A, C6-3A and C6-4A Districts and in C1 and C2 Districts mapped within R9A, R9X and R10A Districts, the density or *lot area* bonus shall not apply.

* * *

35-52

Modification of Side Yard Requirements

C1,C2,C3,C4,C5,C6

In the districts indicated, except as otherwise provided in Section 35-54 (Special Provisions Applying along District Boundaries), no *side yard* shall be required for any *mixed building*. However, if any open area extending along a *side lot line* is provided at **any level** it shall have a width of not less than eight feet.

35-53

Modification of Rear Yard Requirements

C1,C2,C3,C4,C5,C6

In the districts indicated, for a *residential* portion of a *mixed building*, the required *rear yard* may be provided at any level not higher than the floor level of the lowest *story* used for *residential use*. **However, no building or other structure may penetrate a rear sky exposure plane.**

35-54

Special Provisions Applying along District Boundaries

C1,C2,C3,C4,C5,C6

In the districts indicated, along such portion of the boundary of a *Commercial District* which coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4 or R5 District, an open area not higher than *curb level* and with a width of at least eight feet is required for a *mixed building* on a *zoning lot* in the *Commercial District*. **In addition, if the residential portion of a mixed building is developed or enlarged where permitted, pursuant to the Quality Housing Program, that portion of such building located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Sections 23-45 (Minimum Required Front Yards) and 23-633 (Street wall and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.**

* * *

35-63

Special Tower Regulations for Mixed Buildings

35-631

In certain specified commercial districts

* * *

The tower regulations shall not apply in C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, [and] C4-6A and C5-1A Districts and in C1 and C2 Districts mapped within R9A, R9X and R10A Districts.

35-632

In other specified commercial districts

* * *

The tower regulations shall not apply in C4-7A, [and] C6-2A, C6-3A and C6-4A Districts.

* * *

35-70 SPECIAL PROVISIONS FOR CERTAIN MIXED BUILDINGS

* * *

This section shall not apply to a *mixed building* the *residential* portion of which is *developed* or *enlarged* pursuant to the Quality Housing Program.

COMMERCIAL DISTRICTS

Chapter 6 Accessory Off-Street Parking and Loading Regulations

Off-Street Parking Regulations

36-00 GENERAL PURPOSES AND DEFINITIONS

* * *

36-025

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without the suffix as set forth in that section.

36-026

Applicability of regulations to Quality Housing

On any *zoning lot* containing *residential uses developed, enlarged* or converted pursuant to the Quality Housing Program, all *accessory* off-street parking spaces shall be within a *completely enclosed building* except as otherwise provided in Section 28-50 to 28-52 (PARKING FOR QUALITY HOUSING).

* * *

36-12

Maximum Size of Accessory Group Parking Facilities

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, no *accessory group parking facility* shall contain more than 150 off-street parking spaces, **or in the case of a Quality Housing *development* or *enlargement* more than 200 spaces**, except as provided in Section 36-13 (Modification of Maximum Size of Accessory Group Parking Facilities).

The provisions of this Section shall not apply to *accessory* off-street parking spaces provided in *public parking garages* in accordance with the provisions of Section 36-57 (Accessory Off-Street Parking Spaces in Public Parking Garages).

* * *

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

36-21

General Provisions

* * *

Required Off-Street Parking Spaces for Commercial or Community Facility Uses

Type of use	Parking spaces required in relation to specified unit of measurement						
FOR COMMERCIAL USES							
	Square feet of floor area:						
		C1-5					
		C1-6 C2-5		C4-4A			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			
Food stores with 2,000 or more square feet of floor area per establishment-Uses	None Required	C1-9 C2-8		C4-7	C5	C6	C8-4
	1 per 100	C1-1 C2-1		C4-1			
	1 per 200	C1-2 C2-2		C4-2			C8-1
in parking requirement category A in Use	1 per 300	C1-3 C2-3		C4-2A C4-3		C7	C8-2
Group 6	1 per 1,000	C1-4 C2-4		C4-4			C8-3
	Square feet of floor area:						
General retail or service uses		C1-5					
Food stores with less than 2,000 square feet of floor area; uses in parking requirement	None required	C1-6 C2-5		C4-4A	C5	C6	C8-4
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			
		C1-9 C2-8		C4-7			
category B in Use Group 6, 8, 9, 10, or 12 or when	1 per 150 ¹	C1-1 C2-1	C3	C4-1			
	1 per 300 ¹	C1-2 C2-2		C4-2			C8-1
permitted by special permit; or uses in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 13, 14, or 16	1 per 400 ¹	C1-3 C2-3		C4-2A C4-3		C7	C8-2
	1 per 1,000	C1-4 C2-4		C4-4			C8-3

semi-industrial uses— <i>Uses</i> —in parking requirement category F in Use Group 11 of 16, and with a minimum of either 7,500 square feet of floor area or 15 employees	1 per 1,000 square feet of floor area, or 1 per 3 employees, whichever will require a larger number of spaces						C8-1 C8-2 C8-3
		C4-4A					
		C4-5					
		C4-6					
Storage or miscellaneous <i>uses</i> — <i>Uses</i> in parking requirement category G in Use Group 10 or Use Group 16, or when permitted by special permit, and with a minimum of 10,000 square feet of floor area or 15 employees	None Required 1 per 2,000 square feet of floor area or 1 per 3 employees, whichever will require a lesser number of spaces	C4-7	C5			C6	C8-4
		C4-1					
		C4-2					C8-1
		C4-3					C8-2
		C4-4					C8-3
Other commercial uses—							
<i>Uses</i> in parking requirement category H in Use Group 5, 6, 7, 8, 13 or 14, or when permitted by special permit							
<i>Boatels</i>	1 per 2 guest rooms or suites	C2	C3		C6		C7 C8
Type of use							
		Parking spaces required in relation to specified unit of measurement					
Camps overnight or day, with a minimum of either 10,000 square feet of lot area or 10 employees	1 per 2,000 square feet of lot area, or 1 per 3 employees; whichever will require a lesser number of spaces	C1	C2	C3			C7 C8
Hotels							
Guest rooms or Suites:							
		C1-5					
		C1-6 C2-5 C4-4A					
		C1-7 C2-6 C4-5					
		C1-8 C2-7 C4-6					
(a) For that floor area used for sleeping	None required	C1-9	C2-8	C4-7	C5		C6 C8-4
		1 per 4					
		C1-1	C2-1	C4-1			
		1 per 8					
		C1-2	C2-2	C4-2			
accommodations		C1-3	C2-3	C4-2A			
		C4-3					
		1 per 12					
		C1-4	C2-4	C4-4			
Rated capacity:							
		C1-5					
		C1-6 C2-5 C4-4A					
		C1-7 C2-6 C4-5					
		C1-8 C2-7 C4-6					
(b) For that floor area used for meeting halls, auditoriums,	None required	C1-9	C2-8	C4-7	C5		C6 C8-4
		1 per 4 persons					
		C1-1	C2-1	C4-1			
		1 per 8 persons					
		C1-2	C2-2	C4-2			

eating or drinking	1 per 12 persons	C1-3 C2-3 C4-2A C4-3	C7	C8-2
places, wedding chapels or banquet halls, or radio or television studios	1 per 25 persons	C1-4 C2-4 C4-4		C8-3
<i>Motels or tourist cabins</i>	1 per guest room suite	C2	C6	C8
	Square feet of floor area:	C1-5 C2-5 C4-4A C1-6 C2-6 C4-5 C1-7		
Post Offices	None required	C1-8 C2-7 C4-6 C1-9 C2-8 C4-7	C5 C6	C8-4
	1 per 800	C1-1 C2-1 C3 C4-1		
	1 per 1,200	C1-2 C2-2 C4-2		C8-1
	1 per 1,500	C1-3 C2-3 C4-2A C4-3		C8-2
	1 per 2,000	C1-4 C2-4 C4-4		C8-3
	Rated capacity:	C4-4 C4-5 C4-6		C8-3
Prisons	None required	C4-7	C6	C8-4
	1 per 10 beds	C4-1 C4-2		C8-1
	1 per 20 beds	C4-2A C4-3		C8-2
	Square feet of floor area:	C2-1 C2-2		C8-1
Refreshment stands, drive- in	1 per 50	C2-3	C7	C8-2
		C2-4 C2-5 C2-6 C2-7		C8-3
	1 per 100	C2-8	C6	C8-4
	Square feet of floor area:	C1-5 C1-6 C2-5 C4-4A C1-7 C2-6 C4-5 C1-8 C2-7 C4-6 C1-9 C2-8 C4-7	C6	C8-4
Funeral establishments	None required	C1-1 C2-1 C4-1		
	1 per 200	C1-2 C2-2 C4-2		C8-1
	1 per 400	C1-3 C2-3 C4-2A C4-3		C8-2
	1 per 600	C1-4 C2-4 C4-4		C8-3
Boat docks or boat rental establishments	1 per 2 boat berths	C2 C3	C7	C8
FOR COMMUNITY FACILITY USES				
Hospitals and related facilities*	1 per 5 beds	C1-1 C2-1 C4-1 C1-2 C2-2 C3 C4-2		C8-1

B5L6

		C1-3 C2-3		C4-2A C4-3			C8-2
	1 per 8 beds	C1-4 C2-4		C4-4			C8-3
		C1-5 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8		C4-4A C4-5 C4-6 C4-7		C5 C6	C8-4
Churches		C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8		C4-4 C4-5 C4-6 C4-7		C5 C6	C8-3 C8-4
	None required						
	1 per 10 fixed seats	C1-1 C2-1	C3	C4-1			
	1 per 15 fixed seats	C1-2 C2-2		C4-2			C8-1
	1 per 20 fixed seats	C1-3 C2-3		C4-2A C4-3			C8-2

¹ Requirements are in addition to area utilized for ambulance parking.

		Rated capacity:					
		C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8		C4-4 C4-5 C4-6 C4-7		C5 C6	C8-3 C8-4
Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf course club houses; health centers; non- commercial recreation centers; or welfare centers	None required						
	1 per 10 persons	C1-1 C2-1	C3	C4-1			C8-1
	1 per 20 persons	C1-2 C2-2		C4-2			
		C1-3 C2-3		C4-2A C4-3		C7	C8-2
Libraries, museums, or non-commercial art galleries ¹		C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8		C4-4 C4-5 C4-6 C4-7		C5 C6	
	None required						
	1 per 1,000	C1-1 C2-1	C3	C4-1			
	1 per 2,000	C1-2 C2-2		C4-2			
Philanthropic or non- profit institutions with sleeping accommodations; all		C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8		C4-4 C4-5 C4-6 C4-7		C5 C6	
	None required						
	1 per 10 beds	C1-1 C2-1	C3	C4-1			
	1 per 20 beds	C1-2 C2-2		C4-2			

all types of nursing
homes or sanitariums

College dormitories or fraternity or sorority houses	None required	C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
1 per 6 beds	1 per 12 beds	C1-8 C2-7		C4-6			
		C1-9 C2-8		C4-7	C5	C6	
		C1-1 C2-1		C4-1			
Square feet of <i>floor</i> <i>area</i> :	1 per 1,000	C1-2 C2-2	C3	C4-2			
		C1-3 C2-3		C4-2A C4-3			
		C1-4 C2-4					
Colleges, universities, or seminaries (a) For that <i>floor</i> <i>area</i> used for	None required	C1-5 C2-5					
		C1-6		C4-4			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			C8-3
classrooms, laboratories, student centers, or offices	1 per 1,000	C1-9 C2-8		C4-7	C5	C6	C8-4
		C1-1 C2-1	C3	C4-1			C8-1
		C1-2 C2-2		C4-2			
1 per 2,000	1 per 2,000	C1-3 C2-3		C4-2A C4-3			C8-2

Rated capacity:

(b) For that <i>floor</i> <i>area</i> used for	None required	C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
theatres, auditoriums, gymnasiums, or stadiums	1 per 8 persons	C1-8 C2-7		C4-6			C8-3
		C1-9 C2-8		C4-7	C5	C6	C8-4
		C1-1 C2-1		C4-1			
1 per 16 persons	1 per 16 persons	C1-2 C2-2	C3	C4-2			C8-1
		C1-3 C2-3		C4-2A C4-3			C7

Square feet of
lot area used
for selling purposes:

Agricultural uses, including greenhouses, nurseries, or truck gardens	None required	C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
1 per 1,000	1 per 2,500	C1-8 C2-7		C4-6			C8-3
		C1-9 C2-8		C4-7	C5	C6	C8-4
		C1-1 C2-1		C4-1			
1 per 2,500	1 per 2,500	C1-2 C2-2	C3	C4-2			C8-1
		C1-3 C2-3		C4-2A C4-3			C8-2

Square feet of
lot area:

C1-4				
C1-5 C2-4				
C1-6 C2-5		C4-4		
C1-7 C2-6		C4-5		
C1-8 C2-7		C4-6		C8-3

Outdoor skating rinks	None required	C1-9 C2-8	C4-7	C5	C6	C8-4
		C1-1 C2-1	C4-1			
	1 per 800	C1-2 C2-2	C3	C4-2		C8-1
	1 per 2,000	C1-3 C2-3	C4-2A C4-3		C7	C8-2
	Number of courts:	C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6			C8-3
Outdoor tennis courts	None required	C1-1 C2-1	C4-1	C5	C6	C8-4
		C1-2 C2-2	C3	C4-2		C8-1
	1 per 2 courts	C1-3 C2-3	C4-2A C4-3		C7	C8-2
	1 per 5 courts					

* * *

36-231

In districts with high, medium, or low parking requirements

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

In the districts indicated, except for the *uses* listed in Section 36-233 (Exceptions to application of waiver provisions), the parking requirements set forth in Section 36-21 (General Provisions) or 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to *commercial uses* in parking requirement category A, B, B1, C, D, E, or H, or to permitted *community facility uses*, if the total number of *accessory* off-street parking spaces required for all such *uses* on the *zoning lot* is less than the number of spaces set forth in the following table:

Number of Spaces						
10		C1-1 C2-1	C3	C4-1		
15		C1-2 C2-2		C4-2		C8-1
25		C1-3 C2-3		C4-3 C4-2A	C7	C8-2

* * *

36-25

Special Provisions for Zoning Lots Divided by District Boundaries

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

36-30

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

36-31

General Provisions

* * *

36-311

Application of requirements to conversions in C1 or C2 Districts

C1 C2

In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, **R7B** or R7-1 Districts, the requirements of Section 36-31 (General Provisions) shall apply to the additional *dwelling units* or *rooming units* created by conversions on *zoning lots* with 5,000 or more square feet of *lot area*, except as otherwise provided in Section 36-363 (For conversions in C1 or C2 districts governed by surrounding residence district bulk regulations) and Section 73-40 (Waiver of Requirements for Conversions). **The provisions of this Section shall not apply to these districts when mapped within R7A and R7X Districts.**

* * *

36-321

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

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

In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, or R7-1 Districts, and where *group parking facilities* are not provided, one *accessory* off-street parking space, open or enclosed, shall be provided for each *dwelling unit*. **The provisions of this section shall not apply to these districts when mapped within R6A, R6B, R7A, R7B and R7X Districts or to residential buildings developed or enlarged pursuant to the quality Housing Program.**

* * *

36-33

Requirements Where Group Parking Facilities Are Provided

* * *

36-331

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

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

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

**REQUIRED PARKING SPACES AS A
PERCENT OF TOTAL DWELLING UNIT:**

Residence District within
which C1 or C2 District
is mapped

	Percent
R1, R2, R3, or R4	100
R5	85
R6	70
R7-1	60
R6A, R6B, R7-2, R7A, R7B, R7X, R8B*	50
R8, R9, or R10	40

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

36-332

In other C1 or C2 Districts, or in C3, C4, C5, or C6 Districts

C1-6 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8 C3 C4 C5 C6

In the districts indicated, the number of required *accessory* off-street parking spaces is as set forth in the following table:

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

100			C3		
85				C4-1	
				C4-2	
				C4-3	
				C4-2A	
				C4-3A	
				C4-4	
50	C1-6	C2-6		C4-5	C6-1
					C6-2
					C6-3
					C6-4
					C6-5
					C6-6
	C1-7				C6-7
	C1-8	C2-7		C4-6	C6-8
40	C1-9	C2-8		C4-7	C5 C6-9

36-34

Modification of Requirements for Small Zoning Lots

C1, C2, C4-2, C4-3, C4-4, C4-5, C4-6, C4-7, C5, C6

In the districts indicated, except as otherwise provided in Section 82-07 (Modification of Parking and Off-street Loading Requirements), for small zoning

lots, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions set forth in this Section. **The provisions of this section shall not apply to C1 and C2 Districts mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X and R10 Districts; to residences developed or enlarged pursuant to the Quality Housing Program; or to C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-5A, C4-5X, C4-6A, C4-7A, C5-1A, C6-2A, C6-3A, and C6-4A Districts.**

* * *

36-35

Modification of Requirements for Public Housing or Non-profit Residences for the Elderly

C1 C2 C3 C4 C5 C6

In all districts, as indicated, *accessory* off-street parking spaces shall be provided for at least that percentage of the total number of *dwelling units* in each category as set forth in the following table, for:

* * *

(e) All government assisted *dwelling units* or *rooming units* in *developments* which receive New York City or New York State assistance to reduce total development cost by \$10,000 or 10 percent, whichever is less, and limit maximum tenant income to the income limits established by the United States Department of Housing and Urban Development for New York City mortgagors assisted under Section 235 of the National Housing Act, as amended.

36-351

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

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

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

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or <i>Dwelling Units</i> for Low Income Tenants	<i>Non-Profit Residences for the Elderly</i> or <i>Dwelling Units</i> for the Elderly	Government Assisted Housing	District
---------------------------	-------------------------------	---	---	-----------------------------	----------

80	65	50	1	80	R1, R2
80	65	50	35	80	R3, R4
70	56	42.5	31.5	70	R5
55	45	35	22.5	55	R6 * *
39	32	25	16	35	R6A, R6B, R7B
45	38	30	20	45	R7-1 * *
30	23	15	12.5	25	R7-2, R7A, R7X, R8B*
30	21	12	10	25	R8, R8A, R8X, R9, R9A R9X, R10, R10A

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

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

District	Applicable District Parking Requirement
R6	R6A
R7-1	R7A

36-352

In other C1 or C2 Districts in C3, C4, C5, or C6 Districts

C1-6 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8 C3 C4 C5 C6

In the districts indicated, the percentage of the total number of *dwelling units* in each category for which *accessory* off-street parking spaces shall be provided is as set forth in the following table:

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or <i>Dwelling Units</i> for Low Income Tenants	<i>Non-Profit Residences for the Elderly</i> or <i>Dwelling Units</i> for the Elderly	Government Assisted Housing	District
80	65	50	35	80	C3
70	56	42.5	31.5	70	C4-1
55	45	35	22.5	55	C4-2 * C4-3 *
39	32	25	16	35	C4-2A C4-3A C6-1 * C4-4 * C4-5 *
30	23	15	12.5	25	C1-6 C2-6 C4-4A C4-5A C4-5X
30	21	12	10	25	C1-7 C2-7 C6-2 C6-6 C1-8 C2-8 C4-6 C5 C6-3 C6-7 C1-9 C4-7 C6-4 C6-8 C6-5 C6-9

* For assisted housing projects *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in C4-2, C4-3, C4-4, C4-5 and C6-1 Districts the applicable district parking requirements shall be as follows:

District	Applicable District Parking Requirement
----------	---

C4-2 C4-3	C4-2A
C4-4 C4-5 C6-1	C4-4A

* * *

36-361

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

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

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

NUMBER OF SPACES FOR WHICH
REQUIREMENTS ARE WAIVED

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

* * *

36-363

For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations

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

In the districts indicated¹, where such districts are mapped within R6, R7A, R7B, R7X or R7-1 Districts, the requirements set forth in Section 36-311 (Application of requirements to conversions in C1 or C2 Districts) shall be waived if the required number of *accessory* off-street parking spaces resulting from the application of such requirements is 20 spaces or less, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

* * *

36-39

Special Provisions for Zoning Lots Divided by District Boundaries

C1, C2, C3, C4, C5, C6

In the districts indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations having different requirements for accessory off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

Chapter 7 Special Regulations

37-01

Special Urban Design Guidelines—Streetscape

37-011

Applicability of Section 37-01

The regulations of Section 37-01 apply to any residential development or any development occupied by predominantly residential use, constructed after April 21, 1977 located on any zoning lot within C1-8, C1-9, C2-7, C2-8, C4-6, C4-7, C5-1, C5-2, C5-4, C6-3, C6-4, C6-5, and C6-8 districts, or C1 and C2 districts mapped within R9 or R10 districts. However, Section 37-01 shall not apply within any Special Purpose District nor shall it apply to any development [for which the Commission has granted a special permit pursuant to Section 74-95 (Housing Quality Developments)], pursuant to the Quality Housing Program, except as otherwise set forth therein.

* * *

Article V

Non-Conforming Uses and Non-Complying Buildings

* * *

Chapter 2 Non-Conforming Uses

* * *

52-30 CHANGE OF CONFORMING USE

52-31

General Provisions

For the purposes of this Chapter, a change of use is a change to another use listed in the same or any other Use Group; however, a change in ownership or occupancy shall not, by itself, constitute a change of use.

A non-conforming *use* may be changed to any conforming *use*, and the applicable district *bulk* regulations and *accessory* off-street parking requirements shall not apply to such change of *use* or to alterations made in order to accommodate such conforming *use*, but shall apply to any *enlargement*. **In all zoning districts which mandate compliance with the Quality Housing Program, the provisions of Article II, Chapter 8 shall apply to such change of *use*.**

* * *

Chapter 4 Non-Complying Buildings

* * *

54-311

Buildings non-complying as to lot area per dwelling unit, lot area per room or floor area per room

* * *

In all zoning districts which mandate compliance with the Quality Housing Program the provisions of Article II, Chapter 8 shall apply to any *enlargement, extension, or conversion*.

Article VII

Chapter 4 Special Permits by the City Planning Commission

* * *

74-71

Landmarks Preservation

74-711

Landmarks Preservation in all districts

* * *

For such existing *buildings* or portion thereof being converted to *residential use*, the City Planning Commission shall make the following findings:

- (1) that the gross *residential floor area per room* shall be at least equal to the requirement set forth herein:

Total Existing FAR	<i>Required Gross Floor Area Per Room (S.F.)</i>
below 3.4	215

between 3.4 and	
[to] 7.5	240
above 7.5	300

However, for such *buildings* in zoning districts requiring mandatory compliance with the Quality Housing Program the average *net square feet of a dwelling unit or rooming unit* as defined in Section 28-02 (DEFINITIONS) shall not be less than as set forth in Section 28-21 (Size of Dwelling Units).

* * *

74-85

Special Height and Setback Regulations

74-851

Height and setback regulations for certain residential buildings

* * *

However, the provisions of this section shall not apply to *developments* built pursuant to the Quality Housing Program.

* * *

74-95

[Housing Quality Developments]

Delete entire section

Modifications of Housing Quality Special Permits

The City Planning Commission may, upon application, authorize minor modifications of special permits granted before (the effective date of this amendment) under Sections 74-95 (Housing Quality Developments) and 74-97 (Special Provisions for a Housing Quality Development on a Through Lot Divided by Residence—Manufacturing District Boundaries with a Substantial Grade Differential).

No such minor modification may create a new non-compliance or increase the degree of an existing non-compliance. Non-compliance shall be measured pursuant to the applicable district *bulk* regulations and the provisions of Article II, Chapter 8.

In no event may the Commission grant a minor modification of a previously approved special permit which would:

- (a) increase the height of the *building*;
- (b) extend the location of the exterior walls of the *building*;

- (c) increase the portion of the *zoning lot* covered by the *building*;
- (d) increase the *floor area* of the *building*;
- (e) reduce the amount of indoor and outdoor recreation space in the *development*;
- (f) reduce the amount of bulk storage space per *dwelling unit* in the *building*; and
- (g) affect the provision and maintenance of off-site neighborhood improvements.

* * *

[74-97

Special Provisions for a Housing Quality Development on a Through Lot Divided by Residence-Manufacturing District Boundaries with a Substantial Grade Differential]

Delete entire section

* * *

Chapter 7 Special Provisions for Zoning Lots
Divided by District Boundaries

77-00 GENERAL PROVISIONS

* * *

77-02

Zoning Lots Not Existing Prior to Effective Date of Amendment of Resolution

Subject to the provisions of Section 77-04 and Section 77-221 whenever a *zoning lot* is divided by a boundary between two or more districts and such *zoning lot* did not exist at December 15, 1961 or any applicable subsequent amendment thereto, each portion of such *zoning lot* shall be regulated by all the provisions applicable to the district in which such portion of the *zoning lot* is located.

* * *

77-20 BULK REGULATIONS

* * *

77-22

Floor Area Ratio

* * *

[The *floor area* resulting from application of the adjusted maximum *floor area ratio* may be located anywhere on the *zoning lot*, subject to all other regulations of this resolution, and provided that the *floor area ratio* for any portion of the *zoning lot* within one district shall not exceed the maximum *floor area ratio*, by *height*

factor if applicable, specified for that district, or the adjusted maximum *floor area ratio* for the *zoning lot*, whichever is greater.]

77-221

Quality Housing Buildings

For *developments*, or *enlargements* where permitted, pursuant to the Quality Housing Program in R6, R7, R8 Districts and equivalent *Commercial Districts* outside of the *Manhattan Core*, the *residential floor area ratio* of that portion of the *zoning lot* fronting on and within 100 feet of a *wide street* and permitting the greater maximum *residential floor area ratio* may exceed the maximum permitted *residential floor area ratio* for the portion of the *zoning lot* by up to 20 percent provided that the maximum *residential floor area ratio* for the *zoning lot* does not exceed the adjusted maximum *residential floor area ratio* applicable to such *zoning lot*.

77-222

Other Buildings

The *floor area* resulting from application of the adjusted maximum *floor area ratio* may be located anywhere on the *zoning lot*, subject to all other regulations of this Resolution, and provided that the *floor area ratio* for any portion of the *zoning lot* within one district shall not exceed the maximum *floor area ratio*, by *height factor* if applicable, specified for that district, or the adjusted maximum *floor area ratio* for the *zoning lot*, whichever is greater.

* * *

77-24

Lot Coverage

* * *

However, for *buildings* in which the *residential* portion is *developed* or *enlarged* pursuant to the Quality Housing Program, the regulations relating to *Quality Housing lot coverage* shall be found in Article II, Chapter 3 for the *residential* portion.

77-25

Lot Area or Floor Area Requirements

* * *

The total number of *dwelling units* or *rooms* permitted on the *zoning lot* shall not exceed the sum of the *dwelling units* or *rooms* permitted on each portion of such *zoning lot* in accordance with the applicable district regulations for such portion.

Such *dwelling units* or *rooms* may be located wherever a *building* is permitted on a *zoning lot*, provided that on no portion of the *zoning lot* shall there be more than 150 percent of the number of *dwelling units* or *rooms* permitted in the applicable district regulations for such portion.

However, for *buildings developed, enlarged, extended* or converted pursuant to the Quality Housing Program, the *dwelling units* or *rooming units* may be located wherever a *building* is permitted on the *zoning lot*.

* * *

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Residential	III	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5

However, for *developments, enlargements, extensions* or conversions built pursuant to the Quality Housing Program, the average *net square feet of a dwelling unit* for each portion of the *zoning lot* shall be multiplied by the percentage of the total permitted *floor area* to which such average *net square feet of a dwelling unit* applies. The sum of the products thus obtained shall be the average *net square feet of a dwelling unit* for the *zoning lot*.

* * *

77-28

Height and Setback Regulations

* * *

However, for *developments* or *enlargements* built pursuant to the Quality Housing Program, the height and setback regulations set forth in Sections 23-633, 24-523 and 33-433 for each *street* frontage of the *zoning lot* shall apply to that *street* frontage.

* * *

Article VII

Chapter 8 Special Regulations Applying to Large-Scale
Residential Developments

* * *

78-03

Applicability of this Chapter

Large-scale residential developments are governed by all the *use, bulk, off-street parking and loading*, and other applicable regulations of this Resolution, except for such special provisions as are specifically set forth in this Chapter and apply only to such *developments*. **However, the Quality Housing Program is inapplicable in a large scale residential development.**

(On March 18, 1987, Cal. No. 5, the Commission scheduled April 1, 1987, for a public hearing. On April 1, 1987, Cal. No. 23, the hearing was continued to May 6, 1987.)

Close the hearing.

* * *

NOTICE

On May 6, 1987 at 10:00 a.m. in City Hall, New York, a public hearing is being continued by the Department of City Planning and the Department of Environmental Protection to receive comments relating to the Draft Environmental Impact Statement concerning the proposed Quality Housing Program Zoning Text Amendments, pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR).

