

CITY PLANNING COMMISSION

DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, APRIL 6, 1994
10:00 A.M. IN CITY HALL

Lois McDaniel, Calendar Officer
 22 Reade Street, Room 2E
 New York, New York 10007-1216
 (212) 720-3370

| CAL NO. | ULURP NO. | CD NO. | C.P.C. ACTION | CAL NO. | ULURP NO. | CD NO. | C.P.C. ACTION |
|---------|--------------|-----------|-------------------------------|---------|--------------|-----------|--------------------------|
| 1 | C 930505 PPQ | 1, 3 7 | Scheduled to be Heard 4/20/94 | 23 | C 920558 POK | 1 | Favorable Report Adopted |
| 2 | N 930469 ZRY | CW | " " | 24 | C 920559 POK | 1 | " " |
| 3 | C 910440 ZMX | 12 | Hearing Closed | 25 | C 940145 PPM | 7 | " " |
| 4 | C 910385 MMX | 8 | " " | 26 | C 940153 BFM | 4, 5 6 | " " |
| 5 | C 920231 MMX | 10 | " " | 27 | N 940303 ZRM | 8 | " " |
| 6 | C 930541 PPX | 3 | " " | 28 | C 930082 PQR | 1 | " " |
| 7 | C 940071 HAX | 4 | " " | 29 | C 930403 PCR | 3 | " " |
| 8 | C 920649 POK | 1 | " " | 30 | | | |
| 9 | C 930051 POK | 16 | " " | 31 | | | |
| 10 | C 860183 ZMM | 4 | " " | 32 | | | |
| 11 | N 940453 PXM | 1 | " " | 33 | | | |
| 12 | C 940170 HUM | 12 | " " | 34 | | | |
| 13 | C 940171 PSM | 12 | " " | 35 | | | |
| 14 | C 940172 ZSM | 12 | " " | 36 | | | |
| 15 | C 940239 PPM | 9 | " " | 37 | | | |
| 16 | C 930028 ZMQ | 1 | " " | 38 | | | |
| 17 | C 930419 ZMQ | 11 | " " | 39 | | | |
| 18 | C 930584 ZMQ | 7 | " " | 40 | | | |
| 19 | N 940257 ZRY | CW | Hearing Continued | 41 | | | |
| 20 | C 940222 HAX | 10 | Favorable Report Adopted | 42 | | | |
| 21 | N 940223 ZAX | 10 | Authorization Approved | 43 | | | |
| 22 | N 940251 ZRX | 10 | Favorable Report Adopted | 44 | | | |

| COMMISSION ATTENDANCE: | Present (P) Absent (A) | COMMISSION VOTING RECORD: Calendar Numbers | | | | | | | | | | In Favor - Y Oppose - N Abstain - AB | | |
|---|---------------------------|---|----|----|----|----|----|----|----|----|----|--|--|--|
| | | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | |
| Joseph B. Rose, <i>Chairman</i> | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Victor G. Alicea, <i>Vice Chairman</i> | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Eugenie L. Birch, A.I.C.P. | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Amanda M. Burden, A.I.C.P. | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Anthony I. Giacobbe | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Maxine Griffith | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| James C. Jao, R.A. | P | Y | Y | Y | Y | Y | Y | N | Y | Y | Y | | | |
| Brenda Levin | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Edward T. Rogowsky | P | Y | Y | Y | N | N | Y | Y | Y | Y | Y | | | |
| Ronald Shiffman, A.I.C.P. | P | Y | Y | Y | AB | AB | Y | Y | Y | Y | Y | | | |
| Analisa Torres, Esq. | A | | | | | | | | | | | | | |
| Jacob B. Ward, Esq., <i>Commissioners</i> | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |

MEETING ADJOURNED AT: 2:25 P.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, APRIL 6, 1994

MEETING AT 10:00 A.M.
in
CITY HALL



Rudolph W. Giuliani, Mayor
City of New York

[No. 7]

Prepared by Lois McDaniel, Calendar Officer

A

CITY PLANNING COMMISSION

**GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS**

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

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

CALENDARS: *Any member of a Community 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 Commission 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, 22 Reade Street, Room 2E, New York, N.Y. 10007. Any other individual or organization wishing to be placed on the calendar mailing list may do so by sending a certified check, made out to the City of New York -- Department of City Planning to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216. The fee, including tax, is \$64.95 for a two year subscription.*

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

Note to Subscribers: Notify us of change of address by writing to:

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

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

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

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

Subject _____

Date of Hearing _____ Calendar No. _____

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

Position:

Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

B
CITY PLANNING COMMISSION

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

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICEA, *Vice-Chairman*
ANTHONY I. GIACOBBE, *Esq.*
EUGENIE L. BIRCH, A.I.C.P.
AMANDA M. BURDEN, A.I.C.P.
MAXINE GRIFFITH
JAMES C. JAO, R.A.
BRENDA LEVIN
EDWARD T. ROGOWSKY
RONALD SHIFFMAN, A.I.C.P.
ANALISA TORRES, *Esq.*
JACOB B. WARD, *Esq., Commissioners*
LOIS MCDANIEL, *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, APRIL 6, 1994

| | |
|--|-----|
| Roll Call; approval of minutes | 1 |
| I. Scheduling April 20, 1994 | 1 |
| II. Public Hearings | 5 |
| III. Reports | 154 |

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

The next regular public meeting of the City Planning Commission is scheduled for April 20, 1994, in City Hall, Room 16, Manhattan, New York at 10:00 a. m.

WEDNESDAY, APRIL 6, 1994

APPROVAL OF MINUTES OF Regular Meetings of March 16, 1994

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, APRIL 20, 1994
STARTING AT 10:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF QUEENS

No. 1

CD 1,3,7

C 930505 PPQ

IN THE MATTER OF an application submitted by the Department of Business Services pursuant to Section 197-c of the New York City Charter, for the **disposition by lease of one (1) city-owned property** (Block 926, Lot 1) located at the east end of LaGuardia Airport, to construct an overrun for runway 13-31.

Resolution for adoption scheduling April 20, 1994 for a public hearing.

No. 2

(Amendments to Sections 32-41, 73-11 and 73-36 of the Zoning Resolution concerning physical culture or health establishments)

Citywide

N 930469 ZRY

IN THE MATTER OF an application submitted by Talla New York, Inc., pursuant to Section 201 of the New York City Charter, for **amendments of the Zoning Resolution** of the City of New York, relating to Sections 32-41, 73-11 and 73-36, as follows:

Matter in ~~Graytone~~ is new, to be added;

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

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

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

32-40 SUPPLEMENTARY USE REGULATIONS

32-41

Enclosure within Buildings

C1 C2 C3 C4 C5 C6 C8

In the districts indicated, except as otherwise specifically provided in the Use Groups permitted in such districts and in Section 36-11 (General Provisions) and Section 36-61 (Permitted Accessory Off-Street Loading Berths) and Section ~~73-36~~ (Physical Culture or Health Establishments), all permitted #uses# which are created by new #development#, or which are #enlarged# or #extended#, or which result from a change of #use# shall be subject to the provisions of this Section with respect to enclosure within #buildings#. With respect to the #enlargement# or #extension# of an existing #use#, such provisions shall apply to the #enlarged# or #extended# portion of such #use#.

73-10 SPECIAL PERMIT USES

73-11

General Provisions

Subject to the general findings required by Section 73-03 and in accordance with the provisions contained in Sections 73-12 to ~~73-34~~ ~~73-36~~, the Board shall have the power to permit special permit #uses#, and shall have the power to impose appropriate conditions and safeguards thereon.

73-36

Physical Culture or Health Establishments

In C2, C4, C5, C6, C8, M1, M2, or M3 Districts, and in certain special districts as specified in the provisions of such special district, the Board may permit #physical culture or health establishments# as defined in Section 12-10 including gymnasiums (not permitted under Use Group 9), massage establishments, other than #adult physical culture establishments#, for a term not to exceed ten years, provided the following findings are made:

- (a) That such #use# is so located as not to impair the essential character or the future use or development of the surrounding area, and
- (b) That such #use# contains: (i) one or more of the following regulation size sports facilities; handball courts, basketball courts, squash courts, paddleball courts, racketball courts, tennis courts; or (ii) a swimming pool of a minimum 1,500 square feet; or (iii) facilities for classes, instruction and programs for physical improvement, body building, weight reduction, aerobics or martial arts; or (iv) facilities for the practice of massage by New York State licensed masseurs or masseuses.

Therapeutic or relaxation services may be provided only as #accessory# to programmed facilities as described in (i) through (iv) above.

In C4-7, C5-2, C5-3, C5-4, C5-5, C6-4, C6-5, C6-6, C6-7, C6-8 or C6-9 Districts, the Board may permit #physical culture or health establishments# located on the roof of a #commercial building# or the #commercial# portion of a #mixed building# provided the following additional findings are made:

- (i) That such #use# shall be an incidental part of a permitted #physical culture or health establishment# located within the same #commercial or mixed building#.
- (ii) That such #use# shall be open and unobstructed to the sky.
- (iii) That such #use# shall be located on a roof not less than 23 feet above #curb level#.
- (iv) That the application for such #use# shall be made jointly by the owner of the #building# and the operator of such #physical culture or health establishment#.
- (v) That the Board shall prescribe appropriate controls to minimize adverse impacts on the surrounding area, including but not limited to, requirements for the location, size and types of signs, limitations on the manner and/or hours of operation, shielding of floodlights, adequate screening, and the control of undue noise including the amplification of sound, music or voices.

No special permit shall be issued pursuant to this Section unless:

- (1) The Board shall have referred the application to the Department of Investigation for a background check of the owner, operator and all principals having an interest in any application filed under a partnership or corporate name and shall have received a report from the Department of Investigation which the Board shall determine to be satisfactory.

- (2) The Board in any resolution granting a special permit shall specify how each of the findings required by this Section are made.

The Board shall retain the right to revoke the special permit, at any time, if it determines that the nature or manner of operation of the permitted #use# has been altered from that authorized.

The Board may prescribe appropriate conditions and safeguards including location of signs and limitations on the manner and/or hours of operation in order to minimize adverse effects on the character of the surrounding community.

Note: This text is modified, reflecting the recent passage of application #N 900731 ZRY on March 16, 1994, Cal. No. 39.

Resolution for adoption scheduling April 20, 1994 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 3

CD 12

C 910440 ZMX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Frank Ferrovicchio pursuant to Sections 197-c and 201 of the New York City Charter for an **amendment to the Zoning Map, Section No. 2b**, changing from an R4 district to an M1-1 district property bounded by Needham Avenue, the northerly prolongation of the westerly boundary line of the New York City Transit Authority Right-of-Way, Boston Road and Pratt Avenue, as shown on a diagram (for illustrative purposes only) dated December 13, 1993.

(On March 16, 1994, Cal. No. 1, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 4

CD 8

C 910385 MMX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Fairfield Division of the Hebrew Home for the Aged, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an **amendment to the City Map** involving the elimination, discontinuance and closing of a portion of the intersection of Fairfield Avenue and the easterly service road of the Henry Hudson Parkway, and the modification of grades necessitated thereby, **and any acquisition or disposition of real property related thereto**, in accordance with Map No. 13050 dated June 4, 1993 and signed by the Borough President.

(On March 16, 1994, Cal. No. 2, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 5

CD 10

C 920231 MMX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by St. Raymond's Church, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an **amendment to the City Map** involving the elimination, discontinuance and closing of

- o the easterly portion of the Hutchinson River Expressway interchange at Randall Avenue;
- o Foote Avenue from Schley Avenue to the Hutchinson River Expressway interchange;
- o Schley Avenue from Emerson Avenue to Foote Avenue, and
- o the adjustment of legal grades necessitated thereby,

and any acquisition or disposition of real property related thereto, in accordance with Map No. 13048 dated April 29, 1993 and signed by the Borough President.

(On March 16, 1994, Cal. No. 3, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 6

CD 3

C 930541 PPX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of one (1) city-owned property located at 601 East 163rd Street (Block 2621, Lot 32), restricted to community facility use.**

(On March 16, 1994, Cal. No. 4, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

CD 4

C 940071 HAX

PUBLIC HEARING:

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

1. pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State for:
 - a) **the designation of 1310 Morris Avenue**, on the easterly side of Morris Avenue, between East 169th and East 170th Street, (Block 2785, Lot 5), **as an Urban Development Action Area;**
 - b) **an Urban Development Action Area project for such area; and**
2. pursuant to Section 197-c of the New York City Charter for **the disposition of such property to a developer to be selected by HPD.**

Approval of the proposed actions would **facilitate the construction of a HUD Section 811 development**, tentatively known as the Bronx Center for Independent Living, containing 19 apartments in a four story elevator building, for physically disabled persons of low income; and one two-bedroom apartment for the superintendent.

(On March 16, 1994, Cal. No. 5, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF BROOKLYN

CD 1

C 920649 POK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of General Services, pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 75 Frost Street** (Block 2732, Lot 12), **for continued use as a vehicle testing facility.**

(On March 16, 1994, Cal. No. 6, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 9

CD 16

C 930051 PQK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services, pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 324/34 MacDougal Street (Block 1535, Lot 14), for continued use as a Group Foster Care Residence.**

(On March 16, 1994, Cal. No. 7, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 10

CD 4

C 860183 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Seventh Chelsea Associates pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 8d:**

1. changing from a C6-2 district to a C6-3X district property bounded by West 23rd Street, a line 100 feet westerly of Seventh Avenue, West 25th Street, and a line 100 feet easterly of Seventh Avenue; and
2. changing from a C6-2M district to a C6-3X district property bounded by a line midway between West 22nd Street and West 23rd Street, a line 100 feet westerly of Seventh Avenue, West 23rd Street, and a line 100 feet easterly of Seventh Avenue;

as shown on a diagram (for illustrative purposes only) dated December 20, 1993 and subject to the conditions of CEQR Declaration E-54.

(On March 16, 1994, Cal. No. 8, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 11

CD 1

N 940453 PXM

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of General Services, Division of Real Property, pursuant to Section 195 of the New York City Charter **for use of approximately 8,141 square feet of space on part of the 6th floor of 42 Broadway** (Block 22, Lot 20). (Board of Elections - Electronic Voting Systems/EVS)

(On March 24, 1994, the Commission duly advertised April 6, 1994 for a public hearing.)

Close the hearing.

Nos. 12, 13 and 14

(Applications for an amendment to the Washington Heights-Highbridge Park Urban Renewal Plan for the Washington Heights-Urban Renewal Area, the disposition of city-owned property and the grant of a special permit to facilitate the construction of the new 33rd Precinct stationhouse.)

No. 12

CD 12

C 940170 HUM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development **for an Amendment to the Washington Heights - Highbridge Park Urban Renewal Plan** for the Washington Heights - Highbridge Park Urban Renewal Area, pursuant to Section 505 of Article 15 of the General Municipal

(Urban Renewal) Law of New York State and Section 197-c of the New York City Charter.

The proposed amendment to the urban renewal plan for the Washington Heights - Highbridge Park Urban Renewal Area revises the Land Use controls by adding Police Precincts as permitted community facility/institutional uses.

This change would facilitate the construction of the new 33rd Precinct on a portion of Site D, on the block bounded by West 167th Street, Amsterdam Avenue, West 170th Street and Edgecombe Avenue (Block 2112, Lot 10).

(On March 16, 1994, Cal. No. 9, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 13

CD 12

C 940171 PSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Police Department pursuant to Section 197-c of the New York City Charter, for site selection of city-owned property located at 26/46 Jumel Place (Block 2112, Lot 10), for the construction of a new police station.

(On March 16, 1994, Cal. No. 10, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 14

CD 12

C 940172 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Police Department pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution to allow a police station (new 33rd Precinct stationhouse) to be partly located in an R7-2 District on a zoning lot generally bounded by West 168th Street, Amsterdam Avenue and Jumel Place,

26/46 Jumel Place (Block 2112, Lot 10), within the Washington Heights-Highbridge Park Urban Renewal Area.

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

(On March 16, 1994, Cal. No. 11, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 15

CD 9

C 940239 PPM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of General Services, 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 **426 through 458 West 126th Street and 461 West 125th Street** (Block 1966, Lot 95) with direct development restrictions (within a mandated timeframe).

(On March 16, 1994, Cal. No. 12, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 16

CD 1

C 930028 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Sheldon Lobel pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the **Zoning Map, Section No. 9b**, establishing within an existing R5 district a C1-2 district bounded by 34th Avenue, 41st Street, a line 100 feet south of 34th Avenue,

and a line midway between 41st Street and Steinway Street, as shown on a diagram (for illustrative purposes only) dated December 20, 1993.

(On March 16, 1994, Cal. No. 13, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 17

CD 11

C 930419 ZMQ

PUBLIC HEARING:

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 an amendment of the Zoning Map, Section Nos. 11a and 11b:

1. changing from a C4-2 district to an R6B district property bounded by 38th Avenue, a line 150 feet west of Corp. Stone Street, 39th Avenue, a line 100 feet east of Bell Boulevard, a line midway between 40th Avenue and 41st Avenue, a line 100 feet west of 214th Place, 41st Avenue, a line 200 feet east of Bell Boulevard, the southerly boundary line of the Long Island Railroad Right-of-Way (Northside Division), a line 100 feet east of Bell Boulevard, 42nd Avenue, a line 150 feet east of Bell Boulevard, 43rd Avenue, 214th Place, a line 100 feet north of Northern Boulevard, 215th Street, a line 100 feet south of Northern Boulevard, a line 100 feet east of Bell Boulevard, 45th Road, 213th Street and its prolongations, 41st Avenue, and a line midway between Bell Boulevard and 213th Street;
2. changing from a C4-2 district to an R4 district property bounded by:
 - a) 39th Avenue, Corp. Stone Street, 40th Avenue, a line 200 feet east of Bell Boulevard, a line midway between 40th Avenue and 41st Avenue, and a line 100 feet east of Bell Boulevard;
 - b) 39th Avenue, a line midway between Bell Boulevard and 213th Street, 41st Avenue, and 213th Street;
 - c) 42nd Avenue, 214th Place, 43rd Avenue, and a line 150 feet east of Bell Boulevard; and

- d) a line 100 feet south of Northern Boulevard, 215th Street, 45th Road, and a line 100 feet east of Bell Boulevard;
3. changing from an R5B district to an R6B district property bounded by:
 - a) a line 100 feet north of Northern Boulevard, 220th Place, Northern Boulevard, 220th Place, a line 100 feet south of Northern Boulevard, and 215th Street, and
 - b) a line 100 feet north of Northern Boulevard, 213th Street and its southerly prolongation, 45th Road, a line 350 feet east of 211th Street, a line 100 feet south of Northern Boulevard, Oceania Street, Northern Boulevard, and Corp. Kennedy Street;
 4. changing from an R5B district to an R4 district property bounded by a line 100 feet south of Northern Boulevard, a line 350 feet east of 211th Street, 45th Road, and Oceania Street,
 5. changing from an R3-2 district to an R6B district property bounded by:
 - a) a line 100 feet north of Northern Boulevard and its westerly prolongation, Corp. Kennedy Street, Northern Boulevard, Oceania Street, a line 100 feet south of Northern Boulevard and its westerly prolongation, and Clearview Expressway; and
 - b) a line 100 feet north of Northern Boulevard, a westerly boundary line of a park and its southerly prolongation, Northern Boulevard, and 220th Place; and
 6. changing from an R4 district to an R6B district property bounded by Northern Boulevard, 223rd Street, a line 100 feet south of Northern Boulevard, and 220th Place;
 7. eliminating from an existing R3-2 district a C2-2 district bounded by a line midway between Northern Boulevard and 45th Road, Oceania Street, 45th Road, and Clearview Expressway;
 8. eliminating from an existing R3-2 district a C2-1 district bounded by a line 100 feet north of Northern Boulevard, a westerly boundary line of a park and its southerly prolongation, Northern Boulevard, and 220th Place;

9. eliminating from an existing R4 district a C2-1 district bounded by Northern Boulevard, a line 200 feet east of 220th Place, a line 100 feet south of Northern Boulevard, and 220th Place;
 10. eliminating from an existing R4 district a C1-1 district bounded by Northern Boulevard, 223rd Street, a line 100 feet south of Northern Boulevard, and a line 200 feet east of 220th Place;
 11. eliminating from an existing R4 district a C2-2 district bounded by 45th Road, a line 150 feet east of Bell Boulevard, 46th Avenue, and Bell Boulevard;
 12. establishing within a proposed R6B district a C1-2 district bounded by 38th Avenue, Bell Boulevard, 39th Avenue, a line 100 feet east of Bell Boulevard, a line midway between 40th Avenue and 41st Avenue, a line 100 feet east of 214th Place, 41st Avenue, a line 200 feet east of Bell Boulevard, the southerly boundary line of the Long Island Rail Road Right-of-Way (Northside Division), a line 100 feet east of Bell Boulevard, 42nd Avenue, a line 150 feet east of Bell Boulevard, 43rd Avenue, 214th Place, Northern Boulevard, 213th Street, a line 150 feet north of 43rd Avenue, a line midway between 213th Street and Bell Boulevard, 42nd Avenue, 213th Street and its prolongation, 41st Avenue, and a line midway between 213th Street and Bell Boulevard;
 13. establishing within a proposed R6B district a C2-2 district bounded by:
 - a) 38th Avenue, a line 150 feet west of Corp. Stone Street, 39th Avenue, and Bell Boulevard;
 - b) a line 100 feet north of Northern Boulevard, 223rd Street, a line 100 feet south of Northern Boulevard, 220th Place, Northern Boulevard, and 220th Place; and
 - c) a line 100 feet north of Northern Boulevard, 215th Street, a line 100 feet south of Northern Boulevard, a line 100 feet east of Bell Boulevard, 45th Road, a line 350 feet east of 211th Street, a line 100 feet south of Northern Boulevard, the southerly prolongation of 213th Street, Northern Boulevard, and 214th Place; and
 14. establishing within an existing R4 district a C2-3 district bounded by 45th Road, a line 100 feet east of Bell Boulevard, 46th Avenue, and Bell Boulevard;
- as shown on a diagram (for illustrative purposes only) dated December 20, 1993.

