

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, JANUARY 21, 1998  
10:00 A.M. CITY HALL  
NEW YORK, NEW YORK 10007**

**Rosa R. Romero, 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 970225 PPX  | 3     | Scheduled to be Heard 2/4/98      | 18      | C 970335 PCQ | 2     | " "                           |
| 2       | C 970279 GFK  | 5     | " "                               | 19      | N 980231 HKR | 3     | Forward Rep't to City Council |
| 3       | C 970734 ZSK  | 2     | " "                               |         |              |       |                               |
| 4       | C 980112 PPM  | 11    | " "                               |         |              |       |                               |
| 5       | N 980175 ZRM  | 1,2   | 4 style="text-align: center;">" " |         |              |       |                               |
|         | <b>NOTICE</b> |       |                                   |         |              |       |                               |
| 6       | N 970125 ZRR  | 3     | " "                               |         |              |       |                               |
| 7       | C 980132 ZSM  | 4     | Hearing Closed                    |         |              |       |                               |
| 8       | N 980135 ZRY  | cw    | " "                               |         |              |       |                               |
| 9       | C 970677 PPX  | 5     | Favorable Report Adopted          |         |              |       |                               |
| 10      | C 970356 PPX  | 6     | " "                               |         |              |       |                               |
| 11      | C 970640 PPX  | 5     | " "                               |         |              |       |                               |
| 12      | C 970641 PPX  | 6     | " "                               |         |              |       |                               |
| 13      | C 970753 ZMK  | 2     | " "                               |         |              |       |                               |
| 14      | C 980067 ZMK  | 1     | " "                               |         |              |       |                               |
| 15      | C 970780 HAM  | 10    | " "                               |         |              |       |                               |
| 16      | N 980249 PXM  | 1     | " "                               |         |              |       |                               |
| 17      | N 980252 PXM  | 8     | " "                               |         |              |       |                               |

| COMMISSION ATTENDANCE:             | Present (P)<br>Absent (A) | COMMISSION VOTING RECORD:<br>In Favor - Y Oppose - N Abstain - AB Recuse - R |    |    |    |    |    |    |    |    |    |    |  |  |  |
|------------------------------------|---------------------------|--|----|----|----|----|----|----|----|----|----|----|--|--|--|
| Calendar Numbers:                  |                           | 9  | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |  |  |  |
| Joseph B. Rose, Chairman           | P*                        |  |    |    |    |    |    |    |    |    |    |    |  |  |  |
| Victor G. Alicea, Vice Chairman    | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Albert Abney                       | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Angela M. Battaglia                | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Amanda M. Burden, A.I.C.P.         | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Irwin Cantor, P.E.                 | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Kathy Hirata Chin, Esq.            | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Alexander Garvin                   | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Anthony I. Giacobbe, Esq.          | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| William J. Grinker                 | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Brenda Levin                       | P                         | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |  |  |  |
| Edward Rogowsky                    | A                         |  |    |    |    |    |    |    |    |    |    |    |  |  |  |
| Jacob B. Ward, Esq., Commissioners | A                         |  |    |    |    |    |    |    |    |    |    |    |  |  |  |

MEETING ADJOURNED AT: 10:18 AM

\* NOTE: NOT PRESENT DURING VOTES

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

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**CITY PLANNING COMMISSION**  

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**WEDNESDAY, JANUARY 21, 1998**  

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



**Rudolph W. Giuliani, Mayor**  
**City of New York**

**[No. 2]**

**Prepared by Rosa R. Romero, Calendar Officer**

A

## CITY PLANNING COMMISSION

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### 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.

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**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

**B**  
**CITY PLANNING COMMISSION**

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

JOSEPH B. ROSE, *Chairman*  
VICTOR G. ALICEA, *Vice-Chairman*  
ALBERT ABNEY  
ANGELA M. BATTAGLIA  
AMANDA M. BURDEN, A.I.C.P.  
IRWIN G. CANTOR, *P.E.*  
KATHY HIRATA CHIN, *Esq.*  
ALEXANDER GARVIN  
ANTHONY I. GIACOBBE, *Esq.*  
WILLIAM J. GRINKER  
BRENDA LEVIN  
EDWARD T. ROGOWSKY  
JACOB B. WARD, *Esq., Commissioners*  
ROSA R. ROMERO, *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.

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**ORDER OF BUSINESS AND INDEX**

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WEDNESDAY, JANUARY 21, 1998

|                                      |     |
|--------------------------------------|-----|
| Roll Call; approval of minutes ..... | 1   |
| I. Scheduling February 4, 1998 ..... | .1  |
| II. Public Hearings .....            | 10  |
| III. Reports .....                   | .34 |

**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 February 4, 1998 in City Hall, Room 16, Manhattan, New York at 10:00 a.m.