No. 11

CITYWIDE

N870197 (A)ZRY
N 870385 (A)ZRY

(Amendments to the Zoning Resolution pertaining to the establishment of new zoning districts; establishment of the Quality Housing Program; elimination of the special permit for Housing Quality Developments and modification of street wall and height regulations in certain contextual districts)

IN THE MATTER OF amendments, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of the City of New York, relating to various sections concerning: the establishment of new zoning districts (R6A, R6B, R7A, R7B, R7X, R8X, C1-6A, C1-7A, C2-6A, C4-2A, C4-3A, C4-4A, C4-5A, C4-5X, C5-1A, C6-3A, C6-4A); the establishment of the Quality Housing Program; the elimination of the special permit for Housing Quality Developments; and the modification of street wall and height and setback regulations in certain contextual districts, as follows:

Matter in **Bold Type** is new;

Matter in [brackets] is old, to be omitted;

Matter in *italics* is defined in Section 12-10 or 28-02.

Article 1

General Provisions

Chapter 1 Title, Establishment of Controls, and Interpretation of Regulations

* * *

11-12

Establishment of Districts

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

Residence Districts

* * *

R6A General Residence District

R6B General Residence District

* * *

R7A General Residence District

R7B General Residence District

R7X General Residence District

* * *

R8X General Residence District

* * *

Commercial Districts

* * *

C1-6A Local Retail District

* * *

C1-7A Local Retail District

* * *

C2-6A Local Service District

* * *

C4-2A General Commercial District

* * *

C4-3A General Commercial District

* * *

C4-4A General Commercial District

* * *

C4-5A General Commercial District

* * *

C4-5X General Commercial District

* * *

C5-1A Restricted Central Commercial District

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C6-3A General Central Commercial District

* * *

C6-4A General Central Commercial District

* * *

12-10 DEFINITIONS

* * *

Lot Coverage, Quality Housing

“Quality Housing lot coverage” is that portion of the *zoning lot* which, when viewed directly from above, would be covered by any portion of a *building developed* or *enlarged* pursuant to the Quality Housing Program. Obstructions permitted pursuant to Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not be included in *Quality Housing lot coverage*.

* * *

Manhattan Core

The “Manhattan Core” is the Borough of Manhattan south of 96th Street excluding Community District 3.

* * *

Physical Culture or Health Establishments

* * *

[Non-commercial physical culture or health facilities in a Housing Quality development under Section 74-95 (Housing Quality Development), may qualify as a *community facility use* provided that such health related facilities are located in a C2, C4, C5 or C6 District and provided further that the Commission makes the findings as set forth in Section 73-36 (Physical Culture of Health Establishments) of the Zoning Resolution in lieu of the special permit procedure pursuant thereto.]

* * *

Sky exposure or front sky exposure plane

A “sky exposure plane” or a “front sky exposure plane” is an imaginary inclined plane:

- (a) Beginning above the *street line* (or where so indicated, above the *front yard line*) at a height set forth in the district regulations; and
- (b) Rising over a *zoning lot* at a ratio of vertical distance to horizontal distance set forth in the district regulations.

Sky exposure plane, rear

A “rear sky exposure plane” is an imaginary inclined plane:

- (a) Beginning above a line at a distance of 100 feet from and parallel to the *street line* and at a height set forth in the district regulations, and
- (b) Rising over a *zoning lot* at a ratio of vertical distance to horizontal distance set forth in the district regulations.

* * *

Article II

Residential District Regulations

* * *

Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

23-00 APPLICABILITY AND GENERAL PURPOSES

23-01

Applicability of This Chapter

* * *

[All districts in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the Section indicated in Column C.

Column A	Column B	Column C
R8A	R8	23-142, 23-143, 13-145, 23-22
R8B		23-223, 23-25, 23-533, 23-632 23-633, 23-71
R9A	R9	23-142, 23-143, 23-145, 23-22 23-223, 23-533, 23-632, 23-633 23,71
R9X	R9	23-142, 23-143, 23-145, 23,22 23-223, 23-25, 23-533, 23-632 23-71
R10A	R10	23-145, 23-15, 23,22, 23-223, 23-533, 23-632, 23-633, 23-71]

* * *

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

* * *

23-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

23-012

Quality Housing Program

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

In other R6, R7, R8, R9 or R10 Districts the *bulk* regulations applicable to Quality Housing *developments* may, as an alternative, be applied if the *zoning lot* is *developed* pursuant to all of the requirements of the Quality Housing Program. Such *development* may be subsequently *enlarged* only pursuant to the Quality Housing Program. However, these *bulk* regulations shall not apply in these districts to:

- (a) *enlargements, extensions or conversions of buildings* unless such *buildings* have been *developed* pursuant to the Quality Housing Program;
- (b) *developments on a zoning lot* containing existing *buildings*;
- (c) *developments on zoning lots* resulting from the subdivision of a *zoning lot* containing existing *buildings*, if such *development* or subdivision results in a *non-compliance* or an increase in the degree of an existing *non-compliance* pursuant to the non-Quality Housing *bulk* regulations applicable in such districts.

The Quality Housing Program shall not apply in Special Purpose Districts except the *Special Limited Commercial District* and the *Special Transit Land Use District* or to Article VII, Chapter 8 (Large Scale Residential Developments).

23-02

General Purposes of Residential Bulk Regulations

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of density as well as of the physical volume of buildings is established. [In order to open up residential areas to light and air and encourage better standards of open space, moderately higher levels of density and of building volume are permitted when greater amounts of open space are provided.]

* * *

23-13

Balconies

23-131**In R1 through R10 Districts**

R1, R2, R3, R4, R5, R6, R7, R8, R9, R10

In the districts indicated, balconies which;

- (a) are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height;
- (b) are located at or higher than the floor level of the third *story* of a *building* or at least 20 feet above *curb level* and except that in the case of a *residential building* not more than 32 feet in height, such balconies may be located at or above the floor level of the second *story* provided that such balcony is located not lower than seven feet above *curb level*, or seven feet above adjacent natural grade, whichever is higher;
- (c) have an aggregate length, at the level of any *story*, not exceeding 50 percent of the length at that level of the plane surface of the *building* wall from which they project; and
- (d) have an aggregate area of projection at the level of any *story*, not exceeding, in square feet, 1.8 times the length in feet at that level of such plane surface,

may, by a distance not exceeding nine feet, penetrate any *sky exposure plane* or project into or over any required open area set forth in the following sections:

- [a] (i) *Open space*, as defined in Section 12-10 (DEFINITIONS);
- [b] (ii) *Plazas*, as defined in Section 12-10 (DEFINITIONS);
- [c] (iii) *Rear yards*, as defined in Section 12-10 (DEFINITIONS);
- [d] (iv) *Initial setback distances*, or *sky exposure planes*, as set forth in Section 23-63 (Maximum Height of Frontal Wall and Required Front Setbacks);
- [e] (v) Alternate front setbacks or *sky exposure planes*, as set forth in Section 23-64 (Alternate Front Setbacks);
- [f] (vi) Open areas not occupied by towers, as set forth in Section 23-65 (Tower Regulations);

- [g] (vii) Required side and rear setbacks, as set forth in Section 23-66 (Required Side and Rear Setbacks);
- [h] (viii) Required distances between *buildings*, as set forth in Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot);
- [i] (ix) *Pedestrian mall*.

However, for *residential buildings developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program the provisions of Section 23-132 (Balconies in R6A through R10A Districts) shall apply.

23-132

Balconies in R6A through R10A Districts

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

- (a) In the districts indicated, balconies may be provided as set forth in Section 23-131 paragraphs (a) through (d) except that projections shall conform to the provisions of paragraph (b) below. In addition, balconies may be enclosed by the *building* walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and such balcony is counted as *Quality Housing lot coverage*. The area of such balcony shall be excluded from the definition of *floor area*.
- (b) In no event shall balconies:
 - (i) project by a distance greater than seven feet as measured from the plane surface of the *building* wall from which it projects;
 - (ii) penetrate the *front or rear sky exposure planes*;
 - (iii) project into the minimum required distance between *buildings* on the same *zoning lot*;
 - (iv) cover more than 10 percent of the area designated as outdoor recreation space pursuant to Section 28-30 (RECREATION SPACE AND PLANTING AREAS).

23-14

Minimum Required Open Space Ratio, Maximum Quality Housing Lot Coverage and Maximum Floor Area Ratio in R1 through R9 Districts and R6A through R10A Districts

R1,R2,R3,R4,R5,R6,R7,R8,R9,R6A,R7A,R8A, R9A,R6B,R7B,R8B,R7X,R8X,R9X,R10A

In the districts indicated, except as otherwise provided in Section 23-19 (Special Provisions for Zoning Lots Divided by District Boundaries), for any *building* on a *zoning lot*, the minimum required *open space ratio* shall not be less than set forth in this Section; **the maximum *Quality Housing lot coverage* shall not exceed the *Quality Housing lot coverage* as set forth in this Section;** and the maximum *floor area ratio* shall not exceed the *floor area ratio* set forth in this Section. Any given *lot area* or area of *open space* shall be counted only once in determining the *floor area ratio* or the *open space ratio*.

Any *building*, in addition to complying with the provisions of this Section, shall be subject to the provisions set forth in Section 23-22 (Required Lot Area Per Dwelling Unit or Per Room) as well as all other applicable *bulk* regulations as set forth in this Chapter.

* * *

23-142

In R6, R7, R8 or R9 Districts

R6,R7,R8,R9

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), Section 23-145 [In R8A, R8B, R9A, R9X or R10A Districts] **(For residential buildings developed or enlarged pursuant to the Quality Housing Program) and Section 23-146 (Optional provisions for certain R5 and R6 Districts in Brooklyn)**, in the districts indicated the minimum required *open space ratio* and the maximum *floor area ratio* for any *building* on a *zoning lot* shall be as set forth in the following table for *buildings* with the *height factor* indicated in the table.¹

Table unchanged

* * *

23-143

For high buildings in R6, R7, R8 or R9 Districts

R6,R7,R8,R9

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), [and Section 23-145 (In R8A, R8B, R9A, R9X or R10A Districts)] in the districts indicated, for *buildings* with *height factors* greater than 21, the minimum required *open space ratio* shall be as set forth in the following table:

Table unchanged

* * *

23-144

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

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

Table unchanged

* * *

However, in R6 or R7 Districts the minimum required *open space ratio* shall not apply to *non-profit residences for the elderly developed, or enlarged* where permitted, pursuant to the Quality Housing Program. Such *developments or enlargements* shall be subject to the requirements of R6A or R7A Districts, respectively, as set forth in Section 23-147 (For non-profit residences for the elderly in R6A, R6B, R7A, R7B or R7X Districts).

[23-145

In R8A, R8B, R9A, R9X or R10A Districts

R8A,R9A,R8B,R9X

In the districts indicated, the *height factor* and *open space ratio* regulations shall not apply.

The maximum permitted *floor area ratio* and the maximum permitted *lot coverage* on a *zoning lot* shall be as set forth in the following table:

Table Unchanged

* * *

For the purposes of this Section any obstructions on a *zoning lot* pursuant to Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not count as *lot coverage*.]

23-145

For residential buildings developed or enlarged pursuant to the Quality Housing Program

R6,R7,R8,R9,R10

In the districts indicated, the maximum *Quality Housing lot coverage* and the maximum *floor area ratio* for any *residential building* on a *zoning lot developed or enlarged* pursuant to the Quality Housing Program shall be as set forth in the table below and the maximums for *developments, or enlargements* where permitted, located within 100 feet of a *wide street* in R6, R7 or R8 Districts without a letter suffix outside the *Manhattan Core*, shall be as designated by the same district with an asterisk.

**Maximum *Quality Housing*
Lot Coverage (in percent)**

<i>Corner Lot</i>	<i>Interior Lot or Through Lot</i>	<i>Maximum Floor Area Ratio</i>	<i>District</i>
80	60	2.43	R6
80	65	3.00	R6*,R6A,R7B
80	60	2.00	R6B
80	65	3.44	R7
80	65	4.00	R7*,R7A
80	70	5.00	R7X
80	70	6.02	R8,R8A,R8X
80	70	7.20	R8*
80	70	4.00	R8B
80	70	7.52	R9,R9A
80	70	9.00	R9X
100	70	10.00	R10,R10A

Note: This Section shall not apply to *enlargements of buildings* which were not *developed* pursuant to the Quality Housing Program in R6, R7, R8, R9 or R10 Districts without a letter suffix.

* * *

23-147

For non-profit residences for the elderly in R6A, R6B, R7A, R7B and R7X Districts

R6A,R7A,R6B,R7B,R7X

In the districts indicated, the maximum *Quality Housing lot coverage* and the maximum *floor area ratio* for *non-profit residences for the elderly* shall be as set forth in the following table:

**Maximum Quality Housing
Lot Coverage (in percent)**

Corner Lot	Interior Lot or Through Lot	Maximum Floor Area Ratio	District
80	60	3.90	R6A
80	60	2.00	R6B
80	65	5.01	R7A
80	65	3.90	R7B
80	70	5.01	R7X

* * *

23-15

Maximum Floor Area Ratio in R10 Districts

R10

In the district indicated, the *floor area ratio for any building on a zoning lot* shall not exceed 10.0 except as provided in the following sections:

Section 23-16 (Floor Area Bonus for a Plaza)

Section 23-17 (Floor Area Bonus for a Plaza-Connected Open Area)

Section 23-18 (Floor Area Bonus for Arcades)

Section 23-19 (Special Provisions for Zoning Lots Divided by District Boundaries)

Section 82-08 (Modification of Bulk and Height and Setback Requirements)

Notwithstanding any other provision of this Resolution, the maximum *floor area ratio* shall not exceed 12.0.

Any *building*, in addition to complying with the provisions of this Section, shall be subject to the provisions set forth in Section 23-22 (Required Lot Area Per Dwelling Unit or Per Room), as well as to all other applicable *bulk* regulations as set forth in this Chapter.

All *developments* or *enlargements* located within the boundaries of Community Board 7 in the Borough of Manhattan shall be subject to the requirements of Section 23-151 (R10 Infill) and no *floor area* bonus shall be granted for such *developments* or *enlargements*, except as otherwise set forth in Section 23-151.

The provisions of Sections 23-16 (Floor Area Bonus for a Plaza), 23-17 (Floor Area Bonus for a Plaza-Connected Open Area) and 23-18 (Floor Area Bonus for

Arcades) shall not apply to *developments* or *enlargements*, pursuant to the Quality Housing Program.

* * *

23-19

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In the districts indicated, whenever a *zoning lot* is divided by a boundary between districts or is **subject to other regulations resulting in** [with] different minimum required *open space ratios*; [or] different maximum *floor areas ratios*; **different Quality Housing lot coverages; or open space ratios and Quality Housing lot coverages, on portions of the zoning lot** the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

23-22

Required Lot Area per Dwelling Unit, Lot Area per Room or Floor Area per Room

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

* * *

(c) In R3, R6, R7, **R8**, R9, and R10 Districts, the *lot area* required is expressed in terms of *rooms*, and as indicated, the total *lot area* or a *zoning lot* shall not be less than as set forth in this Section, except as provided in the following sections:

* * *

However, for residential buildings developed, or enlarged where permitted, pursuant to the Quality Housing Program, the lot area requirement shall be as set forth in (d) below.

(d) In [the] **R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X** or R10A Districts the *lot area* requirement is expressed in terms of *dwelling units* or *rooming units* and the *lot area per dwelling unit* or *rooming unit* shall not be less than as set forth in this Section, except as provided in the following sections:

* * *

Any given *lot area* shall be counted only once in meeting the *lot area* requirements.
23-223

In R6, R7, R8, R9 or R10 Districts

* * *

[3 In the districts indicated, the required *lot area per dwelling unit* shall not be less than as set forth in the following table:

REQUIRED LOT AREA

(in square feet)

Per <i>Dwelling</i> <i>Unit</i>	Per <i>Rooming</i> <i>Unit</i>	District
110	44	R8A
130	104	R8B
98	78	R9A
83	66	R9X
75	60	R10A]

R6,R7,R8,R9,R10

(3) In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program, the *lot area per dwelling unit* or *rooming unit* shall not be less than as set forth in the table below and the *lot area per dwelling unit* or *rooming unit* for *developments, or enlargements* where permitted, located within 100 feet of a *wide street* in R6, R7 or R8 Districts without a letter suffix outside the *Manhattan Core*, shall be as designated by the same district with an asterisk.

REQUIRED AREA

(in square feet)

Per <i>Dwelling</i> <i>Unit</i>	Per <i>Rooming</i> <i>Unit</i>	District
290	206	R6
357	250	R6B
235	167	R6*,R6A,R7B
206	138	R7
177	125	R7*,R7A,R8B
142	100	R7X
127	88	R8,R8A,R8X
106	80	R8*
102	78	R9,R9A
92	66	R9X
82	60	R10,R10A

NOTE: This section shall not apply to *enlargements* of *buildings* which were not *developed* pursuant to the Quality Housing Program in R6, R7, R8, R9 or R10 Districts without a letter suffix.

* * *

23-225

Lot area requirements for non-profit residences for the elderly
R3,R4,R5,R6,R7

(a) In the districts indicated, the required *lot area per room* for *non-profit residences for the elderly* shall be not less than as set forth in the following table:

Table Unchanged

* * *

Non-profit residences for the elderly developed, or enlarged where permitted, pursuant to the Quality Housing Program shall be subject to (b) below.

R6,R7

(b) In the districts indicated, the required *lot area per dwelling unit* or *rooming unit* for *non-profit residences for the elderly developed, or enlarged* where permitted, pursuant to the Quality Housing Program shall not be less than as set forth in the following table:

REQUIRED LOT AREA

(in square feet)

Per Dwelling Unit	Per Rooming Unit	District
183	146	R6,R6A,R7B
338	270	R6B
143	114	R7,R7A,R7X

NOTE: This Section shall not apply to *enlargements of residences* which were not *developed* pursuant to the Quality Housing Program in R6 or R7 Districts without a letter suffix.

* * *

23-25

Special Provisions for Buildings Used Partly for Non-Residential Uses

R1,R2,R3,R6,R7,R8,R9,R10

In the districts indicated, if a *building* is used partly for *residences* and partly for *non-residential uses* (other than *community facility uses*, the provisions for which are set forth in Article II, Chapter 4), for each 100 square feet of *floor area* used for such *non-residential uses*, at least the amount *lot area* set forth in the following table shall be provided. *Developments, or enlargements* where permitted, pursuant to the quality Housing Program located within 100 feet of a *wide street* in R6, R7, or R8 Districts without a letter suffix outside the *Manhattan Core* shall provide the *lot area* designated by the same district with an asterick. Such *lot area* shall be in addition to that required for the *residential uses* under the provisions of Section 23-22 (Required Lot Area per Dwelling Unit or Per Room).

REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA

Square Feet	Districts
200	R1,R2,R3
45	R6
50	R6B
30	R6*,R6A,R7,R7B
25	R7*,R7A, R8B
20	R7X,R8
17	R8*,R8A,R8X
15	R9,R9A
11	R9X
10	R10,R10A

* * *

23-28

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R9,R10

In all districts, as indicated, whenever, a *zoning lot* is divided by a boundary between districts or is subject to other regulations resulting in [with] different requirements for *lot area per dwelling unit* or *per room* or for *lot area* for permitted non-residential uses on portions of the *zoning lot*, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

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*:

* * *

Steps, and ramps for access by the handicapped

* * *

In R6B or R7B Districts, and in R6 or R7 Districts without a letter suffix on *narrow streets* except within 100 feet of a *wide street*, unenclosed balconies subject to the applicable provisions of Section 23-13 (Balconies) may project over a required *front yard* for a distance not exceeding 50 percent of the depth of the *front yard* or seven feet whichever is less.

(b)

* * *

23-45

Minimum Required Front Yards

R1,R2,R3,R4,R5,**R6,R7,R6B,R7B**

In the districts indicated, *front yards* shall be provided as set forth in the following table, except that for a *corner lot* in an R1-2 District, one *front yard* may have a depth of 15 feet, and for a *corner lot* in an R3, or R4 or R5 District one *front yard* may have a depth of 10 feet.

FRONT YARD

Feet	District
20	R1
15	R2,R3
18	R4,R5
5	R6B,R7B

In R6 or R7 Districts without a letter suffix, *front yards* with a minimum depth of five feet shall be provided for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program on *narrow streets* except within 100 feet of a *wide street*.

* * *

23-462

Side yards for all other residential buildings

R3, R4, R5, R6, R7, R8, R9, R10

* * *

R6, R7, R8, R9, R10

(b) In the districts indicated, no *side yards* are required. However, if any open area extending along a *side lot line* is provided at any level, it shall be at least eight feet wide.

* * *

23-464

Side yards for buildings used for permitted non-residential uses

* * *

R6,R7,R8,R9,R10

- (b) In the districts indicated, no *side yards* are required. However, if any open area extending along a *side lot line* is provided at any level, it shall be at least eight feet wide.

* * *

23-51

Special Provisions Applying along District Boundaries

R6,R7,R8,R9,R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4, or R5 Districts coincides with *side lot line* of a *zoning lot*, a *side yard* at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, portions of *buildings developed or enlarged* in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10A Districts, or portions of *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, shall comply with the requirements for R6B Districts in Sections 23-45 (Minimum Required Front Yards) and 23-633 (Street wall and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.

* * *

23-53

Special Provisions for Through Lots

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts as indicated, the regulations of this Section shall apply to all *through lots*. [except that] In the case of a *zoning lot* occupying an entire *block*, no *rear yard* or *rear yard equivalent* shall be required except as otherwise provided in Section 23-533 (Required rear yard equivalents).

* * *

23-533

Required rear yard equivalents

R4,R5,R6,R7,R8,R9,R10

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

- (a) An open area with a minimum depth of 60 feet, linking adjoining *rear yards*, or if no such *rear yards* exist, then 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. ***Buildings developed or enlarged in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X and R10A Districts or residential buildings developed, or enlarged where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, shall provide a rear yard equivalent only as set forth in this paragraph.***

* * *

[(d) In R8A, R8B, R9A, R9X and R10A Districts the provisions of paragraphs (b) and (c) above shall not apply.]

* * *

23-55

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated whenever a *zoning lot* is divided by a boundary between districts ***or is subject to other regulations resulting in [with] different yard regulations on portions of the zoning lot*** the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

23-62

Permitted Obstructions

In all *Residence Districts*, the following shall not be considered obstructions and may thus penetrate a maximum height limit or [a] ***front or rear sky exposure planes*** set forth in Section 23-63 (Maximum Height of Front Wall and Required Front Setbacks), or Section 23-69 (Limited Height Districts):

* * *

23-63

Maximum Height of Front Wall and Required Front Setbacks

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

* * *

[In the Borough of Manhattan, in R7-2 Districts, the City Planning Commission may authorize modifications of front height and setback regulations for new *residential developments* not exceeding 7 stories in height provided the Commission finds that such *development* preserves

neighborhood scale and does not alter the essential character of the surrounding area and adversely affect access to light and air.]

* * *

23-632

Front setbacks in districts where front yards are not required

* * *

[(b) In R8A, R8B, R9A, RX and R10A Districts the maximum height of a *street wall* or any other portion of a *building or other structure* shall be as set forth in Section 23-633 (Street wall and height and setback regulations in certain districts).]

R6A, R7A, R8A, R9A, R10A, R6B, R7B, R8B, R7X, R8X, R9X

(b) In the districts indicated, and for any *development, or enlargement* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, the provisions of this Section shall be inapplicable. In lieu thereof, the provisions of Section 23-633 (Street wall and height and setback regulations in certain districts) shall apply.

23-633

Street wall and height and setback regulations in certain districts

R6A, R7A, R8A, R9A, R10A, R6B, R7B, R8B, R7X, R8X, R9X

In the districts indicated, *street wall*, and height and setback regulations are set forth in this section. The provisions of Sections 23-64 (Alternate Front Setbacks) and 23-65 (Tower Regulations) shall not apply.

1. Location of Street Wall

R8A, R9A, R9X, R10A

(a) In the districts indicated, the *street wall* of any *development or enlargement* for the first two *stories* or 23 feet, whichever is greater, shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot*, except as provided in paragraph [(b)(f) and [(3)] **sub-section 3 (Modification of Street Wall Requirements)** below.

However, at the intersection of two *street lines* the *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line***. [Recesses are permitted only for entrances and windows.]

Except as provided in [(3)] **sub-section 3** below, for any *development or enlargement* fronting on a *wide street* the *street walls* above the level of the second

story or 23 feet, whichever is greater, shall comply with one of the following options. Under all options, at the intersection of two *street lines*, the mandatory *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line*.**

Option 1

Mandatory *street walls* shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot* [fronting on] **along a wide *street*.**

Option 2

At least 50% of the aggregate length of the *street walls* shall comply with Option 1. The remainder of the aggregate length of the mandatory *street walls* at each *story* may be recessed from the *street line* to a depth not exceeding 10 feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street walls* at each *story*.

Option 3

A minimum of 75% of the aggregate area of the mandatory *street walls* at each *story* shall be within five feet of the *street line* provided that the mandatory *street walls* shall abut the *street line* at least once every 25 feet.

These location provisions shall apply to all *development* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.

Recesses shall comply with the applicable regulations of Section 23-80 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES.)

R8A, R9A, R9X, R10A

(b) In the districts indicated, on a *narrow street*, [beyond] **except within a distance of 50 feet from an [its] intersection with a *wide street***, the *street wall* of any *development* or *enlargement* shall be located no further from the *street line* than the front wall of [the nearest] **any adjacent existing *building*** on [an adjacent] **the same or another *zoning lot*** fronting on the same *street line*. If the mandatory *street wall* is located within five feet of the *street line* it shall comply with one of the following options.

Option 1

A maximum of 50% of the aggregate length of the mandatory *street wall* at each *story* may be recessed from the *street line* to a depth not exceeding ten

feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street wall* at each *story*.

Option 2

A minimum of 75% of the aggregate area of the *street wall* at each *story* shall be within five feet of the *street line*.

Recesses shall comply with the applicable regulations of Section 23-80 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

No *street wall* facing a *narrow street* [beyond] **except within** a distance of 50 feet from [its] **an** intersection with a *wide street* is required if the resulting open area is maintained as follows:

1. Its elevation shall be within 2 feet of the abutting sidewalk.
2. No wall or fence above a height of 30 inches above curb level shall consist of elements more than 1½ inches thick and less than 5 inches apart.
3. Its entire area shall be covered by decorative unit pavers, shrubbery, grass, or landscaped elements not more than 30 inches high, and
4. If such resulting area is 1,500 to 2,000 square feet, it shall contain at least three 4" caliper trees, and there shall be one additional 4" caliper tree for each additional 1,000 square feet or fraction thereof; or
5. If such resulting area is less than 1,500 square feet and contains fewer than three 4" caliper trees, it shall contain shrubbery for at least 25 per cent of its area.

R8B

- (c) [In the district indicated the *street wall* of any *development* or *enlargement* on a *wide street* shall be located no further from the *street line* than the front wall of the nearest *building* on an adjacent *zoning lot* fronting on the same *street line*; and on a *narrow street* the *street wall* of any *development* or *enlargement* shall be neither closer to nor further from the *street line* than the front wall of the nearest *building* on an adjacent *zoning lot* fronting on the same *street line* and shall extend the entire width of the *zoning lot* except as provided in (3) below. Recesses and projections are permitted provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 per cent of the length of the mandatory *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not project more than two feet from the mandatory *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 23-84 (Outer Court Regulations).]

In the district indicated the *street wall* of any *development* or *enlargement* shall be located in accordance with the provisions of paragraphs (i) through (iv) below, except as provided in sub-section 3 (Modification of Street Wall Requirements). A *narrow street* having a *street line* measuring less than 230 feet between intersecting *street lines* shall be considered a *wide street* in applying the provisions of paragraphs (i) through (iv) below.