(On March 16, 1994, Cal. No. 14, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

No. 18

CD 7

C 930584 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Selfhelp, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 10d, changing from an R3-2 District to an R6 District property bounded by a line 100 feet southwesterly of Union Street, Geranium Avenue and its northeasterly prolongation, a line 200 feet southwesterly of Kissena Boulevard, a line 135 feet northwesterly of Geranium Avenue, Kissena Boulevard, and 45th Avenue, as shown on a diagram (for illustrative purposes only) dated January 3, 1994.

(On March 16, 1994, Cal. No. 15, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

CITYWIDE

No. 19

(Amendments to the Zoning Resolution modifying the Quality Housing Program and various other sections of the Zoning Resolution)

City-wide

N 940257 ZRY

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 200 of the New York City Charter, for **amendment of the Zoning Resolution** of the City of New York relating to various sections as follows:

Matter in ~~Graytone~~ is new, to be added;

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

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

... indicate unchanged text omitted within a paragraph;

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

Article 1

General Provisions

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

* * *

11-12 Establishment of Districts

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

* * *

Residence Districts

* * *

R10 General Residence District

R10A General Residence district

~~R10X General Residence District~~

R10-H General Residence District

* * *

Commercial Districts

* * *

C6-3A General Central Commercial District
~~C6-3X General Central Commercial District~~
 C6-4 General Central Commercial District
 C6-4A General Central Commercial District
 C6-4CR General Central Commercial District
 C6-4M General Central Commercial District
~~C6-4X General Central Commercial District~~

* * *

11-25 District Designations Appended with Letter Suffixes

All regulations applicable to a district designation shall be applicable to such district designation appended with a letter suffix, except as otherwise set forth in express provisions of this Resolution. For example, if a section lists an R4 District, the provisions of that section shall also apply to R4-1, R4A, and R4B Districts, unless separate provisions for the districts with suffixes are listed within such section. Wherever a section lists only a district with a suffix, the provisions applicable to such district are different from the provisions of that district without a suffix. For example, if a section lists only a C4-6A District, the provisions of that section are not applicable to a C4-6 District.

* * *

11-30 BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT

* * *

11-33 Building Permits for Minor or Major Development or Other Construction Issued before Effective Date of Amendment

The provisions of this Section shall apply to minor developments, major developments or other construction authorized by building permits lawfully issued before the effective date of an applicable amendment of this Resolution except as specifically provided elsewhere in this Resolution.

* * *

11-332 Extension of period to complete construction

* * *

(b) However, in the event that construction has not been completed at the expiration of the extended terms specified in (a) above, or in Sections 11-333 or 11-334, such building permit may be renewed by the Board for terms of one year each upon the following findings:

* * *

11-334 Building permits issued prior to (effective date of this amendment)

If, before (the effective date of this amendment), a building permit has been lawfully issued as set forth in Section 11-31(a) to a person with a possessory interest in a #zoning lot# authorizing construction, such construction may be started or continued for a period of one year pursuant to the regulations governing R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, or R10A Districts or Commercial Districts with such Residential District bulk regulations, or in any other district in which such construction complies with the Quality Housing Program, prior to the adoption of N 940257 ZRY (Quality Housing Follow-Up Text Amendments).

* * *

Chapter 2 Construction of Language and Definitions

* * *

12-10 DEFINITIONS

* * *

Base plane

* * *

(a) Within 100 feet of a #street line#:

* * *

~~(3) For #buildings developed# after June 30, 1989 in #Residence Districts#, where the average elevation of the final grade adjoining the #street wall# of the #building#, excluding the entrance to a garage within the #street wall#, is more than two feet below #curb~~

~~level#, the level of the #base plane# shall be the elevation of such final grade, unless the #base plane# is also the #base flood elevation#.~~

- (3) ~~Where the average elevation of the final grade adjoining the #street wall# of the #building#, excluding the entrance to a garage within the #street wall#, is more than two feet below #curb level#, the level of the #base plane# shall be the elevation of such final grade, unless the #base plane# is also the #base flood elevation#. This paragraph shall not apply to #buildings developed# before June 30, 1989 in R2X, R3, R4, or R5 Districts. Furthermore, this paragraph shall not apply to #buildings# in C1 or C2 Districts mapped within R2X, R3, R4, or R5 Districts, or in C3 or C4-1 Districts, unless such #buildings# are located on #waterfront blocks#.~~

* * *

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#.~~

* * *

Article 2 Residence District Regulations

* * *

Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

23-00 APPLICABILITY AND GENERAL PURPOSES

23-01 Applicability of This Chapter

* * *

~~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, or R10X~~ Districts any #development# or #enlargement# shall comply with the applicable district #bulk# regulations as set forth in this Chapter and any #residential development#, #enlargement#, #extension# or conversion shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program).

In 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.~~

~~In these districts, the #bulk# regulations applicable to Quality Housing #developments# may apply on #zoning lots# with existing #buildings# to remain if:~~

- ~~(1) the existing #buildings# are non-#residential# and the entire #zoning lot# will comply with the #floor area ratio# and #lot area per dwelling unit# standards applicable to Quality Housing #developments#, or~~
- ~~(2) the existing #buildings# are #residential#, and such #buildings# comply with the applicable Quality Housing #street wall# location and height and setback requirements, and the entire #zoning lot# will comply with the #floor area ratio#, #lot coverage#, and #lot area per dwelling unit# standards applicable to Quality Housing #developments# or #enlargements#.~~

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

In R6 or R7 Districts within the study area set forth below, the ~~#floor area ratios# and the #lot area per dwelling unit# requirements applicable to Quality Housing #developments# shall not apply to any #zoning lot# occupied as of August 14, 1987 by a #single #, #two # or three #family detached# or semi #detached residence# where 70 percent or more of the aggregate length of the block fronts in #residential use# on both sides of the #street# facing each other are occupied by such #residences#. For any #development# on such #zoning lot# the #floor area ratio# and #lot area per dwelling unit# requirement of the underlying district shall apply. On a #narrow street# that intersects with a #wide street#, the 70 percent #residential use# requirement on a #narrow street# shall be measured from a distance of 100 feet from its intersection with a #wide street#.~~

The Quality Housing Program shall not apply:

a) to Article VII, Chapter 8 (Large Scale Residential Developments)

b) to Special Purpose Districts, except the following:

- 1) the #Special Limited Commercial District#
- 2) the #Special Grand Concourse Preservation District#
- 3) the #Special Ocean Parkway District#
- 4) the #Special Transit Land Use District#

c) to #zoning lots# in R6 or R7 Districts within the study areas set forth below and occupied as of August 14, 1987 by a #single-#, #two-# or three-#family detached# or #semi-detached residence# where 70 percent or more of the aggregate length of the #block# fronts in #residential use# on both sides of the #street# facing each other are occupied by such #residences#. For any #development# on such #zoning lot# the #floor area ratio# and #lot area per room or rooming unit# requirement of the underlying district shall apply. On a #narrow street# that intersects with a #wide street#, the 70 percent #residential use# requirement on a #narrow street# shall be measured from a distance of 100 feet from its intersection with a #wide street#.

The study areas are:

In the Borough of the Bronx:

Riverdale Area

The area bounded by West 239th Street, Johnson Avenue, Oxford Avenue, West 232nd Street, Corlear Avenue, West 231st Street, Riverdale Avenue, West 230th Street, Kingsbridge Avenue, west along Bronx Manhattan boundary line, U.S. Pierhead and Bulkhead Line along the Harlem River, north along New York Central Railroad right of way, westerly prolongation of the center line of West 230th Street, West 230th Street, and Independence Avenue.

Soundview Area

The area bounded by Lafayette Avenue, Story Avenue, Bronx River, Westchester Avenue, Bronx River Avenue, and Rosedale Avenue.

Castle Hill Area

The area bounded by Castle Hill Avenue, Westchester Avenue, and East Tremont Avenue.

In the Borough of Brooklyn:

Ocean Parkway Area

The area bounded by Ocean Avenue, Foster Avenue, Coney Island Avenue, Avenue I, East 5th Street, Elmwood Avenue, East 3rd Street, Foster Avenue, Seton Place, 18th Avenue, East 5th Street, Caton Avenue, East 4th Street, Fort Hamilton Parkway, Ocean Parkway, East 8th Street, Caton Avenue, Coney Island Avenue, Church Avenue, Stratford Road, and Beverley Road. Church Avenue, Stratford Road, Beverley Road, Ocean Avenue, Foster Avenue, and Coney Island Avenue.

Midwood Area

The area bounded by Avenue M, East 21st Street, Quentin Road, westerly prolongation of center line of Quentin Road, Quentin Road, East 5th Street, northerly prolongation of center line of East 5th Street, and East 5th Street, Avenue M, Ocean Avenue, Quentin Road, and a line midway between East 10th Street and Coney Island Avenue.

Brighton Beach Area

The area bounded by Shore Parkway, NYCTA Brighton Right-of-Way, Brighton Beach Avenue, and Ocean Parkway.

~~The area bounded by Shore parkway, Sheepshead Bay Road, Emmons Avenue, Shore Boulevard, Amherst Street, Oriental Boulevard, Corbin Place, easterly prolongation of the center line of Brightwater Avenue, Brightwater Avenue, Coney Island Avenue, Boardwalk, and Ocean Parkway.~~

In the Borough of Queens:

Elmhurst Area

~~All of Community District 4~~

Ridgewood Area

~~The area bounded by Metropolitan Avenue, Tonsor Street, Himrod Street, Grandview Avenue, Stanhope Street, Woodward Avenue, Hart Street, Onderdonk Avenue, De Kalb Avenue, Cypress Avenue, Menahan Street, St. Nicholas Avenue, Myrtle Avenue, Forest Avenue, and Metropolitan Avenue.~~

Jackson Heights Area

Area A

~~The area bounded by 34th Avenue, 73rd Street, 35th Avenue, and 75th Street.~~

Area B

~~The area bounded by 37th Avenue, 74th Street, 37th Road, 77th Street, Roosevelt Avenue, and 79th Street.~~

Area C

~~The area bounded by Northern Boulevard, 82nd Street, 35th Avenue, 86th Street, 37th Avenue, 87th Street, Roosevelt Avenue, 89th Street, 37th Avenue, 90th Street, Northern Boulevard, 85th Street, 34th Avenue, 83rd Street, and Northern Boulevard.~~

Rego Park Area

~~The area bounded by Queens Boulevard, Queens Midtown Expressway, Woodhaven Boulevard, 63rd Avenue, north easterly prolongation of the center line of 63rd Avenue over the Long Island Railroad right-of-way, 63rd Avenue, Saunders Street, and 62nd Avenue.~~

Elmhurst/Corona Area

The area bounded by Junction Boulevard, Roosevelt Avenue, 114th Street, 34th Avenue, 105th Street, and 35th Avenue.

~~West Astoria Area~~

~~The area bounded by Vernon Boulevard, 8th Street, 26th Avenue, 9th Street, north easterly prolongation of the center line of 9th Street, U.S. Pierhead and Bulkhead Line, Astoria Park South, 21st Street, and Broadway.~~

~~East Astoria Area~~

~~The area bounded by 21st Street, 30th Avenue, Crescent Avenue, Hoyt Avenue South, Astoria Boulevard, Steinway Street, and Broadway.~~

Bell Boulevard Area

The area bounded by 213th Street, southerly prolongation of the center line of 213th Street, 213th Street, Northern Boulevard, 211th Street, 45th Road, 215th Street, 43rd Road, 214th Place, northerly prolongation of the center line of 214th Place, 214th Place, 40th Avenue, Corporal Stone Street, and 38th Avenue.

Forest Hills Area

~~The area bounded by Interborough Parkway, Grand Central Parkway, easterly prolongation of the center line of 72nd Road, 72nd Road, 112th Street, 71st Avenue, 110th Street, 70th Road, Austin Street, Continental Avenue, and Burne Street.~~

~~The area bounded by Queens Boulevard, Union Turnpike, Austin Street, and 76th Road.~~

Jamaica Area

~~The area bounded by Van Wyck Expressway, 90th Avenue, 143rd Road, 91st Avenue, 146th Street, southerly prolongation of the center line of 146th Street, Long Island Railroad right of way, southerly prolongation of the center line of 147th Place, 147th Place, Archer Avenue, 150th Street, Jamaica Avenue, Guy R. Brewer Boulevard, Archer Avenue, 168th Street, Long Island Railroad right of way, 177th Street, Jamaica Avenue, 181st Street, Hillside Avenue, Edgerton Boulevard, Wexford Terrace, and Hillside Avenue.~~

Area A

The area bounded by Hillside Avenue, 181st Street, Jamaica Avenue, and 168th Street.

Area B

The area bounded by Sutphin Boulevard, Jamaica Avenue, 138th Street, and Hillside Avenue.

Flushing Area

The area bounded by 35th Avenue, 149th Street, Northern Boulevard, 147th Street, Ash Avenue, Parsons Boulevard, Franklin Avenue, Bowne Avenue, Cherry Avenue, Kissena Boulevard, Elder Avenue, Main Street, Dahlia Avenue, Saull Street, Maple Avenue, Frame Place, 41st Avenue, College Point Boulevard, Roosevelt Avenue, and Prince Street.

In the Borough of Staten Island:**St. George Area**

The area bounded by Nicholas Street, Richmond Terrace, Bay Street, Victory Boulevard, Montgomery Avenue, Fort Place, and St. Marks Place.

Rosebank Area

The area bounded by Sylvaton Terrace, Wiman Place, Sylva Lane, Edgewater Street, Clifton Avenue, and Bay Street.

* * *

23-10 OPEN SPACE AND FLOOR AREA REGULATIONS

* * *

23-13 Balconies

* * *

23-131 Balconies in R1, R2, and R6 through R10 Districts

In the districts indicated, except R2X Districts, balconies which;

* * *

(8) ~~required distances between buildings, as set forth in Section 23-71 (Minimum Distance Between Buildings on a Single Zoning Lot);~~

(9) ~~#pedestrian mall#.~~

23-132 Balconies in R6A through R10A R10X Districts

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

- (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. The portion of such balcony enclosed by #building# walls shall be counted as lot coverage but shall be excluded from the definition of #floor area#.
- (b) In no event shall balconies:
- (1) project by a distance greater than seven feet as measured from the plane surface of the building wall from which it projects;
 - (2) ~~penetrate the #front# or #rear sky exposure planes#;~~
 - (3) project into the minimum required distance between #buildings# on the same #zoning lot#;
 - (4) 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, Open Space Ratio, Maximum Lot Coverage, ~~Maximum Quality Housing Lot Coverage~~ and Maximum Floor Area Ratio

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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# or #open space ratio# shall not be less than set forth in this Section, ~~and the maximum #lot coverage# or #Quality Housing lot coverage# shall not exceed the #lot coverage# or #Quality Housing lot coverage#~~ as 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#, the amount of #open space# 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.

* * *

23-145 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. In an R6 District inside the #Manhattan Core# located within 100 feet of a #wide street#, the maximums shall be indicated by the same district with a double asterisk.

MAXIMUM LOT COVERAGE AND FAR
FOR QUALITY HOUSING BUILDINGS

| District | Maximum #Lot Coverage# (in percent) | | Maximum #Floor Area Ratio# |
|-------------|---|-------------------------------|----------------------------------|
| | #corner lot# | #interior or #through lot# | |
| R6 | 80 | 60 | 2.00 2.20 |
| R6** | 80 | 60 | 2.43 |
| R6* R6A R7B | 80 | 65 | 3.00 |
| R6B | 80 | 60 | 2.00 |
| R7 | 80 | 65 | 3.44 |
| R7* R7A | 80 | 65 | 4.00 |
| R7X | 80 | 70 | 5.00 |

| | | | |
|------------|-----|----|-------|
| R8 R8A R8X | 80 | 70 | 6.02 |
| R8* | 80 | 70 | 7.20 |
| R8B | 80 | 70 | 4.00 |
| R9 R9A | 80 | 70 | 7.52 |
| R9X | 80 | 70 | 9.00 |
| R10 R10A | 100 | 70 | 10.00 |

~~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 LOT COVERAGE AND FAR
FOR NON-PROFIT RESIDENCES FOR THE ELDERLY
IN R6A, R6B, R7A, R7B AND R7X DISTRICTS**

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

* * *

23-15 Maximum Floor Area Ratio in R10 Districts

R10

* * *

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, in R10A or R10X Districts, or in other R10 Districts to #buildings developed# or #enlarged# pursuant to the Quality Housing Program.~~

However, notwithstanding this or any other provisions of this resolution, R10 Infill regulations shall not apply in R10A or R10X Districts. In the R10A and R10X Districts the #floor area ratio# for any #building# on a #zoning lot# shall not exceed 10.0, except as provided in Section 23-90 (INCLUSIONARY HOUSING).

R9A R10A
R9X ~~R10X~~

In the districts indicated, no existing #plaza# or other public amenity, open or enclosed, for which a #floor area# bonus has been received, pursuant to regulations antedating April 18, 1985, or (effective date of amendment) for ~~R10X~~ Districts, 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#.

* * *

Regulations Applying in Special Situations

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~~ #bulk# regulations resulting in different minimum required #open space ratios#; different maximum #floor area 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.

23-20 DENSITY REGULATIONS - REQUIRED LOT AREA PER DWELLING UNIT, LOT AREA PER ROOM, OR FLOOR AREA PER ROOM

* * *

23-223 In R6, R7, R8, R9, or R10 Districts

* * *

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.

~~In districts with a letter suffix, the #lot area per dwelling unit# or #rooming unit# shall also apply to #extensions#, alterations, and #conversions#.~~

| District | Required Area (in square feet) | |
|-------------|--------------------------------|--------------------|
| | per #dwelling unit# | per #rooming unit# |
| R6 | 278 | 206 |
| R6B | 338 | 250 |
| R6* R6A R7B | 227 | 167 |
| R7 | 198 | 138 |
| R7* R7A R8B | 169 | 125 |
| R7X | 135 | 100 |
| R8 R8A R8X | 123 | 88 |
| R8* | 102 | 80 |
| R9 R9A | 98 | 78 |
| R9X | 88 | 66 |
| R10 R10A | 79 | 60 |

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

* * *

R6 R7

- c) 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.

In districts with a letter suffix, the #lot area per dwelling unit# or #rooming unit# shall also apply to #extensions#, alterations, and #conversions#.

| District | Required Area (in square feet) | |
|------------|--------------------------------|--------------------|
| | per #dwelling unit# | per #rooming unit# |
| R6 R6A R7B | 183 | 146 |
| R6B | 338 | 270 |
| R7 R7A R7X | 143 | 114 |

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.

* * *

23-40 YARD REGULATIONS

* * *

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

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

* * *

Unenclosed balconies of a #residential building# subject to the applicable provisions of Section 23-13 (Balconies). Such balconies are not permitted in required #side yards#.

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

* * *

#Accessory# non-commercial greenhouses, limited to one #story# or 14 feet in height above adjoining grade, whichever is less, and limited to an area not exceeding 25 per cent of a required #rear yard# or #open space# on a #zoning lot#.

* * *

Basic Regulations
Front Yards

23-45 Minimum Required Front Yards

* * *

~~R6B R7B~~

~~(d) In the districts indicated, for all #developments# or #enlargements#, and in R6 or R7 Districts without a letter suffix 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#, #front yards# with a minimum depth of five feet shall be provided. However, only one #front yard# is required for a #corner lot# if the width of such lot along one #street# is 45 feet or less, and no #front yard# is required on a #through lot# which extends less than 180 feet in maximum depth from #street# to #street#, or on an #interior lot# which is less than 90 feet in depth. Projections into the #front yard# are permitted provided that the aggregate length of all projections at the level of any #story# does not exceed 50 percent of the #street wall# and such projections do not extend more than two feet into the #front yard#.~~

* * *

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 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, portions of #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#. 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).~~

* * *

23-532 Excepted Through Lots

R4 R5 R6 R7 R8 R9 R10

(a) In the districts indicated, no #rear yard# regulations shall apply to any #through lots# which extend less than 110 feet in maximum depth from #street# to #street#.