**GENERAL INFORMATION**

**HOW TO PARTICIPATE:**

**Signing up to speak:** Anyone wishing to speak on any of the items listed under "Public 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: \_\_\_\_\_

**To view the Planning Commission Calendar on the World Wide Web, visit the Department of City Planning (DCP) home page at:**

**<http://www.ci.nyc.ny.us/html/dcp/home.html>**

WEDNESDAY, JANUARY 21, 1998

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**APPROVAL OF MINUTES OF Regular Meeting of January 7, 1998 and  
Special Meeting of January 12, 1998**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, FEBRUARY 4, 1998  
STARTING AT 10:00 A.M.  
IN CITY HALL,  
NEW YORK, NEW YORK**

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**BOROUGH OF THE BRONX**

No. 1

CD 3

C 970225 PPX

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of five (5) city-owned properties, pursuant to zoning:

| Block | Lot | Address or Location     |
|-------|-----|-------------------------|
| 2394  | 23  | 412 East 168th Street   |
| 2719  | 17  | 1200 Tiffany Street     |
| 2979  | 11  | 1226 Southern Boulevard |
| 2981  | 19  | 1506 Southern Boulevard |
| 2991  | 61  | 1856 Boston Road        |

**Resolution for adoption scheduling February 4, 1998 for a public hearing.**

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**BOROUGH OF BROOKLYN**

No. 2

CD 5

C 970279 GFK

**IN THE MATTER OF** an application submitted by Martin Gallent pursuant to Section 197-c of the New York City Charter, for a revocable consent to construct, maintain and use a bridge over Logan Street between Linden Boulevard and Stanley Avenue, approximately 290 ft. south of Linden Boulevard connecting two one story industrial buildings.

**Resolution for adoption scheduling February 4, 1998 for a public hearing.**

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No. 3

CD 2

C 970734 ZSK

**IN THE MATTER OF** an application submitted by the Landmarks Preservation Commission on behalf of 71 Pierrepont Associates pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to permit modification of the following bulk regulations:

- o Section 23-145: to allow the maximum lot coverage to exceed 65 percent for a Quality Housing Program development;
- o Section 23-533(a): to reduce the 60-foot minimum depth open area requirement;
- o Section 23-633(a)(2): to allow the street wall to be located on the street line for a Quality Housing Program development; and
- o Section 23-711: to modify the requirements of the standard minimum distance between buildings on the same zoning lot;

to facilitate the construction of a two-story and cellar one-family building to be developed pursuant to the Quality Housing Program at 43 Love Lane (Block 236, Lots 10 & 21), on a through lot with an existing residential building, within the Brooklyn Heights Historic District, in R7-1 and Limited Height Districts.

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

**Resolution for adoption scheduling February 4, 1998 for a public hearing.**

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**BOROUGH OF MANHATTAN**

**No. 4**

**CD 11**

**C 980112 PPM**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for the disposition of ten (10) city-owned properties, pursuant to zoning.

A list and description of the properties can be seen at the Manhattan Office of the Department of City Planning, 22 Reade Street, 6th Floor, New York 10007.

**Resolution for adoption scheduling February 4, 1998 for a public hearing.**

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**No. 5**

**CD 1,2 and 4**

**N 980175 ZRM**

**IN THE MATTER OF** an application submitted by the Department of City Planning, 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 62-14, 62-27, 62-412, 62-416, and 62-711 concerning parks along the Hudson River south of 59th Street in Manhattan.

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

Matter in ~~Strickout~~ 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.

\* \* \*



## 62-14

## Requirements for Recordation

All required #visual corridors#, #shore public walkways#, #supplemental public access areas#, #pier# or #floating structure# public access areas and #upland connections# other than those provided in publicly accessible private parks #developed# pursuant to Section 62-41C (Special regulations for zoning lots that include publicly accessible private parks), once certified in accordance with the provisions of Section 62-711 (Waterfront public access and visual corridors) paragraphs (b) or (c), shall be duly recorded in the form of a signed declaration of restrictions, including a maintenance and operation agreement with the Department of Parks and Recreation, indexed against the property, binding the owners, successors and assigns to provide #visual corridors# and to construct and maintain the #shore public walkways#, #supplemental public access areas#, #pier# or #floating structure# public access areas and #upland connections#, except as provided in Section 62-624, and provide public access thereto in accordance with the plans certified by the Chairperson of the City Planning Commission.

\* \* \*

## 62-27

## Special Use Regulations for Public Parks, Playgrounds or Private Parks

#Public parks#, playgrounds or private parks shall be a permitted use in M2 and M3 Districts within the #waterfront area# in Community Districts 1, 2 and 4 in the Borough of Manhattan.

\* \* \*

## 62-412

## Requirements for public access on piers

\* \* \*

Notwithstanding the preceding requirements, when a #pier# is #developed predominantly# with the following WE #uses#: a #public park# or playground or publicly accessible private park, the waterfront public access requirement on the #pier# pursuant to this Section 62-41 through 62-413 and Section 62-60 shall be deemed to be satisfied by such #use#.