- (i) On a *wide street* the *street wall* shall be located within 8 feet of the *street line*. However, if the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line* is further than 8 feet from the *street line*, the *street wall* may be set back further than 8 feet but not more than either of such adjacent front walls. This requirement shall apply to all *developments* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.
- (ii) On a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street*, but within 100 feet of such intersection, the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*. Where a *zoning lot* is located at the intersection of a *wide street* and a *narrow street* no *street wall* is required along such 50 foot portion of the *narrow street* frontage, provided any resulting open area is maintained as specified for open areas in Section 23-633 sub-section 1 paragraph (b) above. However, if a *street wall* is provided within the optional *street wall* portion of the *narrow street* frontage of such *zoning lot* it shall be subject to the location requirements of paragraph (i) above.
- (iii) On a *narrow street* except within a distance of 100 feet from an intersection with a *wide street* the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*.
- (iv) The mandatory *street wall* pursuant to paragraphs (i), (ii), and (iii) above shall extend the entire length of the *street line* of the *zoning lot* from *side lot line* to *side lot line* or intersecting *street wall*, except as provided in paragraph (ii) above, or sub-section 3 (Modification of Street Wall Requirements). Recesses and projections are permitted, except within 20 feet of a *street* corner, provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 per cent of the *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not extend more than two feet from the *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 23-80 (COURT

REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

R6B,R7B,R6A,R7A,R7X,R8X

- (d) In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts without a letter suffix, all *street walls* of any *development* or *enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street wall* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below except as provided in paragraph (f) and subsection 3 (Street Wall Modifications) below. However, at any level a portion of any *street wall* below the height above the *street line* of the *sky exposure plane* may be located beyond the maximum *street wall* setback distance provided that such portion of the *street wall* does not exceed 25% of the length of that *street wall* and is located in an *outer court* which complies with the requirements of Section 23-80 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES). No driveways or parking spaces are permitted in such *outer court*. These *street wall* requirements shall be applicable to only one *street* on *through lots* which extend less than 110 feet in maximum depth from *street* to *street*, but shall apply to both *streets* on deeper *through lots*.

These *street wall* requirements shall be inapplicable along a *wide street* within 15 feet of its intersection with a *narrow street* or to any *street wall* located beyond 100 feet from a *street line*.

R6B,R7B

- (e) In the districts indicated, on a *narrow street* except within a distance of 100 feet from an intersection with a *wide street*, if the front wall of an adjacent existing *building* on the same or an abutting *zoning lot* fronting on the same *street* is between five and 15 feet from the *street line*, then the front wall of the *development* or *enlargement* shall be neither closer to nor further from the *street line* than the front wall of an adjacent existing *building*.

R8A, R8B, R6A, R6B, R7A, R7B, R7X, R8X, R9A, R9X, R10A

- (f) [(d)] In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, A vertical *enlargement* in excess of one *story* or 15 feet to an existing *building* is permitted only pursuant to the mandatory requirements of the above provisions or as a vertical

extension of the existing *street wall* except as provided in [(3)] **sub-section 3** below.

2. Height of Street Wall

[R8A, R8B, R9A, R9X, R10A]

[In the districts indicated the mandatory minimum height above *curb level* of a *street wall*, without a setback, shall be as set forth in Column A, or the height of the *building*, whichever is less; the maximum permitted height of a *street wall* without a setback at the *street line* shall be as set forth in Column B; and above such specified maximum height the *building or other structure* shall not penetrate the *sky exposure plane* as set forth in Column B in the table below:]

Column A		Column B		Sky Exposure Plane**		
Mandatory minimum height of <i>street wall</i> (in feet)	Maximum permitted height of <i>street wall</i> without setback at the <i>street line</i> (in feet)	Slope over <i>zoning lot</i> (expressed as a ratio of vertical to horizontal distance)				
		Vertical	Horizontal			
<i>Wide street*</i>	<i>Narrow street*</i>					
60	23	85	1.5 to 1			R8A
55	23***	60	1.0 to 1			R8B**
60	23***	100	1.5 to 1			R9A
110	23***	110	2.0 to 1			R9X
125	23***	150	2.5 to 1			R10A

*The mandatory minimum height of a *street wall* on *wide streets* shall apply to all *developments or enlargements* on *zoning lots* on *narrow streets* within 50 feet of the intersection with a *wide street*.

**The *sky exposure plane* shall begin at the maximum permitted height of the *street wall* at the *street line* except that in an R8B district a setback of 20 feet from the *street wall* is required at a height of 60 feet.

***No setback shall be permitted below a height of 55 feet except as provided in paragraph 1(d) above.]

R6A,R6B,R7A,R7B,R7X,R8A,R8B,R8X,R9A,R9X,R10A

(a) In the districts indicated, and for *residential buildings developed or enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, no *street wall* shall penetrate the *front sky exposure plane* set forth in the table below.

R8A,R8B,R9A,R9X,R10A

(b) In the districts indicated, the minimum height above *curb level* of a mandatory *street wall* without setback, shall be as specified in the table below, unless the

height of the *building* is less than such minimum. If such *street wall* along a *narrow street* rises above such minimum height no setbacks shall be permitted below a height of 55 feet except as provided in 1(f) above. The minimum height of a mandatory *street wall* on *wide streets* shall apply to all *developments* or *enlargements* on *zoning lots* on *narrow streets* within 50 feet of the intersection of a *wide street*.

R7X,R8X

- (c) In the districts indicated, and for *residential buildings developed* or *enlarged* where permitted, pursuant to the Quality Housing Program on *wide streets* in R8 Districts outside the *Manhattan Core*, one of three sets of *sky exposure planes* as set forth in the table below may apply. Alternates 2 and 3 require a minimum setback of 10 feet from the *street wall* from a height of between 65 and 70 feet above *curb level* to the height above the *street line* of the *front sky exposure plane*. The Alternate 3 *sky exposure planes* may apply only if the width of the *street wall* of the *building* above the mandatory front setback level on the *wide street* is less than 50% of the width of the *wide street* frontage of the *zoning lot*. The Alternate 2 *sky exposure planes* may apply if such percentage is between 51% and 90%.

3. Modifications of Street Wall Requirements

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

- (a) In the districts indicated, on a *zoning lot* where there is an existing *building* to remain, and when there is to be a new *development* or *enlargement*, that includes new *street walls*, the requirements governing height and location of *street walls* shall not apply within a volume defined by the rear wall of the existing *building* [(W²)], the *front lot line* [(W¹)], the prolongations of the side walls [(L)], and [a height of 150 feet above *curb level*. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined the requirements governing *street wall* height and location shall apply.]
- the roof of the existing *building*. If after (the effective date of this amendment), any exterior demolition or destruction occurs within this volume or to the boundaries of this volume, or if any *development* or *enlargement* occurs above this volume the requirements governing *street wall* height and location shall apply.

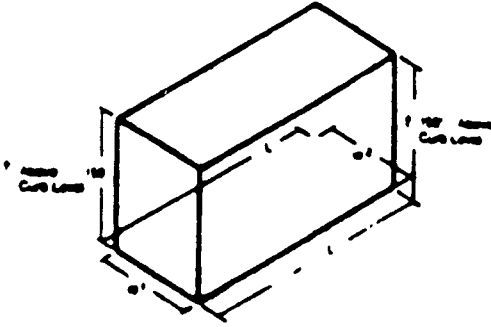


ILLUSTRATION OF STREET WALL REQUIREMENTS
FOR CONTEXTUAL ZONES

L Sidewall and prolongation of existing building

W¹ Front lot line

W²Rear wall of existing building]

R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A

(b) In the districts indicated, the City Planning Commission may, upon application, authorize modifications in the required *street wall* location of a *development* or *enlargement* if the Commission finds that existing *buildings* or existing open areas serving existing *buildings* to remain on the *zoning lot* would be adversely affected by the location of the *street walls* of the *development* or *enlargement* in the manner prescribed in the paragraphs above.

* * *

R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A

4. Front and Rear Sky Exposure Planes

In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the quality Housing Program in other R6, R7, R8, R9 or R10 Districts, no *building or other structure* shall penetrate [a *rear sky exposure plane* beginning at a distance of 100 feet from the *street line*, at a height of 30 feet above *curb level* with a slope of 1 foot vertical to 1 foot horizontal.] the *front or rear sky exposures planes* as set forth in the table below.

Both the *front and rear sky exposure planes* shall rise in opposite directions over the *zoning lot* at a ratio of vertical distance to horizontal distance as set forth in the table below and shall terminate at a line where they intersect. When a *street line* intersects any other *street line*, the *front sky exposure planes* of both *street frontages* shall terminate at a line where the *front sky exposure planes* intersect and the *rear sky exposure planes* shall terminate at a line where the *rear sky exposure planes* intersect. In plan, the line of intersection of these planes shall bisect the interior angle formed at the line of intersection of these *street lines* as shown in the diagram below.

* * *

TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	On a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
R6B (1)	20	20	-	-	35	1.0 to 1.0	0	1.0 to 1.0
R6 (Narrow Street) (1)(2)	-	15	-	-	40	1.0 to 1.0	10	1.0 to 1.0
R6 (Wide Street - Inside Core) (3)	8	15	-	-	55	1.0 to 1.0	10	1.0 to 1.0
R6A, R6 (Wide Street (3) - Outside Core) (4)	8	15	-	-	60	1.0 to 1.0	20	1.0 to 1.0
R7B (1)	8	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
R7 (Narrow Street) (1)(2)	-	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
R7 (Wide Street (3) - Inside Core) (4)	8	15	-	-	60	1.0 to 1.0	30	1.0 to 1.0
R7A, R7 (Wide Street (3) - Outside Core) (4)	8	15	-	-	65	1.0 to 1.0	35	1.0 to 1.0
R7X - Alt - 1	8	15	-	-	85	1.0 to 1.0	45	1.0 to 1.0
- Alt - 2	8	15	-	-	115	1.0 to 1.0	80	1.0 to 1.0
- Alt - 3	8	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0
R8B (7)	(5)	(5)	55	23	60	1.0 to 1.0	30	1.0 to 1.0
R8 (Narrow Street) (2)	-	15	-	-	80	1.0 to 1.0	70	1.0 to 1.0
R8 (Wide Street - (3) Inside Core) (4)	8	15	-	-	85	1.5 to 1.0	80	1.0 to 1.0
R8A	0	(6)	60	23	85	1.5 to 1.0	80	1.0 to 1.0

TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS (continued)

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Weight of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
RBX - Alt - 1								
RB (Wide Street - (3) Outside Core) (4)	8	15	-	-	85	1.5 to 1.0	80	1.0 to 1.0
RBX - Alt - 2	8	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0
Alt - 3	8	15	-	-	170	1.0 to 1.0	145	1.0 to 1.0
R9 (Narrow Street)(2)	-	15	-	-	93	1.5 to 1.0	100	1.0 to 1.0
R9 (Wide Street) (3)	8	15	-	-	102	1.5 to 1.0	100	1.0 to 1.0
R9A Narrow (2)	-	(6)	-	23	102	1.5 to 1.0	100	1.0 to 1.0
R9A (Wide) (3)	(8)	-	60	-	102	1.5 to 1.0	100	1.5 to 1.0
R9X (Narrow) (2)	-	(6)	-	23	120	2.0 to 1.0	120	1.0 to 1.0
R9X (Wide) (3)	(8)	-	105	-	120	2.0 to 1.0	120	1.5 to 1.0
R10 (Narrow Street) (2)	-	15	-	-	150	2.5 to 1.0	120	1.0 to 1.0
R10 (Wide Street) (3)	8	15	-	-	150	2.5 to 1.0	140	1.5 to 1.0
R10A Narrow (2)	-	(6)	-	23	150	2.5 to 1.0	140	1.0 to 1.0
R10A (Wide) (3)	(8)	-	125	-	150	2.5 to 1.0	140	1.5 to 1.0

(1) A front yard with a minimum depth of 5 feet is required.

(2) Refers to that portion of a district on a narrow street except within a distance of 100 feet from its intersection with a wide street.

(3) Refers to that portion of a district which is within 100 feet of a wide street.

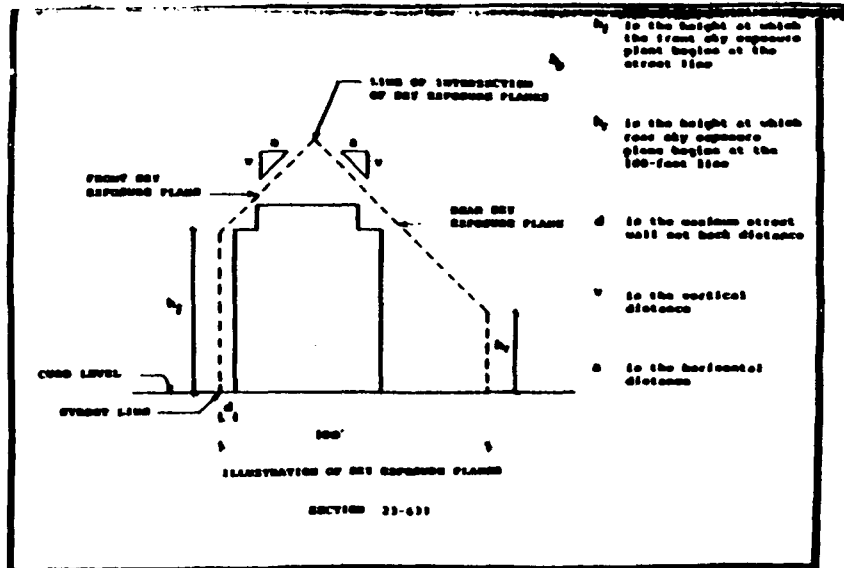
(4) Core refers to Manhattan Core.

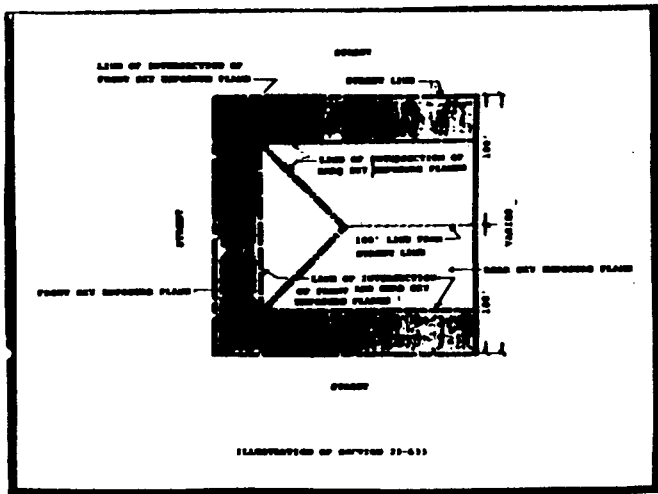
(5) Varies, see Section 23-633 1(c).

(6) Varies, see Section 23-633 1(b).

(7) A setback of 20 feet from the mandatory street wall is required at a height of 60 feet.

(8) Varies, see Section 23-633 1(b).





23-634

Provisions for lots more than 100 feet in depth

R6A,R6B,R7A,R7B,R7X,R8A,R8B,R8X,R9A,R9X,R10A

In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts no *building* subject to the provisions of Section 23-633 (Street wall and height and setback regulations in certain districts) shall be permitted beyond 100 feet from a *street line*, except for permitted obstructions in *rear yards*.

* * *

23-663

Required rear setbacks for tall buildings in other districts

R6, R7, R8, R9, R10

* * *

This Section shall not apply to *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program.

* * *

23-68

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts, or is **subject to other regulations resulting in** [with] different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 23-65 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

23-692

Additional Regulations for Narrow Buildings or Enlargements

In R7-2, **R7X**, R8, R9, R10 Districts, or in C1, or C2 Commercial Districts with equivalent *residential floor area ratios*, and in **C4-5X** C4-6A, C4-7A, **C5-1A**, [and] **C6-2A**, **C6-3A** or **C6-4A** Districts, if the width of a *street wall* of a new *building* or the enlarged portion of an existing *building* is 45 feet or less, the alternate front setback and tower regulations of Section 23-64 (Alternate Front

Setbacks), 23-65 (Tower Regulations), 33-44 (Alternate Front Setbacks) and 33-45 (Tower Regulations) shall be inapplicable.

* * *

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

23-71

Minimum Distance between Buildings on a Single Zoning Lot

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts as indicated, the minimum distance between a *residential building* and any other *building* on the same *zoning lot* shall be as provided in this Section except that these provisions do not apply:

* * *

(e) [In R8A, R9A, R9X and R10A Districts, except that on any *zoning lot* if a *development* or *enlargement* results in two or more *buildings* detached from one another at any level, such *buildings* shall at no point be less than eight feet apart.]

to residential buildings developed, or enlarged where permitted, pursuant to the Quality Housing Program and to all buildings in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10A Districts provided that on any zoning lot if a development or enlargement results in two or more buildings detached from one another at any level, such buildings shall at no point be less than eight feet apart.

* * *

Chapter 4 Bulk Regulations for Community Facility Buildings in Residence Districts

24-00 APPLICABILITY, GENERAL PURPOSES, AND DEFINITIONS

24-01

Applicability of this Chapter

* * *

[All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
R8A	R8	24-11, 24-382, 24, 52, 24-523
R8B	R8	24-11, 24-21, 24, 382 24-52, 24-523

R9A	R9	24-11, 24-21, 24-22, 24, 382
R9X		24-52, 24-523
R10A	R10	24-11, 24-22, 24-382, 24-52, 24-523]

* * *

24-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

* * *

24-012

Quality Housing Program

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

In other R6, R7, R8, R9 or R10 Districts, the *bulk* regulations applicable to Quality Housing *developments* may, as an alternative, be applied to the *residential* portion of a *building* under the same conditions set forth in Section 23-012 provided that:

- (a) the entire *building* is *developed* pursuant to the *bulk* regulations in Article II, Chapter 4 for buildings in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program; and
- (b) the entire *building* complies with the applicable provisions of Article II, Chapter 8.

* * *

24-02

General Purposes of Community Facility Bulk Regulations

The following bulk regulations are adopted in order to protect residential areas against congestion and to encourage the development of desirable and stable residential neighborhoods. In order to achieve these purposes, a direct control of the physical volume of buildings and their degree of lot coverage is established. [In order to open up residential areas to light and air and to encourage better standards of open space, moderately greater building volume is permitted in appropriate districts when larger open areas are provided.]

* * *

24-10 FLOOR AREA AND LOT COVERAGE REGULATIONS

24-11

Maximum Floor Area Ratio and Percent of Lot Coverage

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

* * *

[Maximum Floor Area Ratio and Maximum Lot Coverage Table.]

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE

Floor Area Ratio	Lot coverage (percent of lot area)		
	Corner Lot	Interior Lot or Through Lot	
1.00	60	55	R1
1.00	60	55	R2
1.00	60	55	R3
2.00	60	55	R4
2.00	60	55	R5
4.80	70	65	R6
3.00	80	60	R6A
2.00	80	60	R6B
4.80	70	65	R7-1
6.50	70	65	R7-2
4.00	80	65	R7A
3.00	80	65	R7B
5.00	80	70	R7X
6.50	75	65	R8
6.50	80	70	R8A
4.00	80	70	R8B*
6.00	80	70	R8X
10.00	75	65	R9
7.50	80	70	R9A
9.00	80	70	R9X
10.00	75	65	R10
10.00	100	70	R10A

* 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.

24-111

Maximum floor area ratio for certain community facility uses

* * *

R3,R4,R5,R6,R7,R8,R9,R10A

* * *

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

The provisions of Section 24-111(b) are not applicable in R8 Districts in Community Board 8 in the Borough in Manhattan.

* * *

Maximum Floor Area
Ratio Permitted

<u>Maximum Floor Area</u> <u>Ratio Permitted</u>	<u>District</u>
0.50	R3
0.75	R4
1.27	R5
2.00	R6B
2.43	R6
3.00	R6A,R7B
3.44	R7
4.00	R7A,R8B
6.02	R8
6.02	R8A
6.00	R8X
7.52	R9
7.50	R9A
9.00	R9X
10.00	R10A

* * *

24-174

Location of open space for residential portion

R1,R2,R3,R4,R5,R6,R7,R8,R9

(a) In the districts indicated, the *open space* required for the *residential* portion of the *building* under the provisions of Article II, Chapter 3 may be at a level higher than 23 feet above *curb level*. Such *open space* may be provided at ground floor level or upon the roof of the *community facility* portion of such

building, provided that the level of any *open space* may not be higher than two and one-half feet below the sill level of any *legally required window* opening on such roof area, in the *residential* portion of such *building*. *Open space* located on the roof of a separate *community facility building* may not be at a level higher than 23 feet above *curb level*.

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X.

(b) In the districts indicated, and for buildings in which the residential portion is developed, or enlarged where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts the provisions of Section 28-30 (RECREATION SPACE AND PLANTING AREAS) shall apply.

24-175

Balconies in R3 through R10 districts

R3,R4,R5,R6,R7,R8,R9,R10

In the districts indicated, the regulations set forth in this Section shall apply to the *residential* portion of a *building* used partly for *residential use* and partly for *community facility use* or to any portion of a *building* used for living or sleeping accommodations.

Balconies which:

- (a) Are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and
- (b) Are located at or higher than the floor level of the fourth *story* of a *building*, and
- (c) Have an aggregate length, at the level of any *story*, not exceeding 50 percent of the length at that level of the plane surface of the *building* wall from which they project, and
- (d) Have an aggregate area of projection at the level of any *story*, not exceeding, in square feet, 1.8 times the length in feet at that level of such plane surface, may, by a distance not exceeding nine feet, penetrate any *sky exposure plane* or project into or over any required open area set forth in the following Sections:
 - (i) [a] *Open Space*, as defined in Section 12-10 (Definitions);
 - (ii) [b] *Plazas*, as defined in Section 12-10 (Definitions);
 - (iii) [c] *Rear yards*, as defined in Section 12-10 (Definitions);
 - (iv) [d] *Initial setback distances* or *sky exposure planes*, as set forth in Section 24-52 (Maximum Height of Front Wall and Required Front Setbacks);

- (v) [e] Alternate front setbacks or *sky exposure planes*, as set forth in Section 24-53 (Alternate Front Setbacks);
- (vi) [f] Open area not occupied by towers, as set forth in Section 24-54 (Tower Regulations);
- (vii) [g] Required side and rear setbacks, as set forth in Section 24-55 (Required Side and Rear Setbacks);
- (viii) [h] *Pedestrian mall*.

However, for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program, the regulations for balconies shall be as set forth in Section 24-176 (Balconies in R6A through R10A Districts).

24-176

Balconies in R6A through R10A Districts

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

- (a) In the districts indicated, balconies may be provided as set forth in Section 24-175 paragraphs (a) through (d) except that projections shall conform to the provisions of paragraph (b) below. In addition, balconies may be enclosed by the *building* walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and such balcony is counted as *Quality Housing lot coverage*. The area of such balcony shall be excluded from the definition of *floor area*.
- (b) In no event shall balconies:
 - (i) project by a distance greater than seven feet as measured from the plane surface of the *building* wall;
 - (ii) penetrate the *front* or *rear sky exposure plane*;
 - (iii) project into the minimum required distance between *buildings* on the same *zoning lot*;
 - (iv) cover more than 10 percent of the area designated as outdoor recreation space pursuant to Section 28-30 (RECREATION SPACE AND PLANTING AREAS).

* * *

24-18

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations resulting in[with] different maximum *floor area ratios*; different minimum *open space ratios*; [or] different maximum percents of *lot coverage*; or *open space ratios* and *Quality Housing lot coverages*, on portions of the *zoning lot*, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

24-21

Required Lot Area

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, if a *building* is used partly for *residence* and partly for *community facility use*, the provisions of this Section shall apply.

In R1, R2, R3, R6, R7, R8, R9 and R10 Districts, for each 100 square feet of *floor area* used for such *community facility use*, at least the amount of *lot area* set forth in the following table shall be provided. Such *lot area* shall be in addition to that required for the *residential uses*, which shall be set forth in Section 23-22.

Any given *lot area* shall be counted only once in meeting the *lot area* requirements.

REQUIRED LOT AREA
PER 100 SQUARE FEET
OF FLOOR AREA USED
FOR COMMUNITY
FACILITY USE

in Square Feet

District

100

R1, R2, R3

50

R6B

33

R6A, R7B

25

R7A, [R8A], R8B

20

R6, R7-1, R7X

15

R7-2, R8, R8A, R8X

13

R9A

11

R9X

10

R9, R10, R10A

* * *

24-23

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is **subject to other regulations resulting in** [with] different *lot area* requirements on portions of the *zoning lot*, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

24-34

Minimum Required Front Yards

R1,R2,R3,R4,R5,R6,R7,R6B,R7B

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

<u>Front Yard</u> (in feet)	<u>District</u>
20	R1
15	R2, R3, R4
10	R5
5	R6B, R7B

In other R6 or R7 Districts, *front yards* with a minimum depth of five feet shall be provided for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program on *narrow streets* except within 100 feet from the intersection with a *wide street*.

24-35

Minimum Required Side Yards

* * *

R6,R7,R8,R9,R10

(b) In the districts indicated, no *side yards* are required. However, if any open area extending along a *side lot line* is provided at any level it shall be at least eight feet wide.

24-351

Special provisions applying along district boundaries

R6,R7,R8,R9,R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4, or R5 District coincides with a *side lot line* of a *zoning lot*, a *side yard* at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, the requirements for **R6B** Districts in Sections 24-34

(Minimum Required Front Yards) and 24-523 (Street wall and height and setback regulations in certain districts) shall apply to any portion of a *building* located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District if the *building* that contains such portion is:

- (a) within an R6A, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10A District; or
- (b) within R6, R7, R8, R9 or R10 Districts without a letter suffix and any portion of the *zoning lot* is *developed* pursuant to the Quality Housing Program.

* * *

24-38

Special Provisions for Through Lots

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, the regulations of this Section shall apply to all *through lots*. [except that] In the case of a *zoning lot* occupying an entire *block*, no *rear yard* or *rear yard equivalent* shall be required except as otherwise provided in Section 24-382 (Required rear yard equivalents).

* * *

24-382

Required rear yard equivalents

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

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

- (a) An open area with a minimum depth of 60 feet, linking adjoining *rear yards*, or if no such *rear yards* exist, then 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. However, *developments* or *enlargements* in R6A, R6B, R7A, R7X, R8A, R8B, R8X, R9A, R9X or R10A Districts or *buildings* the *residential* portion of which is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, shall provide a *rear yard equivalent* only as set forth in this paragraph.

* * *

[(d) In R8A, R9A, R9X and R10A Districts the provisions of paragraphs (b) and (c) above shall not apply.]

* * *

24-40 SPECIAL PROVISIONS FOR ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations resulting in [with] different *yard regulations on portions of the zoning lot*, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

24-51

Permitted Obstructions

In all *Residence Districts*, the following shall not be considered obstructions and may thus penetrate a maximum height limit or [a] *front or rear sky exposure planes* set forth in Section 24-52 (Maximum Height of Front Wall and Required Setbacks), Section 24-53 (Alternate Front Setbacks), or Section 24-59 (Limited Height Districts):

* * *

24-52

Maximum Height of Front Wall and Required Front Setbacks

* * *

[(b) In R8A, R9A, R9X and R10A Districts the maximum height of a *street wall* or of any other portion of a *building or other structure* shall be as set forth in Section 24-523 (Street wall and height and setback regulations in certain districts).]

* * *

24-522

Front setbacks in districts where front yards are not required

(a) existing text to remain

* * *

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

(b) In the districts indicated for any *development or enlargement*, and for *buildings* in which the *residential portion is developed*, or enlarged where permitted,

pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, the provisions of this section shall be inapplicable. In lieu thereof, the provisions of Section 24-523 (Street wall and height and setback regulations in certain districts) shall apply.

24-523

Street wall and height and setback regulations in certain districts

R6A, R7A, R8A, R9A, R10A, R6B, R7B, R8B, R7X, R8X, R9X

In the districts indicated, *street wall*, and height and setback regulations are set forth in this section. The provisions of Sections 24-53 (Alternate Front Setbacks) and 24-54 (Tower Regulations) shall not apply.

1. Location of Street Wall

R8A, R9A, R9X, R10A

- (a) In the districts indicated, the *street wall* of any *development* or *enlargement* for the first two *stories* or 23 feet, whichever is greater, shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot*, except as provided in paragraph [(b)](f) and [(3)] **sub-section 3 (Modification of Street Wall Requirements)** below.

However, at the intersection of two *street lines* the *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line*.** [Recesses are permitted only for entrances and windows.]

Except as provided in [(3)] **sub-section 3** below, for any *development* or *enlargement* fronting on a *wide street* the *street walls* above the level of the second *story* or 23 feet, whichever is greater, shall comply with one of the following options. Under all options, at the intersection of two *street lines*, the mandatory *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line*.**

Option 1

Mandatory *street walls* shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot* [fronting on] **along a *wide street*.**

Option 2

At least 50% of the aggregate length of the *street walls* shall comply with Option 1. The remainder of the aggregate length of the mandatory *street walls* at each *story* may be recessed from the *street line* to a depth not exceeding 10

feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street walls* at each *story*.

Option 3

A minimum of 75% of the aggregate area of the mandatory *street walls* at each *story* shall be within five feet of the *street line* provided that the mandatory *street walls* shall abut the *street line* at least once every 25 feet.

Recesses shall comply with the applicable regulations of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

These location provisions shall apply to all *development* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.