~~R6 R7 R8 R9 R10~~

(b) ~~In the districts indicated, for #zoning lots developed# or #entarged# pursuant to the Quality Housing Program, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions, and such #zoning lot# occupies the entire #block# frontage of a #street#.~~

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;~~

- (b) two open areas each adjoining and extending along the full length of a #street line#, and each with a minimum depth of 30 feet measured from such #street line#; except that, in ~~R6~~ R7, R8, R9 or R10 Districts, the depth of such required open area along one #street line# may be decreased provided that:
 - (1) a corresponding increase of the depth of the open area along the other #street line# is made; and
 - (2) any required front setback areas are maintained; or

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

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

* * *

23-60 HEIGHT AND SETBACK REGULATIONS

* * *

23-621

Permitted obstructions in certain districts

* * *

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

(c) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, a dormer may be allowed as a permitted obstruction within a required setback distance. Such dormer may exceed a maximum base height specified for such district provided that on any #street# frontage the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

* * *

23-63 Maximum Height of Walls and Required Setbacks

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

~~In the districts indicated, except R2X Districts,~~ In all districts, as indicated, the maximum height of a front wall ~~of any portion or of any other portion of a #building or other structure#~~ shall be as set forth in this Section, except as otherwise provided in Section 23-62 (Permitted Obstructions), Section 23-64 (Alternate Front Setbacks, Section 23-65 (Tower Regulations), Section 74-85 (Special Height and Setback Regulations) or Section ~~23-692 23-691~~ (Additional regulations for narrow buildings or enlargements).

~~R2X R3 R4 R5~~

~~In the districts indicated, the maximum height of a #building or other structure# shall be as set forth in this Section except as set forth in Section 23-62 (Permitted Obstructions),~~

23-633 Street wall ~~location~~ and height and setback regulations in certain districts

R6A R7A R8A R9A R10A
RBB R7B R8B R9X R10X
R7X R8X

In the districts indicated, #street wall# ~~location~~ and height and setback regulations are set forth in this Section. The height of all #buildings or other structures# shall be measured from the #base plane#. 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 length of the #street line# of the #zoning lot#, except as provided in paragraphs (b) and (f) and subsection (3) (Modifications of Street Wall Requirements) below.~~

~~However, at the intersection of two #street lines# the #street wall# may be located anywhere within an area bounded by the two #street lines# and lines parallel to and five feet from each #street line#.~~

~~Except as provided in subsection (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 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 length of the #street line# of the #zoning lot# along a #wide street#.~~

~~Option 2~~

~~At least 50 percent 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 percent of the aggregate length of the #street walls# at each #story#.~~

~~Option 3~~

~~A minimum of 75 percent 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 #developments# 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#, except within a distance of 50 feet from an 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 any adjacent existing #building# on 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 percent 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 percent of the aggregate length of the #street wall# at each #story#.~~

~~Option 2~~

~~A minimum of 75 percent 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# except within a distance of 50 feet from 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 1 1/2 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 inch caliper trees, and there shall be one additional 4 inch 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 inch caliper trees, it shall contain shrubbery for at least 25 percent of its area.~~

R&B

- (e) ~~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 subsection (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:~~
- (a) ~~on an #interior lot# 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#.~~

~~(b) — on a #corner lot# 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 subsection (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 (e)(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 (e)(i), (e)(ii), and (e)(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 (e)(ii) above, or subsection (3) (Modifications 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 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) (Modifications of Street Wall Requirements) 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 percent 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# unless the #development# or #enlargement# is one:~~
- ~~(i) — a #street# where existing #buildings# with #street walls# located between five and fifteen feet of the #street line# comprise less than 25 percent of the #street# frontage; or~~
 - ~~(ii) — an #interior lot# less than 90 feet in depth; or~~
 - ~~(iii) — a #through lot# which extends less than 180 feet in maximum depth from #street# to #street#; or~~
 - ~~(iv) — a #corner lot# which has a width along one #street# of 45 feet or less.~~

~~In the case of a #corner lot# the #development# or #enlargement# shall be neither closer to nor further from the #street line# than the front wall of an adjacent existing #building# fronting on one #street#. Projections from the front wall are permitted provided that the aggregate length of all projections at the level of any #story# does not exceed 50 percent of the #street wall#. Such projections shall comply with the requirements of Section 23 45(b) and shall not extend more than four feet from the #street wall#.~~

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

- ~~(f) 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 subsection 3 below.~~

~~(2) Height of #Street Wall#~~

~~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 subsection (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

- (e) ~~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 percent 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 percent and 90 percent.~~

(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#, the #front lot line#, the prolongations of the side walls, and the roof of the existing #building#. If after, August 14, 1987, 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.~~

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 proscribed 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 the front or rear sky exposure planes as set forth in the table below.~~

~~The rear sky exposure plane shall start above a line 100 feet from the street line. However, on an interior lot more than 140 feet in depth, for each foot that the depth of any portion of such interior lot exceeds 140 feet, the location of the rear sky exposure plane may be moved beyond the 100 foot line an additional foot. On a through lot more than 280 feet in depth, for each foot that the line midway between the street lines exceeds a distance of 140 feet from the street line, the location of the rear sky exposure plane may be moved beyond the 100 foot line an additional foot. On such interior or through lot, the maximum height of any development or enlargement shall be the height resulting from the intersection of the front and rear sky exposure 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.~~

~~STREET WALL AND HEIGHT AND SETBACK REGULATIONS~~

~~(table)~~

~~ILLUSTRATIONS OF SKY EXPOSURE PLANES~~

~~(two diagrams)~~

- ~~hf ————— is the height at which the front sky exposure plane begins at the street line~~
~~hr ————— is the height at which the rear sky exposure plane begins at the 100 foot line~~
~~d ————— is the maximum street wall setback distance~~
~~v ————— is the vertical distance~~
~~a ————— is the horizontal distance~~

(a) #Street Wall# Location

R6A R7A
R7X

- (1) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program on #wide streets# in R6 or R7 districts without a letter suffix, the #street wall# of any #development# or #enlargement# shall be located no closer to the #street line# than the closest #street wall# of an existing #building# to such #street line# located on the same #block# and within 150 feet of such #development# or #enlargement#. However, a #street wall# need not be located further from the #street line# than 15 feet. On #corner lots#, these #street wall# location provisions shall apply along only one #street line#.

R6B R7B R8B

- (2) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program on #narrow streets# in R6, R7, and R8 Districts without a letter suffix, the #street wall# of any #development# or #enlargement# on a #zoning lot# with at least 50 feet of frontage along a #street line# shall be located no closer to the #street line# than the #street wall# of an adjacent existing #building#. On #zoning lots# with less than 50 feet of frontage along a #street line#, the #street wall# of any #development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. For all #zoning lots#, the #street wall# of a #building# need not be located further from a #street line# than 15 feet. On #corner lots#, the #street wall# along one #street line# need not be located further from the #street line# than five feet.

R8A R9A R10A
R8X R9X R10X

- (3) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in R8 or R9 Districts without a letter suffix, and in other R10 Districts, the following #street wall# location provisions shall apply along #wide streets# and along #narrow streets# within 50 feet of a #wide street#:

- (i) The #street wall# shall occupy the entire #street# frontage of a #zoning lot# not occupied by existing #buildings# and shall rise vertically to at least the minimum base height specified in Table A of this Section, or the height of the #building#, whichever is less.
- (ii) At least 70 percent of the length of such #street wall# shall be located within eight feet of the #street line#, and the remaining 30 percent of the length of such #street wall# may be recessed beyond eight feet of the #street line# to provide #outer courts# or balconies.
- (iii) The #street wall# location provisions of this paragraph (3) shall not apply to houses of worship.

(b) Height and Setback

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

In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9, and R10 Districts, all #developments# or #enlargements# shall comply with the following provisions:

(i) Setback Provisions

Except for dormers permitted in accordance with Section 23-621, setbacks are required for all portions of #buildings# that exceed the maximum base height specified in Table A of this Section. Such setbacks shall be provided in accordance with the following provisions:

- (i) At a height not lower than the minimum base height or higher than the maximum base height specified in Table A of this Section, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.

(ii) On #narrow streets#, where a #street wall# is required to be located further than 10 feet from a #street line# in accordance with paragraph (a) of this Section, the depth of the required setback above the minimum base height may be reduced one foot for every foot the #street wall# is required to be located beyond 10 feet of the #street line#, but in no event shall a setback less than 10 feet in depth be provided above the minimum base height.

(iii) These setback provisions of paragraph (1) are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#.

(2) Maximum #Building# Height

No #building or other structure# shall exceed the maximum #building# height specified in Table A of this Section, except as otherwise provided in Section 23-65 (Tower Regulations) for #buildings# in R10A and R10X Districts.

(c) Additional Regulations

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

In the districts indicated, and for #residential buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9, and R10 Districts, the following additional regulations shall apply:

(1) Existing #buildings# may be vertically enlarged by up to one #story# or 15 feet without regard to the #street wall # location requirements of paragraph (a) of this Section.

(2) 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#, the #front lot line#, the prolongations of the side walls, and the roof of the existing #building#. After August 14, 1987, if 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.

- (3) On #through lots# which extend less than 150 feet in maximum depth from #street# to #street#, the #street wall# location requirements of paragraph (a) of this Section shall be mandatory along only one #street# frontage.
- (4) 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.

TABLE A
MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHT, BY ZONE

| Zoning District | Minimum Base Height | Maximum Base Height | Maximum Building Height |
|---|---------------------|---------------------|-------------------------|
| R6B | 30 | 40 | 50 |
| R6 narrow street(1) | 30 | 45 | 55 |
| R6 wide street(2), inside core(3) | 40 | 55 | 65 |
| R6A, R6 wide street(2), outside core(3) | 40 | 60 | 70 |
| R7B, R7 narrow street(1), R7 wide street(2), inside core(3) | 40 | 60 | 75 |
| R7A, R7 wide street(2), outside core(3) | 40 | 65 | 80 |

| | | | |
|---|-----|-----|-----|
| R7X | 60 | 85 | 125 |
| R8B | 55 | 60 | 75 |
| R8 narrow street(1) | 60 | 80 | 105 |
| R8A, R8 wide street(2) | 60 | 85 | 120 |
| R8X | 60 | 85 | 150 |
| R9A narrow street(1), R9 narrow street(1) | 60 | 95 | 135 |
| 9A, R9 wide street(2) | 60 | 102 | 145 |
| R9X narrow street(1) | 60 | 120 | 160 |
| R9X wide street(2) | 105 | 120 | 170 |
| R10A narrow street(1) R10 narrow street(1) | 60 | 125 | 185 |
| R10A wide street(2) R10 wide street(2) | 125 | 150 | 210 |
| R10X | 60 | 85 | 85 |

- (1) 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#;
- (2) Refers to that portion of a district which is within 100 feet of a #wide street#;
- (3) Core refers to #Manhattan Core#;

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# or as permitted in Section 23-633, subsection 4 (Front and Rear Sky Exposure Planes).~~

* * *

Supplementary Regulations

23-65 Tower Regulations

R9 R10

- (a) In the districts indicated, ~~except R9A, R9X, R10A, and R10X Districts~~, any #building# or #buildings# or portion thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the per cent set forth in Section 23-651 (Towers on small lots), may penetrate an established #sky exposure plane#. (Such #building# or portion thereof is hereinafter referred to as a tower).

At all levels, such tower shall be located not less than 15 feet from the #street line# of a #narrow street# and not less than 10 feet from the #street line# of a #wide street#.

Unenclosed balconies, subject to the provisions of Section ~~23-13~~ (Balconies) ~~23-131~~ are permitted to project into or over open areas not occupied by towers.

The provisions of this Section paragraph (a) shall not apply to any #building# located wholly or partly in a #Residence District# which is within 100 feet of a #public park# with an area of one acre or more, or a #street line# opposite such a #public park#.

R10A

- (b) In the district indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R10 Districts except R10X Districts, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 25 percent of the #lot area# above a height of 150 feet above the #base plane# is hereinafter referred to as a tower. Such tower or towers may exceed a height limit of 210 feet provided:

- (1) such tower is located on a #zoning lot# with more than 45 feet of frontage on a #street# at least 120 feet in width or located on a #zoning lot# with more than 45 feet of frontage across from a #park# of at least one acre;
- (2) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;
- (3) the base of such tower complies with the #street wall# location provisions of paragraph (a) of Section 23-633 and the height and setback provisions of paragraph (b), Section 23-633, and
- (4) no portion of such tower is located more than 100 feet from a #wide street#.

Unenclosed balconies, subject to the provisions of Section 23-132 are permitted to project into or over open areas not occupied by towers. Dormers permitted within a required setback area pursuant to Section 23-621 shall not be included in tower coverage.

R10X

- (c) In the district indicated, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 23-651 (Towers on small lots), above a height of 85 feet above the #base plane#, is hereinafter referred to as a tower. Such tower or towers may exceed a height limit of 85 feet above the #base plane# provided:
 - (1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;
 - (2) the base of such tower complies with the #street wall# location provisions of paragraph (a) Section 23-633 and the height and setback provisions of paragraph (b), Section 23-633; and
 - (3) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, the highest four #stories# of such tower, or 40 feet, whichever

is less, may cover less than 30 percent of the #lot area# of the #zoning lot# if the gross area of each #story# does not exceed 80 percent of the gross area of that #story# directly below it.

Unenclosed balconies, subject to the provisions of Section 23-132 are permitted to project into or over open areas not occupied by towers. Dormers permitted within a required setback area pursuant to Section 23-621 shall not be included in tower coverage.

23-651 Towers on small lots

R9 R10 ~~R10X~~

In the districts indicated, a tower may occupy the percent of the #lot area of a #zoning lot# set forth in the following table:

| LOT COVERAGE OF TOWERS ON SMALL ZONING LOTS | |
|---|--------------------------------------|
| Area of #zoning lot# (in square feet) | Maximum percent of #lot coverage# |
| 10,500 or less | 50 |
| 10,501 to 11,500 | 49 |
| 11,501 to 12,500 | 48 |
| 12,501 to 13,500 | 47 |
| 13,501 to 14,500 | 46 |
| 14,501 to 15,500 | 45 |
| 15,501 to 16,500 | 44 |
| 16,501 to 17,500 | 43 |
| 17,501 to 18,500 | 42 |
| 18,501 to 19,999 | 41 |

23-663 Required rear setbacks for tall buildings in other districts

R6 R7 R8 R9 R10

- (a) In the districts indicated, except as provided in paragraph (b) below, no portion of a #building# more than 125 feet above #yard# level shall be nearer to a #rear yard line# than 20 feet. However, this provision shall not apply to any portion of a #building# which qualifies as a tower under the provisions of Section 23-65 (Tower Regulations).

* * *

ILLUSTRATION OF REAR SETBACK

~~This section shall not apply to #residential buildings developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in R6, R7, R8, or R9 Districts and in R10 Districts on #interior lots# on #narrow streets#.~~

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

- (b) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the maximum base height specified in Table A of Section 23-633 shall be nearer to a #rear yard line# than 10 feet.

In the case of a #through lot# on which a #rear yard equivalent# is provided as set forth in paragraph (a)(i) of Section 23-534, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#. If a #rear yard equivalent# is provided as set forth in paragraph (a)(ii) of Section 23-534, the requirements of this Section shall not apply.

* * *

23-692

23-691 Additional regulations for narrow buildings or enlargements

R7-2 R8 R9 R10
 R7X

~~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, C6-2A, C6-3A or C6-4A Districts, in the districts indicated, 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 Sections 23-64 (Alternate Front Setbacks), 23-65 (Tower Regulations), 33-44 (Alternate Front Setbacks) and 33-45 (Tower Regulations) shall be inapplicable.~~

* * *

The provisions set forth in this Section shall not apply to any development for which a special permit has been granted prior to March 4, 1983, by the Board of Estimate pursuant to Section 74-95 (Housing Quality Developments).

~~The provisions set forth in this Section shall not apply to any building developed or enlarged pursuant to the Quality Housing Program where the width of the street wall at the maximum base height specified in Table A of Section 23-633 is at least 45 feet.~~

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

* * *

- ~~(d) — unenclosed balconies, subject to the provisions of Section 23-13 (Balconies), are permitted to project into or over an open area required by the provisions of this Section; or~~
- ~~(e) — 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.~~

23-711 Standard minimum distance between buildings

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as provided in Section 23-712 (Minimum distance between buildings in high bulk districts), the minimum distance between such two #buildings# (referred to as #building# A and #building# B) shall vary according to the length and height of such #buildings#. Such minimum distance shall be either 30 feet or the distance required under the following formula, whichever is the greater distance:

$$S = \frac{LA + LB + 2(HA + HB)}{6} \quad \text{where:}$$

S = required minimum horizontal distance between any wall of #building# A, at any given level, and any wall of #building# B, at any given level, or the vertical prolongation of either.

LA = total length of #building# A.

The total length of #building# A is the length of that portion or portions of a wall or walls of #building# A from which, when viewed directly from above, lines drawn perpendicular to #building# A will intersect any wall of #building# B.

LB = total length of #building# B.

The total length of #building# B is the length of that portion or portions of a wall or walls of #building# B from which, when viewed directly from above, lines drawn perpendicular to #building# B will intersect any wall of #building# A.

HA = height of #building# A.

The height of #building# A at any given level is the height above natural grade level of any portion or portions of a wall or walls along the total length of #building# A.

HB = height of #building# B.

The height of #building# B at any given level is the height above natural grade level of any portion or portions of a wall or walls along the total length of #building# B.

~~For the purposes of this Section, natural grade level shall be the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the #building# on the side facing the other #building#.~~

~~If "LA + LB" is equal to zero, the formula set forth above shall not apply, and the minimum distance shall be 30 feet.~~

~~However, the minimum required distance between two #buildings# on a single #zoning lot# as derived from the formula set forth in this Section shall be reduced by 15 percent in the event that:~~

- ~~(a) — one of the said two #buildings# has a height of two #stories# or less, and the other has a height of six #stories# or more; and~~
- ~~(b) — the difference in height between the said two #buildings# is 60 feet or more.~~

~~Furthermore, in R2X, R3, R4 and R5 Districts, the minimum required distance between two #buildings# on a single #zoning lot# as derived from the formula set forth in this Section need not be more than 45 feet.~~

~~(ILLUSTRATION)
ILLUSTRATION OF MINIMUM DISTANCE
BETWEEN BUILDINGS
PLAN VIEW~~

~~(ILLUSTRATION)
ILLUSTRATION OF MINIMUM DISTANCE
BETWEEN BUILDINGS
ISOMETRIC VIEW~~

~~23-712 Minimum distance between buildings in high bulk districts —~~

~~R8 R9 R10~~

~~In the districts indicated, on any single #zoning lot# either:~~

- ~~(a) — having a #lot area# of not more than 100,000 square feet, or~~
- ~~(b) — located within a #block# entirely within an R10 District,~~

~~the minimum distance between such two #buildings# shall be either 30 feet or the minimum distance required under the following formula, whichever is the greater distance:~~

$$\frac{LA + LB + HA + HB}{6} = S \quad \text{where:}$$

S, LA, LB, HA, and HB shall have the same meaning as in Section 23-711 (Standard minimum distance between buildings).—

If "LA + LB" is equal to zero, the formula set forth above shall not apply, and the minimum distance shall be 30 feet.—

However, if neither of such two #buildings# exceeds in height nine #stories# or 85 feet, whichever is less, the minimum distance required between such #buildings# need not be more than 80 feet.—

In all districts, the required minimum distance between a #residential building# and any other #building# on the same #zoning lot# shall vary according to the height of such #buildings# and the presence of #legally required windows# in facing building walls. Such minimum distance shall be as indicated in the table below:

| Wall Condition* | Maximum #building# height, in feet, above #base plane# or #curb level#, as applicable: | | | | |
|------------------|--|----|----|----|---------|
| | 25 | 35 | 40 | 50 | Over 50 |
| Wall to Wall | 20 | 25 | 30 | 35 | 40 |
| Wall to Window | 30 | 35 | 40 | 45 | 50 |
| Window to Window | 40 | 45 | 50 | 55 | 60 |

Wall condition shall be defined as:

- (a) "Wall to wall" is a condition where two walls of #buildings# face each other, and neither wall contains a #legally required window#;
- (b) "Wall to window" is a condition where two walls of #buildings# face each other, and one wall contains a #legally required window# and the other wall does not contain a #legally required window#;
- (c) "Window to window" is a condition where two walls of #buildings# face each other, and both walls contain a #legally required window#.

In addition, the following rules shall apply:

- (a) The minimum distances set forth in the table above shall be provided at the closest point between #buildings#;
- (b) any portion of a #building# which qualifies as a #building segment# may be treated as a separate #building# for the purposes of determining the minimum distance required between such #building segment# and another #building# or #building segment#;
- (c) where #buildings# of different heights face each other, the average of the heights of such #buildings# shall determine the minimum distance required between them;
- (d) projections having a maximum height of 25 feet above adjoining grade, a maximum depth of five feet, and an aggregate width not exceeding 25 percent of the building wall from which they project may penetrate the minimum spacing requirements, and
- (e) portions of #buildings# above 125 feet that exceed, in aggregate, a #lot coverage# of 40 percent, shall be spaced at least 80 feet apart.

* * *

23-80 COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES

* * *

Basic Regulations

23-82 Building Walls Regulated by Minimum Spacing Formula Requirements

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, at any level at which two portions of a single #building# are not connected one to the other, such portions shall be deemed to be two separate #buildings#, and the provisions set forth in Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) shall apply. In applying such provisions, the height of the two portions shall be measured from the roof of the connecting portion of such #building# instead of from ~~natural grade level~~ the #base plane# or #curb level#, as applicable.

23-83 Building Walls Regulated by Other than Minimum Spacing Formula Requirements

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, to the extent that the provisions of Section 23-82 (Building Walls Regulated by Minimum Spacing Formula Requirements) do not apply, the minimum distance between different walls of the same #building# shall conform to the regulations set forth in the following Sections:

* * *

23-841 Narrow outer courts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, if an #outer court# is less than 30 feet wide, the width of such #outer court# ~~must~~ shall be at least ~~twice~~ one and one-third the depth of such #outer court#.