\* \* \*

## 62-416

## Special regulations for zoning lots that include publicly accessible private parks

In M2 and M3 Districts as permitted in Section 62-27, where a #zoning lot# or adjoining #zoning lots# are #predominantly developed# as a publicly accessible private park, the requirements of this Section 62-41 through 62-416 and Section 62-60 shall be deemed satisfied for that portion of the #zoning lots# occupied by such park #use#, provided that:

- (a) such park is comprised of a minimum of nine acres of land above water and the #water coverage# of #piers# or #platforms#, located on the #zoning lot# or the #zoning lot# and adjoining #zoning lots#, and has at least 600 feet of #shoreline#;
- (b) such park provides a continuous paved walkway along the entire portion of the #zoning lots# occupied by such #use# with a minimum clear width of no less than 12 feet, within 40 feet of the #shoreline# for at least 75 percent of those portions of the private park that abut the #shoreline#;
- (c) such walkway connects with all other #shore public walkways# on the #zoning lot# and adjoining #zoning lots# and any adjoining public sidewalks or other pedestrian areas within #pier# public access areas, a public #street#, #public park#, another publicly accessible private park or other public place;
- (d) such walkway shall be open and accessible from #pier# public access areas, a public #street#, #public parks#, publicly accessible private park or other public place at intervals over the length of the park not exceeding 1,000 feet with an average of 600 feet, by a continuous paved walkway with a minimum clear width of not less than 10 feet;
- (e) such park is open and accessible to the public from dawn to dusk, except when hazardous conditions are present that would affect public safety and except that the park may be closed to the public for not more than one day per year other than Saturday, Sunday or a public holiday, to preserve any ownership interest in the park;
- (f) a maintenance and operation agreement providing for the maintenance and operation of the park in good condition is entered into with the Department of Parks and Recreation (DPR), except that no such maintenance and operation agreement shall be required for a park developed and maintained by the State or the City of New York, any subdivision or agency of the State or the City, or any public authority

or other entity created pursuant to state or local statute for the purpose of operating such a park, and

(g) Visual corridors shall be provided in accordance with Section 62-42 (Requirements for Visual Corridors).

Any maintenance and operation agreement required pursuant to paragraph (f) of this Section shall include a requirement that prior to obtaining any building permit or opening any portion of the park to the public, the property owner or operator of the park shall post security in the form of a maintenance bond, letter of credit, or other security acceptable to DPR, with DPR in an amount certified by a registered architect or landscape architect to be sufficient to cover 125 percent of the cost of maintaining the park for a 12 month period following its final completion, and that such security shall be replaced every five years with new security in an amount sufficient to cover 125 percent of the then current annual cost of maintaining the park, as certified by a registered architect or landscape architect, for the life of the park. Any maintenance and operation agreement shall be attached to or included within a duly recorded, signed declaration of restrictions, indexed against the zoning lot, binding the owners and any leasees, tenants, successors and assigns to maintain and operate the park in conformance with this Section 62-416 and with the maintenance and operation agreement for the life of the park. The filing of such Declaration, where required, shall be a precondition to certification pursuant to paragraph (e) of Section 62-711.

Any portion of a zoning lot that is not developed for a park use shall be subject to all of the requirements of this Chapter, including the requirements of Section 62-41 through 62-416 and Section 62-60. For purposes of determining obligations pursuant to this Chapter, such portions of a zoning lot not used for park purposes shall be treated as a separate zoning lot or separate zoning lots, except that the entire zoning lot including the portion used for park purposes shall be considered in determining lot area for purposes of Section 62-411 (Requirements for shore public walkways).

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#### 62-711

##### Waterfront public access and visual corridors

No excavation or building permit shall be issued for any development on a waterfront block, or any other block included within a Waterfront Access Plan, until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Business Services, as applicable, that either:

\*\*\*

- (e) that, for the #development# of a publicly-accessible private park, a site plan and all other applicable data have been submitted showing compliance with the provisions of Section 62-416 (Special regulations for zoning lots that include publicly accessible private parks).

Resolution for adoption scheduling February 4, 1998 for a public hearing.

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NOTICE

On Wednesday, February 4, 1998 at 10:00 a.m. in City Hall, a public hearing is being held by the New York State Urban Development Corporation d/b/a Empire State Development Corporation in conjunction with the above public hearing to receive comments related to the Draft Environmental Impact Statement (DEIS) and the General Project Plan (GPP) for the proposed Hudson River Park, pursuant to the State Environmental Quality Review Act (SEQRA).

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BOROUGH OF STATEN ISLAND

No. 6

*(Proposed amendment of the Zoning Resolution to alter the school seat certification procedure in the Special South Richmond Development District by deleting the provision that allows a determination to be based on prospective availability of seats in funded schools to be completed within three years of certification and by adding a provision that would allow certification only if there is available capacity in the primary and intermediate schools that the school age children of a development would attend.)*

CD 3

N 970125 ZRR

IN THE MATTER OF of an application submitted by the Greater Tottenville Local Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 107-123 Public Schools, relating to the modification of the school seat certification procedure in the Special South Richmond Development District.

Matter in ~~Gray tone~~ is new, to be added;

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

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

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

107-123  
Public schools

For any #development# containing #residential uses#, the Department of Buildings shall be in receipt of a certification from the Chairperson of the City Planning Commission which certifies that sufficient #school# capacity exists to accommodate the anticipated primary and intermediate public school children of the #development#. All applications for certification pursuant to this Section shall be referred by the Chairperson of the City Planning Commission to the Board of Education.

The Board of Education shall issue a report concerning the availability of #school# capacity within sixty days after receipt of the application. The Chairperson of the Commission shall respond within 90 days after receipt of an application. The report shall specify the following:

- (a) whether or not #school# space is available;
- (b) if #school# space is not available, the report shall include:
  - (1) the number of seats required;
  - (2) the grade organization;
  - (3) the location of the #school#;
  - (4) size of #school# (sq. ft. per pupil); and
  - (5) the proposed financing mechanism.