R8A, R9A, R9X, R10A

(b) In the districts indicated, on a *narrow street*, **except within** [beyond] a distance of 50 feet from an [its] intersection with a *wide street*, the *street wall* of any *development* or *enlargement* shall be located no further from the *street line* than the front wall of [the nearest] **any adjacent existing building** on [an adjacent] **the same or another zoning lot** fronting on the same *street line*. If the mandatory *street wall* is located within five feet of the *street line* it shall comply with one of the following options.

Option 1

A maximum of 50% of the aggregate length of the mandatory *street wall* at each *story* may be recessed from the *street line* to a depth not exceeding ten feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street wall* at each *story*.

Option 2

A minimum of 75% of the aggregate area of the *street wall* at each *story* shall be within five feet of the *street line*.

Recesses shall comply with the applicable regulations of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

No *street wall* facing a *narrow street*, **except within** [beyond] a distance of 50 feet from an [its] intersection with a *wide street* is required if the resulting open area is maintained as follows:

1. Its elevation shall be within 2 feet of the abutting sidewalk.
2. No wall or fence above a height of 30 inches above *curb level* shall consist of elements more than 1½ inches thick and less than 5 inches apart.

3. Its entire area shall be covered by decorative unit pavers, shrubbery, grass, or landscaped elements not more than 30 inches high, and
4. If such resulting area is 1,500 to 2,000 square feet, it shall contain at least three 4" caliper trees, and there shall be one additional 4" caliper tree for each additional 1,000 square feet or fraction thereof; or
5. If such resulting area is less than 1,500 square feet and contains fewer than three 4" caliper trees, it shall contain shrubbery for at least 25 per cent of its area.

R8B

(c) [In the district indicated the *street wall* of any *development* or *enlargement* on a *wide street* shall be located no further from the *street line* than the front wall of the nearest *building* on an adjacent *zoning lot* fronting on the same *street line*; and on a *narrow street* the *street wall* of any *development* or *enlargement* shall be neither closer to nor further from the *street line* than the front wall of the nearest *building* on an adjacent *zoning lot* fronting on the same *street line* and shall extend the entire width of the *zoning lot* except as provided in (3) below. Recesses and projections are permitted provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 per cent of the length of the mandatory *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not project more than two feet from the mandatory *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 23-84 (Outer Court Regulations).]

In the district indicated the *street wall* of any *development* or *enlargement* shall be located in accordance with the provisions of paragraphs (i) through (iv) below, except as provided in sub-section 3 (Modification of Street Wall Requirements). A *narrow street* having a *street line* measuring less than 230 feet between intersecting *street lines* shall be considered a *wide street* in applying the provisions of paragraphs (i) through (iv) below.

- (i) **On a *wide street* the *street wall* shall be located within 8 feet of the *street line*. However, if the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line* is further than 8 feet from the *street line*, the *street wall* may be set back further than 8 feet but not more than either of such adjacent front walls. This requirement shall apply to all *developments* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.**
- (ii) **On a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street*, but within 100 feet of such intersection, the *street wall* shall be neither**

closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*.

Where a *zoning lot* is located at the intersection of a *wide street* and a *narrow street* no *street wall* is required along such 50 foot portion of the *narrow street* frontage, provided any resulting open area is maintained as specified for open areas in Section 24-523 sub-section 1 paragraph (b) above.

However, if a *street wall* is provided within the optional *street wall* portion of the *narrow street* frontage of such *zoning lot* it shall be subject to the location requirements of paragraph (i) above.

- (iii) On a *narrow street* except within a distance of 100 feet from an intersection with a *wide street* the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*.
- (iv) The mandatory *street wall* pursuant to paragraphs (i), (ii), and (iii) above shall extend the entire length of the *street line* of the *zoning lot* from *side lot line* to *side lot line* or intersecting *street wall*, except as provided in paragraph (ii) above, sub-section 3 (Modification of Street Wall Requirements). Recesses and projections are permitted, except within 20 feet of a *street* corner, provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 percent of the *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not extend more than two feet from the *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

R6B,R7B,R8X,R6A,R7A,R7X

(d) In the districts indicated for any *development* or *enlargement*, and for buildings in which the *residential* portion of *developed* or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, all *street walls* of any *development* or *enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street walls* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below except as provided in paragraph (f) and sub-section 3 (Street Wall Modifications) below. However, at any level a portion of any *street wall* below the height above the *street line* of the *sky exposure plane* may be located beyond the maximum *street wall* setback distance provided that such

portion of the *street wall* does not exceed 25% of the length of that *street wall* and is located in an *outer court* which complies with the requirements of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES). No driveways or parking spaces are permitted in such *outer court*.

R6B, R7B

(e) In the districts indicated, on a *narrow street* except within a distance of 100 feet from an intersection with a *wide street*, if the front wall of an adjacent existing *building* on the same or an abutting *zoning lot* fronting on the same *street* is between five and 15 feet from the *street line*, then the front wall of the *development* or *enlargement* shall be neither closer to nor further from the *street line* than the front wall of an adjacent existing *building*.

R8A, R8B, R8X, R9A, R9X, R10A, R6A, R6B, R7A, R7B, R7X

(f) [(d)] In the districts indicated for any *development* or *enlargement*, and for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9, or R10 Districts, a vertical *enlargement* in excess of one *story* or 15 feet to an existing *building* is permitted only pursuant to the mandatory requirements of the above provisions or as a vertical extension of the existing *street wall* except as provided in [(3)] sub-section 3 below.

2. Height of Street Wall

[R8A, R8B, R9A, R9X, R10A]

[In the districts indicated the mandatory minimum height above *curb level* of a *street wall*, without a setback, shall be as set forth in Column A, or the height of the *building*, whichever is less; the maximum permitted height of a *street wall* without a setback at the *street line* shall be as set forth in Column B; and above such specified maximum height the *building* or *other structure* shall not penetrate the *sky exposure plane* as set forth in Column B in the table below:]

Column A		Column B			
Sky Exposure Plane**					
Mandatory minimum height of street wall (in feet)		Maximum permitted height of street wall without setback at the street line (in feet)	Slope over zoning lot (expressed as a ratio of vertical to horizontal distance)		
Wide street*	Narrow street*		Vertical	Horizontal	
60	23	85	1.5	to 1	R8A
55	23***	60	1.0	to 1	R8B**
60	23***	100	1.5	to 1	R9A
110	23***	110	2.0	to 1	R9X
125	23***	150	2.5	to 1	R10A

*The mandatory minimum height of a street wall on wide streets shall apply to all developments or enlargements on zoning lots on narrow streets within 50 feet of the intersection with a wide street.

**The sky exposure plane shall begin at the maximum permitted height of the street wall at the street line except that in an R8B district a setback of 20 feet from the street wall is required at a height of 60 feet.

***No setback shall be permitted below a height of 55 feet except as provided in paragraph 1(d) above.]

R6A,R6B,R7A,R7B,R7X,R8A,R8B,R8X,R9A,R9X,R10A

(a) In the districts indicated, for any development or enlargement, and for buildings in which the residential portion is developed or enlarged where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, no street wall shall penetrate the front sky exposure plane set forth in the table below.

R8A,R8B,R9A,R9X,R10A

(b) In the districts indicated, the minimum height above curb level of a mandatory street wall without setback, shall be as specified in the table below, unless the height of the building is less than such minimum. If such street wall along a narrow street rises above such minimum height no setbacks shall be permitted below a height of 55 feet except as provided in 1(f) above. The minimum height of a mandatory street wall on wide streets shall apply to all developments or enlargements on zoning lots on narrow streets within 50 feet of the intersection with a wide street.

R7X,R8X

(c) In the districts indicated for any development or enlargement, and for buildings in which the residential portion is developed or enlarged where permitted, pursuant to the Quality Housing Program on wide streets in R8 Districts

outside the *Manhattan Core* one of three sets of *sky exposure planes* as set forth in the table below may apply. Alternatives 2 and 3 require a minimum setback of 10 feet from the *street wall* from a height of between 65 and 70 feet above *curb level* to the height above the *street line* of the *front sky exposure plane*. The Alternate 3 *sky exposure planes* may apply only if the width of the *street wall* of the *building* above the mandatory front setback level on the *wide street* is less than 50% of the width of the *wide street* frontage of the *zoning lot*. The Alternate 2 *sky exposure planes* may apply if such percentage is between 51% and 90%.

3. Modifications of Street Wall Requirements

R6A,R7A,R8A,R9A,R10A,R6B,R7B,R8B,R7X,R8X,R9X

- (a) In the districts indicated, on a *zoning lot* where there is an existing *building* to remain, and when there is to be a new *development* or *enlargement*, that includes new *street walls*, the requirements governing height and location of *street walls* shall not apply within a volume defined by the rear wall of the existing *building* [(W²)], the *front lot line* [(W¹)], the prolongations of the side walls [(L)], and [a height of 150 feet above *curb level*. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined, the requirements governing *street wall* height and location shall apply.]

the roof of the existing *building*. If, after (the effective date of this amendment), any exterior demolition or destruction occurs within this volume or to the boundaries of this volume, or if any *development* or *enlargement* occurs above this volume the requirements governing *street wall* height and location shall apply.

[

150' Above
Curb Level

Above 150'
Curb Level

L Sidewall and prolongation of existing building

W¹ Front lot line

W² Rear wall of existing building]

* * *

R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A R9X, R10A

(b) In the districts indicated, the City Planning Commission may, upon application, authorize modifications in the required *street wall* location of a *development* or *enlargement* if the Commission finds that existing *buildings* or existing open areas serving existing *buildings* to remain on the *zoning lot* would be adversely affected by the location of the *street walls* of the *development* or *enlargement* in the manner prescribed in the paragraphs above.

* * *

R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A R9X, R10A

4. Front and Rear Sky Exposure Planes

In the districts indicated, and for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted in other R6, R7, R8, R9 or R10 Districts, no *building* or *other structure* shall penetrate [a *rear sky exposure plane*

beginning at a distance of 100 feet from the *street line*, at a height of 30 feet above *curb level* with a slope of 1 foot vertical to 1 foot horizontal.]

the *front or rear sky exposure planes* set forth in the table below.

Both the *front and rear sky exposure planes* shall rise in opposite directions over the *zoning lot* at a ratio of vertical distance to horizontal distance as set forth in the table below and shall terminate at a line where they intersect. When a *street line* intersects any other *street line*, the *front sky exposure planes* of both *street* frontages shall terminate at a line where the *front sky exposure planes* intersect and the *rear sky exposure planes* shall terminate at a line where the *rear sky exposure planes* intersect. In plan, the line of intersection of these planes shall bisect the interior angle formed at the line of intersection of these *street lines* as shown in the diagram below.

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
R6D (1)	20	20	-	-	35	1.0 to 1.0	0	1.0 to 1.0
R6 (Narrow Street) (1)(2)	-	15	-	-	40	1.0 to 1.0	10	1.0 to 1.0
R6 (Wide Street - Inside Core) (3)	8	15	-	-	55	1.0 to 1.0	10	1.0 to 1.0
R6A, R6 (Wide Street (3) - Outside Core) (4)	8	15	-	-	60	1.0 to 1.0	20	1.0 to 1.0
R7B (1)	8	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
R7 (Narrow Street) (1)(2)	-	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
R7 (Wide Street (3) - Inside Core) (4)	8	15	-	-	60	1.0 to 1.0	30	1.0 to 1.0
R7A, R7 (Wide Street (3) - Outside Core) (4)	8	15	-	-	65	1.0 to 1.0	35	1.0 to 1.0
R7X - Alt - 1	8	15	-	-	85	1.0 to 1.0	45	1.0 to 1.0
- Alt - 2	8	15	-	-	115	1.0 to 1.0	80	1.0 to 1.0
- Alt - 3	8	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0
R8B (7)	(5)	(5)	55	23	60	1.0 to 1.0	30	1.0 to 1.0
R8 (Narrow Street) (2)	-	15	-	-	80	1.0 to 1.0	70	1.0 to 1.0
R8 (Wide Street - (3) Inside Core) (4)	8	15	-	-	85	1.5 to 1.0	80	1.0 to 1.0
R8A	0	(6)	60	23	85	1.5 to 1.0	80	1.0 to 1.0

TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS (continued)

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
RBX - Alt - 1								
RB (Wide Street - (3) Outside Core) (4)	0	15	-	-	85	1.5 to 1.0	80	1.0 to 1.0
RBX - Alt - 2	0	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0
Alt - 3	0	15	-	-	170	1.0 to 1.0	145	1.0 to 1.0
R9 (Narrow Street)(2)	-	15	-	-	93	1.5 to 1.0	100	1.0 to 1.0
R9 (Wide Street) (3)	0	15	-	-	102	1.5 to 1.0	100	1.0 to 1.0
R9A Narrow (2)	-	(6)	-	23	102	1.5 to 1.0	100	1.0 to 1.0
R9A (wide) (3)	(8)	-	60	-	102	1.5 to 1.0	100	1.5 to 1.0
R9X (Narrow) (2)	-	(6)	-	23	120	2.0 to 1.0	120	1.0 to 1.0
R9X Wide (3)	(8)	-	105	-	120	2.0 to 1.0	120	1.5 to 1.0
R10 (Narrow Street) (2)	-	15	-	-	150	2.5 to 1.0	120	1.0 to 1.0
R10 (Wide Street) (3)	0	15	-	-	150	2.5 to 1.0	140	1.5 to 1.0
R10A Narrow (2)	-	(6)	-	23	150	2.5 to 1.0	140	1.0 to 1.0
R10A (Wide) (3)	(8)	-	125	-	150	2.5 to 1.0	140	1.5 to 1.0

(1) A front yard with a minimum depth of 5 feet is required.

(2) Refers to that portion of a district on a narrow street except within a distance of 100 feet from its intersection with a wide street.

(3) Refers to that portion of a district which is within 100 feet of a wide street.

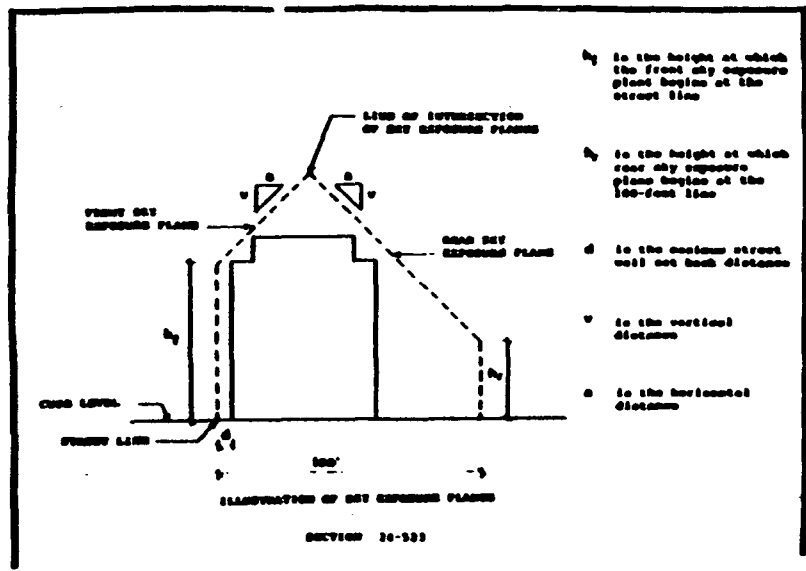
(4) Core refers to Manhattan Core.

(5) Varies, see Section 24-523 1(c).

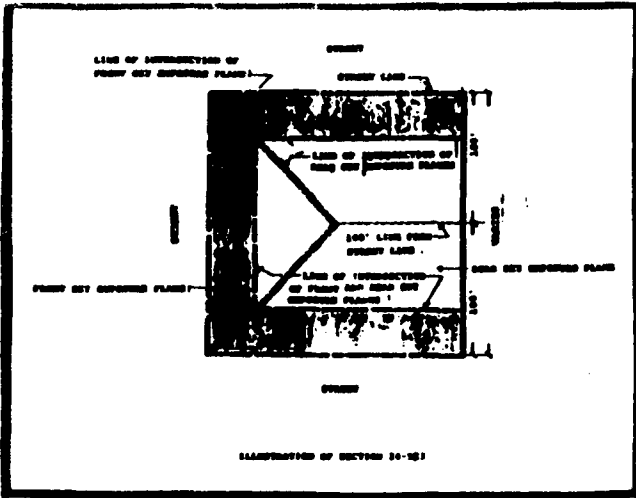
(6) Varies, see Section 24-523 1(b).

(7) A setback of 20 feet from the mandatory street wall is required at a height of 60 feet.

(8) Varies, see Section 24-523 1(b).



- b₁ is the height at which the front sky exposure plane begins at the street line
- b₂ is the height at which rear sky exposure plane begins at the 100-foot line
- d is the distance street wall set back distance
- v is the vertical distance
- a is the horizontal distance



24-524

Provisions for lots more than 100 feet in depth**R6A,R6B,R7A,R7B,R7X,R8A,R8B,R8X,R9A,R9X,R10A**

In the districts indicated, for any *development* or *enlargement*, and for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts no *building* subject to the provisions of Section 24-523 (Street wall and height and setback regulations in certain districts) shall be permitted beyond 100 feet from a *street line*, except for permitted obstructions in *rear yards*.

* * *

24-58

Special Provisions for Zoning Lots Divided by District Boundaries**R1,R2,R3,R4,R5,R6,R7,R8,R9,R10**

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts, or is subject to other regulations resulting in [with] different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 24-54 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

24-591

Additional regulations for narrow buildings or enlargements**R7-2,R8,R9,R10,R7X**

If the width of the *street wall* of a new *building* or the enlarged portion of an existing *building* is 45 feet or less, the provisions of Section 23-692 (Additional regulations for narrow buildings or enlargements) shall apply to such new or enlarged *building*.

* * *

Chapter 5 Accessory Off-Street Parking and Loading Regulations**Off Street Parking Regulations****25-00 GENERAL PURPOSES AND DEFINITIONS**

* * *

25-024

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without the suffix as set forth in that section.

* * *

25-025

Applicability of regulations to Quality Housing

On any zoning lot containing residential uses developed, enlarged or converted pursuant to the Quality Housing Program, all accessory off-street parking spaces shall comply with the provisions of Section 28-50 (PARKING FOR QUALITY HOUSING).

* * *

25-16

Maximum Spaces for Other than Single-Family Detached Residences

R3,R4,R5,R6,R7,R8,R9,R10

In the districts indicated, the provisions of this section shall apply to all dwelling units or rooming units in residential buildings other than Quality Housing buildings and single-family detached residences, except as provided in Section 25-17 (Modification of Maximum Spaces for Other than Single-Family Detached 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.**

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

* 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.

* * *

25-24

Modification of Requirements for Small Zoning Lots

R6,R7,R8,R9,R10

In the districts indicated, for small *zoning lots*, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions of this Section. **The provisions of this Section shall not apply to R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10A Districts or to residences developed or enlarged pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts.**

* * *

25-25

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

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, *accessory* off-street parking spaces shall be provided for at least that percentage of the total number of *dwelling units* in each category as set forth in the following table, for:

- (a) All *dwelling units* in publicly-assisted housing *developments* approved by the City Planning Commission and the Board of Estimate which limit maximum tenant income and receive cash and/or interest subsidies under Federal mortgage programs;

- (b) All *dwelling units* in low rent public housing *developments* owned by or constructed for the New York City Housing Authority or other public authority and receiving cash subsidies, or *dwelling units* in new housing *developments* approved by the City Planning Commission and the Board of Estimate that are reserved for low-income tenants for a period of not less than 40 years at rentals equivalent to rentals in low rent public housing *developments* receiving cash subsidies;
- (c) All *dwelling units* in publicly-assisted housing *developments* approved by the City Planning Commission and the Board of Estimate which limit maximum tenant income and receive rent subsidy contracts under Federal rent subsidy programs, other than such *developments* owned by or constructed for the New York City Housing Authority which have received "plan" and "project" approval prior to June 30, 1975; and *non-profit residences for the elderly* or *dwelling units* for the elderly;
- (d) *Non-profit residences for the elderly* or *dwelling units* in a publicly-assisted or public housing *development* that are reserved for elderly tenants for a period of not less than 40 years and that comply with the appropriate space requirements for related *accessory* social and welfare facilities set forth in the definition of a *non-profit residence for the elderly* in Section 12-10 (DEFINITIONS).
- (e) All government assisted *dwelling units* or *rooming units* in *developments* which receive New York City or New York State assistance to reduce total development cost by \$10,000 or 10 percent, whichever is less, and limit maximum tenant income to the income limits established by the United States Department of Housing and Urban Development for New York City mortgagors assisted under Section 235 of the National Housing Act, as amended.

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or <i>Dwelling Units</i> for Low Income Tenants	<i>Non-Profit Residences for the Elderly or dwelling units for the Elderly</i>	Government Assisted Housing	District
80	65	50	1	80	R1, R2
80	65	50	35	80	R3, R4
70	56	42.5	31.5	70	R5
55	45	35	22.5	55	R6**
39	32	25	16	35	R6A, R6B, R7B
45	38	30	20	45	R7- 1**
30	23	15	12.5	25	R7-2, R7A, R7X, R8B*
30	21	12	10	25	R8, R8A, R8X, R9, R10

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

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

<u>District</u>	<u>Applicable District Parking Requirement</u>
R6	R6A
R7-1	R7A

25-26

Waiver of Requirements for Small Number of Spaces

* * *

25-261

For new developments or enlargements

R6,R7,R8,R9,R10

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

Maximum Number of Spaces Waived

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

25-262

For conversions

R6,R7-1,R7A,R7B,R7X

In the districts indicated², the conversions in *buildings*, or portions thereof, which result in the creation of additional *dwelling units* or *rooming units*, the maximum number of *accessory* off-street parking spaces for which requirements are waived is 20 spaces, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

* * *

25-28

Special Provisions for Zoning Lots Divided by District Boundaries

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

25-30 REQUIRED ACCESSORY OFF-STREET
PARKING SPACES FOR PERMITTED
NON-RESIDENTIAL USES

25-31

General Provisions

* * *

REQUIRED OFF-STREET PARKING SPACES FOR
NON-RESIDENTIAL USES

Parking spaces
required in relation
to specified unit
of measurement

Type of use

FOR COMMUNITY FACILITY USES

Hospitals and related facilities ¹	1 per 5 beds	R1 R2 R3 R4 R5
	1 per 8 beds	R6 R7B R7-1
	1 per 10 beds	R7A R7X R7-2 R8 R9 R10
Medical offices or group medical centers	Square feet of floor area: None required	R7A R7X R7-2 R8 R9 R10
	1 per 400	R1 R2 R3
	1 per 500	R4 R5
	1 per 800	R6 R7B R7-1
Churches	None required	R7A R7X R7-2 R8 R9 R10
	1 per 10 fixed seats	R1 R2 R3
	1 per 15 fixed seats	R4 R5
	1 per 20 fixed seats	R6 R7B R7-1
Clubs, community centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf course club houses;	Rated Capacity: None required	R7A R7X R7-2 R8 R9 R10
	1 per 10 persons	R1 R2 R3 R4 R5
	1 per 20 persons	R6 R7B R7-1

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.

	Square feet of <i>floor area</i>		
Libraries, museums, or non-commercial art galleries ¹	None required		R7A R7X R7-2 R8 R9 R10
	1 per 1,000	R1 R2 R3 R4 R5	
	1 per 2,000		R6 R7-1 R7B
College dormitories, fraternity or houses	None required		R7A R7X R7-2 R8 R9 R10
	1 per 6 beds	R1 R2 R3 R4 R5	
	1 per 12 beds		R6 R7B R7-1
Colleges, universities, or seminaries (a) Classrooms, laboratories, student	Square feet of <i>floor area</i> :		
	None required		R7A R7X R7-2 R8 R9 R10
	1 per 2,000	R6 R7B R7-1	
(b) Theatres, auditoriums, gymnasiums, or stadiums	Rated capacity:		
	None required		R7A R7X R7-2 R8 R9 R10
	1 per 8 persons	R1 R21 R3 R4 R5	
	1 per 16 persons		R6 R7-1R7B
Agricultural uses, including greenhouses, nurseries, or truck gardens	Square feet of <i>lot area</i> used for selling purposes:		
	None required		R7A R7X R7-2 R8 R9 R10
	1 per 1,000	R1 R2 R3 R4 R5	
	1 per 2,500		R6 R7-1 R7B
Outdoor skating rinks	Square feet of <i>lot area</i> :		
	None required		R7A R7X R7-2 R8 R9 R10
	1 per 800	R1 R2 R3 R4 R5	
	1 per 2,000		R6 R7-1 R7B
	Number of Courts:		

Outdoor tennis courts	None required	R7A R7X R7-2 R8 R9 R10
	1 per 2 courts	R1 R2 R3 R4 R5
	1 per 5 courts	R6 R7-1 R7B
Philanthropic or non-profit institutions with sleeping accommodations; all types of nursing homes, health related facilities, domiciliary care facilities or sanitariums	None required	R7A R7X R7-2 R8 R9 R10
	1 per 10 beds	R1 R2 R3 R4 R5
	1 per 20 beds	R6 R7-1 R7B
	Square feet of <i>floor area</i> : None required	R3 R4 R5 R6 R7 R8 R9 R10
Schools	1 per 1,500	R1 R2
	* * *	
Post Offices	Square feet of <i>floor area</i> : None required	R7A R7X R7-2 R8 R9 R10
	1 per 800	R1 R2 R3
	1 per 1,200	R4 R5
	1 per 1,500	R6 R7-1 R7B

FOR USES PERMITTED BY SPECIAL PERMIT

Camps, overnight or day, with a minimum of either 10,000 square of *lot area* or 10 employees

1 per 2,000 square feet of <i>lot area</i> or 1 per 3 employees, whichever will require a lesser number of spaces	R1 R2 R3 R4 R5 R6 R7 R8 R9 R10
---	---------------------------------------

Fire or police stations

Square feet of <i>floor area</i> : None required	R7A R7X R7-2 R8 R9 R10
---	-------------------------------

	1 per 500	R1	R2	R3	R4	R5	
	1 per 800						R6 R7-1 R7B
Square feet of floor area:							
Riding academies or stables	None required						R7A R7X R7-2 R8 R9 R10
	1 per 500	R1	R2	R3	R4	R5	
	1 per 800						R6 R7-1 R7B

* * *

25-33

Waiver of Requirements for Spaces below Minimum Number

R1,R2,R3,R4,R5,R6,R7,R8,R9,R10

In all districts, as indicated, except for the *uses* listed in Section 25-331 (Exceptions to application of waiver provisions), the parking requirements set forth in Section 25-31 (General Provisions) or Section 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to permitted non-residential *uses*, if the total number of accessory off-street parking spaces required for all such *uses* on the zoning lot is less than the number of spaces set forth in the following table:

Number of Spaces							
10	R1	R2	R3	R4	R5		
25	R6	R7-1	R7B				
40	R7A	R7X	R7-2	R8	R9	R10	

* * *

25-52

Off-Site Spaces for Residences

* * *

25-521

Maximum distance from zoning lot

R3,R4,R5,R6,R7,R8,R9,R10

In districts indicated, all such spaces shall not be further than the distance set forth in the following table from the nearest boundary of the zoning lot occupied by residences to which they are accessory.

- (a) is compatible with existing neighborhood scale and character;
- (b) provides adequately sized, naturally lit and ventilated housing;
- (c) provides on-site recreation space to meet the needs of its occupants; and
- (d) is designed to promote the security and safety of the residents.

28-01

Applicability of this Chapter

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

In other R6, R7, R8, R9 or R10 Districts and in the equivalent *Commercial Districts* listed in Sections 34-111 and 34-112, *residential developments*, or *residential enlargements* where permitted, electing to use the optional Quality Housing *bulk* regulations in Article II, Chapter 3 shall comply with all of the Quality Housing Program standards and requirements set forth in this Chapter. The Quality Housing Program is not applicable to *enlargements* of *buildings* (unless such *buildings* were *developed* pursuant to the Quality Housing Program), *extensions*, or *conversions* in these other districts.

The provisions of Article VII, Chapter 8 (Large Scale Residential Developments) are not applicable to *residential developments* pursuant to the Quality Housing Program.

28-02

Definitions

Net square feet of a dwelling unit or rooming unit

The "net square feet of a dwelling unit or rooming unit" is all the *floor area* within the perimeter walls of such unit.

Total Net Residential Floor Area

The "total net residential floor area" is the sum of the *net square feet of a dwelling unit or rooming unit* of all such units in a *development, enlargement, extension* or conversion.

Vertical Circulation Core

A "vertical circulation core" is an elevator core (consisting of one or more elevators) or a central stairwell in a non-elevator *building*.

28-03

Quality Housing Program Elements

The Quality Housing program consists of four components: neighborhood impact; *building* interior; recreation space and planting; and safety and security.

The neighborhood impact component controls the effect of the Quality Housing *building* on the neighborhood and includes *bulk* regulations, street planting and requirements for ground floor glazing in *Commercial Districts*, all of which are mandatory.