However, in R3, R4, or R5 Districts, for #single-# and #two-family residences# three #stories# or less in height, the width of such #outer court# ~~must~~ shall be at least equal to the depth of such #outer court#.

* * *

Chapter 4 Bulk Regulations for Community Facility Buildings in Residence Districts

24-00 APPLICABILITY, GENERAL PURPOSES, AND DEFINITIONS

* * *

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 or R10X Districts, any residential portion of a building shall comply with all of the regulations of Article II, Chapter 8, (Quality Housing Program) and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8.

* * *

In R6 or R7 Districts within the study areas set forth in Section 23-012 (Quality Housing Program), the #floor area ratios# and the #lot area per dwelling unit# requirements applicable to Quality Housing #developments# shall not apply to any #zoning lot# occupied as of August 14, 1987 by a #single-, two-#, or three-#family detached# or semi-#detached residence# where 70 percent or more of the aggregate length of the #block# fronts in #residential use# on both sides of the #street# facing each other are occupied by such #residences#. For any #development# on such #zoning lot# the #floor area ratio# and #lot area per dwelling unit# #room# or #rooming unit# requirement of the underlying district shall apply...

* * *

24-10 FLOOR AREA AND LOT COVERAGE REGULATIONS

* * *

24-12 Height and Application of Lot Coverage

R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, any portion of a #building# located at any height up to but not exceeding 23 feet above #curb level# or #base plane#, where applicable, may be excluded in determining the percent of #lot coverage# set forth in Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage). Obstructions permitted under the provisions of Section 24-33 (Permitted Obstruction in Required Yards or Rear Yard Equivalents) shall not be included in #lot coverage#.

* * *

24-176 Balconies in R6A through ~~R10A~~ ~~R10X~~ Districts

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

- (a) 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 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) of this section. 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 3 feet, 8 inches in height or a railing not less than 50 percent

open and not exceeding 4 feet, 6 inches in height. The portion of a balcony enclosed by building walls shall not exceed six feet in depth.

(b) In no event shall balconies:

(1) project by a distance greater than seven feet as measured from the plane surface of the building wall;

(2) ~~penetrate the #front# or #rear sky exposure plane#;~~

(3) ~~(2)~~ project into the minimum required distance between #buildings# on the same #zoning lot# pursuant to Section 23-71 f;

(4) ~~(3)~~ 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 different maximum #floor area ratios#; different minimum #open space ratios#; 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.

* * *

24-30 YARD REGULATIONS

General Provisions

* * *

24-33 Permitted Obstructions in Required Yards or Rear Yard Equivalents

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

* * *

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

#Accessory# non-commercial greenhouses, limited to one #story# or 14 feet in height above natural grade level, whichever is less, and limited to an area not exceeding 25 per cent of a required #rear yard# or #rear yard equivalent# on a #zoning lot#;

* * *

24-34 Minimum Required Front Yards

* * *

R6B-R7B

~~(b) In the districts indicated, for all #developments# or #enlargements#, and in R6 or R7 Districts without a letter suffix 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#, #front yards# with a minimum depth of five feet shall be provided. However, only one #front yard# is required for a #corner lot# if the width of such lot along one #street# is 45 feet or less; and no #front yard# is required on a #through lot# which extends less than 180 feet in maximum depth from #street# to #street#, or on an #interior lot# which is less than 90 feet in depth. Projections into the #front yard# are permitted provided that the aggregate length of all projections at the level of any #story# does not exceed 50 percent of the #street wall# and such projections do not extend more than two feet into the #front yard#.~~

* * *

Rear Yards

* * *

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#. 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).

24-381 Excepted Through Lots

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, no #rear yard# regulations shall apply to any #through lots# which extend less than 110 feet in maximum depth from #street# to #street#.

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

- (b) In the districts indicated, and in other R6, R7, R8, R9, and R10 Districts where the #residential# portion of the #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, no #rear yard# regulations shall apply to any #through lots# which are contiguous on one side to two #corner lots#.

24-382 Required rear yard equivalents

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, In the districts indicated, except for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program, 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.

* * *

24-383 Required rear yard equivalents in R6A, R7A, R8A, R9A, R10A, R6B, R7B, R8B, R7X, R8X, R9X, and R10X Districts

In the districts indicated, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, the following rules shall apply:

(a) for any #through lot# 110 feet but less than 150 feet in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

(i) 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, or

(ii) an open area adjoining and extending along the full length of a #street line#, and with a minimum depth of 60 feet measured from such #street line#, except that where an open area is required along one #street line# pursuant to the #street wall# location requirements of section 24-523, there may be a corresponding decrease in the required depth of the open area along the other #street line#.

(b) for any #through lot# at least 150 feet in maximum depth from #street# to #street#, a #rear yard equivalent# shall be provided only as set forth in subparagraph (a)(i) above.

Any such #rear yard equivalent# shall be unobstructed from its lowest level to the sky, except as provided in Section 24-33

(Permitted Obstructions in Required Yards or Rear Yard Equivalents).

* * *

24-50 HEIGHT AND SETBACK REGULATIONS

* * *

24-511 Permitted obstructions in certain districts

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

In the districts indicated, for any #development# or #enlargement#, and in other R6 through R10 Districts, for #buildings# in which the #residential# portion of the #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, a dormer may be allowed as a permitted obstruction within a required setback distance. Such dormer may exceed a maximum base height specified for such district provided that on any #street# frontage the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

* * *

24-523 Street wall location and height and setback regulations in certain districts

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

In the districts indicated, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings# or other structures# shall be measured from the #base plane#. 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 length of the #street line# of the #zoning lot#, except as provided in paragraphs (b) and (f) and subsection (3) (Modifications of Street Wall Requirements) below.~~

~~However, at the intersection of two #street lines# the #street wall# may be located anywhere within an area bounded by the two #street lines# and parallel to and five feet from each #street line#.~~

~~Except as provided in subsection (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 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 length of the #street line# of the #zoning lot# along a #wide street#.~~

Option 2

~~At least 50 percent 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 percent of the aggregate length of the #street walls# at each #story#.~~

Option 3

~~A minimum of 75 percent 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 #developments# 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 a distance of 50 feet from an 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 any adjacent existing #building# on 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 percent 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 percent of the aggregate length of the #street wall# at each #story#.~~

Option 2

~~A minimum of 75 percent 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 a distance of 50 feet from an intersection with a #wide street# is required if the resulting open area is maintained as follows:~~

- ~~(i) its elevation shall be within 2 feet of the abutting sidewalk;~~
- ~~(ii) no wall or fence above a height of 30 inches above #curb level# shall consist of elements more than 1 1/2 inches thick and less than 5 inches apart;~~
- ~~(iii) its entire area shall be covered by decorative unit pavers, shrubbery, grass, or landscaped elements not more than 30 inches high; and~~
- ~~(iv) if such resulting area is 1,500 to 2,000 square feet, it shall contain at least three 4 inch caliper trees, and there shall be one additional 4 inch caliper tree for each additional 1,000 square feet or fraction thereof; or~~
- ~~(v) if such resulting area is less than 1,500 square feet and contains fewer than three 4 inch caliper trees, it shall contain shrubbery for at least 25 percent of its area.~~

R&B

- ~~(c) 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 subsection (3) (Modifications 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 (e)(i) through (e)(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:

 - ~~(a) on an #interior lot# 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#.~~
 - ~~(b) on a #corner lot# 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 subsection 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 (e)(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 (e)(i), (e)(ii), and (e)(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 (e)(ii) above, or subsection (3) (Modifications 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 is #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 subsection (3) (Modifications of Street Wall Requirements) 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 percent 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# unless the #development# or #enlargement# is on:
- (i) a #street# where existing #buildings# with #street walls# located between 5 and 15 feet of the #street line# comprise less than 25 percent of the #street# frontage;
 - (ii) an #interior lot# less than 90 feet in depth;

(iii) ~~a #through lot# which extends less than 180 feet in maximum depth from #street# to #street#; or~~

(iv) ~~a #corner lot# which has a width along one #street# of 45 feet or less.~~

~~In the case of a #corner lot# the #development# or #enlargement# shall be neither closer to nor further from the #street line# than the front wall of an adjacent existing #building# fronting on one #street#.~~

~~Projections from the #street wall# are permitted provided that the aggregate length of all projections at the level of any #story# does not exceed 50 percent of the #street wall#. Such projections shall comply with the requirements of Section 23 45(b) and shall not extend more than two feet from the front wall.~~

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

~~(f) 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 subsection (3) below.~~

~~(2) Height of #Street Wall#~~

~~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 subsection (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~~

- ~~(e) 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 percent 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 percent and 90 percent.~~

~~(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#, the #front lot line#, the prolongations of the side walls, and the roof of the existing #building#. If, after August 14, 1987, 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.~~

~~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.~~

~~(4) #Front# and #Rear Sky Exposure Planes#~~~~R6A R6B R7A R7B R7X R8A R8B R8X R9A R9X — R10A~~

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 the ~~#front# or #rear sky exposure planes#~~ set forth in the table below.

The ~~#rear sky exposure plane#~~ shall start above a line 100 feet from the ~~#street line#~~. However, on an ~~#interior lot#~~ more than 140 feet in depth, for each foot that the depth of any portion of such ~~#interior lot#~~ exceeds 140 feet, the location of the ~~#rear sky exposure plane#~~ may be moved beyond the 100 foot line an additional foot. On a ~~#through lot#~~ more than 280 feet in depth, for each foot that the line midway between the ~~#street lines#~~ exceeds a distance of 140 feet from the ~~#street line#~~, the location of the rear ~~#sky exposure planes#~~ may be moved beyond the 100 foot line an additional foot. On such ~~#interior# or #through lot#~~ the maximum height of any ~~#development# or #enlargement#~~ shall be the height resulting from the intersection of the ~~#front# and #rear sky exposure 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.

~~STREET WALL AND HEIGHT AND SETBACK REGULATIONS~~~~(table)~~~~(TWO ILLUSTRATIONS)~~

~~hf~~ is the height at which the ~~#front sky exposure plane#~~ begins at the ~~#street line#~~

~~hr~~ is the height at which the ~~#rear sky exposure plane#~~ begins at the 100-foot line

~~d~~ is the maximum ~~#street wall#~~ setback distance

~~v~~ is the vertical distance

~~a~~ is the horizontal distance

~~(ILLUSTRATIONS OF SKY EXPOSURE PLANES)~~

(a) #Street Wall# Location

R6A R7A
R7X

- (1) In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program on #wide streets# in R6 or R7 districts without a letter suffix, the #street wall# of any #development# or #enlargement# shall be located no closer to the #street line# than any #building# on the same #block#, fronting on the same #street line#, and within 150 feet of such #development# or #enlargement#. However, a #street wall# need not be located further from the #street line# than 15 feet. On #corner lots#, these #street wall# location provisions shall apply along only one #street line#.

R6B R7B R8B

- (2) In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program on #narrow streets# in R6, R7, and R8 Districts without a letter suffix, the #street wall# of any #development# or #enlargement# on a #zoning lot# with at least 50 feet of frontage along a #street line# shall be located no closer to the #street line# than the #street wall# of an adjacent existing #building#. On #zoning lots# with less than 50 feet of frontage along a #street line#, the #street wall# of any #development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. For all #zoning lots#, the #street wall# of a #building# need not be located further from a #street line# than 15 feet. On #corner lots#, the #street wall# along one #street line# need not be located further from the #street line# than five feet.

R8A R9A R10A
R8X R9X R10X

- (3) In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in R8 or R9 Districts without a letter suffix, and in other R10 Districts, the following #street wall# location provisions shall apply along #wide streets# and along #narrow streets# within 50 feet of a #wide street#:

- (i) The #street wall# shall occupy the entire #street# frontage of a #zoning lot# not occupied by existing #buildings# and shall rise vertically to at least the minimum base height specified in Table A of this Section, or the height of the #building#, whichever is less.
- (ii) At least 70 percent of the length of such #street wall# shall be located within eight feet of the #street line#, and the remaining 30 percent of the length of such #street wall# may be recessed beyond eight feet of the #street line# to provide #outer courts# or balconies.
- (iii) The #street wall# location provisions of this paragraph (3) shall not apply to houses of worship.

(b) Height and Setback

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

In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9, and R10 Districts, all #developments# or #enlargements# shall comply with the following provisions:

(1) Setback Provisions

Except for dormers permitted in accordance with Section 24-511, setbacks are required for all portions of #buildings# that exceed the maximum base height specified in Table A of this Section. Such setbacks shall be provided in accordance with the following provisions:

- (i) At a height not lower than the minimum base height or higher than the maximum base height specified in Table A of this Section, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.
- (ii) On #narrow streets#, where a #street wall# is required to be located further than 10 feet from a #street line# in accordance with paragraph (a) of this section, the depth of the required setback above the minimum base height may be reduced one foot for every foot the

#street wall# is required to be located beyond 10 feet of the #street line#, but in no event shall a setback less than 10 feet in depth be provided above the minimum base height.

- (iii) The setback provisions of this paragraph (1) are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#.

(2) Maximum #Building# Height

No #building or other structure# shall exceed the maximum #building# height specified in Table A of this Section, except as otherwise provided in Section 24-54 (Tower Regulations) for #buildings# in R10A and R10X Districts.

(c) Additional Regulations

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

In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9, and R10 Districts, the following additional regulations shall apply:

- (1) Existing #buildings# may be vertically enlarged by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraph (a) of this Section.
- (2) 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#, the #front lot line#, the prolongations of the side walls, and the roof of the existing #building#. After August 14, 1987, if 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.

- (3) On #through lots# which extend less than 150 feet in maximum depth from #street# to #street#, the #street wall# location requirements of paragraph (a) of this Section shall be mandatory along only one #street# frontage.
- (4) 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.

TABLE A
MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHT, BY ZONE

| Zoning District | Minimum Base Height | Maximum Base Height | Maximum Building Height |
|---|---------------------|---------------------|-------------------------|
| R6B | 30 | 40 | 50 |
| R6 narrow street(1) | 30 | 45 | 55 |
| R6 wide street(2), inside core(3) | 40 | 55 | 65 |
| R6A, R6 wide street(2), outside core(3) | 40 | 60 | 70 |
| R7B, R7 narrow street(1), R7 wide street(2), inside core(3) | 40 | 60 | 75 |
| R7A, R7 wide street(2), outside core(3) | 40 | 65 | 80 |
| R7X | 60 | 85 | 125 |
| R8B | 55 | 60 | 75 |

| | | | |
|---|-----|-----|-----|
| R8 narrow street(1) | 60 | 80 | 105 |
| R8A, R8 wide street(2) | 60 | 85 | 120 |
| R8X | 60 | 85 | 150 |
| R9A narrow street(1), R9 narrow street(1) | 60 | 95 | 135 |
| 9A, R9 wide street(2) | 60 | 102 | 145 |
| R9X narrow street(1) | 60 | 120 | 160 |
| R9X wide street(2) | 105 | 120 | 170 |
| R10A narrow street(1) R10 narrow street(1) | 60 | 125 | 185 |
| R10A wide street(2) R10 wide street(2) | 125 | 150 | 210 |
| R10X | 60 | 85 | 85 |

- (1) 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#.
- (2) Refers to that portion of a district which is within 100 feet of a #wide street#.
- (3) Core refers to #Manhattan Core#.

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# or as permitted in Section 24-523 (4) (Front and rear sky exposure planes).

* * *

Supplementary Regulations

24-54 Tower Regulations

R7-2 R8 R9 R10

(a) In the districts indicated, except R8A, R8B, R9A, R9X, R10A and R10X Districts, any #building# or #buildings# or portion thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the per cent set forth in Section 24-541 (Towers on small lots), may penetrate an established #sky exposure plane#. (Such #building# or portion thereof is hereinafter referred to as a tower).

At all levels, such tower shall be located not less than 15 feet from the #street line# of a #narrow street# and not less than 10 feet from the #street line# of a #wide street#.

Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies) are permitted to project into or over open areas not occupied by towers.

The provisions of this Section paragraph (a) shall not apply to any #building#, located wholly or partly in a #Residence District#, which is within 100 feet of (a) a #public park# with an area of one acre or more, or (b) a #street line# opposite such a #public park#.

R10A

(b) In the district indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R10 Districts, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 25 per cent of the #lot area# above a height of 150 feet above the #base plane# is hereinafter referred to as a tower. Such tower or towers may exceed a height limit of 210 feet provided:

- (1) such tower is located on a #zoning lot# with more than 45 feet of frontage on a #street# at least 120 feet in width or located on a #zoning lot# with more than 45 feet of frontage across from a #park# of at least one acre;

- (2) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;
- (3) the base of such tower complies with the #street wall# location provisions of paragraph (a) of Section 24-523 and the height and setback provisions of paragraph (b), Section 24-523, and
- (4) no portion of such tower is located more than 100 feet from a #wide street#.

Unenclosed balconies, subject to the provisions of Section 24-176 are permitted to project into or over open areas not occupied by towers. Dormers permitted within a required setback area pursuant to Section 24-511 shall not be included in tower coverage.

R10X

- (c) In the district indicated, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 24-541 (Towers on small lots) above a height of 85 feet above the #base plane#, are hereinafter referred to as a tower. Such tower or towers may exceed a height of 85 feet above the #base plane# provided:
 - (1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street#, and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;
 - (2) the base of such tower complies with the #street wall# location provisions of paragraph (a), Section 24-523 and the height and setback provisions of paragraph (b), Section 24-523, and
 - (3) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, the highest four #stories# of such tower, or 40 feet, whichever is less, may cover less than 30 percent of the #lot area# of the #zoning lot# if the gross area of each #story# does not exceed 80 percent of the gross area of that #story# directly below it.

Unenclosed balconies, subject to the provisions of Section 24-175 are permitted to project into or over open areas not occupied by towers. Dormers permitted within a requires setback area pursuant to section 24-511 shall not be included in tower coverage.

24-541 Towers on small lots

R7-2 R8 R9 R10 ~~R10X~~

In the districts indicated, a tower may occupy the percent of the #lot area of a #zoning lot# set forth in the following table:

| COVERAGE OF TOWERS ON SMALL ZONING LOTS | |
|--|--------------------------------------|
| Area of #zoning lot# (in square feet) | Maximum percent of #lot coverage# |
| 10,500 or less | 50 |
| 10,501 to 11,500 | 49 |
| 11,501 to 12,500 | 48 |
| 12,501 to 13,500 | 47 |
| 13,501 to 14,500 | 46 |
| 14,501 to 15,500 | 45 |
| 15,501 to 16,500 | 44 |
| 16,501 to 17,500 | 43 |
| 17,501 to 18,500 | 42 |
| 18,501 to 19,999 | 41 |

24-552 Required rear setbacks for tall buildings

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) ~~In all districts, as indicated, in the districts indicated, except as provided in paragraph (b) below, no portion of a #building# more than 125 feet above yard level shall be nearer to a #rear yard line# than 20 feet. However, this provision shall not apply to any portion of a #building# which qualifies as a tower under the provisions of Section 24-54 (Tower Regulations).~~

* * *

~~This Section shall not apply to any #development# or #enlargement# in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A or R9X Districts or in R10A Districts on #interior lots# on #narrow streets#, and to #buildings# in which the #residential# portion is #developed# or #enlarged# where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 Districts or in R10 Districts on #interior lots# on #narrow streets#.~~

(ILLUSTRATION)
ILLUSTRATION OF REAR SETBACK
FOR TALL BUILDINGS

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

- (b) ~~In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the maximum base height specified in Table A of Section 24-523 shall be nearer to a #rear yard line# than 10 feet.~~

~~In the case of a #through lot# on which a #rear yard equivalent# is provided as set forth in paragraph (a)(i) of Section 24-383 the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#. If a #rear yard equivalent# is provided as set forth in paragraph (a)(i) of Section 24-383, the requirements of this Section shall not apply.~~

24-591 Additional regulations for narrow buildings or enlargements

R7-2 R8 R9 R10
R7X

In the districts indicated, 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 23-691 (Additional regulations for narrow buildings or enlargements) shall apply to such new or #enlarged building#.

* * *

24-60 COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES

* * *

24-631 Narrow outer courts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, if an #outer court# is less than 20 feet wide, the width of such #outer court# must shall be at least twice one-and-one-third the depth of such #outer court#.

* * *

24-67 Special Provisions for Buildings Used Partly for Residential Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a #building# is used partly for #community facility uses# and partly for #residential uses#, the provisions of this Section and Section 23-70 (MINIMUM DISTANCE REQUIRED BETWEEN TWO OR MORE BUILDINGS ON A SINGLE ZONING LOT) shall apply to any portion of such #building# used for #residential uses#.

* * *

Chapter 5

Accessory Off-Street Parking and Loading 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.~~

~~* * *~~

25-60

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

25-61

General Provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

* * *

~~In R2X, R3, R4 or R5 Districts, no~~ No portion of a #side lot ribbon# shall be less than eight feet wide and no portion shall be more than ten feet wide on an #interior# or #through lot# and not more than 20 feet wide on a #corner lot#. If two #zoning lots# share a common #side lot ribbon# along a common #side lot line#, the width of a shared #side lot ribbon# must be a least eight feet.