For the purposes of this Section, sufficient #school# capacity shall be deemed to exist if:

- (1) ~~such capacity is available in existing #schools#.~~  
The existing primary school and intermediate school assigned by the Board of Education attendance zones to service the proposed development each have sufficient capacity to accommodate both the primary and intermediate public school children of the specific development; or
- (2) ~~construction funds have been authorized in the Capital Budget to accommodate anticipated primary and intermediate public school children from the #development# upon its completion or within three years from the date of the Chairman's certification; or~~

- (3) sufficient #school# space is to be provided by the applicant under a plan jointly approved by the Chairperson of the City Planning Commission and Board of Education.

\* \* \*

**Resolution for adoption scheduling February 4, 1998 for a public hearing.**

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**II. PUBLIC HEARINGS**

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**BOROUGH OF MANHATTAN**

**No. 7**

**CD 4**

**C 980132 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Village Center for Care pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-921 of the Zoning Resolution to allow a geriatric day care and adult day care facility (Use Group 4A, non-profit institutions without sleeping accommodations) and a diagnostic treatment center facility (Use Group 4A, Medical Offices) on the ground floor and cellar of an existing 5-story building on property located at 121 West 20th Street (Block 796, Lots 1101-1129), in an M1-5M District.

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

(On January 7, 1998, Cal. No. 2, the Commission scheduled January 21, 1998 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**CITYWIDE**

**No. 8**

*(AMENDMENTS OF THE ZONING RESOLUTION CONCERNING SIGNS)*

**Citywide**

**N 980135 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendments of the Zoning Resolution of the City of New York, relating to Sections 12-10, 22-32, 22-33, 22-331, 22-332, 22-35, 32-421, 32-422, 32-62, 32-64, 32-645, 32-651, 32-652, 32-653, 32-

661, 32-67, 32-68, 32-69, 36-56, 36-685, 37-011, 37-014, 37-016, 42-52, 42-53, 42-531, 42-541, 42-55, 44-45, 44-585, 52-733, 52-734, 52-81, 52-82, 72-40, 73-211, 73-241, 73-242, 73-25, 73-35, 74-47, 74-744, 81-141, 82-24, 93-34, 94-066, 97-112, 108-112, 109-24, 112-00, 112-123, 115-046, 117-423, 118-12, 121-20, 122-20, concerning signs.

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

Text not in graytone or strikeout is to be readopted

12-10

DEFINITIONS

\*\*\*

Advertising sign - see Sign, advertising

\*\*\*

~~Business sign - see Sign, business~~

\*\*\*

Flashing sign - see Sign, flashing

\*\*\*

Illuminated sign - see Sign, illuminated

\*\*\*

Sign

A "sign" is any writing (including letter, word, or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, or trademark), flag, (including banner or pennant), or any other figure of similar character, that:

- (a) is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a #building or other structure#;
- (b) is used to announce, direct attention to, or advertise; and



- (c) is visible from outside a #building#. A #sign# shall include writing, representation, or other figures of similar character, within a #building#, only when illuminated and located in a window.

~~However, signs containing solely non-commercial copy with a total #surface area# not exceeding 12 square feet on any #zoning lot#, including memorial tablets or signs displayed for the direction or convenience of the public. The following shall not be subject to the provisions of this Resolution:~~

- ~~(1) Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, or warnings at railroad crossings;~~
- (2) ~~Flags or emblems of a political, civic, philanthropic, educational or religious organization;~~
- ~~(3) Temporary signs announcing a campaign, drive, or event of the above organizations;~~
- (4) ~~Memorial signs or tablets;~~
- ~~(5) Signs denoting architect, engineer, or contractor when placed on construction sites and not exceeding 25 square feet in area;~~
- ~~(6) Signs required to be maintained by law or governmental order, rule, or regulation, with a total #surface area# not exceeding ten square feet on any #zoning lot#;~~
- (7) ~~Small signs displayed for the direction or convenience of the public, including signs that identify rest rooms, freight entrances, or the like, with a total #surface area# not exceeding five square feet on any #zoning lot#.~~

### Sign, advertising

An "advertising sign" is a #sign# that directs attention to a business, profession, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the same #zoning lot# and is not #accessory# to a #use# located on the #zoning lot#.

### Sign, business (12/15/61)

A "business sign" is an #accessory sign# that directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered upon the same #zoning lot#.

### Sign, flashing (12/15/61)

A "flashing sign" is any #illuminated sign#, whether stationary, revolving or rotating, that exhibits changing light or color effects, provided that revolving or rotating #signs# that exhibit no changing light or color effects other than those produced by revolution or rotation, shall be deemed #flashing signs# only if they exhibit sudden or marked changes in such light or color effects.

#Illuminated signs# that indicate the time, temperature, weather or other similar information shall not be considered #flashing signs#, provided that:

- (a) the total #surface area# of such #sign# is not greater than 16 square feet;
- (b) the vertical dimension of any letter or number is not greater than 24 inches; and
- (c) color or intensity of light is constant except for periodic changes in the information displayed, which occur not more frequently than once every minute.

### Sign, illuminated (12/15/61)

An "illuminated sign" is a #sign# designed to give forth any artificial light or reflect such light from an artificial source.