The *building* interior component sets minimum and preferred levels for the average size of *residential* unit; establishes minimum amounts of glazed area for each *residential* unit; requires privacy for ground floor *residential* units; mandates laundry facilities and special refuse storage and disposal systems; and encourages daylight in corridors.

The recreation and planting component establishes minimum and preferred space standards for indoor and outdoor recreation space, requires planting of open areas on the site, and encourages balconies.

The safety and security component sets minimum and preferred standards for the number of *residential* units per corridor; requires elevators, or the main stairways in walk-up *buildings*, that are visible from both the *street* and the door of each *residential* unit; mandates security devices for entrances to the *building* from the *accessory* parking; and requires secure open area visible from common spaces within the *building*.

Each Quality Housing *building* shall comply with all of the mandatory requirements of this Chapter and meet the preferred level in one of the two standards for *residential* unit size and recreation space.

28-10 NEIGHBORHOOD IMPACT

28-11

Bulk Regulations

The *bulk* regulations for Quality Housing *developments* or *enlargements* are set forth in the provisions applicable to the Quality Housing Program in Article II, Chapter 3; Article II, Chapter 4; Article III, Chapter 4 and Article III, Chapter 5.

28-12

Street Tree Planting

All Quality Housing *developments*, *enlargements*, *extensions* or conversions 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 time of planting and be placed at approximately equal intervals except where the Commissioner of Highways determines that such tree planting would be infeasible. All street trees shall be planted, maintained and replaced when necessary with the approval of, and in accordance with, the standards of the Department of Parks and Recreation and the Department of Highways.

28-13

Ground Floor Glazing

In all *Commercial Districts*, the *street wall* of any non-residential portion of a *Quality Housing development or enlargement* located within 15 feet of the *street line* shall consist of clear non-tinted glass on at least 35 percent of the facade of such *street wall* to a height of twelve feet above *curb level* so that the *building interior* is visible from the *street*. The lowest point of such glass shall not be higher than four feet above *curb level*.

28-20 BUILDING INTERIOR

28-21

Size of Dwelling Units

The minimum *net square feet of a dwelling unit* shall be at least 415 square feet. The average *net square feet of a dwelling unit* is determined by dividing the *total net residential floor area* within the *development, enlargement, extension or conversion* by the total number of *dwelling units* in such *development, enlargement, extension or conversion*. The result shall be no less than the minimum average *net square feet of a dwelling unit* as set forth in the following table. *Developments, enlargements, extensions and conversions*, electing to use the minimum standards of Section 28-32 (Required Indoor and Outdoor Recreation Space) shall meet or exceed the preferred average *net square feet of a dwelling unit* as set forth in the table below.

SIZE OF DWELLING UNITS

	Minimum Average Net Square Feet of a Dwelling Unit		Preferred Average Net Square Feet of a Dwelling Unit	
	<i>Non-Profit</i>		<i>Non-Profit</i>	
	<i>Residence</i>	<i>Other</i>	<i>Residence</i>	<i>Other</i>
	<i>for</i>	<i>Residential</i>	<i>for</i>	<i>Residential</i>
District	<i>Elderly</i>	<i>Building</i>	<i>Elderly</i>	<i>Building</i>

R6, R6A, R6B

R7, R7A,

R7B, R7X

R8B	500	600	550	750
-----	-----	-----	-----	-----

R8, R8A, R8X

R9, R9A	500	650	550	800
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R9X, R10A	500	700	550	800
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28-22

Windows

All windows in the *residential* portion of a *building* shall be double glazed.

The minimum area in square feet of *legally required windows* in each *dwelling unit* or *rooming unit* shall not be less than as set forth in the table below.

SIZE OF WINDOWS

<i>Building Height</i>	Minimum Area of Windows as a Percentage of <i>Net Square Feet of a Dwelling Unit or Rooming Unit</i>
Under 13 <i>stories</i>	9.5%
13 or more <i>stories</i>	11.5%

28-23

Visual Privacy

In *developments*, or *enlargements* of nine units or more, except *buildings developed* or *enlarged* pursuant to Section 23-633, 1(a), all *dwelling units* or *rooming units* within ten feet of a sidewalk shall either:

- (a) have a floor elevation at least three feet above the level of the adjoining sidewalk or
- (b) be separated from the adjacent sidewalk by a two foot wide strip densely planted with shrubs or trees which provide a year round dense screen at least four feet high at the time of planting.

28-24

Refuse Storage and Disposal

Developments, enlargements, extensions and conversions with nine or more *dwelling units* or *rooming units* per *vertical circulation core* shall comply with the provisions of this Section.

All refuse, except materials to be recycled, shall be mechanically compacted in accordance with applicable law. The storage and removal of refuse shall occur entirely within an enclosed area on the *zoning lot* and appropriate locations within the *zoning lot* shall be delineated for this purpose: at least one for *residential uses* and at least one for *community facility* and *commercial uses*. *Residential* storage and removal locations shall be provided at the rate of 2.9 cubic feet per *dwelling unit* or 1.15 cubic feet per *rooming unit*. *Developments* or *enlargements* with 175 or more *dwelling units* or *rooming units* shall store compacted refuse in an on-site container acceptable to the Department of Sanitation.

A refuse disposal room of not less than twelve square feet with no dimension less than three feet shall be provided on each *story* that has entrances to *dwelling units* or *rooming units*. At least two square feet of the door to the disposal room shall be transparent. The refuse disposal room shall contain a chute to the refuse compactor, two containers of at least three cubic feet each and shelf space for the storage of recyclable materials which shall measure at least three feet wide by 14 inches deep by 15 inches high. Twelve square feet of such refuse storage room shall be excluded from the definition of *floor area*.

28-25

Laundry Facilities

All *developments*, *enlargements*, *extensions* and conversions with nine or more *dwelling units* or *rooming units*, shall provide laundry facilities as set forth below.

- (a) Every *dwelling unit* shall be provided with a washing machine and a dryer; or
- (b) At least one laundry room shall be provided for the *dwelling units* or *rooming units* which are not provided with a washing machine and dryer, according to the following standards:
 - (i) Each laundry room shall have at least one washing machine and one dryer. One washing machine shall be required for every 20 *dwelling units* or *rooming units* and one dryer for every 40 *dwelling units* or *rooming units*. For the purposes of calculating the number of required machines, any fraction of a required machine 50 percent or greater shall be counted as an additional machine.
 - (ii) For every square foot of floor space occupied by the required machines there shall be a minimum of three additional square feet of unobstructed floor space in the laundry room which shall be equipped with chairs and tables for folding laundry.
 - (iii) At least 35 percent of each door to the laundry room shall be transparent.

- (iv) The laundry room shall be directly accessible only from a corridor within the *residential* portion of a *building*, and shall be accessible to the handicapped. The laundry room shall adjoin a recreation space or planted area unless such laundry room serves only one *story*.
- (v) A laundry room which serves more than one *story* shall have at least one exterior wall and the minimum aggregate area in square feet of transparent glazed openings in the exterior walls of the laundry room shall not be less than 9.5 percent of the total floor space of the laundry room. All windows shall meet the applicable requirements for windows in Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

That portion of each laundry room which is used to meet the above minimum requirements shall be excluded from the definition of *floor area*.

28-26

Daylight in Corridors

For every square foot of clear non-tinted window provided in a corridor, seven square feet of that corridor space may be excluded from the definition of *floor area* to a maximum of 50 percent of the square feet of the corridor provided that:

- (a) Such windows shall be measured in the plane of the rough window opening and be at least four feet by five feet;
- (b) Such windows shall be directly visible from 50 percent of the corridor or from the *vertical circulation core*. This standard shall be achieved when a visually unobstructed straight line can be drawn between such corridor, elevator or stairwell and the window; and
- (c) Such windows are located at least 30 feet from a wall or a *side or rear lot line* measured in a horizontal plane, and perpendicular to, the rough window opening.

28-30 RECREATION SPACE AND PLANTING AREAS

28-31

Types of Recreation Space

Child use space is indoor or outdoor recreation space allocated for children under the age of 12.

Joint use space is indoor or outdoor recreation space allocated for both children and adults.

28-32

Required Indoor and Outdoor Recreation Space

All *developments, enlargements, extensions* or conversions with nine or more *dwelling units* or *rooming units* shall provide at least the minimum amount of indoor and outdoor recreation space as set forth in the table below. The amount of recreation space required is expressed as a percentage of the *total net residential floor area* of the *development, enlargement, extension* or conversion. *Developments, enlargements, extensions* or conversions with 40 or fewer *dwelling units* or *rooming units* may aggregate the minimum or preferred recreation space in one type, indoors or outdoors. *Developments, enlargements, extensions* or conversions electing to use the minimum standard of Section 28-21 (Size of Dwelling Units) shall meet or exceed the preferred standard for recreation space as set forth in the table below. *Developments, enlargements, extensions* or conversions that create *rooming units* shall meet the preferred standard for joint use space set forth in the table below for that portion of the *total net residential floor area* used by such units in lieu of providing child use space. In R9 or R10 Districts and in the equivalent *Commercial Districts* rooftop greenhouses and solariums may count towards the required outdoor recreation space on a square foot per square foot basis, and shall be excluded from the definition of *floor area*. The floor space of indoor recreation space provided in accordance with the standards set forth in Sections 28-31 to 28-34 and not exceeding the preferred standard in the table below shall be excluded from the definition of *floor area*.

REQUIRED RECREATION SPACE

(as a percent of the total net residential floor area)

District	Minimum Standard		Preferred Standard	
	Child Use	Joint Use	Child Use	Joint Use
	Indoor Outdoor		Indoor Outdoor	
R6, R6A, R6B, R7, R7A, R7B, R7X	1%	1% 1.5%	2%	1% 3%*
R8, R8A, R8B, R8X, R9, R9A, R9X, R10A	.5%	1% 1.5%	1%	2% 2.5%*

* Unenclosed balconies and terraces with a minimum area of 72 square feet and a minimum depth of six feet may substitute for up to 50 percent of the difference between the minimum and the preferred amounts on a square foot per square foot basis.

The requirement for outdoor recreation space may be modified for conversions provided that the Commissioner of Buildings finds that the open area is of

insufficient size to satisfy the outdoor recreation space requirements and that the roof is unsuited for recreation use or cannot be made suitable at reasonable cost.

28-33

Location of Recreation Space

28-331

Indoor recreation space

Indoor recreation space shall be located at or above *curb level* or adjoining grade elevation.

28-332

Outdoor recreation space

Outdoor recreation space shall be open to the sky except that *building* projections, not to exceed seven feet in depth, may cover up to ten percent of the outdoor recreation space provided that the lowest level of the projection is at least ten feet above the level of the outdoor recreation space.

28-333

Special regulations for R9 or R10 Districts

In R9 or R10 Districts and the equivalent *Commercial Districts* outdoor recreation space shall be located according to the size of each space provided.

If size of a space is:	the location shall be:
1,500 square feet or more with no dimension less than 30 feet	at any <i>story</i> above <i>curb level</i> or adjoining grade level
1,000 square feet to 1,499 square feet with no dimension less than 25 feet	on a roof at least 14 feet above <i>curb level</i>
less than 999 square feet with no dimension less than 20 feet	on a roof at least 85 feet above <i>curb level</i> or the height of the <i>building</i> whichever is less

28-334

In a mixed use development or enlargement

In a mixed use *development, enlargement, extension* or conversion the recreation space shall be accessible only from the *residential* portion of the *building*.

28-34

Standards for Recreation Space

28-341

Standards for all recreation space

- (a) All recreation spaces shall be accessible to the residents of the *building* for at least 12 hours per day. Such spaces shall be accessible to the handicapped. Ramps, elevators, corridors and doors shall be designed to accommodate wheelchairs.
- (b) In *developments, enlargements, extensions or conversions with 50 or more dwelling units or rooming units* a restroom with a toilet and sink shall be provided adjacent to one indoor recreation space.
- (c) At least 35 percent of each door to a recreation space shall be transparent.
- (d) The minimum dimension of any recreation space shall be 15 feet.
- (e) A plaque, not less than one square foot in size, shall be mounted on a wall at a height of five feet above floor level at the entrance to each recreation space. Such plaque shall include the following statement: "This recreation space is provided for the use of the residents of this building as required by the New York City Zoning Resolution."

28-342

Standards for outdoor recreation space

- (a) The minimum size of any outdoor recreation space shall be 225 square feet.
- (b) For every ten *dwelling units or rooming units* in the *development, enlargement, extension or conversion* one fixed seat with a back shall be provided in outdoor recreation spaces.
- (c) All outdoor recreation spaces shall be enclosed with a fence or wall at least six feet high along the *lot lines* and shall be separated from all *dwelling units, rooming units*, and outdoor areas serving individual units by a four foot high opaque fence, wall or year round dense screen of strip densely planted shrubs located at least six feet from a window or door of a *dwelling unit or rooming unit*.
- (d) At a height of 120 feet or more above *curb level* all outdoor recreation space shall be protected from the wind with a screen mounted on the parapet wall. The minimum height of such screen shall be six feet above the roof level provided that only a transparent screen may penetrate a *sky exposure plane*.

28-343

Standards for outdoor child use space

- (a) Outdoor child use space shall be provided with swings, see-saws, sand boxes, sprinklers, wading pools, game tables or other play equipment acceptable to the Commissioner of Buildings as appropriate for child use space.
- (b) The space around the equipment shall be surfaced with a resilient material.

28-344

Standards for outdoor joint use space

Outdoor joint use space shall be provided with *accessory* basketball, handball, volley ball, tennis or badminton courts, shuffleboard, bocci, horseshoe pitching, game tables, exercise courses or other equipment acceptable to the Commissioner of Buildings as appropriate for joint use space.

28-345

Standards for indoor recreation space

- (a) The minimum size of any indoor recreation space shall be 300 square feet and shall be excluded from the definition of *floor area*.
- (b) In *developments, enlargements, extensions* and conversions with 100 or more *dwelling units* or *rooming units*, indoor recreation space shall include a kitchenette.
- (c) Transparent windows shall be provided in the outside walls of the indoor recreation space. The minimum aggregate area in square feet of such windows shall not be less than 9.5 percent of the floor space of the indoor recreation space. All windows shall meet the applicable requirements for windows in Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES) and 50 percent of such windows shall be operable.
- (d) Window sills in child use space shall be no higher than two feet six inches above the floor level and window guards shall be installed in all windows.

28-35

Planting Areas

Areas of the *zoning lot* not included in *Quality Housing lot coverage* shall be planted in accordance with the provisions of this Section.

28-351

Location of required planting

- (a) The area of the *zoning lot* between the *street line* and the *street wall* of the *building* shall be planted, except at the entrances to and exits from the *building*, or adjacent to *commercial uses* fronting on the *street*.
- (b) Sixty percent of the remaining areas of the *zoning lot* which are not *Quality Housing lot coverage* and are not more than 23 feet above *curb level* shall be planted except for areas improved as open *accessory* off-street parking for assisted housing as described in Section 25-25. Up to 30 percent of the required planting area may be developed as outdoor recreation space.
- (c) In R9 or R10 Districts and the equivalent *Commercial Districts* the planting and tree requirements may be satisfied within rooftop greenhouses or solariums.

28-352

Standards for planting

Plantings may include grass, ground cover, shrubs, flower beds and trees.

- (a) Planting areas shall contain at least the following amounts of topsoil for:

lawns	6 inches
ground cover	9 inches
deciduous shrubs	12 inches
evergreen shrubs	18 inches

- (b) Trees shall be placed in a planting area of at least 64 cubic feet with at least 12 inches of topsoil and shall be a minimum of three inch caliper or eight feet high at time of planting.
- (c) In all districts all *developments* or *enlargements* shall plant at least the number of trees in open areas as set forth in the table below.

REQUIRED TREE PLANTING

Lot Coverage	Required Trees Per <i>Lot Area</i>
70% or less	one tree per 2,000 square feet
71% or more	one tree per 3,500 square feet

28-40 SAFETY AND SECURITY

28-41

Density per Vertical Circulation Core

In any *development, enlargement* or conversion no *vertical circulation core* shall serve more than 15 *dwelling units* and *rooming units* per *story*.^{*} In any *development, enlargement* or conversion if the number of *dwelling units* or *rooming units* served by each *vertical circulation core* per *story* does not exceed the preferred standard as set forth in the table below, then 50 percent of the square feet of the corridor serving such *dwelling units* or *rooming units* on such *story* may be excluded from the definition of *floor area*.

DENSITY OF DWELLING UNITS PER VERTICAL CIRCULATION CORE

District	Average Number of <i>Dwelling Units</i> and <i>Rooming Units</i> Served by a <i>Vertical Circulation Core Per Story</i>	
	Minimum Standard*	Preferred Standard
R6,R6A,R6B,R7,R7A,R7B,R7X	15	11
R8,R8A,R8B,R8X	15	10
R9,R9A,R9X,R10,R10A	15	8

* For *non-profit residences for the elderly* or publicly assisted housing for the elderly the minimum standard shall be 17 *dwelling units* and *rooming units* per *vertical circulation core*.

28-42

Entrance to Buildings

In any *development, or enlargement* with a new main entrance, such entrance to, and the main lobby of, the *residential* portion of a *building* shall be directly visible from the *street*. The entrance and floor of such lobby shall be within three feet of *curb level* and shall be accessible to wheelchairs.

In a *building* used partly for *residential use* and partly for *community facility* or *commercial uses*, the entrances to the *residential* portion of the *building* shall be separate from and unconnected to the entrances or exits of other *uses*. All exits from a garage or parking lot including stairs, passageways or elevators, which lead to the *residential* portion of a *building* shall be controlled by a locked security system which can be activated only by the *residential* occupants of the *building* by means of a key, key pad or similar security device.

28-43

Visibility of the Vertical Circulation Core from the Street

In any *development*, or *enlargement* with a new *vertical circulation core*, the entry door to the *vertical circulation core* shall be clearly visible through the main entrance door of the *building*. This standard shall be achieved when a visually unobstructed straight line can be drawn between such entrance and any point on a line perpendicular to, and within three feet of the center of the doors to such *vertical circulation core*. In such *development* or *enlargement* with more than one *vertical circulation core* served by a common lobby, such visually unobstructed line may be deflected by an appropriately placed single, floor to ceiling, shatterproof mirror at least 12 inches wide.

28-44

Visibility of the Vertical Circulation Core Doors from Dwelling Unit or Rooming Unit Doors

In all *developments*, *enlargements* or conversions the doors to the *vertical circulation core* at each *story* shall be clearly and directly visible from the entry door to each *dwelling unit* or *rooming unit*. This standard shall be achieved when a visually unobstructed straight line can be drawn between the doors to the *vertical circulation core* and the entry door to each *dwelling unit* or *rooming unit*. Such visually unobstructed line shall be straight except as deflected by a single, floor to ceiling, shatterproof mirror at least 12 inches wide appropriately placed in the corridor.

28-50 PARKING FOR QUALITY HOUSING

Except as modified by the provisions of this Section, *accessory* off-street parking for Quality Housing *developments*, *enlargements* or conversions shall be provided as set forth in Article II, Chapter 5 and Article III, Chapter 6.

28-51

Enclosure of Accessory Off-Street Parking Spaces

Accessory off-street parking spaces for any *dwelling unit* or *rooming unit* developed, enlarged or converted pursuant to the Quality Housing Program shall be within a *completely enclosed building* except as otherwise provided in this section.

28-511

For public, publicly assisted and government assisted housing or non-profit residences for the elderly

For Quality Housing *developments*, *enlargements* or conversions containing public, publicly assisted and government assisted housing units or *non-profit*

residences for the elderly as defined in Section 25-25 (Modification of Requirements for Public, Publicly Assisted and Government Assisted Housing or Non-Profit Residences for the Elderly) *accessory* off-street parking spaces may be unenclosed provided that such parking spaces are screened from *residential* units, adjacent *zoning lots* and *streets* in accordance with paragraph (a) Section 25-66 (Screening)..

28-512

For other residences

For other Quality Housing *developments, enlargements, or conversions, accessory* off-street parking spaces may be unenclosed provided that the requirements of Sections 28-31 to 28-34 (Recreation Space and Planting Areas) and 28-23 (Visual Privacy) are met. Such parking spaces shall be screened from *residential* units, adjacent *zoning lots* and *streets* in accordance with paragraph (a) Section 25-66 (Screening).

28-513

For off-site accessory off-street parking

Off-site *accessory* off-street parking spaces for Quality Housing *developments, enlargements* or conversions may be unenclosed provided that the *zoning lot* on which such spaces are located does not contain a *residential use*.

28-52

Location of Accessory Parking

On-site *accessory* off-street parking for Quality Housing *developments, enlargements* or conversions shall not be permitted within a required *front yard* or a *street wall* setback distance.

28-53

Non-Conforming Uses

A *non-conforming use* may be changed to a *residential use* pursuant to the Quality Housing Program and the applicable district *accessory* off-street parking requirements shall not apply to such change of *use* but shall apply to any *enlargement*.

CHAPTER 3 Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

33-00 APPLICABILITY, DEFINITIONS, AND GENERAL PROVISIONS

33-01

Applicability of this Chapter

* * *

[All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
C1 and C2 in R8A and R8B	C1 and C2 in R8	35-411
C1 and C2 in R9A and R9X	C1 and C2 in R9	35-411,35-42, 35-631
C1 and C2 in R10A	C1 and C2 in R10	35-42,35-631
C1-8A,C1-8X C2-7A, C2-7X	C1-8 C2-7	35-23,35-412 35-42,35-631
C1-9A C2-8A C4-6A	C1-9 C2-8 C4-6	35-23, 35-42, 35-631
C4-7A	C4-7	35-23, 35-42,33-632'
C6-1A	C6-1	34-23, 34-412
C6-2A	C6-2	35-23, 35-42, 35-632]

* * *

Special regulations applying only in Special Purpose Districts set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Sections 33-122, 33-123 and 33-126.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 33-120.5, 33-123, 33-131 and 33-151.

* * *

33-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

* * *

33-120.5

Maximum limit on floor area ratio

C1 C2 C3 C4 C5 C6 C7 C8

* * *

[(e) In C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A and C6-2A Districts the provisions of Sections 33-13 (Floor Area Bonus for a Plaza or Plaza Connected Open Area), 33-14 (Floor Area Bonus for Urban Open Space), and 33-15 (Floor Area Bonus for Arcades) shall not apply.]

(f) In the districts indicated, where mapped within R9A, R9X or R10A Districts, the provisions of Sections 33-132, 33-142 and 33-152 shall not apply.]

[C1-1, C2-1, C1-2, C2-2, C1-3, C2-3, C1-4, C2-4, C1-5, C2-5]

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

(e) In the districts indicated and in C1 and C2 Districts mapped within R9A, R9X or R10A Districts, the provisions of Section 33-13 (Floor Area Bonus for a Plaza or Plaza Connected Open Area), 33-14 (Floor Area Bonus for Urban Open Space), and 33-15 (Floor Area Bonus for Arcades) shall not apply, and

[In the districts indicated,] no existing *plaza* or other public amenity, open or enclosed, for which *floor area* bonus has been received, pursuant to regulations antedating (the effective date of this amendment) [April 18, 1985] shall be eliminated or reduced in size, without a corresponding reduction in the *floor area* of the *building* or the substitution of equivalent complying area for such amenity elsewhere on the *zoning lot*.

33-121

In districts with bulk governed by Residence District bulk regulations

C1-1, C2-1, C1-2, C2-2, C1-3, C2-3, C1-4, C2-4, C1-5, 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 <i>commercial buildings</i>	For <i>community facility buildings</i>	For <i>buildings used for both commercial and community facility uses</i>
R-1	1.00	0.50	1.00
R-2	1.00	0.50	1.00
R3	1.00	1.00	1.00
R4	1.00	2.00	2.00
R5, R6B	1.00	2.00	2.00
R6A, R7B	2.00	3.00	3.00
R7A, R8B	2.00	4.00	4.00
R6	2.00	4.80	4.80
R7-1	2.00	4.80	4.80
R7X	2.00	5.00	5.00
R7-2	2.00	6.50	6.50
R8	2.00	6.50	6.50
R8A	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
R10A	2.00	10.00	10.00

* * *

33-122

Commercial buildings in all other Commercial Districts

C1-6, C1-7, C2-6, C1-8, C2-7, C1-9, C2-8, C3, C4, C5, C6, C7, C8

In the districts indicated, the maximum *floor area ratio* for a *commercial building* shall not exceed the *floor area ratio* set forth in the following table:

MAXIMUM FLOOR AREA RATIO

0.50		C3		
1.00			C4-1	C8-1
2.00	C1-6			
	C1-7	C2-6		
	C1-8	C2-7		C8-2
	[C1-8A]	[C2-7A]	C7	C8-3
	[C1-8X]	[C2-7X]		
	C1-9	C2-8		
	[C1-9A]	[C2-8A]		
3.00		C4-2A		
		C4-3A		
3.40		C4-2		
		C4-3		
		C4-4		
		C4-5		
		C4-6		
		[C4-6A]		
4.00		C4-4A	C5-1	
		C4-5A		
		C4-5X		
5.00			C8-4	
6.00				C6-1
				C6-1A
				C6-2
				[C6-2A]
				C6-3
		C4-7		C6-4
		[C4-7A]		
				C5-2
				C5-4
				C6-5
10.00				C6-8
12.00		C5-2A		
15.00		C5-3	C6-6	
		C5-5	C6-7	
			C6-9	

33-123

Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

C1-6, C1-7, C2-6, C1-8, C2-7, C1-9, C2-8, C3, C4, C5, C6, C8

In the districts indicated, the maximum *floor area ratio* for a *community facility building* or for a *building* used for both *commercial* and *community facility uses* shall not exceed the *floor area ratio* set forth in the following table:

MAXIMUM FLOOR AREA RATIO

1.00	C3				
2.00	C4-1				
2.40	C8-1				
3.00	C4-2A C4-3A				
4.00	C1-6A	C2-6A	C4-4A C4-5A		
5.00	C4-5X				
4.80	C4-2 C4-3				
6.00	C6-1A				
6.50	C1-6		C4-4	C6-1	C8-3
	C1-7	C2-6	C4-5	C6-2	C8-4
				[C6-2A]	
7.50	C1-8A	C2-7A	C6-3A		
9.00	C1-8X	C2-7X			
	C1-8	C2-7	C4-6	C5-1	C6-3
10.00	C1-9	C2-8	[C4-6A]	C5-2	C6-4
			C4-7		
	[C1-9A]	[C2-8A]	[C4-7A]	C5-4	C6-5 C6-8
12.00	C5-2A				
15.00	C6-6				
	C5-3				
	C6-7				
	C5-5				
	C6-9				

* * *

33-17

Special Provisions for Zoning Lots Divided
by District Boundaries

C1,C2,C3,C4,C5,C6,C7,C8

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is subject to other regulations resulting in [with] different maximum *floor area ratios on portions of the zoning lot*, the provisions set forth in Article VII, Chapter 7 shall apply.

* * *

33-25

Minimum Required Side Yards

C1,C2,C3,C4,C5,C6,C7,C8

In all districts, as indicated, no *side yards* are required. However, if an open area extending along a *side lot line* is provided at any level, it shall be either:

* * *

33-283

Required rear yard equivalents

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

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

- (a) An open area with a minimum depth of 40 feet linking adjoining *rear yards*, or if no such *rear yards* exist, then midway (or within five feet of being midway) between the two *street lines* upon which such *through lot* fronts[, or].

In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10 Districts, a *rear yard equivalent* shall be provided only as set forth in this paragraph; or

* * *

[(d) In C1 and C2 districts mapped within R8A, R9A or R10A Districts and in C1-8A, C1-8X, C1-9A, C2-7A, C2-7X and C2-8A Districts the provisions of paragraphs (b) and (c) above shall not apply.]

* * *

33-294

Other special provisions along certain district boundaries

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

In the districts indicated and in C1 and C2 Districts mapped within R6A, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10A Districts, the development or enlargement of a building or portions thereof within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Sections 23-45 (Minimum Required Front Yards) and 23-633 (Street wall and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.

* * *

33-42

Permitted Obstructions

In all Commercial Districts, the following shall not be considered obstructions and may thus penetrate a maximum height limit or [a] front or rear sky exposure planes set forth in Section 33-43 (Maximum Height of Front Wall and Required Setbacks), Section 33-44 (Alternate Front Setbacks), or Section 33-49 (Limited Height Districts):

* * *

33-43

Maximum Height of Front Wall and Required Front Setbacks

* * *

33-431

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

* * *

[(b) When mapped within R8A, R8B, R9A, R9X or R10A Districts the maximum height of a street wall and required front setbacks shall be as set forth in Section 23-633 (Street wall and height and setback regulations in certain districts).]