* * *

25-621

Location of parking spaces in certain districts

~~R2X R3 R4 R5~~

(a) ~~In the districts indicated, except R4B or R5B Districts, on a #zoning lot# with a #residential building# where no more than two #accessory# parking spaces are required, #accessory# off street parking spaces shall be permitted only in the #side lot ribbon#, within a #building#, or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# or prolongation thereof of the #building#. Access to the #accessory# spaces through the #front yard# shall be only through the #side lot ribbon#. However, for #zoning lots# which have a minimum of 35 feet of #street# frontage along one #street#, are occupied by a #single # or #two family detached residence#, and maintain a minimum of 18 feet of uninterrupted curbside space along the #street# frontage, access to #accessory# spaces need not be through a #side lot ribbon#, provided that on a #zoning lot# with less than 50 feet of frontage along a #street#, no more than one enclosed #accessory# parking space is provided within the #residential building#.~~

R2X R3 R4 R5

~~(b) In the districts indicated, except R4B or R5B Districts, on a #zoning lot# where more than two #accessory# parking spaces are required #accessory# off-street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation, unless:~~

~~(1) no more than two such unenclosed spaces are accessed from a single curb out, and the parking area for these spaces is not more than 20 feet in width measured parallel or within 30 degrees of being parallel to the #street line#; or~~

~~(2) a #group parking facility# with five or more spaces is provided and is screened in accordance with the requirements of Section 25-66 (Screening) (a) or (b).~~

R4B R5B

~~(c) In the districts indicated, on a #zoning lot# with a #residential building# where no more than two #accessory# parking spaces are required #accessory# off-street parking spaces shall be located only within a #building#, or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#. On a #zoning lot# where more than two #accessory# off-street parking spaces are required, off-street parking spaces shall be located either within a #building# or between the #building# and the #rear lot line#. However, on a #corner lot#, #accessory# parking spaces may be located in a #side yard#.~~

~~(d) All #accessory# off-street parking spaces shall be subject to the curb out requirements in Section 25-63.~~

* * *

All #accessory# off-street parking spaces shall be located in accordance with the provisions of this Section. In addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63.

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

R2X R3 R4 R5

- (1) In the districts indicated, except R4B or R5B Districts, #accessory# off-street parking spaces shall be permitted only in the #side lot ribbon#, within a #building#, or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# or prolongation thereof of the #building#. Access to the #accessory# spaces through a required #front yard# or front setback area shall be only through the #side lot ribbon#. However, for #zoning lots# which have a minimum of 35 feet of #street# frontage along one #street#, are occupied by a #single-# or #two-family detached residence#, and maintain a minimum of 18 feet of uninterrupted curbside space along the #street# frontage, access to #accessory# spaces need not be through a #side lot ribbon#, provided that on a #zoning lot# with less than 50 feet of frontage along a #street#, no more than one enclosed #accessory# parking space is provided within the #residential building#.

R6 R7 R8

- (2) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single-#, #two-#, or three #family residences# or #building segments#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (1) above.

R4B R5B R6B R7B R8B

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

R2X R3 R4 R5

- (1) In the districts indicated, except R4B or R5B Districts, #accessory# off-street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation, unless:
- (i) no more than two such unenclosed spaces are accessed from a single curb cut, and the parking area for these spaces is not more than 20 feet in width measured parallel or within 30 degrees of being parallel to the #street line#, or

- (ii) a #group parking facility# with five or more spaces is provided and is screened in accordance with the requirements of Section 25-66 (Screening) (a) or (b).

R6 R7 R8

- (2) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single-#, #two-#, or three #family residences# or #building segments#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (1) above.

R4B R5B R6B R7B R8B

- (3) In the districts indicated, off-street parking spaces shall be located either within a #building# or between between the #building# and the #rear lot line#. However, on a #corner lot#, #accessory# off-street parking spaces may be located in a #side yard#.

25-631

Location and width of curb cuts in certain districts

R2X R3 R4 R5

- ~~(a) In the districts indicated, except as otherwise provided in Section 25-632 (Prohibition of curb cuts in certain districts) #residential buildings# on #zoning lots# where not more than two #accessory# parking spaces are required shall comply with the following paragraphs (1) through (6):~~

- ~~(1) for #zoning lots# with less than 50 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of ten feet, shall be permitted;~~
- ~~(2) for #zoning lots# with at least 50 feet of frontage along a #street#, no more than two curb cuts shall be permitted along such #street# frontage. If one curb cut is provided, such curb cut shall have a maximum width, including splays, of 15 feet. If two curb cuts are provided, the maximum width of each curb cut, including splays, shall be ten feet, and a minimum distance of 30 feet of uninterrupted curb space shall be provided between such curb cuts;~~
- ~~(3) where access to #accessory# parking spaces is only through a #side lot ribbon#, all curb cuts shall be a continuation of the #side lot ribbon#;~~

- ~~(4) wherever #accessory# parking spaces are provided in adjacent #side lot ribbons# on #zoning lots# subdivided after June 30, 1989, the curb cuts giving access to such #side lot ribbons# shall be contiguous (paired), so that only one curb cut, having a maximum width of 15 feet including aprays, shall serve both #side lot ribbons#;~~
- ~~(5) except for #attached residential buildings# in R4B or R5B Districts and multiple dwellings in R5B Districts, new #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989, provided that this requirement may be waived if the Commissioner of Buildings certifies that, due to the location of curb cuts on adjacent #zoning lots#, there is no way to locate the curb cut in compliance with this requirement and that at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#; and~~

~~R4B R5B~~

- ~~(6) for #attached residential buildings# in R4B or R5B Districts and multiple dwellings in R5B, Districts, new #residential developments# shall provide a minimum distance of 34 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.~~

~~R2X R3 R4 R5~~

- ~~(b) In the districts indicated, except as otherwise provided in Section 25-632 (Prohibition of curb cuts in certain districts), #residential buildings# on #zoning lots# where more than two #accessory# parking spaces are required shall comply with the following paragraphs (1) through (4) provisions:~~

- ~~(1) #zoning lots# with 35 feet or more of frontage along a #street# shall maintain a minimum distance of 16 feet of uninterrupted curb space along such #street#;~~
- ~~(2) except for #attached residential developments# in R4B or R5B Districts and multiple dwellings in R5B Districts, new #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts on the same or adjoining #zoning lots developed# after June 30, 1989;. For #attached residential developments# and rowhouses in R4B or R5B Districts and multiple dwellings in R5B Districts, a minimum distance of 34 feet between curb cuts shall be maintained;~~
- ~~(3) the maximum width of a curb cut serving a #group parking facility# shall be as set forth in the following table:~~

| Size of Facility (in number of spaces) | Maximum width of curb-outs (in feet) |
|---|---|
| up to 4 | 15 |
| 5 to 24 | 22 |
| 25 and over | 30 |

However, where Fire Department regulations set forth in the Administrative Code of the City of New York require curb-outs of greater width than listed in the chart above, such curb-outs may be increased to the minimum width acceptable to the Fire Department.

- (4) ~~where one or more #group parking facilities# with five or more spaces are provided, the aggregate width of all curb-outs, including overlaps, along a #street# serving such spaces shall not exceed the greater of 20 percent of the #street# frontage or the maximum width set forth in the table above. Such #group parking facilities# may be located on the same #zoning lot# as other #accessory# off-street parking spaces permitted pursuant to paragraphs (2) and (3) above. In such cases, plans shall be submitted to the Department of Buildings that designate the segments of the #zoning lot# containing other #accessory# off-street parking spaces permitted pursuant to paragraphs (2) and (3) above, and segments subject to this paragraph.~~

R2X R3 R4 R5

- (e) ~~In the districts indicated, the location of curb-outs as required by the provisions of this Section may be modified if the Commissioner of Buildings certifies that the specified curb-out locations would require the removal of shade trees maintained by the City of New York. The Commissioner of Buildings may refer such matter to the Department of Parks and Recreation and the Department of Transportation for reports and may base the determination on such report.~~

(a) For zoning lots where not more than two accessory parking spaces are required

R2X R3 R4 R5

- (1) In the districts indicated, except R4B and R5B Districts, and except as otherwise provided in Section 25-632 (Prohibition of curb cuts in certain districts) curb cuts shall comply with the following provisions:
- (i) for #zoning lots# with less than 50 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of ten feet, shall be permitted;
 - (ii) for #zoning lots# with at least 50 feet of frontage along a #street#, no more than two curb cuts shall be permitted along such #street# frontage. If one curb cut is provided, such curb cut shall have a maximum width, including splays, of 15 feet. If two curb cuts are provided, the maximum width of each curb cut, including splays, shall be ten feet, and a minimum distance of 30 feet of uninterrupted curb space shall be provided between such curb cuts;
 - (iii) where access to #accessory# parking spaces is only through a #side lot ribbon#, all curb cuts shall be a continuation of the #side lot ribbon#;
 - (iv) wherever #accessory# parking spaces are provided in adjacent #side lot ribbons# on #zoning lots# subdivided after June 30, 1989, the curb cuts giving access to such #side lot ribbons# shall be contiguous (paired), so that only one curb cut, having a maximum width of 15 feet including splays, shall serve both #side lot ribbons#, and
 - (v) new #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989, provided that this requirement may be waived if the Commissioner of Buildings certifies that, due to the location of curb cuts on adjacent #zoning lots#, there is no way to locate the curb cut in compliance with this requirement and that at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#.

R6 R7 R8

- (2) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single-#, #two-#, or three #family residences# or #building segments#, the width and location of curb cuts shall be in accordance with the provisions of paragraph (1) above.

R4B R5B R6B R7B R8B

- (3) In the districts indicated, for #attached residential buildings# and rowhouses, and for multiple dwellings in R5B, R6B, R7B, and R8B Districts, new #residential developments# shall provide a minimum distance of 34 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.

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

R2X R3 R4 R5

- (1) In the districts indicated, except R4B and R5B Districts, and except as otherwise provided in Section 25-632 (Prohibition of curb cuts in certain districts), curb cuts shall comply with the following provisions:

- (i) #zoning lots# with 35 feet or more of frontage along a #street# shall maintain a minimum distance of 16 feet of uninterrupted curb space along such #street#;
- (ii) New #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts on the same or adjoining #zoning lots developed# after June 30, 1989;
- (iii) The maximum width of a curb cut serving a #group parking facility# shall be as set forth in the following table:

| Size of Facility (in number of spaces) | Maximum width of curb cuts (in feet) |
|---|---|
| up to 4 | 15 |
| 5 to 24 | 22 |
| 25 and over | 30 |

However, where Fire Department regulations set forth in the Administrative Code of the City of New York require curb cuts of greater width than listed in the chart above, such curb cuts may be increased to the minimum width acceptable to the Fire Department.

- (iv) where one or more #group parking facilities# with five or more spaces are provided, the aggregate width of all curb cuts, including splays, along a #street# serving such spaces shall not exceed the greater of 20 percent of the #street# frontage or the maximum width set forth in the table above. Such #group parking facilities# may be located on the same #zoning lot# as other #accessory# off-street parking spaces permitted pursuant to paragraphs (2) and (3) above. In such cases, plans shall be submitted to the Department of Buildings that designate the segments of the #zoning lot# containing other #accessory# off-street parking spaces permitted pursuant to paragraphs (2) and (3) above, and segments subject to this paragraph.

R6 R7 R8

- (2) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single-#, #two-#, or three #family residences# or #building segments#, the width and location of curb cuts shall be in accordance with the provisions of paragraph (1) above.

R4B R5B R6B R7B R8B R9B

- (3) In the districts indicated, for ~~attached residential developments~~ and rowhouses, and for multiple dwellings in R5B, R6B, R7B, and R8B Districts, a minimum distance of 34 feet between curb cuts shall be maintained. In addition, the maximum width of curb cuts serving a ~~group parking facility~~ shall be as set forth in paragraph (1)(iii) above.

(c) Modification of curb cut location requirements**R2X R3 R4 R5 R6 R7 R8**

In the districts indicated, the location of curb cuts as required by the provisions of this Section may be modified if the Commissioner of Buildings certifies that the specified curb cut locations would require the removal of shade trees maintained by the City of New York. The Commissioner of Buildings may refer such matter to the Department of Parks and Recreation and the Department of Transportation for reports and may base the determination on such report.

25-632 Prohibition of curb cuts in certain districts

R4B R5B R6B R7B R8B

In the districts indicated, curb cuts are prohibited for ~~residential developments~~ on ~~zoning lots~~ having a width of less than 40 feet along a ~~street~~ and existing on the effective date of establishing such district on the ~~zoning maps~~.

* * *

25-65 Surfacing

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all open off-street parking spaces shall be surfaced with asphaltic or portland cement concrete, or other hard-surfaced dustless material, at least four inches thick except that in ~~R2X, R3, R4 or R5 Districts~~, where required parking spaces are located in ~~side lot ribbons~~, hard surface ribbons may be permitted.

* * *

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 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, or R10X~~ Districts and in the equivalent ~~#Commercial Districts#~~ listed in Sections 34-111 and 34-112, ~~some of~~ these standards and requirements are mandatory for the ~~#development#, #enlargement#, #extension#~~ of, or conversion to, any ~~#residential use#~~ other than ~~#single-# or #two-family residences#~~.

In 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 mandatory~~ 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.

~~The provisions of this Chapter shall not apply to the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961 in Manhattan Community Districts 1,2,3,4,5 and 6, Brooklyn Community Districts 1,2 and 6, and Queens Community Districts 1 and 2, unless such conversions meet the requirements for new #residential developments# of Article II (Residence District Regulations).~~

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, and street tree

planting, and requirements for ground floor glazing in #Commercial Districts#, all both of which are mandatory.

The building interior component sets a minimum and preferred levels for the average size of a #residential# unit; ~~establishes minimum amounts of glazed area for each #residential# unit;~~ mandates laundry facilities and special refuse storage and disposal systems; and encourages laundry facilities and daylight in corridors.

The recreation and planting component establishes minimum and preferred space standards for indoor and outdoor recreation space, and requires planting of open areas ~~between the front building wall and the #street# on the site, and encourages balconies.~~

The safety and security component encourages fewer ~~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# or conversions, and #enlargements# or #extensions# which increase the existing #residential floor area# by at least 20 percent, 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 ~~Transportation Buildings~~ determines that such tree planting would be unfeasible. ~~The Commissioner of Buildings may refer such matter to the Department of Transportation and the Department of Parks and Recreation for reports and may base the determination on such reports.~~ 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 Transportation.

~~28-13 Ground Floor Glazing~~

~~In all #Commercial Districts#, the #street wall# of any non #residential# portion of a Quality Housing #development# or #enlargement# which is not used for a house of worship and is 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. A #dwelling unit# shall have an area of at least 400 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 | |
|--|----------------------------|--|----------------------------|
| Non profit residence for elderly <u>District</u> | Other residential building | Non profit residence for elderly | Other residential building |
| 500 | 575 | 550 | 750R |
| R6A R6B R7 | | | |
| R7A R7B R7X R8B | | | |
| 500 | 625 | 550 | 800R |
| R8A R8X | | | |
| R9A | | | |
| 500 | 675 | 550 | 800 |
| R9X R10A | | | |

28-22 Windows

All windows in the #residential# portion of a #building# #development# or #enlargement# 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 9.5 percent of the #net square feet of a dwelling unit# or #rooming unit#.

28-23 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 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#.

28-24 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:~~
 - ~~(1) 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.~~

- ~~(2) 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.~~
- ~~(3) At least 35 percent of each door to the laundry room shall be transparent.~~
- ~~(4) 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#.~~
- ~~(5) 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#.~~

~~If the #building# provides:~~

- ~~(a) at least one washing machine per 20 #dwelling units# or #rooming units# and at least one dryer per 40 #dwelling units# or #rooming units#, and~~
- ~~(b) such machines are located in a room or rooms with an additional 3 square feet of unobstructed floor space equipped with chairs and tables for folding laundry for each machine provided, and~~
- ~~(c) such rooms have at least one exterior wall with windows measuring not less than 9.5 percent of the total floor space of the rooms, and~~
- ~~(d) such windows meet the applicable requirements of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND LOT LINES).~~

~~then that portion of the laundry room which is used to meet the above minimum requirements shall be excluded from the definition of #floor area#.~~

28-25 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 foot of the corridor provided that:~~

~~Fifty percent of the square footage of a corridor may be excluded from the definition of #floor area# if a window with a clear, non-tinted glazed area of at least 20 square feet is provided in such 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)(a) 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)(b) such windows are located at least 30 20 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 ~~28-31~~ 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, and #Developments#, #enlargements#, #extensions# or conversions with 40 or fewer #dwelling units# or #rooming units# may be aggregated 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 28-21 28-12 to 28-24 and not exceeding the preferred standard amount required 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#)

| Minimum standard | | | Preferred standard | | |
|------------------|-----------|------------|--------------------|-----------|---------|
| Child use | Joint use | | Child use | Joint use | |
| | Indoor | Outdoor | | Indoor | Outdoor |
| 1.0 | 3.0 | R6 R6A R6B | 1.0 | 1.0 | 1.5 2.0 |
| R7A R7B R7X | | | R 7 | | |
| 0.5 | 1.0 | 1.5 | 1.0 | 2.0 | 2.5 |
| R8A R8B R8X | | | R 8 | | |
| R9A R9X | | | R 9 | | |
| | | | R10A | | |

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.

| District | Minimum Required Recreation Space (as a percent of the total net residential floor area) |
|-----------------|--|
| R6 R7 | 3.5 |
| R8 R9 R10 | 3.0 |

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.

28-32 Standards for Recreation Space

- (a) All recreation space shall be accessible to the residents of the #building#, and in a mixed-use #building# the recreation space shall be accessible only from the #residential# portion of the #building#.
- (b) The minimum dimension of any recreation space shall be 15 feet. The minimum size of any outdoor recreation space shall be 225 square feet, and the minimum size of any indoor recreation space shall be 300 square feet.
- (d) 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.
- (e) Any indoor recreation room located in a #story# shall have at least one exterior wall with windows that measure not less than 9.5 percent of the total floor space of the room, and such windows shall meet the applicable requirements of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

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 | _____ | at any story above |
| or more with no | _____ | curb level or |
| dimension less | _____ | adjoining grade |
| than 30 feet | _____ | level |
| 1,000 square feet | _____ | on a roof |
| to 1,499 square feet | _____ | at least |
| with no dimension | _____ | 14 feet above |
| less than 25 feet | _____ | curb level |
| less than 999 | _____ | on a roof |
| square feet with no | _____ | at least |
| dimension less than | _____ | 85 feet above |
| 20 feet | _____ | curb level |
| _____ | _____ | or the height |
| _____ | _____ | of the building |
| _____ | _____ | 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#. 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 screen of 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 2 feet 6 inches above the floor level and window guards shall be installed in all windows.~~

~~28-35~~

~~28-33~~ 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) ~~Fifty percent of the #zoning lot# which is not #Quality Housing lot coverage# and is not more than 23 feet above #ourb 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:~~

| | | |
|------------------|---|-----------|
| lawn | = | 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 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 Corridor

~~In any #development#, #enlargement# or conversion a #vertical circulation core# shall serve only one corridor per #story#, and such corridor shall serve no more than 15 #dwelling units# and #rooming units# per #story#. * If the number of #dwelling units# or #rooming units# served by the #vertical circulation core# and corridor on each #story# does not exceed the preferred standard as number 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#. #Dwelling units# with entrance doors on more than one corridor (duplex and triplex units) may count each entrance door as a fraction of the total number of doors to such #dwelling unit# when determining the number of #dwelling units# served per corridor.

DENSITY OF DWELLING UNITS PER CORRIDOR

| Number of #dwelling units# and #rooming units# served by a corridor per story | | District |
|---|-----------------------|---------------------------------|
| Minimum standard* | Preferred standard | District |
| 15 | 11 | R6 R6A R6B R7 R7A R7B R7X |
| 15 | 10 | R8 R8A R8B R8X |
| 15 | 8 | R9 R9A R9X R10 R10A |

* For #non profit residences for the elderly# or publicly assisted housing for the elderly the minimum standard shall be 20 #dwelling units# and #rooming units# per corridor.

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#.

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 28-30 to 28-34 (RECREATION SPACE AND PLANTING AREAS) 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).~~

~~28-51 Screening~~

~~All open #accessory# off-street #group parking facilities# shall be screened from #residential# units, adjacent #zoning lots#, and #streets# in accordance with paragraph (a) Section 25-66 (Screening).~~

~~28-513~~

~~28-52 For off-site accessory off-street parking Special regulations for off-site accessory 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#.~~

~~28-5228-53 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 between the #street line# and the #street wall# of a #building# or its prolongation. However, on #through lots# measuring less than 180 feet in depth from #street# to #street#, #accessory# off-street parking may be located between the #street line# and any #street wall# located beyond 50 feet of such #street line#.~~

~~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#.~~

* * *

Article III
Commercial District Regulations

* * *

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

33-00 APPLICABILITY, DEFINITIONS, AND GENERAL PROVISIONS

* * *

~~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.~~

* * *

33-10 FLOOR AREA REGULATIONS

* * *

33-12 Maximum Floor Area Ratio

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for any #building# on any #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in this Section, except as otherwise provided in the following sections:

* * *

Any given #lot area# shall be counted only once in determining the #floor area ratio#.