Sign, surface area of - see Surface area (of a sign)

### Sign with indirect illumination (12/15/61)

A "sign with indirect illumination" is any #illuminated# non-#flashing sign# whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into #residences# or #streets#.

\*\*\*

### Surface area (of a sign)

The "surface area" of a #sign# shall be the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such #sign# from the background against which it is placed. In any event, the supports or uprights on which such #sign# is supported shall not be included in determining the #surface area# of a #sign#.

When two #signs# of the same shape and dimensions are mounted or displayed back to back and parallel on a single free-standing structural frame, only one of such #signs# shall be included in computing the total #surface area# of the two #signs#.

When a double-faced #sign# projects from the wall of a #building#, and its two sides are located not more than 28 inches apart at the widest point and not more than 18 inches apart at the narrowest point, and display identical writing or other representation, the #surface area# shall include only one of the sides. Any additional side of a multi-faced #sign# shall be considered as a separate #sign# for purposes of computing the total #surface area# of the #sign#.

\*\*\*

## 22-30 SIGN REGULATIONS

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## 22-32 Permitted Non-Illuminated Accessory Signs

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, non-illuminated accessory business signs# are permitted as set forth in this Section, subject to the provisions of Section 22-34 (Additional Regulations).

\*\*\*

## 22-33 ~~Signs on Lots Containing Certain Community Facilities~~

## ~~22-331~~ Permitted Illuminated Accessory Signs for Hospitals and Related Facilities

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for hospitals and related facilities #illuminated# non-#flashing accessory business signs# are permitted in all districts, subject to Section 22-34 (Additional Regulations). Any number of #illuminated# non-#flashing# identification or directional #signs# are permitted, provided that the total #surface area# in square feet of said #illuminated signs# or the combined total #surface area# in square feet of the #illuminated# and non-#illuminated# identification or directional #signs# does not exceed 25 square feet on any one #street# frontage or 15 percent of such #street# frontage in feet, whichever is less, and provided further that the Commissioner of Buildings determines that such #signs# are so located as to cause a minimum amount of light to be projected on to abutting or adjacent #residences#. In addition to #illuminated# or non-#illuminated accessory business signs#, one illuminated non-flashing directory or bulletin board or combination thereof is permitted in lieu of a non-illuminated directory or bulletin board or combination thereof provided that the total #sign# area does not exceed 50 square feet and provided further that the Commissioner of Buildings determines that such #sign# is so located as to minimize the amount of light projected on the abutting or adjacent #residences#.

#### 22-332

Flags, banners or pennants on lots containing certain community facilities

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility uses# of a civic, philanthropic, educational or religious nature, are permitted without limitation.

\*\*\*

#### 22-35

Advertising Signs on Waterways

No moving or stationary "advertising sign" shall be displayed on a vessel plying waterways adjacent to #Residence Districts# and within view from an arterial highway. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways," or "toll crossings" and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section "advertising sign" is a sign which directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises of the vessel, and shall not include signs, symbols or

flags identifying the vessel, its owners or operators and is not #accessory# to a #use# on such vessel.

\*\*\*

32-421

Limitation on floors occupied by non-residential uses

C1 C2 C3

In the districts indicated, in any #building#, or portion of a #building# occupied on one or more of its upper #stories# by #residential uses# listed in Use Group 1 or 2 or by #community facility uses# listed in Use Group 3 or 4, no non-#residential uses# listed in Use Group 6, 7, 8, 9 or 14 shall be located above the level of the first #story# ceiling, provided, however, that permitted #business signs, other than #advertising signs# accessory# to such non-#residential uses# may extend to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill of the second #story#. In any other #building#, or portion thereof, not more than two #stories# may be occupied by non-#residential uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14. Non-#residential uses# permitted by the applicable district regulations may occupy two #stories# in any new #development# in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts.

32-422

Location of floors occupied by non-residential uses

C4 C5 C6

In the districts indicated, in any #building#, or portion of a #building# occupied by #residential uses# listed in Use Group 1 or 2, non-#residential uses# listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 or 16 may be located only on a #story# below the lowest #story# occupied in whole or in part by such #residential uses#, except that this limitation shall not preclude the location of any such non-#residential use# below the level of the first #story# ceiling, or the extension of a permitted #business sign, other than #advertising signs# accessory# to such non-#residential use# to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill on the second #story#.

\*\*\*

32-60

SIGN REGULATIONS

\*\*\*

32-62

Permitted ~~Accessory-Business~~ Signs

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, ~~#accessory business signs# other than #advertising signs#~~ are permitted subject to the provisions of the following Sections:

- Section 32-64 (Surface Area and Illumination Provisions)
- Section 32-65 (Permitted Projection or Height of Signs)
- Section 32-67 (Special Provisions Applying along District Boundaries)
- Section 32-68 (Permitted Signs on Residential Buildings)---
- Section 32-69 (Additional ~~Accessory-Business~~ Sign Regulations for Adult Establishments)

~~However, notwithstanding any provision of this Section, flags, banners or pennants other than those that are #advertising signs#, located on any #zoning lot# used primarily for #community facility uses# of a civic, philanthropic, educational or religious nature, are permitted in all districts, as indicated, without limitation.~~

\*\*\*

32-64

## Surface Area and Illumination Provisions

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted #signs# shall be subject to the restrictions on #surface area# and illumination as set forth in this Section, provided that the following #signs# shall be exempted from such restrictions on #surface area#:

~~#Illuminated# non-#flashing business signs# other than #advertising signs#~~ located in a window within a #building#, with a total #surface area# not exceeding eight square feet on any #zoning lot# and limited to not more than three such #signs# in any window.