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

(b) In the districts indicated when mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A or R10A Districts the provisions of Section 26-633

(Street wall and height and setback regulations in certain districts) shall apply.

33-432

In other Commercial Districts

* * *

[(b) In C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A and C6-2A Districts the maximum height of a *street wall* or any other portion of a *building or other structure* shall be as set forth in Section 33-433 (Street wall and height and setback regulations in certain districts).]

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

(b) In the districts indicated, Section 33-433 (Street and height and setback regulations in certain districts) shall apply.

33-433

Street wall and height and setback regulations in certain districts

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

In the districts indicated, *street wall*, height and setback regulations are set forth in this section. The provisions of Sections 33-44 (Alternate Front Setbacks) and 33-45 (Tower Regulations) shall not apply.

1. Location of Street Wall

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

(a) In the districts indicated, the *street wall* of any *development* or *enlargement* for the first two *stories* or 23 feet, whichever is greater, shall be located on the *street line* and extend the entire [width] **length of the *street line* of the *zoning lot*, except as provided in paragraph (c)[(b)] and [(3)] **sub-section 3 (Modification of Street Wall Requirements)** below.**

However, at the intersection of two *street lines* the *street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line*. [Recesses are permitted only for entrances and windows.]

Except as provided in [(3)] **sub-section 3** below, for any *development* or *enlargement* [fronting on a *wide street*] the *street walls* above the level of the second *story* or 23 feet, whichever is greater, shall comply with one of the following options. Under all options, at the intersection of two *street lines*, the *mandatory street wall* may be located [within five feet of the *street line*, measured perpendicular to the *street*] **anywhere within an area bounded by the two *street lines* and lines parallel to and five feet from each *street line*.**

Option 1

Mandatory *street walls* shall be located on the *street line* and extend the entire [width] **length of the *street line*** of the *zoning lot*.

Option 2

At least 50% of the aggregate length of the *street walls* shall comply with Option 1. The remainder of the aggregate length of the mandatory *street walls* at each *story* may be recessed from the *street line* to a depth not exceeding 10 feet provided that the length of any such recess does not exceed 25% of the aggregate length of the *street walls* at each *story*.

Option 3

A minimum of 75% of the aggregate area of the mandatory *street walls* at each *story* shall be within five feet of the *street line* provided that the mandatory *street walls* shall abut the *street line* at least once every 25 feet.

Recesses shall comply with the applicable regulations of Section 33-50 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

C1-6A,C2-6A,C4-2A,C4-3A,C4-4A,C4-5A,C4-5X

- (b) In the districts indicated all *street walls* of any *development* or *enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street walls* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below except as provided in paragraph (c) and Subsection 3 (Street Wall Modifications) below. However, at any level a portion of any *street wall* below the height above the *street line* of the *sky exposure plane* may be located beyond the maximum *street wall* setback distance provided that such portion of the *street wall* does not exceed 25% of the length of that *street wall* and is located in an *outer court* which complies with the requirements of Section 33-50 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT

LINES). No driveways or parking spaces are permitted in such *outer court*. These *street wall* requirements shall be applicable to only one *street* on *through lots* which extend less than 110 feet in maximum depth from *street* to *street*, but shall apply to both *streets* on deeper *through lots*. These *street wall* requirements shall be inapplicable along a *wide street* within 15 feet of its intersection with a *narrow street*, or to any *street wall* located beyond 100 feet from a *street line*.

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

- (c) [(b)] In the districts indicated, a vertical *enlargement* in excess of one *story* or 15 feet to an existing *building* is permitted only pursuant to the mandatory requirements of the above provisions or as a vertical extension of the existing *street wall* except as provided in subsection 3 below.

2. Height of Street Wall

[C1-8A,C1-8X,C1-9A,C2-7A,C2-7X,C2-8A,C4-6A,C4-7A,C6-2A]

[In the districts indicated the mandatory minimum height above *curb level* of a *street wall* without a setback shall be as set forth in Column A, or the height of the *building*, whichever is less; the maximum permitted height of a *street wall* without a setback at the *street line* shall be as set forth in Column B; and above such specified maximum height the *building* or *other structure* shall not penetrate the *sky exposure plane* as set forth in Column B in the table below:

Column A		Column B			
<i>Sky Exposure Plane**</i>					
Mandatory minimum height of street wall (in feet)	Narrow street*	Maximum permitted height of street wall without setback at the street line (in feet)	Slope over zoning lot (expressed as a ratio of vertical to horizontal distance)		
Wide street*	Narrow street*		Vertical	Horizontal	
60	23	85	1.5	to	1
60	23***	100	1.5	to	1
110	23***	110	2.0	to	1
125	23***	150	2.5	to	1
					C6-2A
					C1-8A C2-7A
					C1-8X C2-7X
					C1-9A C2-8A C4-6A C4-7A

* The mandatory minimum height of a front wall on *wide streets* shall apply to all *developments or enlargements* on zoning lots on *narrow streets* within 50 feet of the intersection with a *wide street*.

** The *sky exposure plane* shall begin at the maximum permitted height of the *street wall* at the *street line*.

*** No setback shall be permitted below a height of 55 feet except as provided in paragraph 1(b) above.]

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

(a) In the districts indicated, no *street wall* shall penetrate the *front sky exposure plane* set forth in the table below.

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

(b) In the districts indicated, the minimum height above *curb level* of a mandatory *street wall* without setback, shall be as specified in the table below, unless the height of the *building* is less than such minimum. If such *street wall* along a *narrow street* rises above such minimum height no setbacks shall be permitted below a height of 55 feet except as provided in 1(f) above. The minimum height of a mandatory *street wall* on *wide streets* shall apply to all *developments or enlargements* on zoning lots on *narrow streets* within 50 feet of the intersection with a *wide street*.

C4-5X

(c) In the district indicated, one of three sets of *sky exposure planes* as set forth in the table below shall apply. Alternates 2 and 3 require a minimum setback of 10 feet from the *street wall* from a height of between 65 and 70 feet above *curb level* to the height above the *street*

line of the front sky exposure plane. The Alternate 3 *sky exposure planes* may apply only if the width of the *street wall* of the *building* above the mandatory front setback level on the *wide street* is less than 50% of the width of the *wide street* frontage of the *zoning lot*. The Alternate 2 *sky exposure planes* may apply if such percentage is between 51% and 90%.

3. Modifications of Street Wall Requirements

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

- (a) In the districts indicated, on a *zoning lot* where there is an existing *building* to remain, and when there is to be a new *development* or *enlargement* that includes new *street walls*, the requirements governing height and location of *street walls* shall not apply within a volume defined by the rear wall of the existing *building* [(W²)], the *front lot line* [(W¹)], the prolongations of the side walls [(L)], and [a height of 150 feet above *curb level*. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined the requirements governing *street wall* height and location shall apply.]the roof of the existing *building*. If, after (the effective date of this amendment), any exterior demolition or destruction occurs within this volume or to the boundaries of this volume, or if any *development* or *enlargement* occurs above this volume the requirements governing *street wall* height and location shall apply.

150' Above
Curb Level

Above 150'
Curb Level

L Sidewall and prolongation of existing building

W¹ Front lot line

W² Rear wall of existing building]

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

(b) In the districts indicated the City Planning Commission may, upon application, authorize modifications in the required *street wall* location of a *development* or *enlargement* if the Commission finds that existing *buildings* or existing open areas serving existing *buildings* to remain on the *zoning lot* would be adversely affected by the location of the *street walls* of the *development* or *enlargement* in the manner prescribed in the paragraphs above.

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

4. Front and Rear Sky Exposure Planes

In the districts indicated, no *building* or *other structure* shall penetrate the *front* or *rear sky exposure planes* set forth in the table below.

Both the *front* and *rear sky exposure planes* shall rise in opposite directions over the *zoning lot* at a ratio of vertical distance to horizontal distance as set forth in the table below and shall terminate at a line where they intersect. When a *street line* intersects any other *street line*, the *front sky exposure planes* of both *street* frontages shall terminate at a line where the *front sky exposure planes* intersect and the *rear sky exposure planes* shall terminate at a line where the *rear sky exposure planes* intersect. In plan, the line of intersection of these planes shall bisect the interior angle formed at the line of intersection of these *street lines* as shown in the diagram below.

* * *

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)				
	on a Wide Street	On a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane		
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance	
C1 or 2 when mapped within R1 to R10 Districts (1)									
C1-6A	8	15	-	-	65	1.0 to 1.0	30	1.0 to 1.0	
C1-7A	0	0	60	23	85	1.5 to 1.0	80	1.0 to 1.0	
C1-8A (Narrow) (2)	0	0	-	23	102	1.5 to 1.0	100	1.0 to 1.0	
C1-8A (Wide) (3)	0	0	60	-	102	1.5 to 1.0	100	1.5 to 1.0	
C1-8X (Narrow) (2)	0	0	-	23	120	2.0 to 1.0	120	1.0 to 1.0	
C1-8X (Wide) (3)	0	0	105	-	120	2.0 to 1.0	120	1.5 to 1.0	
C1-9A (Narrow) (2)	0	0	-	23	150	2.5 to 1.0	120	1.0 to 1.0	
C1-9A (Wide) (3)	0	0	125	-	150	2.5 to 1.0	140	1.5 to 1.0	
C2-6A	8	15	-	-	65	1.0 to 1.0	30	1.0 to 1.0	
C2-7A (Narrow) (2)	0	0	-	23	102	1.5 to 1.0	100	1.0 to 1.0	
C2-7A (Wide) (3)	0	0	60	-	102	1.5 to 1.0	100	1.5 to 1.0	
C2-7X (Narrow) (2)	0	0	-	23	120	2.0 to 1.0	120	1.0 to 1.0	
C2-7X (Wide) (3)	0	0	105	-	120	2.0 to 1.0	120	1.5 to 1.0	
C2-8A (Narrow) (2)	0	0	-	23	150	2.5 to 1.0	140	1.0 to 1.0	
C2-8A (Wide) (3)	0	0	125	-	150	2.5 to 1.0	140	1.5 to 1.0	
C4-2A	8	-	-	45	60	1.0 to 1.0	20	1.0 to 1.0	
C4-3A	8	-	-	45	60	1.0 to 1.0	20	1.0 to 1.0	
C4-4A	8	-	-	45	65	1.0 to 1.0	35	1.0 to 1.0	
C4-5A	8	-	-	45	65	1.0 to 1.0	35	1.0 to 1.0	
C4-5X - Alt - 1	8	-	-	65	85	1.0 to 1.0	45	1.0 to 1.0	
- Alt - 2	8	-	-	65	115	1.0 to 1.0	80	1.0 to 1.0	
- Alt - 3	8	-	-	65	135	1.0 to 1.0	105	1.0 to 1.0	
C4-6A (Narrow) (2)	0	0	-	23	150	2.5 to 1.0	140	1.0 to 1.0	
C4-6A (Wide) (3)	0	0	125	-	150	2.5 to 1.0	140	1.5 to 1.0	
C4-7A (Narrow) (2)	0	0	-	23	150	2.5 to 1.0	140	1.0 to 1.0	
C4-7A (Wide) (3)	0	0	125	-	150	2.5 to 1.0	140	1.5 to 1.0	
C5-1A (Narrow) (2)	0	0	-	23	150	2.5 to 1.0	140	1.0 to 1.0	
C5-1A (Wide) (3)	0	0	-	23	150	2.5 to 1.0	140	1.5 to 1.0	
C6-2A	0	0	60	23	85	1.5 to 1.0	80	1.0 to 1.0	
C6-3A (Narrow) (2)	0	0	-	23	102	1.5 to 1.0	100	1.0 to 1.0	
C6-3A (Wide) (3)	0	0	60	-	102	1.5 to 1.0	100	1.5 to 1.0	

TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Height Above the Street Line (in feet)	Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	On a Narrow Street	on a Wide Street	on a Narrow Street		Front Sky Exposure Plane		Rear Sky Exposure Plane	
						Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)
C6-4A (Narrow) (2)	0	0	-	23	150	2.5 to 1.0	140	1.0 to 1.0	
C6-4A (Wide) (3)	0	0	125	-	150	2.5 to 1.0	140	1.5 to 1.0	

(1) The height of a #street wall# and its setbacks shall be the same as that of a #residence district# within which a C1 or C2 district is mapped.

(2) Refers to that portion of a district on a #narrow street# except within a distance of 100 feet from its intersection with a #wide street#.

(3) Refers to that portion of a district which is within 100 feet of a #wide street#.

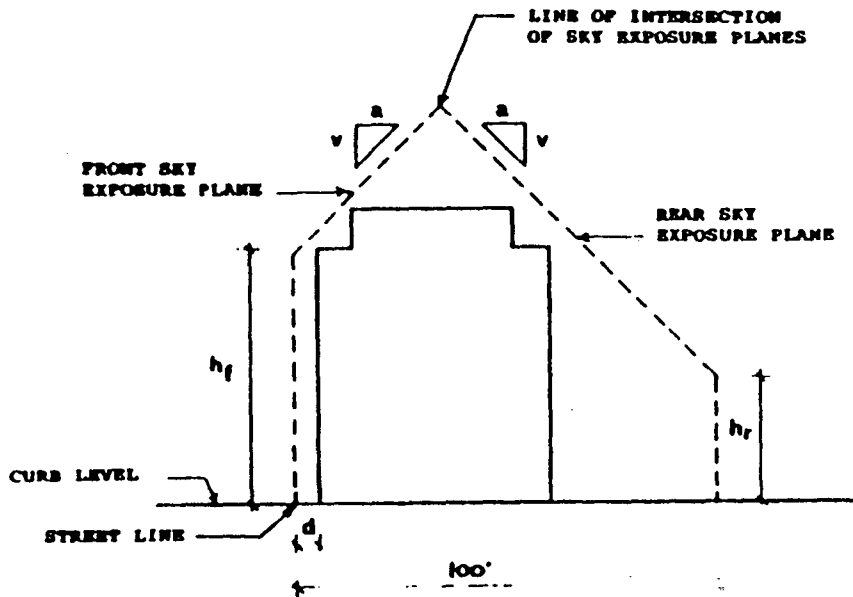


ILLUSTRATION OF SKY EXPOSURE PLANES

SECTION 33-433

h_f is the height at which the front sky exposure plane begins at the street line

h_r is the height at which rear sky exposure plane begins at the 100-foot line

d is the maximum street wall set back distance

v is the vertical distance

a is the horizontal distance

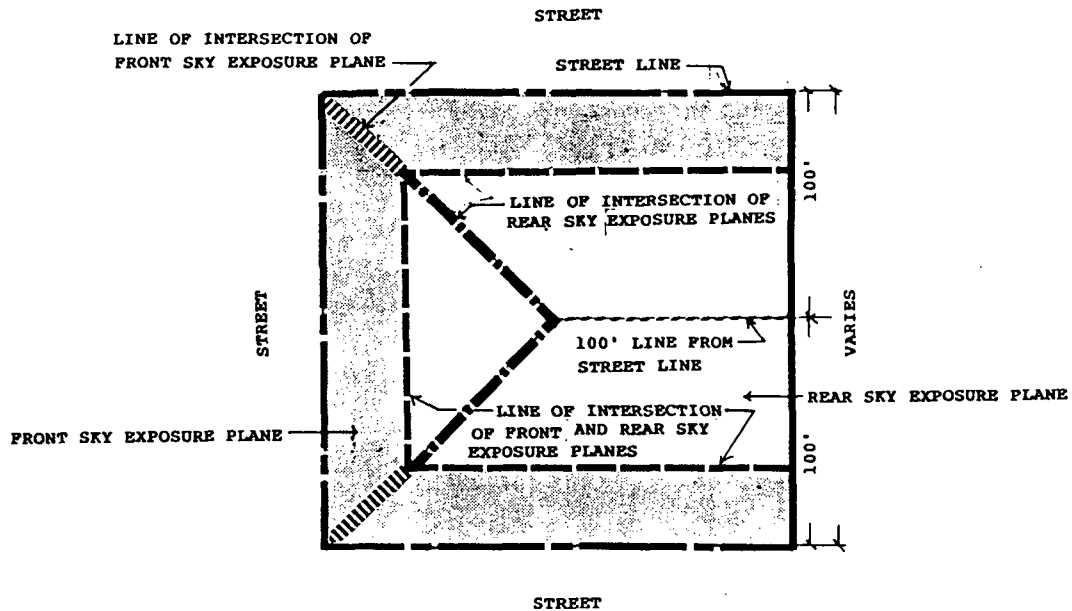


ILLUSTRATION OF SECTION 33-433

33-48

Special Provisions for Zoning Lots Divided
by District Boundaries

C1,C2,C3,C4,C5,C6,C7,C8

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts, or is subject to other regulations resulting in [with] different height and setback regulations, or whenever a *zoning lot* is divided by a boundary between a district to which the provisions of Section 33-45 (Tower Regulations) apply and a district to which such provisions do not apply, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

33-491

C1,C2,C4-5X,C4-6A,C4-7A,C5-1A,C6-2A,C6-3A,C6-4A

Additional regulations for narrow buildings
or enlargements

If the width of the *street* wall of a new *building* or the enlarged portion of an existing *building* is 45 feet or less, the provisions of Section 23-692 (Additional Regulations for Narrow Buildings or Enlargements) shall apply to such new or enlarged *building*.

* * *

Chapter 4 Bulk Regulations for Residential Buildings in Commercial Districts

34-00 APPLICABILITY AND DEFINITIONS

34-01

Applicability of this Chapter

* * *

[All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
C1-8A, C1-8X	C1-8	34-112
C2-7A, C2-7X	C2-7	34-112
C1-9A	C1-9	34-112
C2-8A	C2-8	34-112
C4-6A	C4-6	34-112
C4-7A	C4-7	34-112

C6-1A	C6-1	34-112
C6-2A	C6-2	34-112]
	* * *	

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Section 34-114.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Section 34-112.

34-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

34-012

Quality Housing Program

In C1 and C2 Districts mapped within *Residence Districts* with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-5A, C4-5X, C4-6A, C4-7A, C5-1A, C6-2A, C6-3A, or C6-4A Districts, *residential buildings* shall comply with all of the requirements of Article II, Chapter 8 (Quality Housing Program).

In the above listed districts without a letter suffix and in C5-2, C5-3, C5-4, C5-5, C6-1, C6-1A, C6-5, C6-6, C6-7, C6-8, or C6-9 Districts the *bulk* regulations applicable to Quality Housing *developments* may, as an alternative be applied under the same conditions set forth in Sections 23-012 and 34-112. In addition, all Quality Housing *buildings* shall comply with Section 34-223 (Special provisions along district boundaries).

* * *

34-112

Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5, or C6 Districts

C1-6, C1-7, C2-6, C1-8, C2-7, C1-9, C2-8, C3, C4, C5, C6

In the districts indicated, the bulk regulations are the bulk regulations for the *Residence Districts* set forth in the following table:

Applicable Residence District

R3-2			C3		
R5			C4-1		
R6			C4-2		C6-1A
			C4-3		
R6A			C4-2A		
			C4-3A		
			C4-4		
R7	C1-6	C2-6	C4-5		C6-1
R7A	C1-6A	C2-6A	C4-4A		
			C4-5A		
R7X			C4-5X		
R8	C1-7		C4-2F		C6-2
R8A	C1-7A		C6-2A		
R9	C1-8	C2-7	C6-3		
R9A	C1-8A	C2-7A	C6-3A		
R9X	C1-8X	C2-7X			
R10	C1-9	C2-8	C4-6		C6-4
			C4-7		C5
					C6-5
					C6-6
					C6-7
					C6-8
					C6-9
R10A	C1-9A	C2-8A	C4-6A		C6-4A
			C4-7A		

* * *

34-223

Special provisions applying along district boundaries

C1,C2,C3,C4,C5,C6

- (a) In the districts indicated, if a *Commercial District* boundary coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4, or R5 District and a *side lot line* of any adjoining *zoning lot* in such *Commercial District*, a *front yard* is required for any *residential building* on such *zoning lot* in the *Commercial District*. The depth of such *front yard* shall be equal to the required depth of a *front yard* in the adjacent *Residence District*.

C1,C2,C3,C4,C5,C6

- (b) In the districts indicated, along such portion of the boundary of a *Commercial District* which coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4, or R5 District, an open area not higher than *curb level* with a width of at least eight feet is required for a *residential building* on a *zoning lot* within the *Commercial District*. **In addition, if a *residential building* is developed, or enlarged where permitted, pursuant to the Quality Housing Program, that portion of such *building* located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Sections 23-45 (Minimum Required Front Yards) and 23-633 (Street wall and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.**

Chapter 5 Bulk Regulations for Mixed Buildings in Commercial Districts

35-00 APPLICABILITY AND DEFINITIONS

35-01

Applicability of this Chapter

* * *

[All districts indicated in Column A shall comply with the regulations for districts indicated in Column B except as set forth in the sections indicated in Column C.

Column A	Column B	Column C
C1 and C2 in R8A and R8B	C1 and C2 in R8	35-411
C1 and C2 in R9A and R9X	C1 and C2 in R9	35-411, 35-42 35-631
C1 and C2 in R10A	C1 and C2 in R10	35-42, 35-631
C1-8A, C1-8X, C2-7A, C2-7X	C1-8 C2-7	35-23, 35-412, 35-42, 35-631
C1-9A C2-8A C4-6A	C1-9 C2-8 C4-6	35-23, 35-42, 35-631
C4-7A	C4-7	35-23, 35-42,35-632
C6-1A	C6-1	35-23, 35-412

C6-2A

C6-2

35-23,
35-42, 35-632]

* * *

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Section 35-24.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 35-23 and 35-412.

35-011

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without such suffix as set forth in that section.

* * *

35-012

Quality Housing Program

In C1 and C2 Districts mapped within *Residence Districts* with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-5A, C4-5X, C4-6A, C4-7A, C5-1A, C6-2A, C6-3A, or C6-4A Districts, any *residential* portion of a *mixed building* shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program) and the entire *building* shall comply with the applicable provisions of Article II, Chapter 8.

In the above listed districts without a letter suffix and in C5-2, C5-3, C5-4, C5-5, C6-1, C6-1A, C6-5, C6-6, C6-7, C6-8, or C6-9 Districts the *bulk* regulations applicable to Quality Housing *developments* may, as an alternative, be applied to the *residential* portion of a *mixed building* under the same conditions set forth in Sections 23-012 and 35-23 provided that:

- (a) the entire *building* is *developed* pursuant to the *bulk* regulations in Article III, Chapter 5 for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program; and
- (b) the entire *building* complies with the applicable provisions of Article II, Chapter 8 (Quality Housing Program).

* * *

35-23

Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5, or C6 Districts

C1-6,C1-7,C2-6,C1-8,C2-7,C1-9,C2-8,C3,C4,C5,C6

In the districts indicated, the *bulk* regulations for *residential* portions of *mixed buildings* are the *bulk* regulations for the *Residence Districts* set forth in the following table:

APPLICABLE RESIDENCE DISTRICT

R3-2			C3		
R5			C4-1		
			C4-2		
R6			C4-3		C6-1A
R6A			C4-2A		
			C4-3A		
			C4-4		
R7	C1-6	C2-6	C4-5		C6-1
R7A	C1-6A	C2-6A	C4-4A		
			C4-5A		
R7X			C4-5X		
R8	C1-7		C4-2F		C6-2
R8A	C1-7A				C6-2A
R9	C1-8	C2-7			C6-3
R9A	C1-8A	C2-7A			C6-3A
R9X	C1-8X	C2-7X			
					C6-4
					C6-6
					C6-7
			C4-6		C6-8
R10	C1-9	C2-8	C4-7	C5	C6-9
			C4-6A		
R10A	C1-9A	C2-8A	C4-7A	C5-1A	C6-4A

* * *

35-35

Floor Area Bonus for Plaza, Plaza-Connected Open Area,
or Arcade in Connection with Mixed Buildings

C1,C2,C3,C4,C5,C6,C7,C8

* * *

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

In the districts indicated and in C1 and C2 Districts mapped within R9A, R9X or R10A Districts no *floor area* bonus for a *plaza*, *plaza connected open area*, *arcade* or an *urban open space* is permitted and

[in the districts indicated] no existing *plaza* or public amenity, open or enclosed, for which a *floor area* bonus has been received, pursuant to regulations antedating [April 18, 1985,] (the effective date of this amendment) shall be eliminated or reduced in size, without a corresponding reduction in the *floor area* of the *building* or the substitution of equivalent complying area for such amenity elsewhere on the *zoning lot*.

* * *

35-411

In C1 or C2 Districts mapped within Residence Districts

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

In the districts indicated, the minimum required *lot area* per 100 square feet of *floor area* used for *commercial* or *community facility use* in a *mixed building* is determined by the *Residence District* within which any such district is mapped, and shall not be less than as set forth in the following table[:].

***Developments*, or *enlargements* where permitted, pursuant to the Quality Housing Program, located within 100 feet of a *wide street* in C1 and C2 Districts mapped within R6, R7 or R8 Districts without a letter suffix outside the *Manhattan Core*, shall provide the *lot area* designated by the same district with an asterisk.**

**REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA
IN COMMERCIAL OR COMMUNITY FACILITY USES**

District within which C1 or C2 District is Mapped	Required Lot Area (in square feet)	
	<i>Commercial Use</i>	<i>Community Facility Use</i>
R1, R2, R3	100	100

R6B	50	50
R6	50	20
R6* R6A, R7B	30	30
R7-1	30	20
R7-2	30	15
R7A	25	25
R7* R7X	20	20
R8	20	15
R8X	17	17
R8* R8A	17	15
R8B	25	25
R9	15	10
R9A	13	13
R9X	11	11
R10	10	10
R10A	10	10

35-412

In other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

C1-6,C1-7,C2-6,C1-8,C2-7,C1-9,C2-8,C3,C4,C5,C6

In the districts indicated the minimum required *lot area* per 100 square feet of *floor area* used for *commercial* or *community facility use* in a *mixed building* shall not be less than as set forth in the following table:

REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA IN COMMERCIAL OR COMMUNITY FACILITY USES (IN SQUARE FEET)			
<i>Commercial Use</i>	<i>Community Facility Use</i>		
200	100	C3	
100	50		C4-1
30	30		C4-2A C4-3A
			C4-2
30	20	C4-3	C6-1A

				C4-4		
30	15	C1-6	C2-6	C4-5		
				C4-4A		
25	25	C1-6A	C2-6A	C4-5A		
20	15	C1-7				
20	20			C4-5X		
17	17	C1-7A				
						C6-1
17	15			C4-2F		C6-2
						[C6-2A]
15	10	C1-8	C2-7			C6-3
13	13	C1-8A	C2-7A			C6-3A
11	11	C1-8X	C2-7X			
10	10	C1-9	C2-8	C4-6	C5-1	C6-4
		[C1-9A]	[C2-8A]	[C4-6A]		
				C4-7		C6-5
				[C4-7A]	C5-4	C6-8
						C6-6
					C5-3	C6-7
6.5	6.5				C5-5	C6-9

35-42

Density or Lot Area Bonus In Mixed Buildings

* * *

(b) In C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A, C5-1A, [and] C6-2A, C6-3A or C6-4A Districts and in C1 and C2 Districts mapped within R9A, R9X or R10A Districts, the density or lot area bonus shall not apply.

* * *

35-52

Modification of Side Yard Requirements

C1,C2,C3,C4,C5,C6

In the districts indicated, except as otherwise provided in Section 35-54 (Special Provisions Applying along District Boundaries), no side yard shall be required for

any *mixed building*. However, if any open area extending along a *side lot line* is provided at any level it shall have a width of not less than eight feet.

35-53

Modification of Rear Yard Requirements

C1,C2,C3,C4,C5,C6

In the districts indicated, for a *residential* portion of a *mixed building*, the required *rear yard* may be provided at any level not higher than the floor level of the lowest *story* used for *residential use*. **However, no building or other structure may penetrate a rear sky exposure plane.**

35-54

Special Provisions Applying along District Boundaries

C1,C2,C3,C4,C5,C6

In the districts indicated, along such portion of the boundary of a *Commercial District* which coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4 or R5 District, an open area not higher than *curb level* and with a width of at least eight feet is required for a *mixed building* on a *zoning lot* in the *Commercial District*. **In addition, if the residential portion of a mixed building is developed or enlarged where permitted, pursuant to the Quality Housing Program, that portion of such building located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Sections 23-45 (Minimum Required Front Yards) and 23-633 (Street wall and height and setback regulations in certain districts) when such portions are located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District.**

* * *

35-63

Special Tower Regulations for Mixed Buildings

35-631

In certain specified commercial districts

* * *

The tower regulations shall not apply in C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, [and] C4-6A or C5-1A Districts and in C1 and C2 Districts mapped within R9A, R9X or R10A Districts.

35-632

In other specified commercial districts

* * *

The tower regulations shall not apply in C4-7A, [and] C6-2A, C6-3A or C6-4A Districts.