Within the boundaries of Community Board 7 in Manhattan, all #developments# or #enlargements# located in R10 equivalent #Commercial Districts# shall be limited to a maximum #floor area ratio# of 10.0 and shall be subject to the requirements of Section 23-151 (R10 Infill). No #floor area# bonus for #plazas# or #arcades# shall be permitted except as otherwise set forth in Section 23-151. However, notwithstanding this or any other provision of this Resolution, R10 Infill regulations shall not apply in R10A or R10X equivalent #Commercial Districts#.

C1-8A C2-7A C4-6A C5-1A C6-2A

C1-9A C2-7X C4-7A C6-3A

C1-8X C2-8A C6-4A

~~C6-3X~~

~~C6-4X~~

In the districts indicated, and in C1 and C2 Districts mapped within R9A, R9X, R10A or R10X Districts, the provisions of Section 33-13 (Floor Area Bonus for a Plaza or Plaza-Connected Open Area) and 33-15 (Floor Area Bonus for Arcades) shall not apply, and no existing #plaza# or other public amenity, open or enclosed, for which a #floor area# bonus has been received, pursuant to regulations antedating August 14, 1987, or (effective date of amendment) for C6-3X or C6-4X Districts, 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#.

33-120.5 Maximum limit on floor area ratio

C1 C2 C3 C4 C5 C6 C7 C8

* * *

~~(c) Within the boundaries of Community Board 7 in Manhattan, all #developments# or #enlargements# located in R10 equivalent #Commercial Districts# shall be limited to a maximum #floor area ratio# of 10.0 and shall be subject to the requirements of Section 23-151 (R10 Infill). No #floor area# bonus for #plazas# or #arcades# shall be permitted except as otherwise set forth in Section 23-151. However, notwithstanding this or any other provision of this Resolution, R10 Infill regulations shall not apply in R10A equivalent #Commercial Districts#.~~

~~(d) In C1 9A, C2 8A, C4 6A and C4 7A Districts the #floor area ratio# for any #building# on a #zoning lot# shall not exceed 10.0 except as provided in Section 74-95 (Housing Quality Developments).~~

~~C1 8A C2 7A C4 6A C5 1A C6 2A
C1 9A C2 7X C4 7A C6 3A
C1 8X C2 8A 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 no existing #plaza# or other public amenity, open or enclosed, for which a #floor area# bonus has been received, pursuant to regulations antedating August 14, 1987 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 |
|---------------|----------------------------|------------------------------------|--|
| R1, R2 | 1.00 | 0.50 | 1.00 |
| R3 | 1.00 | 1.00 | 1.00 |
| R4, R5, R6B | 1.00 | 2.00 | 2.00 |
| R6B | 2.00 | 2.00 | 2.00 |
| R6A, R7B | 2.00 | 3.00 | 3.00 |
| R7A, R8B | 2.00 | 4.00 | 4.00 |
| R6, R7-1 | 2.00 | 4.80 | 4.80 |
| R7X | 2.00 | 5.00 | 5.00 |
| R7-2, R8, R8A | 2.00 | 6.50 | 6.50 |
| R8X | 2.00 | 6.00 | 6.00 |

| | | | |
|---------|------|-------|-------|
| R9A | 2.00 | 7.50 | 7.50 |
| R9X | 2.00 | 9.00 | 9.00 |
| R9, R10 | 2.00 | 10.00 | 10.00 |

* * *

33-123 Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

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

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

| District | Maximum #Floor Area Ratio# |
|----------------------------|----------------------------|
| C3 | 1.00 |
| C4-1 | 2.00 |
| C8-1 | 2.40 |
| C4-2A C4-3A | 3.00 |
| C1-6A C2-6A C4-4A C4-5A | 4.00 |
| C4-2 C4-3 C8-2 | 4.80 |
| C4-5X | 5.00 |
| C6-1A | 6.00 |

| | |
|--|-------|
| C1-6 C1-7 C2-6 C4-4 C4-5 C6-1 C6-2 C8-3 C8-4 | 6.50 |
| C1-8A C2-7A C6-3A | 7.50 |
| C1-8X C2-7X C6-3X | 9.00 |
| C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5-1 C5-2 C5-4 C6-3 C6-4 C6-5 C6-8 | 10.00 |
| C5-2A | 12.00 |
| C5-3 C5-5 C6-6 C6-7 C6-9 | 15.00 |

* * *

33-14 Floor Area Bonus for Urban Open Space

C5-3 C6-6
C5-5 C6-7
C6-9

- (a) In the districts indicated, for each square foot of #open air concourse, sidewalk widening# or #urban plaza# provided on a #zoning lot# in accordance with the requirements set forth in Section 12-10 (DEFINITIONS) for #Urban Open Space# the total #floor area# permitted on that #zoning lot# under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a #commercial, community facility buildings# or #mixed buildings# may be increased by ten square feet.

~~C6-4X~~

(b) In the district indicated, for each square foot of #urban plaza# provided on a #zoning lot#, the total maximum floor area permitted on that #zoning lot# under the provisions of Section 33-12 (Maximum Floor Area Ratio) for a #commercial building# or #community facility building# or #building# used for both #commercial# and #community facility uses# may be increased by six square feet, provided:

- (1) such #urban plaza# has no frontage on a #wide street# or on a #narrow street# within 50 feet of its intersection with a #wide street#, and
- (2) such #urban plaza# is #developed# in accordance with the requirements set forth in Section 12-10 (DEFINITIONS) for #urban open space#.

* * *

33-294 Other special provisions along certain district boundaries

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

In the districts indicated, and in C1 and C2 Districts mapped within R6A, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, or R10A, or ~~R10X~~ Districts, the #development# or #enlargement# of a #building# or portions thereof within 25 feet 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.

* * *

33-40 HEIGHT AND SETBACK REGULATIONS

* * *

33-421 Permitted obstructions 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 C6-3X
 C1-8X C2-8A C4-5A C6-4A
 C1-9A C4-5X C6-4X
 C4-6A
 C4-7A

In the districts indicated, and in C1 and C2 Districts mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A, or R10X Districts, a dormer may be allowed as a permitted obstruction within a required setback distance. Such dormer may exceed a maximum base height specified for such district provided that on any #street# frontage the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

33-43 Maximum Height of Front Wall and Required Front Setbacks

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, if the front wall or other portion of a #building or other structure# is located at the #street line# or within the #initial setback distance# set forth in this Section, the height of such front wall or other portion of a #building or other structure# shall not exceed the maximum height above #curb level# or #base plane# set forth in this Section. Above such specified maximum height and beyond the #initial setback distance#, the #building or other structure# shall not penetrate the #sky exposure plane# or maximum #building# height set forth in this Section. The regulations of this Section shall apply except as otherwise provided in Section 33-42 (Permitted Obstructions), Section 33-44 (Alternate Front Setbacks), Section 33-45 (Tower Regulations), Section 74-85 (Height and Setback Regulations for Residential Buildings), Section 82-08 (Modification of Bulk and Height and Setback Regulations), Section 82-11 (Building Walls along Certain Street Lines), and Section 85-04 (Modifications of Bulk Regulations) or Section 23-692 23-691 (Additional regulations for narrow buildings or enlargements).

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

* * *

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

(b) In the districts indicated, when mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, ~~or R10A, or R10X~~ Districts, the provisions of Section ~~23-633~~ 33-433 (Street wall and height and setback regulations in certain districts) shall apply.

* * *

33-432 In other Commercial 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 | C2-8A | C4-5A | | C6-3X |
| C1-9A | | C4-5X | | C6-4X |
| | | | | C4-6A |
| | | | | C4-7A |

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

33-433 Street wall ~~location~~ 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 | C2-8A | C4-5A | | C6-3X |
| C1-9A | | C4-5X | | C6-4X |
| | | | | C4-6A |
| | | | | C4-7A |

In the districts indicated, ~~#street wall# location~~ and height and setback regulations are set forth in this Section. The height of all ~~#buildings or other structures#~~ shall be ~~measured from the #base plane#~~. 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 length of the #street line# of the #zoning lot#, except as provided in paragraph (c) and subsection 3. (Modification of Street Wall Requirements) below.~~

~~However, at the intersection of two #street lines# the #street wall# may be located anywhere within an area bounded by the two #street lines# and lines parallel to and five feet from each #street line#.~~

~~Except as provided in subsection 3. below, for any #development# or #enlargement#, 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 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 length of the #street line# of the #zoning lot#.~~

~~Option 2~~

~~At least 50 percent 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 percent of the aggregate length of the #street walls# at each #story#.~~

~~Option 3~~

~~A minimum of 75 percent 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 (a) 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 percent 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) ~~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 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(c) 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 percent 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 percent and 90 percent.~~

~~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#, the #front lot line#, the prolongations of the side walls, and the roof of the existing #building#. If, after August 14, 1987, 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.~~

~~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.~~

~~4. #Front# and #rear sky exposure planes#~~

~~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, no #building or other structure# shall penetrate the #front# or #rear sky exposure planes# set forth in the table below.~~

~~The #rear sky exposure plane# shall start above a line 100 feet from the #street line#. However, on an #interior lot# more than 140 feet in depth, for each foot that the depth of any portion of such #interior lot# exceeds 140 feet, the location of the #rear sky exposure plane# may be moved beyond the 100 foot line an additional foot. On a #through lot# more than 280 feet in depth, for each foot that the line midway between the #street lines# exceeds a distance of 140 feet from the #street line#, the location of the #rear sky exposure plane# may be moved beyond the 100 foot line an additional foot. On such #interior# or #through lot#, the maximum height of any #development# or #enlargement# shall be the height resulting from the intersection of the #front# and #rear sky exposure plane# 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.~~

**STREET WALL AND HEIGHT
AND SETBACK REGULATIONS**

—————(table)

**ILLUSTRATIONS OF
SKY EXPOSURE PLANES**

—————(two diagrams)

— hf — is the height at which the #front sky exposure plane# begins at the #street line#

— hr — is the height at which the #rear sky exposure plane# begins at the 100-foot line

— d — is the maximum #street wall# setback distance

— v — is the vertical distance

— a — is the horizontal distance

* * *

(a) #Street Wall# Location

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

(i) In the districts indicated, and in C1 and C2 districts mapped within R6A, R6B, R7A, R7B, and R7X Districts, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall rise to at least the minimum base height specified in Table A of this Section or the height of the building, whichever is less. The remaining 30 percent of the #aggregate width of street wall# may be located beyond eight feet of the #street line#.

For #zoning lots# bounded by more than one #street line#, these #street wall# location provisions shall be mandatory along only one #street line#, in accordance with the following rules:

- (i) Where only one #street line# is coincident with the boundary of a #Commercial District# mapped along an entire #block# front, the #street wall# location provisions shall apply along such coincident #street line#. For all other #zoning lots#, the #street wall# location provisions shall apply along at least one #street line#.
- (ii) For the purposes of this Section, any building wall oriented so that lines perpendicular to it would intersect a #street line# at an angle of 65 degrees or less shall not be considered a #street wall#.
- (iii) #Enlargements# are permitted without regard to #street wall# location provisions provided the amount of new #floor area# does not exceed 50 percent of the amount of #floor area# existing on (effective date of amendment), and the enlarged portion of the #building# does not exceed one #story# or 15 feet in height, whichever is less.

C1-7A C2-7A
 C1-8A C2-7X
 C1-8X C2-8A
 C1-9A

- (2) In the districts indicated, and in C1 and C2 Districts mapped within R8A, R8B, R8X, R9A, R9X, R10A, or R10X Districts, the following #street wall# location provisions shall apply to #developments# and #enlargements# along #wide streets# and along #narrow streets# within 50 feet of their intersection with a #wide street#:
- (i) the #street wall# shall be located on the #street line# and extend along the entire #street# frontage of a #zoning lot# not occupied by existing #buildings#, except that to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.

(ii) #Street walls# shall be built to at least the minimum base height specified in Table A of this Section, or the height of the #building#, whichever is less. At any level above a ground floor, but in no event less than 12 feet above the level of the #base plane#, recesses shall be permitted in the #street wall# for #outer courts#, balconies, or articulation of #street walls# at the intersection of two #street lines# in accordance with paragraph (i) above. The aggregate width of such recesses shall not exceed 30 percent of the width of the #street wall# at any level.

(iii) For #developments# which occupy the entire #block# frontage of a #street# and provide a continuous sidewalk widening along such #street line#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes of this Section.

| | | |
|-------|-------|-------|
| C4-6A | CS-1A | C6-2A |
| C4-7A | | C6-3A |
| | | C6-4A |
| | | C6-3X |
| | | C6-4X |

(3) In the districts indicated, the #street wall# location requirements shall be as set forth in paragraph (2) above, except that a #street wall# shall be required on a #narrow street# beyond 50 feet of its intersection with a #wide street#. #Street walls# required on a #narrow street# beyond 50 feet of its intersection with a #wide street# shall be located shall be located on the #street line# and extend along the entire #street# frontage of a #zoning lot# not occupied by existing #buildings#, except that to allow articulation of #street walls# at the intersection of two #narrow street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. However, in C6-4X Districts, the requirements of this paragraph pertaining to mandatory #street walls# on #narrow streets# beyond 50 feet of a #wide street# shall not apply to any #development# containing an #urban plaza#.

(b) Height and Setback

| | | | | |
|-------|-------|-------|-------|-------|
| 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 | C2-8A | C4-5A | | C6-3X |
| C1-9A | | C4-5X | | C6-4X |
| | | C4-6A | | |
| | | C4-7A | | |

In the districts indicated, and in C1 and C2 Districts mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A, or R10X Districts, all #developments# or #enlargements# shall comply with the following provisions:

(1) Setback Provisions

Except for dormers permitted in accordance with Section 33-421, setbacks are required for all portions of #buildings# that exceed the maximum base height specified in Table A of this Section. Such setbacks shall be provided in accordance with the following provisions:

- (i) At a height not lower than the minimum base height or higher than the maximum base height specified in Table A of this Section, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.
- (ii) The setback provisions of this paragraph (1) are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#.

(2) Maximum #Building# Height

No #building or other structure# shall exceed the maximum #building# heights specified in Table A of this Section, except as otherwise provided in Section 33-45 (Tower Regulations) for #buildings# in C1-9A, C2-8A, C4-6A, C4-7A, C5-1A, C6-4A, and C6-4X Districts.

(c) Additional Regulations

| | | | | |
|-------|-------|-------|-------|-------|
| 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 | C2-8A | C4-5A | | C6-3X |
| C1-9A | | C4-5X | | C6-4X |
| | | C4-6A | | |
| | | C4-7A | | |

In the districts indicated, and in C1 and C2 Districts mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A, or R10X Districts, the following additional provisions shall apply to all #developments# or #enlargements#:

- (1) 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 paragraph (2) below.
- (2) 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#, the #front lot line#, the prolongations of the side walls, and the roof of the existing #building#. After August 14, 1987, if 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.

- (3) 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.

TABLE A
MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHT, BY ZONE

| Zoning District | Minimum Base Height | Maximum Base Height | Maximum Building Height |
|--|---------------------|---------------------|-------------------------|
| C1 or C2 when mapped within R1 to R10 Districts(1) | | | |
| C4-2A C4-3A | 40 | 60 | 70 |
| C1-6A C2-6A C4-4A C4-5A | 40 | 65 | 80 |
| C4-5X | 60 | 85 | 125 |
| C1-7A C6-2A | 60 | 85 | 120 |
| C1-8A** C2-7A** C6-3A** | 60 | 95 | 135 |
| C1-8A* C2-7A* C6-3A* | 60 | 102 | 145 |
| C1-8X** C2-7X** C6-3X** | 60 | 120 | 160 |
| C1-8X* C2-7X* C6-3X* | 105 | 120 | 170 |

| | | | |
|---|-----|-----|-----|
| C1-9A** C4-6A** C5-1A** C6-4A** C2-9A** C4-7A** | 60 | 125 | 185 |
| C1-9A* C4-6A* C5-1A* C6-4A* C2-9A* C4-7A* | 125 | 150 | 210 |
| C6-4X | 60 | 85 | 85 |

(l) 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.

* Refers to that portion of a district which is within 100 feet of a #wide street#.

** 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#.

* * *

33-45 Tower Regulations

33-451 In certain specified Commercial Districts

| | | |
|------|------|------|
| C4-7 | C5-2 | C6-4 |
| | C5-3 | C6-5 |
| | C5-4 | C6-6 |
| | C5-5 | C6-7 |
| | | C6-8 |
| | | C6-9 |

(a) In the districts indicated, ~~except C4-7A, C6-4A and C6-4X Districts, and except as otherwise provided in Section 82-08 (Modification of Bulk and Height and Setback Regulations),~~ any #buildings# or portions...

~~E1-9A C2-8A C4-6A C5-1A C6-4A
C4-7A~~

(b) In the districts indicated, and in other #Commercial Districts# with R10 equivalent #bulk# regulations, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 25 percent of the #lot area# above a height of 150 feet above the #base plane# is hereinafter referred to as a tower. Such tower or towers may exceed the height limit of 210 feet provided:

- (1) such tower is located on a #zoning lot# with more than 45 feet of frontage on a #street# at least 120 feet in width or located on a #zoning lot# with more than 45 feet of frontage across from a #park# of at least one acre;
- (2) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;
- (3) the base of such tower complies with the #street wall# location provisions of paragraph (a) of Section 33-433 and the height and setback provisions of paragraph (b), Section 33-433, and
- (4) no portion of such tower is located more than 100 feet from a #wide street#.

Unenclosed balconies, subject to the provisions of Section 24-176 are permitted to project into or over open areas not occupied by towers. Dormers permitted within a required setback area pursuant to Section 33-421 shall not be included in tower coverage.

C6-4X

(c) In the district indicated, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 33-454 (Towers on small lots), above a height of 85 feet above the #base plane# are hereinafter referred to as a tower. Such tower or towers may exceed a height of 85 feet above the #base plane# provided:

- (1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;

- (2) the base of such tower complies with the #street wall# location provisions of paragraph (a)(3) of Section 33-433 and the height and setback provisions of paragraph (b), Section 33-433; and
- (3) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, the highest four #stories# of such tower, or 40 feet, whichever is less, may cover less than 30 percent of the #lot area# of the #zoning lot# if the gross area of each #story# does not exceed 80 percent of the gross area of that #story# directly below it.

Unenclosed balconies, subject to the provisions of Section 24-175 are permitted to project into or over open areas not occupied by towers. Dormers permitted within a required setback area pursuant to Section 33-421 shall not be included in tower coverage.

33-454 Towers on small lots

C1 C2 C4-4 C5 C6 C8-3
 C4-5 C8-4
 C4-6
 C4-7

In the districts indicated, except C1-9A, C2-8A, C4-6A, C4-7A, C5-1A, and C6-4A Districts, a tower permitted under the provisions of Section 33-451, 33-452, or 33-453 may occupy the percent of the #lot area# of a #zoning lot# set forth in the following table:

| LOT COVERAGE OF TOWERS ON SMALL ZONING LOTS | |
|---|--------------------------------------|
| Area of #zoning lot# (in square feet) | Maximum percent of #lot coverage# |
| 10,500 or less | 50 |
| 10,501 to 11,500 | 49 |
| 11,501 to 12,500 | 48 |
| 12,501 to 13,500 | 47 |
| 13,501 to 14,500 | 46 |

| | |
|------------------|----|
| 14,501 to 15,500 | 45 |
| 15,501 to 16,500 | 44 |
| 16,501 to 17,500 | 43 |
| 17,501 to 18,500 | 42 |
| 18,501 to 19,999 | 41 |

33-491 Additional regulations for narrow buildings or enlargements

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

In the districts indicated, and in C1 and C2 districts mapped within R7-2, R7X, R8, R9, and R10 Districts, if the width of an existing #building# is 45 feet or less, the provisions of Section ~~23-692~~ 23-691 (Additional regulations for narrow buildings or enlargements) shall apply to such new or #enlarged building#.

* * *

ARTICLE III COMMERCIAL DISTRICT REGULATIONS

Chapter 4 Bulk Regulations for Residential Buildings in Commercial Districts

34-00 APPLICABILITY AND DEFINITIONS

* * *

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

~~34-011~~ Quality Housing Program

In C1 and C2 Districts mapped within #Residence Districts# 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, C5-5X, C4-6A, C4-7A, C5-1A, C6-2A, C6-3A, ~~C6-3X~~, or C6-4A, or ~~C6-4X~~ Districts, #residential buildings# shall comply with all of the requirements of Article II, Chapter 8 (Quality Housing Program).

* * *

34-10 APPLICABILITY OF RESIDENCE DISTRICT BULK REGULATIONS

* * *

34-112 Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5, or C6 Districts

C1-6 C2-6 C3 C4 C5 C6

C1-7 C2-7

C1-8 C2-8

C1-9

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

| District | Applicable Residence District |
|-----------------|-------------------------------|
| C3 | R3-2 |
| C4-1 | R5 |
| C4-2 C4-3 C6-1A | R6 |
| C4-2A C4-3A | R6A |

| | |
|--|-----------------|
| C1-6 C4-4 C6-1 C2-6 C4-5 | R7 |
| C1-6A C4-4A C2-6A C4-5A | R7A |
| C4-5X | R7X |
| C1-7 C4-2F C6-2 | R8 |
| C1-7A C6-2A | R8A |
| C1-8 C2-7 C6-3 | R9 |
| C1-8A C2-7A C6-3A | R9A |
| C1-8X C2-7X C6-3X | R9X |
| C1-9 C2-8 C4-6 C4-7 C5 C6-4 C6-6 C6-7 C6-8 C6-9 | R10 |
| C1-9A C2-8A C4-6A C4-7A C5-1A C6-4A | R10A |
| C6-4X | R10X |

34-20 EXCEPTIONS TO APPLICABILITY OF RESIDENCE DISTRICT CONTROLS

* * *

34-223 Special provisions applying along district boundaries

* * *

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 Section 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

* * *

~~35-011 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, ~~C6-3X~~, or C6-4A, or ~~C6-4X~~ Districts, any #residential# portion of a #mixed building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program) and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8.