For the purpose of determining permitted #surface area# of #signs# for #zoning lots# occupied by more than one establishment, any portion of such #zoning lot# occupied by a #building# or part of a #building# accommodating one or more establishments on the ground floor may be considered as a separate #zoning lot#.

\*\*\*

32-645

Illuminated or flashing signs in C8 Districts

C8

In the district indicated, #illuminated# or #flashing business signs# ~~other than #advertising signs# and or #advertising signs#~~ with indirect illumination are permitted, provided that the total #surface area# of all such #signs# (in square feet) shall not exceed five times the #street# frontage of the #zoning lot# (in feet) and that the #surface area# of each #sign# shall not exceed 500 square feet.

\*\*\*

32-651

Permitted projection in C6-5, C6-7 or C7 Districts

C6-5 C6-7 C7

In the districts indicated, except as otherwise provided in Section 32-653 (Additional regulations for projecting business signs), no permitted #sign# shall project across a #street line# more than eight feet.

32-652

Permitted projection in all other Commercial Districts

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C8

In the districts indicated, except as otherwise provided in Section 32-653 (Additional regulations for projecting business signs), no permitted #sign# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for all other #signs#.

32-653

Additional regulations for projecting business signs

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, permitted #accessory-business signs# ~~other than #advertising signs#~~ may be displayed as follows:

- (a) Non-#illuminated signs# may be displayed on awnings or canopies permitted by Section 27-313(b) of the Administrative Code, with a #surface area# not exceeding 12 square feet and with the height of letters not exceeding 12 inches ~~provided that Any commercial copy~~

on such #signs# shall be limited to identification of the name or address of the #building# or an establishment contained therein.

- (b) #Signs# may be displayed on marquees permitted by Section 27-313(b) of the Administrative Code, provided that such #signs# conform to the provisions of Section 26-182 of the Administrative Code, and provided further that no such #sign# in a district other than a C6-5, C6-7 or C-7 District shall project more than 48 inches above nor more than 12 inches below such marquee.

\*\*\*

### 32-661

#### Advertising signs on waterways

No moving or stationary #advertising sign# shall be displayed on a vessel plying waterways adjacent to #Commercial Districts# and within view from an arterial highway. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways," or "toll crossings" and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section #advertising sign# is a #sign# which directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises of the vessel, ~~and shall not include signs, symbols or flags identifying the vessel, its owner or operators and is not #accessory# to a #use# on such vessel.~~

### 32-67

#### Special Provisions Applying along District Boundaries

#### C2 C3 C4 C5 C6 C7 C8

In the districts indicated, and within 100 feet of the #street line# of any #street# or portion thereof in which the boundary of an adjoining #Residence District# is located, or which adjoins a #public park# of one-half acre or more, all #signs# ~~no #advertising sign#~~ which face at an angle of less than 165 degrees away from such #Residence District# or park boundary shall be ~~permitted and all other #signs# facing at less than such an angle limited to #accessory business signs#~~ and shall conform with all the #sign# regulations applicable in C1 Districts as set forth in Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.



32-68

## Permitted Signs on Residential or Mixed Buildings

C1 C2 C3 C4 C5 C6

In the districts indicated, any ~~use~~ listed in Use Group 1 or 2 shall conform to the ~~sign~~ regulations for ~~Residence Districts~~ set forth in Sections 22-31 to 22-34, inclusive. In ~~residential~~ or ~~mixed buildings~~, ~~residential sign~~ regulations shall apply to a ~~building~~ or part of a ~~building~~ used for ~~residential~~ purposes.

Where non-~~residential uses~~ are permitted to occupy two floors of the ~~building~~, all ~~signs accessory~~ to non-~~residential uses~~ located on the second floor shall be non-~~illuminated business signs~~, and shall be located below the level of the finished floor of the third ~~story~~.

32-69

Additional ~~Accessory-Business~~ Sign Regulations for Adult Establishments

C6-4 C6-5 C6-6 C6-7 C6-8 C6-9 C7 C8

~~Accessory-business signs~~ ~~Signs~~, other than ~~advertising signs~~ for ~~adult establishments~~ are permitted only as set forth in this Section and are limited to locations in the districts indicated.

All permitted ~~accessory-business signs~~, other than ~~advertising signs~~ for ~~adult establishments~~ shall conform with all the ~~sign~~ regulations applicable in C1 Districts as set forth in this Chapter, except that the provisions of Section 32-64 (Surface Area and Illumination Provisions) shall not apply. In lieu thereof, the maximum ~~surface area~~ of all ~~accessory-business signs~~, other than ~~advertising signs~~ for ~~adult establishments~~ shall not exceed, in the aggregate, three times the ~~street~~ frontage of the ~~zoning lot~~, but in no event more than 150 square feet per establishment, of which no more than 50 square feet may be ~~illuminated~~ non-~~flashing signs~~.