* * *

35-70 SPECIAL PROVISIONS FOR CERTAIN MIXED BUILDINGS

* * *

This section shall not apply to a *mixed building* the *residential* portion of which is *developed* or *enlarged* pursuant to the Quality Housing Program.

COMMERCIAL DISTRICTS

Chapter 6 Accessory Off-Street Parking and Loading Regulations

Off-Street Parking Regulations

36-00 GENERAL PURPOSES AND DEFINITIONS

* * *

36-025

District designations

Whenever a section lists a district with a letter suffix the provisions applicable to the letter suffix district are different from the provisions applicable to the district without the suffix as set forth in that section.

36-026

Applicability of regulations to Quality Housing

On any *zoning lot* containing *residential uses developed, enlarged* or converted pursuant to the Quality Housing Program, all *accessory* off-street parking spaces shall comply with the provisions of Section 28-50 to 28-52 (PARKING FOR QUALITY HOUSING).

* * *

Food stores with less than 2,000 square feet of floor area; uses in parking requirement category B in Use Group 6, 8, 9, 10, or 12 or when permitted by special permit; or uses in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 13, 14, or 16	None required	C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4A C4-5 C4-6 C4-7	C5	C6	C8-4
	1 per 150 ¹	C1-1 C2-1	C3	C4-1		
	1 per 300 ¹	C1-2 C2-2		C4-2		C8-1
	1 per 400 ¹	C1-3 C2-3		C4-2A C4-3	C7	C8-2
	1 per 1,000	C1-4 C2-4		C4-4		C8-3
Square feet of floor area:						
Low traffic generating uses— Uses in parking requirement category C in Use Group 6, 7, 9, 12, 13, 14, or 16, or when permitted by special permit	None required	C1-5 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4A C4-5 C4-6 C4-7	C5	C6	C8-4
	1 per 400	C1-1 C2-1	C3	C4-1		
	1 per 600	C1-2 C2-2		C4-2		C8-1
	1 per 800	C1-3 C2-3		C4-2A C4-3	C7	C8-2
	1 per 1,000	C1-4 C2-4		C4-4		C8-3
Square feet of floor area:						
Court Houses	None required	C1-5 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4A C4-5 C4-6 C4-7	C5	C6	C8-4
	1 per 500	C1-1 C2-1	C3	C4-1		
	1 per 800	C1-2 C2-2		C4-2		C8-1
	1 per 1,000	C1-3 C2-3		C4-2A C4-3		C8-2
	1 per 2,000	C1-4 C2-4		C4-4		C8-3
Rated capacity:						
Places of assembly— Uses in parking requirement category D in Use Group 6, 8, 9, 10, 12, 13, or 14, or when permitted by special permit	None required	C1-5 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4A C4-5 C4-6 C4-7	C5	C6	C8-4
	1 per 4 persons	C1-1 C2-1	C3	C4-1		
	1 per 8 persons	C1-2 C2-2		C4-2		C8-1
	1 per 12 persons	C1-3 C2-3		C4-2A C4-3	C7	C8-2
	1 per 25 persons	C1-4 C2-4		C4-4		C8-3

	Square feet of <i>lot area</i> ²					
Open commercial	None required					C8-3 C8-4
amusements— <i>Uses in parking</i>	1 per 500		C3			C8-1
requirement category E in Use Group 13 or 15, or when permitted by special permit	1 per 2,000					C7 C8-2
Light manufacturing or semi-industrial <i>uses</i> — <i>Uses</i> —in parking	None Required				C5 C6	C8-4
requirement category F in Use Group 11 of 16, and with a minimum of either 7,500 square feet of <i>floor area</i> or 15 employees	1 per 1,000 square feet of <i>floor area</i> , or 1 per 3 employees, whichever will require a larger number of spaces					C8-1 C8-2 C8-3
Storage or miscellaneous <i>uses</i> — <i>Uses in parking</i>	None Required					C4-4A C4-5 C4-6 C4-7 C5 C6 C8-4
requirement category G in Use Group 10 or Use Group 16, or when permitted by special permit, and with a minimum of 10,000 square feet of <i>floor area</i> or 15 employees	1 per 2,000 square feet of <i>floor area</i> or 1 per 3 employees, whichever will require a lesser number of spaces		C4-1 C4-2 C4-3 C4-4			C8-1 C8-2 C8-3
Other <i>commercial uses</i> — <i>Uses in parking</i>						
requirement category H in Use Group 5, 6, 7, 8, 13 or 14, or when permitted by special permit	1 per 2 guest rooms or suites	C2 C3		C6		C7 C8
<i>Boatels</i>						
<i>Type of use</i>	Parking spaces required in relation to specified unit of measurement					
Camps overnight or day, with a minimum of either 10,000 square feet of <i>lot</i> <i>area</i> or 10 employees	1 per 2,000 square feet of <i>lot area</i> , or 1 per 3 employees; whichever will require a lesser number of spaces	C1 C2 C3				C7 C8
Hotels	Guest rooms or Suites:					
			C1-5			
			C1-6 C2-5 C4-4A			
			C1-7 C2-6 C4-5			
			C1-8 C2-7 C4-6			
(a) For that <i>floor</i> <i>area</i> used for sleeping	None required		C1-9 C2-8 C4-7 C5			C6 C8-4
	1 per 4		C1-1 C2-1 C4-1			
	1 per 8		C1-2 C2-2 C4-2			C8-1

accommodations		C1-3 C2-3 C4-2A C4-3					C8-2
	1 per 12	C1-4 C2-4 C4-4					C8-3
	Rated capacity:						
		C1-5					
		C1-6 C2-5 C4-4A					
		C1-7 C2-6 C4-5					
		C1-8 C2-7 C4-6					
		C1-9 C2-8 C4-7 C5				C6	C8-4
(b) For that floor area used for meeting halls, auditoriums, eating or drinking	None required	C1-1 C2-1 C4-1					
	1 per 4 persons	C1-1 C2-1 C4-1					
	1 per 8 persons	C1-2 C2-2 C4-2					C8-1
	1 per 12 persons	C1-3 C2-3 C4-2A C4-3			C7		C8-2
places, wedding chapels or banquet halls, or radio or television studios	1 per 25 persons	C1-4 C2-4 C4-4					C8-3
Motels or tourist cabins	1 per guest room suite		C2				C6 C8
	Square feet of floor area:	C1-5 C2-5 C1-6 C2-6 C1-7					C4-4A C4-5
Post Offices	None required	C1-8 C2-7 C1-9 C2-8			C4-6 C4-7	C5 C6	C8-4
	1 per 800	C1-1 C2-1 C3	C4-1				
	1 per 1,200	C1-2 C2-2	C4-2				C8-1
	1 per 1,500	C1-3 C2-3	C4-2A C4-3				C8-2
	1 per 2,000	C1-4 C2-4	C4-4				C8-3
	Rated capacity:				C4-4 C4-5 C4-6		C8-3
Prisons	None required				C4-7	C6	C8-4
	1 per 10 beds				C4-1 C4-2		C8-1
	1 per 20 beds				C4-2A C4-3		C8-2
	Square feet of floor area:						
		C2-1 C2-2					C8-1
Refreshment stands, drive-in	1 per 50	C2-3				C7	C8-2
		C2-4 C2-5 C2-6 C2-7 C2-8					C8-3
	1 per 100					C6	C8-4
	Square feet of floor area:						
		C1-5					
		C1-6 C2-5			C4-4A		
		C1-7 C2-6			C4-5		
		C1-8 C2-7			C4-6		
Funeral establishments	None required	C1-9 C2-8			C4-7	C6	C8-4

	1 per 200	C1-1 C2-1	C4-1	
	1 per 400	C1-2 C2-2	C4-2	C8-1
		C1-3 C2-3	C4-2A C4-3	C8-2
	1 per 600	C1-4 C2-4	C4-4	C8-3
Boat docks or boat rental establishments	1 per 2 boat berths	C2 C3		C7 C8

FOR COMMUNITY FACILITY USES

Hospitals and related facilities*		C1-1 C2-1	C4-1	
	1 per 5 beds	C1-2 C2-2 C3	C4-2	C8-1
		C1-3 C2-3	C4-2A C4-3	C8-2
	1 per 8 beds	C1-4 C2-4	C4-4	C8-3
		C1-5 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4A C4-5 C4-6 C4-7	C5 C6 C8-4
Churches		C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C8-3 C5 C6 C8-4
	None required			
	1 per 10 fixed seats	C1-1 C2-1 C3	C4-1	
	1 per 15 fixed seats	C1-2 C2-2	C4-2	C8-1
	1 per 20 fixed seats	C1-3 C2-3	C4-2A C4-3	C8-2

¹ Requirements are in addition to area utilized for ambulance parking.

Rated capacity:

Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf course club houses; health centers; non-commercial recreation centers; or welfare centers		C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5 C6 C8-4
	None required			
	1 per 10 persons	C1-1 C2-1 C3	C4-1	
	1 per 20 persons	C1-2 C2-2	C4-2	C8-1
		C1-3 C2-3	C4-2A C4-3	C7 C8-2

Libraries, museums, or non-commercial art galleries ¹		C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5 C6
	None required			
	1 per 1,000	C1-1 C2-1 C3	C4-1 C4-2	

	1 per 2,000	C1-3 C2-3	C4-2A C4-3			
Philanthropic or non-profit institutions with sleeping accommodations; all types of nursing homes or sanitariums	None required	C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5	C6	
	1 per 10 beds	C1-1 C2-1 C1-2 C2-2	C3 C4-1 C4-2			
	1 per 20 beds	C1-3 C2-3	C4-2A C4-3			
	None required	C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5	C6	
	1 per 6 beds	C1-1 C2-1 C1-2 C2-2	C3 C4-1 C4-2			
1 per 12 beds	C1-3 C2-3	C4-2A C4-3				
Square feet of floor area:						
Colleges, universities, or seminaries (a) For that floor area used for classrooms, laboratories, student centers, or offices	None required	C1-4 C2-4 C1-5 C2-5 C1-6 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5	C6	C8-3 C8-4
	1 per 1,000	C1-1 C2-1 C1-2 C2-2	C3 C4-1 C4-2			C8-1
	1 per 2,000	C1-3 C2-3	C4-2A C4-3			C8-2
	None required	C1-4 C2-4 C1-5 C2-5 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5	C6	C8-3 C8-4
	1 per 8 persons	C1-1 C2-1 C1-2 C2-2	C3 C4-1 C4-2			C8-1
1 per 16 persons	C1-3 C2-3	C4-2A C4-3			C7	
Rated capacity:						
(b) For that floor area used for theatres, auditoriums, gymnasiums, or stadiums	None required	C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5	C6	C8-3 C8-4
	1 per 8 persons	C1-1 C2-1 C1-2 C2-2	C3 C4-1 C4-2			C8-1
	1 per 16 persons	C1-3 C2-3	C4-2A C4-3			C7
	None required	C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5	C6	C8-3 C8-4
	1 per 8 persons	C1-1 C2-1 C1-2 C2-2	C3 C4-1 C4-2			C8-1
1 per 16 persons	C1-3 C2-3	C4-2A C4-3			C7	
Square feet of lot area used for selling purposes:						
Agricultural uses,	None required	C1-4 C1-5 C2-4 C1-6 C2-5 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8	C4-4 C4-5 C4-6 C4-7	C5	C6	C8-3 C8-4

including greenhouses, nurseries, or truck gardens	1 per 1,000	C1-1 C2-1 C1-2 C2-2	C3	C4-1 C4-2		C8-1
	1 per 2,500	C1-3 C2-3		C4-2A C4-3		C8-2

	Square feet of lot area:					
		C1-4				
		C1-5 C2-4				
		C1-6 C2-5		C4-4		
		C1-7 C2-6		C4-5		
		C1-8 C2-7		C4-6		C8-3
Outdoor skating rinks	None required	C1-9 C2-8		C4-7	C5 C6	C8-4
	1 per 800	C1-1 C2-1 C1-2 C2-2	C3	C4-1 C4-2		C8-1
	1 per 2,000	C1-3 C2-3		C4-2A C4-3	C7	C8-2

	Number of courts:					
		C1-4				
		C1-5 C2-4				
		C1-6 C2-5		C4-4		
		C1-7 C2-6		C4-5		
		C1-8 C2-7		C4-6		C8-3
Outdoor tennis courts	None required	C1-9 C2-8		C4-7	C5 C6	C8-4
	1 per 2 courts	C1-1 C2-1 C1-2 C2-2	C3	C4-1 C4-2		C8-1
	1 per 5 courts	C1-3 C2-3		C4-2A C4-3	C7	C8-2

* * *

36-231

In districts with high, medium, or low parking requirements

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

In the districts indicated, except for the *uses* listed in Section 36-233 (Exceptions to application of waiver provisions), the parking requirements set forth in Section 36-21 (General Provisions) or 36-22 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to *commercial uses* in parking requirement category A, B, BI, C, D, E, or H, or to permitted *community facility uses*, if the total number of *accessory* off-street parking spaces required for all such *uses* on the *zoning lot* is less than the number of spaces set forth in the following table:

Number of Spaces						
10		C1-1 C2-1	C3	C4-1		
15		C1-2 C2-2		C4-2		C8-1
25		C1-3 C2-3		C4-3 C4-2A	C7	C8-2

* * *

36-25

Special Provisions for Zoning Lots Divided by District Boundaries

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, whenever a *zoning lot* is divided by a boundary between districts or is **subject to other regulations** having different requirements for *accessory* off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

36-30

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

36-31

General Provisions

* * *

36-311

Application of requirements to conversions in C1 or C2 Districts

C1 C2

In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, **R7B** or R7-1 Districts, the requirements of Section 36-31 (General Provisions) shall apply to the additional *dwelling units* or *rooming units* created by conversions on *zoning lots* with 5,000 or more square feet of *lot area*, except as otherwise provided in Section 36-363 (For conversions in C1 or C2 districts governed by surrounding residence district bulk regulations) and Section 73-40 (Waiver of Requirements for Conversions). **The provisions of this Section shall not apply to these districts when mapped within R7A or R7X Districts.**

* * *

36-321

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

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

In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, or R7-1 Districts, and where *group parking facilities* are not provided, one *accessory* off-street parking space, open or enclosed, shall be provided for each *dwelling unit*. **The provisions of this section shall not apply to these districts when mapped within R6A, R6B, R7A, R7B or R7X Districts** or to *residential buildings developed or enlarged* pursuant to the quality Housing Program.

* * *

36-33

Requirements Where Group Parking Facilities Are Provided

* * *

36-331

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

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

REQUIRED PARKING SPACES AS A
PERCENT OF TOTAL DWELLING UNIT:

Residence District within
which C1 or C2 District
is mapped

	Percent
R1, R2, R3, or R4	100
R5	85
R6	70
R7-1	60
R6A, R6B, R7-2, R7A, R7B, R7X, R8B*	50
R8, R9, or R10	40

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

36-332

In other C1 or C2 Districts, or in C3, C4, C5, or C6 Districts

C1-6 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8 C3 C4 C5 C6

In the districts indicated, the number of required *accessory* off-street parking spaces is as set forth in the following table:

REQUIRED PARKING SPACES AS A
PERCENT OF TOTAL DWELLING UNITS

100			C3		
85				C4-1	
				C4-2	
70				C4-3	
				C4-2A	
				C4-3A	
				C4-4	
50	C1-6	C2-6		C4-5	C6-1
					C6-2
					C6-3
					C6-4
					C6-5
					C6-6
	C1-7				C6-7
	C1-8	C2-7		C4-6	C6-8
40	C1-9	C2-8		C4-7	C5
					C6-9

36-34

Modification of Requirements for Small Zoning Lots

C1, C2, C4-2, C4-3, C4-4, C4-5, C4-6, C4-7, C5, C6

In the districts indicated, except as otherwise provided in Section 82-07 (Modification of Parking and Off-street Loading Requirements), for small *zoning lots*, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions set forth in this Section. **The provisions of this section shall not apply to C1 and C2 Districts mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X or R10 Districts; to residences developed or enlarged pursuant to the Quality Housing Program; or to C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-5A, C4-5X, C4-6A, C4-7A, C5-1A, C6-2A, C6-3A, or C6-4A Districts.**

* * *

36-35

Modification of Requirements for Public Housing or Non-profit Residences for the Elderly

C1 C2 C3 C4 C5 C6

In all districts, as indicated, *accessory* off-street parking spaces shall be provided for at least that percentage of the total number of *dwelling units* in each category as set forth in the following table, for:

* * *

(e) All government assisted *dwelling units* or *rooming units* in *developments* which receive New York City or New York State assistance to reduce total development cost by \$10,000 or 10 percent, whichever is less, and limit maximum tenant income to the income limits established by the United States Department of Housing and Urban Development for New York City mortgagors assisted under Section 235 of the National Housing Act, as amended.

36-351

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

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

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or Dwelling Units for Low Income Tenants	Non-Profit Residences for the Elderly or Dwelling Units for the Elderly	Government Assisted Housing	District
80	65	50	1	80	R1, R2
80	65	50	35	80	R3, R4
70	56	42.5	31.5	70	R5
55	45	35	22.5	55	R6 * *
39	32	25	16	35	R6A, R6B, R7B
45	38	30	20	45	R7-1* *
30	23	15	12.5	25	R7-2, R7A, R7X, R8B*
30	21	12	10	25	R8, R8A, R8X, R9, R9A R9X, R10, R10A

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

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

District	Applicable District Parking Requirement
R6	R6A
R7-1	R7A

36-352

In other C1 or C2 Districts in C3, C4, C5, or C6 Districts

C1-6 C1-7 C2-6 C1-8 C2-7 C1-9 C2-8 C3 C4 C5 C6

In the districts indicated, the percentage of the total number of *dwelling units* in each category for which *accessory* off-street parking spaces shall be provided is as set forth in the following table:

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or Dwelling Units for Low Income Tenants	Non-Profit Residences for the Elderly or Dwelling Units for the Elderly	Government Assisted Housing	District
80	65	50	35	80	C3
70	56	42.5	31.5	70	C4-1
55	45	35	22.5	55	C4-2 * C4-3 *
39	32	25	16	35	C4-2A C4-3A C6-1 * C4-4 * C4-5 *
30	23	15	12.5	25	C1-6

					C2-6	C4-4A	C4-5A	C4-5X	
30	21	12	10	25	C1-7	C2-7			C6-2 C6-6
					C1-8	C2-8	C4-6	C5	C6-3 C6-7
					C1-9		C4-7		C6-4 C6-8
									C6-5 C6-9

* For assisted housing projects *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in C4-2, C4-3, C4-4, C4-5 or C6-1 Districts the applicable district parking requirements shall be as follows:

District	Applicable District	Parking Requirement
C4-2 C4-3	C4-2A	
C4-4 C4-5 C6-1	C4-4A	

* * *

36-361

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

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

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

NUMBER OF SPACES FOR WHICH
REQUIREMENTS ARE WAIVED

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

* * *

36-363

For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations

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

In the districts indicated¹, where such districts are mapped within R6, **R7A, R7B, R7X** or R7-1 Districts, the requirements set forth in Section 36-311 (Application of requirements to conversions in C1 or C2 Districts) shall be waived if the required number of *accessory* off-street parking spaces resulting from the application of such requirements is 20 spaces or less, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in

accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

* * *

36-39

Special Provisions for Zoning Lots Divided by District Boundaries

C1, C2, C3, C4, C5, C6

In the districts indicated, whenever a zoning lot is divided by a boundary between districts or is subject to other regulations having different requirements for accessory off-street parking spaces, the provisions set forth in Article VII, Chapter 7, shall apply.

* * *

Chapter 7 Special Regulations

37-01

Special Urban Design Guidelines—Streetscape

37-011

Applicability of Section 37-01

The regulations of Section 37-01 apply to any residential development or any development occupied by predominantly residential use, constructed after April 21, 1977 located on any zoning lot within C1-8, C1-9, C2-7, C2-8, C4-6, C4-7, C5-1, C5-2, C5-4, C6-3, C6-4, C6-5, or C6-8 districts, or C1 and C2 districts mapped within R9 or R10 districts. However, Section 37-01 shall not apply within any Special Purpose District nor shall it apply to any development [for which the Commission has granted a special permit pursuant to Section 74-95 (Housing Quality Developments)], pursuant to the Quality Housing Program, except as otherwise set forth therein.

* * *

Article V

Non-Conforming Uses and Non-Complying Buildings

* * *

Chapter 2 Non-Conforming Uses

* * *

52-30 CHANGE OF CONFORMING USE

52-31

General Provisions

For the purposes of this Chapter, a change of *use* is a change to another *use* listed in the same or any other Use Group; however, a change in ownership or occupancy shall not, by itself, constitute a change of *use*.

A non-conforming *use* may be changed to any conforming *use*, and the applicable district *bulk* regulations and *accessory* off-street parking requirements shall not apply to such change of *use* or to alterations made in order to accommodate such conforming *use*, but shall apply to any *enlargement*. **In all zoning districts which mandate compliance with the Quality Housing Program, the provisions of Article II, Chapter 8 shall apply to such change of *use*.**

* * *

Chapter 4 Non-Complying Buildings

* * *

54-311

Buildings non-complying as to lot area per dwelling unit, lot area per room or floor area per room

* * *

In all zoning districts which mandate compliance with the Quality Housing Program the provisions of Article II, Chapter 8 shall apply to any *enlargement*, *extension*, or *conversion*.

Article VII

Chapter 4 Special Permits by the City Planning Commission

* * *

74-71

Landmarks Preservation

74-711

Landmarks Preservation in all districts

* * *

For such existing *buildings* or portion thereof being converted to *residential use*, the City Planning Commission shall make the following findings:

(1) that the gross *residential floor area per room* shall be at least equal to the requirement set forth herein:

Total Existing FAR	<i>Required Gross Floor Area Per Room (S.F.)</i>
below 3.4	215
between 3.4 and [to] 7.5	240
above 7.5	300

However, for such *buildings* in zoning districts requiring mandatory compliance with the Quality Housing Program the average *net square feet of a dwelling unit or rooming unit* as defined in Section 28-02 (DEFINITIONS) shall not be less than as set forth in Section 28-21 (Size of Dwelling Units).

* * *

74-85

Special Height and Setback Regulations

74-851

Height and setback regulations for certain residential buildings

* * *

However, the provisions of this section shall not apply to *developments* built pursuant to the Quality Housing Program.

* * *

74-95

[Housing Quality Developments]

Delete entire section

Modifications of Housing Quality Special Permits

The City Planning Commission may, upon application, authorize modifications of special permits granted before (the effective date of this amendment) under Sections 74-95 (Housing Quality Developments) and 74-97 (Special Provisions for a Housing Quality Development on a Through Lot Divided by Residence—Manufacturing District Boundaries with a Substantial Grade Differential).

No such modification may create a new non-compliance or increase the degree of an existing non-compliance. Non-compliance shall be measured pursuant to the applicable district *bulk* regulations and the provisions of Article II, Chapter 8.

In no event may the Commission grant a modification of a previously approved special permit which would:

- (a) increase the height of the *building*;
- (b) extend the location of the exterior walls of the *building*;
- (c) increase the portion of the *zoning lot* covered by the *building*;
- (d) increase the *floor area* on the *zoning lot*;
- (e) reduce the amount of indoor and outdoor recreation space other than laundry rooms in the *development*;
- (f) reduce the amount of bulk storage within a *dwelling unit* or reduce shared bulk storage below 40 cubic feet of storage space for each additional 300 square feet of *dwelling unit*, or portion thereof, above 450 square feet.
- (g) affect the provision and maintenance of off-site neighborhood improvements.

* * *

[74-97

Special Provisions for a Housing Quality Development on a Through Lot Divided by Residence-Manufacturing District Boundaries with a Substantial Grade Differential]

Delete entire section

* * *

Chapter 7 Special Provisions for Zoning Lots
Divided by District Boundaries

77-00 GENERAL PROVISIONS

* * *

77-02

Zoning Lots Not Existing Prior to Effective Date of Amendment of Resolution

Subject to the provisions of Section 77-04 and Section 77-221 whenever a *zoning lot* is divided by a boundary between two or more districts and such *zoning lot* did not exist at December 15, 1961 or any applicable subsequent amendment thereto, each portion of such *zoning lot* shall be regulated by all the provisions applicable to the district in which such portion of the *zoning lot* is located.

* * *

77-20 BULK REGULATIONS

* * *

77-22

Floor Area Ratio

* * *

[The *floor area* resulting from application of the adjusted maximum *floor area ratio* may be located anywhere on the *zoning lot*, subject to all other regulations of this resolution, and provided that the *floor area ratio* for any portion of the *zoning lot* within one district shall not exceed the maximum *floor area ratio*, by *height factor* if applicable, specified for that district, or the adjusted maximum *floor area ratio* for the *zoning lot*, whichever is greater.]

77-221

Quality Housing Buildings

For *developments*, or *enlargements* where permitted, pursuant to the Quality Housing Program in R6, R7, R8 Districts and equivalent *Commercial Districts* outside of the *Manhattan Core*, the *residential floor area ratio* of that portion of the *zoning lot* fronting on and within 100 feet of a *wide street* and permitting the greater maximum *residential floor area ratio* may exceed the maximum permitted *residential floor area ratio* for the portion of the *zoning lot* by up to 20 percent provided that the maximum *residential floor area ratio* for the *zoning lot* does not exceed the adjusted maximum *residential floor area ratio* applicable to such *zoning lot*.

77-222

Other Buildings

The *floor area* resulting from application of the adjusted maximum *floor area ratio* may be located anywhere on the *zoning lot*, subject to all other regulations of this Resolution, and provided that the *floor area ratio* for any portion of the *zoning lot* within one district shall not exceed the maximum *floor area ratio*, by *height factor* if applicable, specified for that district, or the adjusted maximum *floor area ratio* for the *zoning lot*, whichever is greater.

* * *

77-24

Lot Coverage

* * *

However, for *buildings* in which the *residential* portion is *developed* or *enlarged* pursuant to the Quality Housing Program, the regulations relating to *Quality Housing lot coverage* shall be found in Article II, Chapter 3 for the *residential* portion.

77-25

Lot Area or Floor Area Requirements

* * *

The total number of *dwelling units* or *rooms* permitted on the *zoning lot* shall not exceed the sum of the *dwelling units* or *rooms* permitted on each portion of such *zoning lot* in accordance with the applicable district regulations for such portion. Such *dwelling units* or *rooms* may be located wherever a *building* is permitted on a *zoning lot*, provided that on no portion of the *zoning lot* shall there be more than 150 percent of the number of *dwelling units* or *rooms* permitted in the applicable district regulations for such portion.

However, for *buildings developed, enlarged, extended* or converted pursuant to the Quality Housing Program, the *dwelling units* or *rooming units* may be located wherever a *building* is permitted on the *zoning lot*.

* * *

District	Type of Use	Article	Chapter
Residence	Residential	II	3
Residence	Community Facility	II	4
Commercial	Residential	III	4
Commercial	Mixed (Residential with Commercial or with Community Facility)	III	5

However, for *developments, enlargements, extensions* or conversions built pursuant to the Quality Housing Program, the average *net square feet of a dwelling unit* for each portion of the *zoning lot* shall be multiplied by the percentage of the total permitted *floor area* to which such average *net square feet of a dwelling unit* applies. The sum of the products thus obtained shall be the average *net square feet of a dwelling unit* for the *zoning lot*.

* * *

77-28

Height and Setback Regulations

* * *

However, for *developments or enlargements* built pursuant to the Quality Housing Program, the height and setback regulations set forth in Sections 23-633, 24-523 and 33-433 for each *street* frontage of the *zoning lot* shall apply to that *street* frontage.

* * *

Article VII

Chapter 8 Special Regulations Applying to Large-Scale Residential Developments

* * *

78-03

Applicability of this Chapter

Large-scale residential developments are governed by all the *use, bulk*, off-street parking and loading, and other applicable regulations of this Resolution, except for such special provisions as are specifically set forth in this Chapter and apply only to such *developments*. **However, the Quality Housing Program is inapplicable in a large scale residential development.**

(On April 22, 1987, Cal. No. 5, the Commission scheduled May 6, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

* * *

NOTICE

On May 6, 1987 at 10:00 a.m. in the 11th floor Hearing Room of the Board of Standards and Appeals, 161 Avenue of the Americas, New York, New York, a **public hearing is being held by the Department of City Planning and the Department of Environmental Protection to receive comments relating to the Draft Environmental Impact Statement** concerning the proposed Quality Housing Program Zoning Text Amendments, pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR).

III. REPORTS
BOROUGH OF BROOKLYN

No. 12

CD 8

C 870551 HDK

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a six (6) story new law elevator building with 54 residential units, located on the southerly side of St. Marks Avenue, between Brooklyn and New York Avenues, **840-850 St. Marks Avenue** (block 1228, lot 37). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since March 24, 1980, through HPD's Leasing Bureau.