* * *

35-20 APPLICABILITY OF RESIDENCE DISTRICT BULK REGULATIONS TO MIXED BUILDINGS

* * *

35-23 Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

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

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:

| District | Applicable Residence District |
|-----------------|-------------------------------|
| C3 | R3-2 |
| C4-1 | R5 |
| C4-2 C4-3 C6-1A | R6 |

| | |
|--|------|
| C4-2A C4-3A | R6A |
| C1-6 C4-4 C6-1 C2-6 C4-5 | R7 |
| C1-6A C4-4A C2-6A C4-5A | R7A |
| C4-5X | R7X |
| C1-7 C4-2F C6-2 | R8 |
| C1-7A C6-2A | R8A |
| C1-8 C2-7 C6-3 | R9 |
| C1-8A C2-7A C6-3A | R9A |
| C1-8X C2-7X C6-3X | R9X |
| C1-9 C4-6 C5 C6-4 C6-7 C6-9 C2-8 C4-7 C6-6 C6-8 | R10 |
| C1-9A C4-6A C5-1A C6-4A C2-8A C4-7A | R10A |
| C6-4X | R10X |

* * *

35-35 Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in Connection with Mixed Buildings

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

- (a) In the districts indicated, any #floor area# bonus for a #plaza#, a #plaza#-connected #open space#, an #arcade# or an #urban open space# permitted under the applicable district regulations for any #residential#, #commercial#, or #community facility# portion of a #mixed building# may be applied to a #mixed building# provided that any given #plaza#, #plaza#-connected open area, #arcade#, or #urban open space# shall be counted only once in determining bonus. The provisions of this Section are subject to the provisions of Section 82-08 (Modification of Bulk and Height and Setback Requirements).

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

- (b) In the districts indicated, and in C1 and C2 Districts mapped within R9A, R9X, ~~or R10A or R10X~~ Districts, no #floor area# bonus for a #plaza#, #plaza#-connected open area, #arcade# or an #urban open space# is permitted and no existing #plaza# or public amenity, open or enclosed, for which a #floor area# bonus has been received, pursuant to regulations antedating August 14, 1987, or (effective date of amendment) for ~~C6-3X~~ Districts or C1 and C2 Districts mapped within ~~R10X~~ Districts, 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#.

~~C6-4X~~

- (c) In the district indicated, a #floor area# bonus for an #urban plaza# permitted under Section 33-14 for any portion of a #mixed building# used for #commercial# or #community facility uses# may be applied to a #mixed building# provided that any given #urban plaza# shall be counted only once in determining such bonus, and the following provisions are met:

- (1) Any new #development# on such #zoning lot# does not contain any #dwelling units# below a height of 60 feet above the #base plane#;
- (2) such #urban plaza# has no frontage on a #wide street# or a #narrow street# within 50 feet of its intersection with a #wide street#;
- (3) such #urban plaza# is #developed# in accordance with the provisions for #urban plazas# of Section 12-10 (Urban Open Space).

when mapped in R9 or R10 Districts

35-40 APPLICABILITY OF LOT AREA REQUIREMENTS TO MIXED BUILDINGS

* * *

35-412 In other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 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)

| District | Commercial use (square feet) | Community facility use (square feet) |
|----------------------------|------------------------------|--------------------------------------|
| C3 | 200 | 100 |
| C4-1 | 100 | 50 |
| C4-2A C4-3A | 30 | 30 |
| C4-2 C6-1A C4-3 | 30 | 20 |
| C1-6 C2-6 C4-4 C4-5 | 30 | 15 |
| C1-6A C2-6A C4-4A C4-5A | 25 | 25 |
| C1-7 | 20 | 15 |
| C4-5X | 20 | 20 |
| C1-7A | 17 | 17 |

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

35-42 Density or Lot Area Bonus in Mixed Buildings

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

- (a) In the districts indicated, ~~except as otherwise provided in Section 82-08 (Modification of Bulk and Height and Setback Requirements) and Section 85-04 (Modifications of Bulk Regulations)~~, the #lot area# reduction set forth in Section 23-23 (Density Bonus for a Plaza, Plaza-Connected Open Area, or Arcade) or Section 23-93 (Floor Area Compensation) shall apply to the #lot area# requirements set forth in Section 23-22 (Required Lot Area per Dwelling Unit or per Room) to the extent that the #building# is used for #residential use#; and the #lot area# reduction set forth in Section 23-26 or Section 24-22 (Lot Area Bonus for a Plaza, Plaza-Connected Open Area, or Arcade), or Section 23-93 (Floor Area Compensation), shall apply to the #lot area# requirements set forth in Section 35-41 (Lot Area Requirements for Non-Residential Portions of Mixed Buildings) to the extent that the #building# is used for #commercial# or #community facility use#.
- (b) In C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A, C5-1A, C6-2A, or C6-3A, ~~C6-3X~~ or C6-4A Districts and in C1 and C2 Districts mapped within R9A, R9X, ~~or R10A, or R10X~~ Districts, the density or #lot area# bonus shall not apply. However, in C1-9A, C2-8A, C4-6A, and C4-7A, ~~C5-1A, C6-4A, and C6-4X~~ Districts and in C1 and C2 Districts mapped within R10A ~~or R10X~~ Districts, the provisions of Section 23-90 (INCLUSIONARY HOUSING) shall be applicable.

When mapped within R9 or R10 Districts.

35-50 MODIFICATION OF YARD REGULATIONS FOR MIXED BUILDINGS

* * *

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 Districts shall comply with the requirements for R6B Districts in ~~Sections 23-45 (Minimum Required Front Yards) and Section 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.

35-60 MODIFICATION OF HEIGHT AND SETBACK REGULATIONS FOR MIXED BUILDINGS

* * *

35-63 Special Tower Regulations for Mixed Buildings

In the districts as indicated, when a #mixed building# is subject to tower regulations, the #residential# tower regulations of paragraph (a) or the #commercial# tower regulations of paragraph (b) ~~or (c)~~ of this Section shall apply to the entire tower portion.

- (a) **Except as provided in paragraph (c) below, in in C1 or C2 Districts mapped within R9 or R10 Districts, or in C1-8, C1-9, C2-7, C2-8, C4-6, C5-1 or C6-3 Districts, the #residential# portion of a #mixed building# which in the aggregate occupies not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 23-651 (Towers on small lots) may be constructed in conformance with the provisions of Section 23-65 (Tower Regulations), provided the following conditions are met:**
- (1) at least 65 percent of the total allowable #floor area# on a #zoning lot# under the applicable district regulations is occupied by #residential uses#;
 - (2) all non-#residential uses# within such #mixed building# shall comply with the provisions of Section 32-42 (Location within Buildings); and
 - (3) no non-#residential# portion of a #mixed building# penetrates the #sky exposure plane# as set forth in Sections 33-43 (Maximum Height of Front Wall and Required Front Setbacks) or 33-44 (Alternate Front Setbacks).
- (b) **Except as provided in paragraph (c) below, in in C4-7, C5-2, C5-3, C5-4, C5-5, C6-4, C6-5 C6-6 C6-7 C6-8 or C6-9 Districts, the tower regulations applicable to any #mixed building# shall be the regulations set forth in Section 33-45 (Tower Regulations).**
 In C4-7, C5-2, C5-4, C6-4, C6-5 or C6-8 Districts, when no more than two #stories# of a #mixed building# are occupied by non-#residential uses#, the tower regulations applicable to the #residential# portion of such #mixed building# may be governed by Section 23-65 or Section 23-651.
- (c) **In C1-9A, C2-8A, C4-6A, C4-7A, C5-1A, and C6-4A Districts, and in C1 and C2 Districts mapped within R10A Districts, and in other #Commercial Districts# with R10 equivalent #bulk regulations# where the #residential# portion of the #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the tower regulations applicable to any #mixed building# shall be the regulations set forth in Section 33-451(b).**
 In C6-4X Districts, and in C1 and C2 Districts mapped within R10X Districts, the tower regulations applicable to any #mixed building# shall be the regulations set forth in Section 33-451(c).

The tower regulations shall not apply in C1 or C2 Districts mapped within R9A, or R9X or R10A Districts or in C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A, C5-1A, C6-2A, C6-3A, or C6-3X or C6-4A Districts.

* * *

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

* * *

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

OFF-STREET PARKING REGULATIONS

36-00 GENERAL PURPOSES AND DEFINITIONS OFF-STREET PARKING REGULATIONS

* * *

**36-022
Applicability of regulations of C6-1A Districts**

In C6-1A Districts, the parking requirements of C4-4 Districts as set forth in Section 36-20 (Required Accessory Off-Street Parking Spaces for Commercial or Community Facility Uses) shall apply to #commercial# or #community facility uses#. However, for all office #uses# listed in Use Group 6B of Section 32-15 (Use Group 6) there shall be one parking space per 4,000 square feet of #floor area#.

* * *

Chapter 6 Accessory Off-Street Parking and Loading Regulations

OFF STREET PARKING REGULATIONS

36-00 GENERAL PURPOSES AND DEFINITIONS

* * *

36-022 Applicability of regulations of C6-1A Districts

In C6-1A Districts the parking requirements of C4-4 Districts...

* * *

~~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.~~

~~* * *~~

36-311

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.~~

* * *

36-50

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

* * *

36-52

~~Size of Spaces~~

~~Size and Location of Spaces~~

C1 C2 C3 C4 C5 C6 C7 C8

~~(a) Size of spaces~~

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

* * *

(b) Location of parking spaces 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 | C2-8A | C4-5A | | |
| C1-9A | | C4-5X | | |
| | | C4-6A | | |
| | | C4-7A | | |

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

* * *

Article VI

Special Regulations Applicable
to Certain Areas

* * *

Chapter 2 Special Regulations Applying in the Waterfront Area

* * *

62-133 Applicability of the Quality Housing Program

* * *

However, all other requirements of the Quality Housing Program set forth in Article II, Chapter 8 shall apply, except ~~as modified in paragraph (a) through (d) of this Section.~~ #developments# that provide a #shore public walkway# in accordance with the requirements of Section 62-60 shall be deemed to have met the requirements for recreation space specified in Section 28-30 (RECREATION SPACE AND PLANTING AREAS).

~~For the purposes of Section 28-33 (Planting Areas), the boundary of an #upland connection# located within a private drive shall be considered a #street line#.~~

- ~~(a) The requirements of Section 28-13 (Ground Floor Glazing) shall also apply to at least 30 percent of the frontage length of any building wall facing and within 15 feet of an #upland connection#, #shore public walkway# or #pier# public access area.~~
- ~~(b) #Developments# that provide a #shore public walkway# in accordance with the requirements of Section 62-60 shall be deemed to have met the preferred standards for outdoor recreation space specified in Section 28-30 (RECREATION SPACE AND PLANTING AREAS).~~
- ~~(c) For the purposes of paragraph (a) of Section 28-351 (Location of required planting), the boundary of an #upland connection# located within a private drive shall be considered a #street line#.~~
- ~~(d) The requirements of paragraph (b) of Section 28-351 shall apply only to #developments# that increase the existing #floor area# on the #zoning lot# by at least 20 percent.~~
- ~~(e) The visibility requirements of Section 28-42 (Entrance to Buildings) shall be met when the new main entrance of any #development# is directly visible from a #street# or public access area. The main lobby of such #development# need not comply with these visibility requirements.~~

62-134 Applicability of Chapter 7 of Article VII

The provisions of Article VII, Chapter 7, (Special Provisions for Zoning Lots Divided by District Boundaries) shall be applicable on #waterfront blocks# as modified in the following sections.

~~Section 77-24 (Lot coverage) shall be inapplicable, except that the method set forth in such Section shall apply to both #community facility buildings# and #residential buildings# in accordance with the #lot coverage# provisions set forth in 62-32.~~

* * *

62-324 Non-residential buildings in Residence Districts

In #Residence Districts, for any #community facility building# or any #building# used partly for #community facility uses# on a #zoning lot# within a #waterfront block#, the following regulations shall apply:

- (a) The maximum #floor area ratio# shall be in accordance with the applicable district regulations, except that no #floor area# bonuses shall apply. In R7-3 and R9-1 Districts, the maximum #floor area ratio# shall be the maximum permitted for #residential buildings# pursuant to Section 62-322.

62-352 Development on piers

* * *

- (b) Building length and spacing regulations on piers

The maximum length or width of any #building or other structure# on a #pier# shall be 200 feet. The provisions of Section 23-70 (Minimum Required Distance Between Two or More buildings on a Single Zoning Lot) shall be inapplicable on #piers#. In lieu thereof, The minimum distance between any two #buildings or other structures# on a #pier# shall be 100 feet. However, such limitations shall not apply to any #building or other structure#, no portion of which exceeds 30 feet in height.

* * *

62-36 Minimum Distance Between Buildings on Waterfront Blocks
(delete entire Section)

* * *

Article VII
Administration

* * *

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 or Amendment of Resolution

~~Subject to the provisions of Section 77-04 and Section 77-221 Except as set forth in Section 77-22 paragraph (1), Whenever a #zoning lot# is divided by a boundary between two or more districts and such #zoning lot# did not exist on 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.~~

* * *

~~77-04 — Certain Zoning Lots for Which Building Plans Were Pending as of June 1, 1970~~

(entire section deleted)

* * *

77-20

BULK REGULATIONS

* * *

77-22 Floor Area Ratio

The maximum #floor area ratio# permitted on each portion of such #zoning lot# for the applicable type of #building# or #buildings# on such #zoning lot#, shall be determined under the applicable regulations of the Chapters indicated below:

| District | Type of Use | Article | Chapter |
|------------|--|---------|---------|
| Residence | Residential | II | 3 |
| Residence | Community Facility | II | 4 |
| Commercial | Commercial | III | 3 |
| Commercial | Community Facility | III | 3 |
| Commercial | Residential | III | 4 |
| Commercial | Mixed (Residential with Commercial or with Community Facility) | III | 5 |

| | | | |
|----------------------|---------------------------|-----------|----------|
| Manufacturing | Manufacturing | IV | 3 |
| Manufacturing | Commercial | IV | 3 |
| Manufacturing | Community Facility | IV | 3 |

Each such #floor area ratio# shall be multiplied by the percentage of the #zoning lot# to which such #floor area ratio# applies. The sum of the products thus obtained shall be the adjusted maximum #floor area ratio# applicable to such #zoning lot#.

In applying this provision, the #floor area# bonus permitted for #plazas#, #plaza#-connected open areas, or #arcades# under the applicable regulations of this Resolution shall apply only to such #plazas#, #plaza#-connected open areas, or #arcades#, or portions thereof, as are located in a district in which such bonus is granted.

When a #building (with a #height factor# greater than 21) does not have a specified maximum #floor area ratio#, for the purpose of computing the adjusted maximum #floor area ratio# of a #zoning lot#, the #floor area ratio# of such #building# shall be deemed to be that which can be achieved at the minimum required #open space ratio# for such #building#.

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, except as provided below:

~~#Floor area ratio# regulations applying to the various districts are set forth in the Chapters indicated below:~~

| District | Type of Use | Article | Chapter |
|-------------------|---------------------------|----------------|----------------|
| Residencee | Residential | H | 3 |
| Residencee | Community Facility | H | 4 |
| Commercial | Commercial | III | 3 |

| | | | |
|---------------|--|-----|---|
| Commercial | Community-Facility | III | 3 |
| Commercial | Residential | III | 4 |
| Commercial | Mixed (Residential with Commercial or with Community Facility) | III | 5 |
| Manufacturing | Manufacturing | IV | 3 |
| Manufacturing | Commercial | IV | 3 |
| Manufacturing | Community-Facility | IV | 3 |

(1) For #residential developments# or #enlargements# in R3-2 Districts, R4 Districts, except R4A, R4-1 and R4B Districts, R5 Districts, and equivalent #Commercial Districts#, and for #developments# or #enlargements# where permitted, pursuant to the Quality Housing Program in R6, R7 and R8 Districts and equivalent #Commercial Districts# outside 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 permitted #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#.

(2) For portions of #zoning lots# within an R2X, R3-1, R3A, R3X, R4-1, R4A, or R4B District not subject to the provisions of Section 77-11 (Conditions for Application of Use Regulations to Entire Zoning lot), the #floor area ratio# for such portion of the #zoning lot# shall not exceed the maximum #floor area ratio# specified for that district.

~~77-221 Quality Housing buildings and residential buildings in certain R3, R4 or R5 Districts~~

~~For #residential developments# or #enlargements# in R3-2 Districts, R4 Districts, except R4A, R4-1 and R4B Districts, R5 Districts, and equivalent #Commercial Districts#, and for #developments# or #enlargements# where permitted, pursuant to the Quality Housing Program in R6, R7 and R8 Districts and equivalent #Commercial Districts# outside 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 permitted #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 Buildings other than Quality Housing 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.~~

~~However, for portions of #zoning lots# within an R2X, R3-1, R3A, R3X, R4-1, R4A, or R4B District not subject to the provisions of Section 77-11 (Conditions for Application of Use Regulations to Entire Zoning lot), the #floor area ratio# for such portion of the #zoning lot# shall not exceed the maximum #floor area ratio# specified for that district.~~

* * *

77-24 Lot Coverage

The maximum percent of #lot coverage# permitted for a #community facility building# or a #building# used partly for #community facility uses# on each portion of such #zoning lot# in a #Residence District# shall be determined under the applicable regulations of Article II, Chapters 3 and 4.

* * *

A #building# whose #lot coverage# does not exceed the adjusted maximum percent of #lot coverage# may be located anywhere on such #zoning lot# or portion of such #zoning lot# in a #Residence District, subject to all other regulations of this resolution, and provided that the percent of #lot coverage# for any portion of the #zoning lot# within one district shall not exceed the maximum percent of #lot coverage# specified for that district, or the adjusted maximum percent of #lot coverage# for the #zoning lot#, whichever is greater.

If a #zoning lot# divided by a boundary between two or more ~~#Residence Districts#~~ is partly a #corner lot# and partly an #interior lot# or #through lot#, separate adjusted maximum percents of #lot coverage# shall be computed for such #corner lot# and for such #interior lot# or #through lot# and applied separately to such #corner lot# and to such #interior lot# or #through lot#, as though each were a separate #zoning lot#. ~~The provisions of this paragraph shall not apply to #zoning lots# located on #waterfront blocks#.~~

If a #zoning lot# is partly in ~~a district one or more #Residence Districts#~~ and partly in a ~~#Commercial# or #Manufacturing District#~~ (in which there is no maximum permitted percent of #lot coverage# for the #use#), the provisions of this Section shall apply to such portions of the #zoning lot# as are in a ~~#Residence District#~~ with a maximum ~~#lot coverage#~~ requirement.

~~#Lot coverage# regulations applying to #community facility buildings# or #buildings# used partly for #community facility uses# are set forth in Article II, Chapter 4.~~

~~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.~~ In R2X, R3, R4 or R5 Districts for #residential buildings#, each portion of the #zoning lot# shall be governed by the #lot coverage# regulations specified for the district in which it is located as set forth in Article II, Chapter 3.

1. Wherever a #zoning lot# is divided by a district boundary in which one portion of the #zoning lot# is located in a district having a #lot coverage# requirement and the other portion is located in a district having an #open space ratio# requirement, the required #open space# for the portion having the #open space ratio# requirement shall be computed in accordance with Section 77-23. The inverse of such required #open space# shall be the maximum #lot coverage# permitted on that portion of the #zoning lot#, and may be located anywhere on the #zoning lot# subject to all other regulations of this resolution.

77-25 Lot Area or ~~Floor Area~~ Requirements

In all #Residence Districts#, the #lot area per dwelling unit#, ~~#rooming unit#~~ or #per room#, ~~#floor area per room#~~, or #lot area# for #commercial# or #community facility uses#, required for the #building# or #buildings# on the #zoning lot# shall be computed separately for that portion of the #zoning lot# located in each district under the applicable regulations of the Chapters indicated below. The total #lot area# of the #zoning lot# shall not be less than the sum of such required #lot areas# so computed.

The total number of #dwelling units#, #rooming units#, or #rooms# permitted on the #zoning lot# shall not exceed the sum of the #dwelling units#, #rooming units# or #rooms# permitted on each portion of the #zoning lot# in accordance with the applicable district regulations for such portion. Such #dwelling units#, #rooming 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#, #rooming units#, or #rooms# permitted in the applicable district regulations for such portion.

* * *

For #buildings developed#, #enlarged#, #extended# or converted for #residential use# on #zoning lots# in which a district boundary divides the #zoning lot# into portions subject to #lot area per dwelling unit# or #rooming unit# requirements and portions subject to #lot area per room# requirements, the entire #zoning lot# shall be subject to #lot area per dwelling unit# or #rooming unit# requirements. For portions of such #zoning lots# in R6 through R10 Districts without a letter suffix, such requirements shall be those of Quality Housing #buildings# as set forth in Section 23-223 paragraph (3), or Section 23-225 paragraph (c).