\*\*\*

36-56

## Screening

C1 C2 C3 C4 C5 C6 C7 C8

\*\*\*

(d) have no #signs# hung or attached thereto other than those permitted in Sections 32-62 (Permitted ~~Accessory-Business~~ Signs) or 32-63 (Permitted Advertising Signs).

\*\*\*

36-685  
Screening

C1 C2 C3 C4 C5 C6 C7 C8

\*\*\*

(d) shall have no #signs# hung or attached thereto other than those permitted in Sections 32-62 (Permitted ~~Accessory-Business~~ Signs) or 32-63 (Permitted Advertising Signs).

\*\*\*

37-011  
Applicability of Section 37-01

\*\*\*

An application to the Department of Buildings for a permit respecting any new #development# shall include a plan and an elevation drawn to a scale of at least one sixteenth inch to a foot of the new #building# and #buildings# on #contiguous lots# or #contiguous blocks# showing #~~accessory-business~~ signs#, ~~other than #advertising signs#~~, #arcades#, #street wall# articulation, curb cuts, #street# trees, sidewalk paving, central refuse storage area and such other necessary information as may be required by the Commissioner of Buildings.

\*\*\*

37-014  
Modifications to applicability of Article II, Chapter 6

In C1-8, C1-9, C2-7, C2-8, C4-6, C5-1, C5-2, C5-4, C6-3, C6-4, C6-5 and C6-8 Districts, or C1 or C2 Districts mapped within R9 or R10 Districts, the regulations of Article II, Chapter 6, applicable to #residential developments# or #developments# occupied by a #predominantly residential use# are modified by the provisions of Sections 37-015 (Retail continuity) and 37-016 (~~Accessory-business-signs~~ ~~regulations~~) and 37-017 (Street wall articulation).

\*\*\*

37-016

~~Accessory business signs~~ Sign regulations

In addition to the applicable district regulations in C1-8, C1-9, C2-7, C2-8, C4-6 Districts and C1 or C2 Districts mapped within R9 or R10 Districts, all ~~#accessory business signs#~~ ~~other than #advertising signs#~~ and ~~other than window #signs#~~, shall be located in a horizontal band not higher than 3 feet, the base of which is located not higher than 17 feet above ~~#curb level#~~. Where there is a grade change of at least 1.5 feet in 100 along the portion of the ~~#street#~~ upon which the ~~#development#~~ fronts, such signage band may be staggered along such ~~#street#~~.

\*\*\*

42-50

## SIGN REGULATIONS

\*\*\*

42-52

~~Permitted Accessory Business Signs or Advertising Signs~~

M1 M2 M3

In all districts, as indicated, ~~#accessory business signs#~~ or ~~#advertising signs#~~ are permitted with no restriction on size, illumination or otherwise, except as otherwise provided in Section ~~42-53 (Additional Regulations for Advertising Signs)~~, 42-54 (Special Provisions Applying along District Boundaries) and subject to the provisions of Section 42-55 (Additional ~~Accessory Business Sign Regulations for Adult Establishments~~).

\*\*\*

42-53

## Additional Regulations for Advertising Signs

M1 M2 M3

In all districts, as indicated no ~~#advertising sign#~~ shall be located, nor shall an existing ~~#advertising sign#~~ be structurally altered, relocated, or reconstructed, within 200 feet of an arterial highway or of a ~~#public park#~~ with an area of one-half acre or more, if such ~~#advertising sign#~~ is within view of such arterial highway or ~~#public park#~~. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets, as "principal routes," "parkways," or "toll crossings," and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall

apply. Beyond 200 feet from such arterial highway or #public park#, an #advertising sign# shall be located at a distance of at least as many linear feet therefrom as there are square feet of #surface area# on the face of such #sign#. However, in all districts as indicated, the more restrictive of the following shall apply:

- (a) Any #advertising sign# erected, structurally altered, relocated or reconstructed prior to June 1, 1968, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, shall have legal #non-conforming use# status pursuant to Section 52-83, to the extent of its size existing on May 31, 1968.
- (b) Any #advertising sign# erected, structurally altered, relocated or reconstructed between June 1, 1968 and November 1, 1979, within 660 feet of the nearest edge of the right-of-way of an arterial highway, whose message is visible from such arterial highway, and whose size does not exceed 1200 square feet in #surface area# on its face, 30 feet in height, and 60 feet in length, shall have legal #non-conforming use# status pursuant to Section 52-83, to the extent of its size existing on November 1, 1979. All #advertising signs# not in conformance with the standards set forth herein shall terminate.

#### 42-531

##### Advertising signs on waterways

No moving or stationary #advertising sign# shall be displayed on a vessel plying waterways adjacent to #Manufacturing Districts# and within view from an arterial highway. For the purposes of this Section, arterial highways shall include all highways which are shown on the Master Plan of Arterial Highways and Major Streets as "principal routes," "parkways," or "toll crossings" and which have been designated by the City Planning Commission as arterial highways to which the provisions of this Section shall apply.