On April 1, 1987, Cal. No. 7, the Commission scheduled April 22, 1987 for a public hearing. On April 22, 1987, Cal. No. 6, the hearing was closed.)

For consideration.

No. 13

CD 8

C 870552 HDK

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a four (4) story new law walk-up building with 24 residential units, located on the northerly side of Sterling, between Kingston Avenue and Hampton Place, **1125 Sterling Place** (block 1224, lot 25). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since October 1, 1984, through HPD's Leasing Bureau.

On April 1, 1987, Cal. No. 7, the Commission scheduled April 22, 1987 for a public hearing. On April 22, 1987, Cal. No. 7, the hearing was closed.)

For consideration.

Nos. 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27

(Designation of an Urban Renewal Area, an Urban Renewal Plan, disposition of City-owned property, amendment to the City Map and the Zoning Map, grant of special permits and grant of consents to facilitate a proposed commercial and community development in Downtown Brooklyn)

No. 14

CD 2

C 870083 HGK

IN THE MATTER OF the designation as the Metro Tech Urban Renewal Area, pursuant to Section 504, Article 15 of the General Municipal Law (Urban Renewal Law) of New York State, within the area described as follows:

BEGINNING as the intersection of the southerly line of Tillary Street and the southwesterly line of Flatbush Avenue Extension;

Thence, southeasterly along the southwesterly line of Flatbush Avenue Extension to the intersection of Lots 8 and 4 in Block 2060;

Thence, westerly along the southerly line of Lot 8, to the easterly line of Gold Street;

Thence, southerly along the easterly line of Gold Street to the intersection of the southerly line of Willoughby Street and the easterly line of Gold Street;

Thence, westerly along the southerly line of Willoughby Street to the intersection of the westerly line of Duffield Street and the southerly line of Willoughby Street;

Thence, northerly along the westerly line of Duffield Street to the northeasterly corner of Lot 38, Block 2058;

Thence, westerly across Block 2058, Bridge Street and Block 148, to the easterly line of Lawrence Street;

Thence, southerly along the easterly line of Lawrence Street to the extension of the northerly line of Lot 36, Block 147;

Thence, westerly along the northerly line of Lot 36 and its extension, Block 147, to the northerly corner of Lot 2, Block 147;

Thence, southerly along the easterly line of Lot 2 to the southeasterly line of said lot and across the bed of Jay Street to the westerly line of Jay Street;

Thence, northerly along the westerly line of Jay Street to the intersection of the westerly line of Jay Street and the northerly line of Tech Place (Johnson Street);

Thence, easterly along the northerly line of Tech Place (Johnson Street) to the intersection of the northerly line of Tech Place (Johnson Street) and the westerly line of Bridge Street;

Thence, northerly along the westerly line of Bridge Street to the intersection of the southerly line of Tillary Street and the westerly line of Bridge Street;

Thence easterly along the southerly line of Tillary Street to the point or place of beginning.

(On March 4, 1987, Cal. No. 7, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 11, the hearing was closed.)

For consideration.

No. 15

CD 2

C 870084 HUK

IN THE MATTER OF an Urban Renewal Plan for the Metro Tech Urban Renewal Plan, pursuant to Section 505, Article 15, of the General Municipal Law (Urban Renewal Law) of New York State and Section 197-c of the New York City Charter.

The Metro Tech Urban Renewal Plan provides for the acquisition, clearance and redevelopment of various properties in downtown Brooklyn for the purpose of combining current and expanded facilities for Polytechnic University with commercial, research and development facilities.

The properties included in the sites to be acquired, cleared and redeveloped, and their respective land uses are as follows:

<u>Site</u>	<u>Properties to be acquired</u>	<u>Land-use</u>
1	Part of the block bounded by Tillary Street, Flatbush Avenue, Duffield Street and Tech Place (Johnson Street), block 132, lots 14 and 23;	Institutional/ Commercial
2	Part of the block bounded by Tech Place (Johnson Street), Bridge Street, Myrtle Avenue and Lawrence Street, block 143, lots 11, 12, 14, 16, 17, 18, 19, 23, 25, 26 and 27;	Institutional
3	Part of block 143, as described above, lots 1, 5, 6, 28, 29, 34, 38 and 42;	Open Space
4	Part of the block bounded by Tech Place (Johnson Street), Duffield Street, Myrtle Avenue and Bridge Street, block 2047, lots 1, part of 32, part of 33, part of 34, part of 35, 40, 41 and 42;	Institutional/ Commercial
5	Part of block 2047 as described above, lots 11, 27, 29, part of 32, part of 33, part of 34, part of 35 and part of 37; Part of the block bounded by Flatbush Avenue, Myrtle Avenue and Duffield Street; including Duffield Street, between Tech Place (Johnson Street) and Myrtle Avenue, block 2048, part of 1, part of 35 and part of 40;	Institutional/ Commercial
6	Portions of the beds of the following streets: Myrtle, between Flatbush Avenue and Jay Street, Duffield Street, between Myrtle and Tech Place (Johnson Street), Bridge Street, between Tech Place (Johnson Street) and Willoughby Street, Lawrence Street, between Tech Place (Johnson Street) and Willoughby Street;	Open Space
7	Part of the block bounded by Myrtle Avenue, Lawrence Street, Willoughby Street, and Jay Street, block 147, lots 4,6,7,8,9,11,12,15,16,17, 18,19,22,,31,34 and 35;	Commercial
8	Part of the block bounded by Myrtle Avenue, Bridge Street, Willoughby Street and Lawrence Street, block 148, lots 7,12,13 and 18 thru 24;	Commercial

<u>Site</u>	<u>Properties to be acquired</u>	<u>Land-use</u>
9	Part of the block bounded by Myrtle Avenue, Duffield Street, Willoughby Street and Bridge Street, block 2058, part of lot 1, 17, parts of 18 thru 25, part of 30, part of 31, part of 32, 35, 36, 39, 44, 48, 51, 52, 53 and 54.	Commercial
10	Part of the block bounded by Myrtle Avenue, Flatbush Avenue, Gold Street, Willoughby Street and Duffield Street, block 2059, lots 1, 2, 3, 4, 7, 8, 15, 17, 19, 20, 21, 22, part of 23, part of 24, part of 25, 35, 36, 39, 44, 48, 51, 52, 53 and 54	Commercial

The following properties are to be acquired for street improvements:

<u>Block</u>	<u>Lot(s)</u>
2048	1 (part), 2 (part), 3 (part), 6, 9, 34, 35 (part), 40 (part)
2058	25 (part), 27 (part), 28 (part), 29 (part)
2059	18 (part), 19 (part), 20 (part), 21 (part), 22 (part), 23 (part), 24 (part), 25 (part), 26, 27, 29, 30 (part), 31 (part), 32 (part)
2060	8

The proposed Metro Tech Development is to provide for the following:

- 372,000 sq. ft. of existing Polytechnic University academic facilities;
- 678,000 sq. ft. of new Polytechnic academic facilities including a 53,000 sq. ft. library and a 100,000 sq. ft. Center for Advanced Technology in Telecommunications (CATT);
- 2,975,000 sq. ft. of commercial facilities on six sites including a new headquarters for the Brooklyn Union Gas Company, a computer operations center for New York based financial and related industrial companies and research and development facilities;
- 175,000 sq. ft. of retail space.

(On March 4, 1987, Cal. No. 8, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 12, the hearing was closed.)

For consideration.

No. 16

CD 2

C 870085 HDK

IN THE MATTER OF the disposition of city-owned property, within the Metro Tech Urban Renewal Area, pursuant to Section 197-c of the New York City Charter.

The following properties are to be disposed to Forest City Metro Tech Associates and/or Polytechnic University in the form of a 99 year lease subsequent to acquisition by the City in accordance with the provisions of the Metro Tech Urban Renewal Plan:

<u>Site</u>	<u>Properties to be acquired</u>	<u>Land-use</u>
1	Part of the block bounded by Tillary Street, Flatbush Avenue, Duffield Street and Tech Place (Johnson Street), block 132, lots 14 and 23;	Institutional/ Commercial
2	Part of the block bounded by Tech Place (Johnson Street), Bridge Street, Myrtle Avenue and Lawrence Street, block 143, lots 11, 12, 14, 16, 17, 18, 19, 23, 25, 26 and 27;	Institutional
3	Part of block 143, as described above, lots 1, 5, 6, 28, 29, 34, 38 and 42;	Open Space
4	Part of the block bounded by Tech Place (Johnson Street), Duffield Street, Myrtle Avenue and Bridge Street, block 2047, lots 1, part of 32, part of 33, part of 34, part of 35, 40, 41 and 42;	Institutional/ Commercial
5	Part of block 2047 as described above, lots 11, 27, 29, part of 32, part of 33, part of 34, part of 35 and part of 37;	Institutional/ Commercial
	Part of the block bounded by Flatbush Avenue, Myrtle Avenue and Duffield Street; including Duffield Street, between Tech Place (Johnson Street) and Myrtle Avenue, block 2048, part of 1, part of 35 and part of 40;	

<u>Site</u>	<u>Properties to be acquired</u>	<u>Land-use</u>
6	Portions of the beds of the following streets: Myrtle, between Flatbush Avenue and Jay Street, Duffield Street, between Myrtle and Tech Place (Johnson Street), Bridge Street, between Tech Place (Johnson Street) and Willoughby Street, Lawrence Street, between Tech Place (Johnson Street) and Willoughby Street;	Open Space
7	Part of the block bounded by Myrtle Avenue, Lawrence Street, Willoughby Street, and Jay Street, block 147, lots 4,6,7,8,9,11,12,15,16,17, 18,19,22,,31,34 and 35;	Commercial
8	Part of the block bounded by Myrtle Avenue, Bridge Street, Willoughby Street and Lawrence Street, block 148, lots 7,12,13 and 18 thru 24;	Commercial
9	Part of the block bounded by Myrtle Avenue, Duffield Street, Willoughby Street and Bridge Street, block 2058, part of lot 1, 17, parts of 18 thru 25, part of 30, part of 31, part of 32, 35, 36, 39, 44, 48, 51, 52, 53 and 54.	Commercial
10	Part of the block bounded by Myrtle Avenue, Flatbush Avenue, Gold Street, Willoughby Street and Duffield Street, block 2059, lots 1, 2, 3, 4, 7, 8, 15, 17, 19, 20, 21, 22, part of 23, part of 24, part of 25, 35, 36, 39, 44, 48, 51, 52, 53 and 54	Commercial

The following properties are to be acquired for street improvements:

<u>Block</u>	<u>Lot(s)</u>
2048	1 (part), 2 (part), 3 (part), 6, 9, 34, 35 (part), 40 (part)
2058	25 (part), 27 (part), 28 (part), 29 (part)
2059	18 (part), 19 (part), 20 (part), 21 (part), 22 (part), 23 (part), 24 (part), 25 (part), 26, 27, 29, 30 (part), 31 (part), 32 (part)
2060	8

The proposed Metro Tech Development is to provide for the following:

- 372,000 sq. ft. of existing Polytechnic University academic facilities;
- 678,000 sq. ft. of new Polytechnic academic facilities including a 53,000 sq. ft. library and a 100,000 sq. ft. Center for Advanced Technology in Telecommunications (CATT);
- 2,975,000 sq. ft. of commercial facilities on six sites including a new headquarters for the Brooklyn Union Gas Company, a computer

operations center for New York based financial and related industrial companies and research and development facilities;

— 175,000 sq. ft. of retail space.

(On March 4, 1987, Cal. No. 8, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 13, the hearing was closed.)

For consideration.

No. 17

CD 2

C 841069 MMK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, the New York City Public Development Corporation, the New York City Department of Housing Preservation and Development, and Polytechnic University pursuant to Sections 197-c and 199 of the New York City Charter for **an amendment to the City Map** involving

1. Elimination, discontinuance and closing of Myrtle Avenue from Jay Street to 60 feet west of Duffield Street,
2. Elimination, discontinuance and closing of Lawrence Street and Bridge Street from Johnson Street/Tech Place to 250 feet north of Willoughby Street,
3. Elimination, discontinuance and closing of Duffield Street between Johnson Street/Tech Place and Myrtle Avenue,
4. The widening of Myrtle Avenue from Flatbush Avenue to 60 feet west of Duffield Street,
5. The widening of Flatbush Avenue from Johnson Street/Tech Place to 200 feet north of Willoughby Street,
6. The widening of a portion of Jay Street to create a bus lay-by lane, on the easterly side of the street between Willoughby Street and Johnson Street/Tech Place,

and the adjustment of legal grades necessitated thereby **to enable the development of a mixed use** (Commercial/Community facility) **development known as Metrotech**, all in accordance with map number X-2393 (2 sheets) and N-2394 (1 sheet) both dated December 17, 1986 and revised on February 19, 1987 and signed by the Borough President. The maps were referred by the Board of Estimate on December 18, 1986, Calendar—Added #11 and Added #12. The revised maps

were referred by the Board of Estimate on February 26, 1987, Calendar No. 388 and No. 389. The revisions are minor.

(On March 4, 1987, Cal. No. 10, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 14, the hearing was closed.)

For consideration.

No. 18

CD 2

C 860685 ZMK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, the NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and Polytechnic University pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map**, Sections Nos. 16c and 12d, changing from M1-1, C8-2, C6-1, R6 and C1-3 Districts, to C6-4 and C6-1A Districts property bounded by Flatbush Avenue, a line 200 feet north of Willoughby Street, Gold Street, Willoughby Street, Duffield Street, a line 250 feet north of Willoughby Street, Lawrence Street, a line 175 feet north of Willoughby Street, a line midway between Lawrence Street and Jay Street, a line 125 feet north of Willoughby Street, Jay Street, Johnson Street/Tech Place, Bridge Street and Tillary Street, **to facilitate the development of a commercial and community facility development**, as shown on a diagram dated December 30, 1986.

(On March 4, 1987, Cal. No. 11, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 15, the hearing was closed.)

For consideration.

No. 19

CD 2

C 860686 ZSK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197c and 200 of the New York City Charter and Section 74-52 and 74-721 of the Zoning Resolution for the **grant of a special permit for an attended**

public parking garage with a capacity of 270 spaces and modification of height and setback on property generally bounded by Jay Street and the proposed-to-be demapped Myrtle Avenue and Lawrence Street (Block 147, Lot 2, 4, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 22, 31, 34 and 35).

Plans for this proposed commercial development are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 4, 1987, Cal. No. 12, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 16, the hearing was closed.)

For consideration.

No. 20

CD 2

C 860687 ZSK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, the New York City Public Development Corporation, the New York City Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197c and 200 of the New York City Charter and Sections 74-52 and 74-721 of the Zoning Resolution for the **grant of a special permit for an attended public parking garage** with a capacity of 175 spaces and modification of Height and Setback on property generally bounded by the proposed-to-be demapped Lawrence Street, Myrtle Avenue and Bridge Street (Block 148, Lots 7, 12, 13, 18, 19, 20, 21, 22, 23 and 24).

Plans for this proposed commercial development are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 4, 1987, Cal. No. 13, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 17, the hearing was closed.)

For consideration.

No. 21

CD 2

C 860688 ZSK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197c and 200 of the New York City Charter and Section 74-721 of the Zoning Resolution for the **grant of a special permit for modification of height and setback** on property generally bounded by the proposed-to-be demapped Bridge Street and Myrtle Avenue and building "G" of the proposed development (Block 2047, Lots 1, 4, 5, 6, 7, 11, 13, 27, 29, 31, 32, 33, 34, 35, 40, 41 and 42).

Plans for this proposed commercial development are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 4, 1987, Cal. No. 14, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 18, the hearing was closed.)

For consideration.

No. 22

CD 2

C 860689 ZSK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197c and 200 of the New York City Charter and Section 74-721 of the Zoning Resolution for the **grant of a special permit for modification of height and setback** on property generally bounded by Johnson Street/Tech Place, the proposed-to-be demapped Lawrence and Bridge Streets and the proposed central open space (Block 143, Lots 1, 5, 6, 11, 12, 14, 16, 17, 18, 19, 23, 25, 26, 27, 28, 29, 34, 38 and 42).

Plans for this proposed institutional facility are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 4, 1987, Cal. No. 13, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 19, the hearing was closed.)

For consideration.

No. 23

CD 2

C 860690 ZSK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197c and 200 of the New York City Charter and Sections 74-52 and 74-721 of the Zoning Resolution for the **grant of a special permit for an attended public parking garage** with a capacity of 175 spaces and **modification of height and setback** on property generally bounded by Duffield Street and the proposed-to-be demapped Bridge Street and Myrtle Avenue (Block 2058, Lots 1, 17, 18, 23, 24, 25, 27, 28, 29, 30, 35 and 36).

Plans for this proposed commercial development are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 4, 1987, Cal. No. 16, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 20, the hearing was closed.)

For consideration.

No. 24

CD 2

C 860691 ZSK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197-c and 200 of the New York City Charter and Sections 74-52 and 74-721 of the Zoning Resolution for the **grant of a special permit for an attended public parking garage** with a capacity of 330 spaces and **modification of height and setback** on property generally bounded by Duffield Street, Myrtle Avenue, Flatbush Avenue Extension, Gold Street and Willoughby Street (Block 2059, Lots

1, 2, 3, 4, 7, 8, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 30, 31, 32, 35, 36, 39, 44, 48, 51, 52, 53 and 54).

Plans for this proposed commercial development are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 4, 1987, Cal. No. 17, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 21, the hearing was closed.)

For consideration.

No. 25

CD 2

C 860691 ZSK(A)

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197-c and 200 of the New York City Charter and Sections 74-52 and 74-721 of the Zoning Resolution for the **grant of a special permit for an attended public parking garage** with a capacity of 330 spaces **and modification of height and setback** on property generally bounded by Duffield Street, Myrtle Avenue, Flatbush Avenue Extension, Gold Street and Willoughby Street (Block 2059, Lots 1, 2, 3, 4, 7, 8, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 30, 31, 32, 35, 36, 39, 44, 48, 51, 52, 53 and 54).

Plans for this proposed commercial development are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 4, 1987, Cal. No. 18, the Commission scheduled March 18, 1987 for a public hearing. On March 18, 1987, Cal. No. 22, the hearing was closed.)

For consideration.

No. 26

CD 2

C 860692 ZSK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197-c and 200 of the New York City Charter and Sections 74-52 and 74-721 of the Zoning Resolution for the **grant of a special permit for an attended public parking garage** with a capacity of 400 spaces and **modification of height and setback** on property generally bounded by Johnson Street/Tech Place, Flatbush Avenue Extension, Myrtle Avenue and the proposed-to-be demapped Bridge Street (Block 2047, Lots 1, 4, 5, 6, 7, 11, 13, 27, 29, 31, 32, 33, 34, 35, 40, 41 and 42; and Block 2048, Lots 1, 2, 3, 35 and 40).

Plans for this proposed commercial development are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 4, 1987, Cal. No. 19, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 23, the hearing was closed.)

For consideration.

No. 27

CD 2

C 860693 ZSK

IN THE MATTER OF an application submitted by Forest City Metrotech Associates, NYC Public Development Corporation, the NYC Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-52 and 74-721 of the Zoning Resolution for the **grant of a special permit for an attended public parking garage** with a capacity of 250 spaces and **modification of height and setback** on property generally bounded by Bridge Street, Tillary Street, Flatbush Avenue Extension and Johnson Street (Block 132, Lots 1, 2, 10, 12, 14, 23 and 35).

Plans for this proposed commercial development are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

(On March 1, 1987, Cal. No. 20, the Commission scheduled March 18, 1987, for a public hearing. On March 18, 1987, Cal. No. 24, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

Nos. 28 and 29

(Proposed Zoning Map change and special permits for the proposed quality housing mixed-use Jusco Development)

No. 28

CD 6

C 860261 ZMQ

IN THE MATTER OF an application submitted by Jusco Development Corp. pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map**, Section No. 14a, changing from an R6 District to an R7-2 District property bounded by Queens Boulevard, 72nd Road, a line 250 feet westerly of 112th Street, 72nd Drive, 112th Street, 75th Avenue, 113th Street, a line passing through two points: one on the easterly side of Queens Boulevard, distant 182 feet southerly from the point at which Queens Boulevard intersects the southerly prolongation of 112th Street, and the other on the westerly side of 113th Street, distant 135 feet southerly from 75th Avenue, a line 100 feet easterly of Queens Boulevard, and a line at right angles to Queens Boulevard at a point 382 feet southerly from the point at which Queens Boulevard intersects the southerly prolongation of 112th Street; and

a. eliminating from within the proposed R7-2 District, an existing C1-2 District bounded by Queens Boulevard, the southerly prolongation of 112th Street, 75th Avenue, a line 100 feet easterly of the southerly prolongation of 112th Street, a line 100 feet easterly of Queens Boulevard, and the line passing through the two points noted above; and

b. establishing within the proposed R7-2 District, a C2-2 District bounded by Queens Boulevard, the southerly prolongation of 112th Street, 75th Avenue, a line parallel to 113th Street intersecting 75th Avenue at a point 275 feet easterly of the southerly prolongation of 112th Street, and the line passing through the two points noted above,

to permit the construction of a mixed-use development as shown on diagram dated January 28, 1987.

(On April 1, 1987, Cal. No. 9, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 8, the hearing was closed.)

For consideration.

No. 29

CD 6

C 860262 ZSQ

IN THE MATTER OF an application submitted by the Jusco Development Corp. pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-95 of the Zoning Resolution for the **grant of a special permit** for a Housing Quality building involving the modification of the height and setback regulations, minimum distance between buildings and the minimum required open space ratio and section 74-512 of the Zoning Resolution for the **grant of a special permit** for a 3-level, below grade public parking garage in a C2-2 District containing 427 parking spaces on a zoning lot generally bounded by Queens Boulevard, 112th Street, 75th Avenue and 113 Street (Block 2264, Lots 62, 73, 79 and 97).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 1514, 2 Lafayette Street, New York, New York 10007.

(On April 1, 1987, Cal. No. 10, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 9, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 30

CD-1,3

C 870476-477 PPR

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of seven (7) City-owned properties.**

<u>ULURP #</u>	<u>C.B.</u>	<u>Block</u>	<u>Lot</u>	<u>Location</u>
870476PPR	1	23	40	21 Brooke Street
"	"	1261	54	E/S South Avenue, 48 Ft. S/O Brabant Street
"	"	1456	20	N/W/C Leonard and Glascoe Avenues
"	"	216	75	Interior lot 73 Feet E/O Caroline Street and 100 Feet S/O Cary Ave.
870477PPR	3	4409	52	S/S/O Pinewood Avenue, 40 Ft. E/O Andrews Avenue
"	"	4440	31	S/E/C Richmond Hill Rd. and West Cedarview Avenue
"	"	6705	74	S/S Hanover Avenue, 255 Ft. W/O Hylan Blvd.

A list and description of the properties can be seen at the City Planning Commission, 2 Lafayette Street—Room 1614, New York, N.Y. 10007.

(On March 18, 1987, Cal. No. 1, the Commission scheduled April 1, 1987 for a public hearing which has been duly advertised.) On April 22, 1987, Cal. No. 27, the hearing was closed.)

For consideration.

No. 31

CD 2

N 870088 ZAR

IN THE MATTER of an application pursuant to Sections 105-421 and 105-423 of the Zoning Resolution from Nicholas Salvadeo, A.I.A., for the grant of authorizations involving modification of topography and alteration of botanic environment including the removal of seven (7) trees on property located at 42 Elmhurst Avenue. Block 882, Lot 200.

Plans for the proposed single family dwelling and an in-ground swimming pool are on file with the City Planning Commission and may be seen in Room 1517, Two Lafayette Street, New York.

For consideration.

No. 32

CD 2

N 860900 ZCR

(Request to construct one (1) garage for the storage of golf carts in the Special Natural Area District of Staten Island.)

IN THE MATTER of an application, pursuant to Section 105-421 of the Zoning Resolution, from American Golf Corporation for certification by the City Planning Commission to the Department of Buildings that no authorization or special permit is required in order to construct one (1) 60' X 70' Golf Cart Storage garage on property located at the Latourette Golf Club in Latourette Park, Block 2359, Lot 1.

Plans for proposed golf cart storage garage are on file with the City Planning Commission and may be seen in Room 1517, Two Lafayette Street, New York.

For consideration.

BOROUGH OF THE BRONX

No. 33

CD 4

C 870555 HDX

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a five (5) story new law walk-up building with 12 residential units, located on the easterly side of Boston Road, between East 168th and East 169th Streets **1218 Boston Road** (Block 2663, Lot 4). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families.** The building has been managed by the tenants association since July 1, 1985, through HPD's Leasing Bureau.

(On April 1, 1987, Cal. No. 1, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 16, the hearing was closed.)

For consideration.

No. 34

CD 4

C 870556 HDX

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a five (5) story new law walk-up building with 26 residential units and one vacant commercial unit, located on the westerly side of Plimpton Avenue, between West 170th Street and University Avenue, **1383 Plimpton Avenue** (block 2522, lot 109). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since February 1, 1985, through HPD's Leasing Bureau.

(On April 1, 1987, Cal. No. 2, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 17, the hearing was closed.)

For consideration.

No. 35

CD 5

C 870557 HDX

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a six (6) story new law elevator building with 37 residential units, located on the westerly side of Marion Avenue, between East 184th and East 187th Streets, **2375 Marion Avenue** (Block 3022, Lot 43). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since February 1, 1985, through HPD's Leasing Bureau.

(On April 1, 1987, Cal. No. 3, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 18, the hearing was closed.)

For consideration.

No. 36

CD 6

C 870558 HDX

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a five (5) story old law walk-up with 16 residential units, located on the easterly side of Webster Avenue, between East 182nd and East 183rd Streets, **2246 Webster Avenue** (block 3030, lot 140). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since February 1, 1985, through HPD's Leasing Bureau.

(On April 1, 1987, Cal. No. 4, the Commission scheduled April 22, 1987, for a public hearing.. On April 22, 1987, Cal. No. 19, the hearing was closed.)

For consideration.

No. 37

CD 6

C 870559 HDX

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a four (4) story new law walk-up with nine (9) residential units, located on the easterly side of Arthur Avenue, between East 188th and East 189th Streets, **2456 Arthur Avenue** (block 3077, lot 33). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since April 1, 1986, through HPD's Leasing Bureau.

(On April 1, 1987, Cal. No. 5, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 20, the hearing was closed.)

For consideration.

No. 38

CD 12

C 870560 HDX

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a two (2) story walk-up with four (4) residential units, located on the southerly side of Oakley Street, between Fish Avenue and East 216th Street, **1314 Oakley Street** (block 4711, lot 28). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since July 11, 1985, through HPD's Leasing Bureau.

(On April 1, 1987, Cal. No. 6, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 21, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 39

CD 7

C 870553 HDM

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a five (5) story old law walk-up building with eight (8) residential units and one commercial unit, located on the westerly side of Columbus Avenue, between West 106th and West 107th Streets, **942 Columbus Avenue** (block 1861, lot 30). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since November 1, 1985, through HPD's Leasing Bureau.

(On April 1, 1987, Cal. No. 13, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 12, the hearing was closed.)

For consideration.

No. 40

CD 9

C 870554 HDM

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed of is a three (3) story Hereafter converted Class B Multiple Dwelling walk-up building with five (5) residential units, located on the northerly side of West 147th Street, between Convent and Amsterdam Avenues, **419 West 147th Street** (block 2062, lot 26). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants association since February 1, 1981, through HPD's Leasing Bureau.

(On April 1, 1987, Cal. No. 12, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 13, the hearing was closed.)

For consideration.

No. 41

CD 8

C 870041 GFM

IN THE MATTER OF an application submitted by the Glick Construction Corporation, pursuant to Section 197-c of the New York City Charter, for the **grant of a 10-year revocable consent** to install, operate and maintain six lampposts on the north and south sidewalks of East 76th Street between York Avenue and Franklin D. Roosevelt Drive. (**Promenade Lights**).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 1514, 2 Lafayette Street, New York, New York 10007.

(On April 1, 1987, Cal. No. 15, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 14, the hearing was closed.)

For consideration.

CD 11

C 870439 PPM

IN THE MATTER OF an application, pursuant to Section 197-c of the New York City Charter, by the Division of Real Property for the proposed **disposition of one City-owned property** via the Public Development Corporation to Unity Stove Co., Inc. In the event the PDC negotiation is unsuccessful, unrestricted disposition is requested.

<u>Block</u>	<u>Lot</u>	<u>Location</u>
1785	36, 37, 38	228-232 East 121st Street

(On April 1, 1987, Cal. No. 16, the Commission scheduled April 22, 1987, for a public hearing. On April 22, 1987, Cal. No. 15, the hearing was closed.)

For consideration.