* * *

In all ~~residential districts~~ #Residence Districts#, if a #building# is used partly for #residential uses# and partly for #community facility# or #commercial uses#, no #lot area# shall be counted twice in fulfillment of the requirements for #lot area per dwelling unit#, #rooming unit#, or #per room# and for #lot area# for #commercial# or #community facility uses#.

~~In R4 or R5 Districts or in commercial equivalents, if a #building# is used partly for #community facility# or #commercial uses#, the #residential floor area# shall be determined as set forth in Section 23-21 (Definitions).~~

Regulations applying to #lot area per ~~room or dwelling unit~~#, #rooming unit#, or #per room# #~~floor area per room~~# requirements are set forth in the Chapters indicated below:

* * *

77-28 Height and Setback Regulations

~~Except as otherwise provided in this section for #zoning lots# partly located in #Limited Height Districts#,~~ For #zoning lots# divided by district boundaries in which all applicable height and setback regulations include the use of #sky exposure planes#, the height and setback regulations of each #street# frontage of the #zoning lot# shall be

determined by multiplying the quantitative requirements set forth in the regulations of the Chapters indicated below which are applicable to each portion of such #street# frontage, by the percentage of such #street# frontage to which such regulations apply.

In determining the percentage of such #street# frontage, the percentage shall be based on the total frontage of the #zoning lot# along such #street#.

However, if any portion of such #zoning lot# is located within a #Limited Height District#, the provisions of Sections 23-69, 24-59, 33-49, or 43-49 (Limited Height Districts) shall apply to such portion of the #zoning lot#.

* * *

For all other #zoning lots#, each portion of such #zoning lot# shall be regulated by the height and setback provisions applicable to the district in which such portion of the #zoning lot# is located.

If any portion of a #zoning lot# is located within a #Limited Height District#, the provisions of Sections 23-69, 24-59, 33-49, or 43-49 (Limited Height Districts) shall apply to such portion of the #zoning lot#.

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.

* * *

77-40 SUPPLEMENTAL REGULATIONS

For #buildings developed# or #enlarged# on #zoning lots# in which a district boundary divides the #building# such that the Quality Housing Program applies in one portion of the #building# but not the other, the following Sections of Article II, Chapter 8 shall apply to the entire #building#, or #zoning lot#, as applicable: Sections 28-12 (Street Tree Planting), 28-20 (BUILDING INTERIOR), 28-30 (RECREATION SPACE AND PLANTING AREAS), 28-40 (SAFETY AND SECURITY), and 28-50 (PARKING FOR QUALITY HOUSING). Where each zoning district has a different recreation space requirement, and/or density of #dwelling units# per corridor standard, the following rule shall apply: To arrive at one standard for the #building# each standard shall be multiplied by the percentage of the #zoning lot# to which such standard applies. The sum of the products thus obtained shall be the adjusted standard applicable to the #building#. For any portion of the #zoning lot# in an R3-2, R4 (except R4-1, R4A, or R4B), or R5 District, the R6B standards shall apply.

(On March 16, 1994, Supplemental Cal. No. 1, the Commission scheduled April 6, 1994 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

Nos. 20 and 21

(Applications for the designation of 777 Co-op City Boulevard as an urban Development Action Area, an Urban Development Action Area project for such area, and the disposition of such property to a developer to facilitate the construction of a HUD Section 202 development, and for the grant of an authorization to allow a 12-story, 124 unit non-profit residence for the elderly that penetrates the height and setback regulations)

No. 20

CD 10

C 940222 HAX

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

1) pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State for:

- a) **the designation of 777 Co-op City Boulevard**, on the northerly side of Co-op City Boulevard, approximately 210 feet westerly of Rombouts Avenue, Block 5141, part of Lot 260 (tentative new Lot 265), as an **Urban Development Action Area**;
- b) **an Urban Development Action Area project for such area; and**

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

Approval of the proposed actions would **facilitate the construction of a HUD Section 202 development**, tentatively known as Council Towers, containing 123 apartments in a twelve story elevator building, for elderly persons of low income; and one two-bedroom apartment for the superintendent.

(On February 16, 1994, Cal. No. 6, the Commission scheduled March 2, 1994 for a public hearing. On March 2, 1994, Cal. No. 15, the hearing was closed.)

For consideration.

No. 21

CD 10

N 940223 ZAX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development for the **grant of an authorization** pursuant to Section 23-631(h) of the Zoning Resolution to **allow a proposed 12-story, 124-unit non-profit residence for the elderly that penetrates the height and setback regulations** set forth in Section 23-631(g)(3), on property located at 777 Co-op City Boulevard (Block 5141, p/o Lot 260, tentative new Lot 265).

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

For consideration.

 No. 22

(Amendment to the Zoning Resolution pursuant to Section 112-074 concerning the Special City Island District)

CD 10

N 940251 ZRX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 200 of the New York City Charter, for **amendment of the Zoning Resolution of the City of New York**, relating to Section 112-074, to permit Use Group 14 in M1 Districts in the Special City Island District, as follows:

Matter in ~~Graytone~~ is new, to be added;

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

Matter within # # is defined in Section 12-10, or 62-11;

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

112-074 (1/20/77)

Uses permitted in M1 Districts

For any #development# within an M1 District all #uses# listed in Use Groups 4B, ~~4C~~, 5, 6, 7, 9, 10, 11, 12, 13, ~~14~~, 15, 16A and 17 ~~as indicated in Sections 42-11 and 42-15~~ are permitted except:

Automobile sales including motorcycle and #trailer#

Bottle works

Cotton ginning or cotton wadding or linters
 Fuel, ice, coal or wood establishments with open storage
 Manufacturing of autos, trucks, or #trailers# including parts ~~except manufacture of boat trailers, boat parts including engines and boat engine repairs shall be permitted~~
 Motorcycle manufacturing, including parts
 Motorcycle or motor scooter rental
 Poultry or rabbit killing establishments
 Prisons
 Public transit or railroad substations
 Public utility stations
 Railroads including rights-of-way
 Refreshment stands — drive-in
 Telephone exchanges
 Truck weighing scales
 Trucking terminals and motor freight stations

(On February 16, 1994, Cal. No. 7, the Commission scheduled March 2, 1994 for a public hearing. On March 2, 1994, Cal. No. 22, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

Nos. 23 and 24

(Applications for acquisition of property for continued use a district sanitation garage and parking lot)

No. 23

CD 1

C 920558 POK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of General Services, pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 525 Johnson Avenue (Block 2987, Lot 16), for continued use as a district garage.**

(On February 2, 1994, Cal. No. 1, the Commission scheduled February 16, 1994 for a public hearing. On February 16, 1994, Cal. No. 12, the hearing was closed. On March 16, 1994, Cal. No. 33, the item was laid over.)

For consideration.

CD 1

C 920559 PQK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of General Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 145 Randolph Street (Block 2986, Lot 45), for continued use as a parking lot.

(On February 2, 1994, Cal. No. 2, the Commission scheduled February 16, 1994 for a public hearing. On February 16, 1994, Cal. No. 13, the hearing was closed. On March 16, 1994, Cal. No. 34, the item was laid over.)

For consideration.

BOROUGH OF MANHATTAN

No. 25

CD 7

C 940145 PPM

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the restricted disposition of one (1) city-owned property located at 190 Amsterdam Avenue (Block 1158, Lot 34), restricted to community facility uses.

(On February 2, 1994, Cal. No. 3, the Commission scheduled February 16, 1994 for a public hearing. On February 16, 1994, Cal. No. 14, the hearing was closed.)

For consideration.

No. 26

CD 4,5,6

C 940153 BFM

IN THE MATTER OF an application submitted by the Department of Transportation pursuant to Sections 197-c and 363 e(2) of the New York City Charter for a franchise involving construction, operation and maintenance of a public light rail transit line running on First Avenue between United Nations Plaza and 42nd Street, on 42nd Street between First and Twelfth avenues and on Twelfth Avenue between 36th and 42nd streets.

(On February 2, 1994, Cal. No. 4, the Commission scheduled February 16, 1994 for a public hearing. On February 16, 1994, Cal. No. 15, the hearing was closed.)

For consideration.



No. 27

(Amendment to Section 99-00 of the Zoning Resolution concerning the Special Madison Avenue Preservation District)

CD 8

N 940303 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 200 of the New York City Charter, for **amendment of the Zoning Resolution** of the City of New York, relation to Section 99-00 concerning the Special Madison Avenue Preservation District, as follows:

- Matter in ~~Graytone~~ is new, to be added;
- Matter in ~~strikeout~~ is old, to be deleted;
- Matter within # # is defined in Section 12-10;
- *** indicates where unchanged text appears in the Zoning Resolution

* * *

99-04

~~Special Bulk Provision~~

[Delete the entire text of Section 99-04]

99-05

~~Special Street Wall and Height Regulations~~

[Delete the entire text of Section 99-05]

~~99-04 Special Bulk Provisions~~

~~For the purposes of this Chapter the maximum #floor area ratio# on a #zoning lot# shall not exceed 10.00.~~

~~99-05 Special Height and Setback Regulations~~

~~The height and setback regulations of Sections 23-63, 23-64, 23-65, 24-52, 24-53, 24-54, 33-43, 33-44, and 33-45 shall not apply. In lieu thereof, the height and setback regulations set forth in Sections 99-051 through 99-054 shall apply.~~

99-051 Location, Height, and Setback of Street Wall

(a) Street walls along Madison Avenue

For #buildings developed# or #enlarged# with frontage on Madison Avenue or on a side #street# within 50 feet of its intersection with Madison Avenue, the following regulations shall apply:

(1) The #street wall# of the base of such #building# shall be located on the #street line#, or, if there is an existing abutting #building# fronting on the same #street line# that is set back from such #street line#, the #street wall# of the base may be aligned with the #street wall# of the abutting #building# for a distance of not less than ten feet measured horizontally from the side wall of such abutting #building#. However, such setback distance shall not exceed 15 feet from the #street line#. All #street walls# built pursuant to this paragraph shall extend along the full length of the #street line# and rise vertically without setback for:

(i) not less than 110 feet but not more than 120 feet above #curb level#, or

(ii) the full height of the #building#,

whichever is less.

(2) Above the base, a setback is required for all portions of a #building# which exceed a height of 120 feet above #curb level#. Such setback shall be provided at a height not lower than 110 feet above #curb level#, and shall have a minimum depth of 10 feet from a #wide street line#, and a minimum depth of 15 feet from a #narrow street line#.

(3) No portion of a #building# may exceed the height limitations of Section 99-054.

(b) Street walls along side streets

For #buildings developed# or #enlarged# with frontage on a side #street# beyond 50 feet of its intersection with Madison Avenue, the following regulations shall apply:

(1) The #street wall# of the base of such #building# shall be located on the #street line#, or, if there is an existing abutting #building# fronting on the same #street line# that is set back from such #street line#, the #street wall# of the base shall be aligned with the #street wall# of the abutting #building# for a distance of not less than ten feet measured horizontally from the side wall of such abutting #building#. However, such setback distance need not exceed ten feet from the #street line#. All #street walls# built pursuant to this paragraph shall extend along the full length of the #street line# and rise vertically without setback for:

(i) a height of 60 feet above #curb level#, or

(ii) the height of a #street wall#, before setback, if applicable, of that portion of an existing #building# nearest the new #development# or #enlargement#, fronting on the same #street line#, and located on the same or an adjoining #zoning lot#,

whichever is higher.

(2) Alternatively, the #street wall# location provisions of paragraph (a) above may apply to the base of a #building# along a side #street# beyond 50 feet of its intersection with Madison Avenue, up to a distance of 70 feet from its intersection with Madison Avenue.

(3) Above the base, a setback is required for all portions of a #building#. Such setback shall have a minimum depth of 10 feet from a #wide street line# and a minimum depth of 15 feet from a #narrow street line#.

(4) No portion of a #building# may exceed the height limitations of Section 99-054.

99-052 Recesses, Balconies, and Dormers

(a) Recesses

Recesses are permitted to provide #outer courts#, balconies, or articulation of #street walls# at the intersection of two #street lines#. In addition, recesses may be required or prohibited due to the width of the #zoning lot# or the location of the #street wall# of an adjacent #building#. For the purposes of this Section, the provisions of Section 23-842 (Wide Outer Courts) shall not apply. In lieu thereof, the width of any such #court# shall be at least one and one-third times its depth. All recesses shall be provided in accordance with the following provisions:

(1) Above a height of 20 feet above #curb level#, or above the level of the second #story#, whichever is lower, up to 30 percent of the #street wall# of a base may be recessed from the #street line#. However, no recesses shall be permitted within 30 feet of the intersection of two #street lines#, unless such recesses are provided within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

(2) Where the #development# is adjacent to an existing #building# located on a #zoning lot# having frontage on the same #street line#, no recesses shall be provided in the #street wall# of the #development# for a distance of ten feet

from the adjacent corner of the existing #building# to a height equal to the height of the existing #building#.

- (3) Recesses are required on the #street walls# of #buildings# facing Madison Avenue when located on any #zoning lot# having more than 50 feet of frontage on Madison Avenue, in accordance with the following provisions:

(i) Above a height of 20 feet above #curb level#, or above the level of the second #story#, whichever is lower, at least 25 percent of the length of the #street wall# of a base at the level of every #story# shall be recessed from the #street line# to a depth of at least five feet. Such recesses shall be unobstructed from their lowest level to the sky.

(ii) Above the base, the #street wall# shall be articulated with recesses that occupy at least 20 percent of the length of the #street wall# at the level of every #story# to a depth of at least five feet. Such recesses shall be unobstructed from their lowest level to the sky.

(b) Balconies

Balconies shall comply with the following provisions:

(1) No balconies shall be permitted to extend beyond the #street wall# of the base built in accordance with the height and setback regulations Section 99-051.

(2) Balconies shall be permitted in recesses that are not required to be unobstructed from their lowest level to the sky.

(c) Dormers

For the purposes of this Section, a dormer shall be a vertical extension of the #street wall# of a base allowed as a permitted obstruction within a required setback area. A dormer may be located anywhere on a #wide street#, and on a #narrow street# within 70 feet of its intersection with a #wide street#. However, a dormer shall not be located within 10 feet of a #side lot line# unless it fully abuts an adjoining #building#.

On any #street# frontage the aggregate width of all dormers at the required setback level shall not exceed 60 percent of the width of the #street wall# of the highest #story# of the base. For each foot of height above the base, the aggregate width of all dormers at that height shall be decreased by one percent of the #street wall# width of the highest #story# of the base.

99-053 Special provisions for narrow buildings

If the width of the #street wall# of the #development# built pursuant to Section 99-0512 or 99-052 is 45 feet or less, or if the width of the #street wall# of an #enlargement# is 45 feet or less, then such #development# or #enlargement# shall comply with the provisions of Section 23-692.

99-054 Maximum Building Height

The height of all #developments# or #enlargements# shall comply with the following provisions:

- (a) Except as otherwise provided in paragraph (b) below, the height of all #developments# or #enlargements# shall not exceed 170 feet above #curb level#. However, such #developments# or #enlargements# may exceed 170 feet, to a height of 210 feet or 19 #stories#, whichever is less, provided that the gross area of each #story# located above 170 feet does not exceed 80 percent of the gross area of that #story# directly below it.
- (b) For the purposes of this Section, the Midblock Transition Portion shall be that portion of a #zoning lot# located within the area between 70 feet and 100 feet from the Madison Avenue #street line# except for a #zoning lot# which has frontage on a #wide street# not located in a historic district. Within the Midblock Transition Portion, a #building# shall not penetrate an imaginary plane that begins above a line 100 feet from the Madison Avenue #street line# at a height of 20 feet above the height of a #street wall# built pursuant to Section 99-051(b), and rises over the Midblock Transition Portion to a height of 120 feet above #curb level# at a distance of 70 feet from the Madison Avenue #street line#.

99-06

Mandatory Tree Planting Provisions

All new #developments# within the Special District shall provide and maintain trees of not less than four inch caliper at the time of planting on sidewalks for the entire length of #street# frontage of the #zoning lot#. Those trees shall be planted at maximum intervals of 25 feet and be provided with metal guards in accordance with Highway Department guidelines.

Where trees are planted pursuant to this Section prior to April 1, 1978, such planting may be undertaken in accordance with the tree caliper requirement existing prior to December 15, 1977.

99-07

Off-Street Parking Regulations

~~No *accessory* off-street parking spaces shall be required for *residential use*, and the number of any such off-street parking spaces shall not exceed 35 percent of the number of *dwelling units*. Where *accessory* off-street parking is provided, in no case shall curb cuts for vehicular access be located on Madison Avenue or on a *street* within 50 feet of its intersection with the *street line* of Madison Avenue. No off-site *accessory* off-street parking facilities for any *use* shall be permitted within the Special District. All *accessory* parking spaces shall be designed and operated exclusively for the long-term storage of the private passenger motor vehicles used by the occupants of such residences. The parking requirements set forth in Section 25-21, 25-31, 36-21, or 36-31 shall not apply to any *development* for which the Commissioner of Buildings has certified that there is no way to provide the required parking spaces with access to a *street* in conformity with the provisions of this Section.~~

The maximum number of permitted and the minimum number of required *accessory* off-street parking spaces for new *developments* or *enlargements* in the area of the Special District located within Community District 8 are set forth in Article I, Chapter 3.

99-08

Inapplicability of This Chapter

~~The regulations set forth in this Chapter shall not apply to property located on the east side of Madison Avenue from East 93rd Street to East 94th Street for which a special permit has been granted by the Commission and the Board of Estimate pursuant to Section 74-842.~~

99-09

Authorization to Waive Midblock Transition Portion Heights Limitation

Where the *development* is located on a *zoning lot* in the Upper East Side Historic District which *zoning lot* also contains a *landmark building* or *style building* to be preserved, or, where a *zoning lot* is not located in the Upper East Side Historic District and the *zoning lot* contains a *building* to be preserved which the Landmarks Preservation Commission has designated as a landmark or certifies in a report by the staff or the Commission to be comparable to a *style building*, the City Planning Commission may authorize the waiver of the requirements of Section 99-054

(Height limitation plane within the midblock transition portion), provided the City Planning Commission finds that:

- (1) the #development# complies with the goals and purposes of the #Special Madison Avenue Preservation District# as specified in Section 99-00 (General Purposes);
- (2) the #development# will not alter either the character of the neighborhood or the character sought to be achieved by the Special District;
- (3) the #development# will have a harmonious relationship with the #building# to be preserved; and
- (4) the Landmarks Preservation Commission reports that a program for continued maintenance of the #building# to be preserved has been established.

* * *

(On January 19, 1994, Cal. No. 5, the Commission scheduled February 2, 1994 for a public hearing. On February 2, 1994, Cal. No. 18, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 28

CD 1

C 930082 PQR

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services, pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 171 Market Street (Block 175, Lot 62), for continued use as a Group Foster Care Residence.**

(On February 16, 1994, Cal. No. 8, the Commission scheduled March 2, 1994 for a public hearing. On March 2, 1994, Cal. No. 21, the hearing was closed.)

For consideration.

CD 3

C 930403 PCR

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of General Services, pursuant to Section 197-c of the New York City Charter, for site selection of city-owned property:

Block 6751, Lots 1, 90, 125, 207, 230, 332, 346;
Block 6760, Lots 42, 46;

and site selection and acquisition of privately-owned property;

Block 6145, Lot 58;
Block 6760, Lots 16, 18;
Block 6805, Lots 24, 40, 60, 75, 190
Block 6810, Lots 40, 50, 96, 103;
Block 6896, Lots 59, 69;
Block 6899, Lot 29;
Block 6901, Lots 267, 277, 500, 510, part of Lot 250;
Block 7018, Lot 50
Block 7020, Lots 148, 240, part of Lot 250;
Block 7026, Lots 1, 100, 112, 300;

including the beds of the following streets:

Alverson Avenue between McBaine Avenue and Mason Boulevard;
McBaine Avenue between Rossville Avenue and Alverson Avenue;
Berne Place between Mason Boulevard and Woodrow Road;
Kramer Street between Maguire Avenue and Rossville Avenue,
Maguire Avenue between McBaine Avenue and Woodrow Road
Elks Place between Kramer Avenue and Woodrow Road;
Anthony Street between Convent Avenue and Warner Avenue;
Warner Avenue between Anthony Street and Sinclair Avenue;
A portion of Romana Avenue west of Warner Avenue;
Victor Street between Richmond Parkway and Albourne Avenue;
Albourne Avenue between Goff Avenue and Maguire Avenue;
A portion of Albourne Avenue east of Maguire Avenue;
A portion of Vogel Avenue east of Maguire Avenue;
Odell Place between Wheeling Avenue and Amboy Road;
Kane Court between Amboy Road and Wheeling Avenue;
Wheeling Avenue between Scudder Avenue and Parkwood Avenue;
Vogel Avenue between Lenevar Avenue and Parkwood Avenue;
A portion of Uncas Avenue east of Lenevar Avenue;
Lenevar Avenue between Albourne Avenue and Vogel Avenue;

within the area generally bounded by the Bluebelt Stream from the South Shore Golf Course to Lemon Creek Park, **for the conveyance and storage of storm water and as open space.**

(On February 16, 1994, Cal. No. 9, the Commission scheduled March 2, 1994 for a public hearing. On March 2, 1994, Cal. No. 22, the hearing was closed.)

For consideration.