For the purposes of this Section, #advertising sign# is a #sign# which directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises of the vessel, ~~and shall not include signs, symbols or flags identifying the vessel, its owners or operators and is not #accessory# to a #use# on such vessel.~~

#### 42-54

##### Special Provisions Applying along District Boundaries

#### 42-541

##### Restrictions along district boundary located in a street

## M1 M2 M3

In all districts, as indicated, and within 100 feet of the #street line# of any #street# or portion thereof in which the boundary of an adjoining #Residence District# is located, or which adjoins a #public park# of one-half acre or more, ~~#advertising signs#~~ which face at an angle of less than 165 degrees away from such #Residence District# or park boundary shall ~~not be permitted and all other #signs# facing at less than such an angle be limited to #accessory business signs#~~ and shall conform with all the #sign# regulations applicable in C1 Districts as set forth in Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

\*\*\*

## 42-55

Additional ~~Accessory Business~~ Sign Regulations for Adult Establishments

## M1 M2 M3

In all districts, as indicated, all permitted ~~#accessory business signs#~~, ~~other than #advertising signs#~~ for #adult establishments# shall conform with the provisions of this Chapter, except that the maximum #surface area# of all ~~#accessory business signs#~~, ~~other than #advertising signs#~~ for #adult establishments# shall not exceed, in the aggregate, three times the #street# frontage of the #zoning lot#, but in no event more than 150 square feet per establishment, of which no more than 50 square feet may be #illuminated# and no portion thereof may be #flashing#.

No ~~#accessory business signs#~~ for #adult establishments# shall be permitted on the roof of any #building#, nor shall such #signs# extend above #curb level# at a height greater than 25 feet.

\*\*\*

## 44-45

## Screening

## M1 M2 M3

\*\*\*

- (d) shall have no #signs# hung or attached thereto other than those permitted in Section 42-52 (~~Permitted Accessory Business Signs or Advertising Signs~~).

\*\*\*

44-585  
Screening

M1 M2 M3

\*\*\*

(3) shall have no #signs# hung or attached thereto other than those permitted in Section 42-52 (Permitted ~~Accessory Business Signs or Advertising Signs~~).

\*\*\*

52-73  
Non-Conforming Signs

\*\*\*

52-733  
Advertising signs on waterways

On all waterways adjacent to #Residence#, #Commercial# or #Manufacturing Districts# and within view from an arterial highway, a #non-conforming advertising sign# may be continued for one year after July 23, 1964 if already in operation on April 15, 1964; provided that after the expiration of this period such #non-conforming advertising sign# shall terminate.

For the purposes of this Section #advertising sign# is a #sign# which directs attention to a profession, business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the premises of the vessel, ~~and shall not include signs, symbols or flags identifying the vessel, its owners or operators and is not #accessory# to a #use# on such vessel.~~

52-734  
Non-conforming ~~accessory-business~~ signs for adult establishments

In all districts, a #non-conforming ~~accessory-business~~ sign# for an #adult establishment# shall terminate within one year from October 25, 1995 or from such later date that such #sign# becomes #non-conforming#, except that such #sign# may be continued for a limited period of time by the Board of Standards and Appeals pursuant to Section 72-40 (AMORTIZATION OF CERTAIN ADULT ESTABLISHMENTS AND SIGNS FOR ADULT ESTABLISHMENTS).

\*\*\*

## 52-80

## REGULATIONS APPLYING TO NON-CONFORMING SIGNS

## 52-81

## General Provisions

A ~~#non-conforming sign#~~ shall be subject to all the provisions of this Chapter relating to ~~#non-conforming uses#~~, except as modified by the provisions of Section 52-82 (Non-Conforming ~~Business Signs~~) and Section 52-83 (Non-Conforming Advertising Signs).

A change in the subject matter represented on a ~~#sign#~~ shall not be considered a change of ~~#use#~~.

## 52-82

Non-Conforming ~~Business Signs~~ ~~other than #Advertising Signs#~~

Any ~~#non-conforming accessory-business sign#~~, except a ~~#flashing sign#~~ or a ~~#sign#~~ subject to the provisions of Section 52-734 (Non-conforming ~~accessory-business signs~~ for adult establishments), ~~and except any #advertising sign#~~ may be structurally altered, reconstructed, or replaced in the same location and position, provided that such structural alteration, reconstruction, or replacement does not result in:

- (a) the creation of a new ~~#non-conformity#~~ or an increase in the degree of ~~#non-conformity#~~ of such ~~#sign#~~;
- (b) an increase in the ~~#surface area#~~ of such ~~#sign#~~; or
- (c) an increase in the degree of illumination of such ~~#sign#~~.

However, any structural alteration, reconstruction or replacement of a ~~#non-conforming sign accessory#~~ to a ~~#non-conforming use#~~ shall be subject to the provisions of Section 52-31 (General Provisions).

To the extent that such structural alteration, reconstruction, or replacement of ~~#non-conforming accessory-business signs#~~ is permitted under the provisions of this Section, the provisions of the following Sections are modified:

Section 52-22 (Structural Alterations)

Sections 52-51 to 52-55, inclusive, relating to Damage or Destruction.

72-40

AMORTIZATION OF CERTAIN ADULT ESTABLISHMENTS AND SIGNS FOR ADULT ESTABLISHMENTS

The Board of Standards and Appeals may permit any ~~#non-conforming adult establishment#~~ or any ~~#non-conforming accessory-business sign#, other than #advertising sign#~~ for an ~~#adult establishment#~~ to continue for a limited period of time beyond that provided for in Section 52-734 (Non-conforming accessory business signs for adult establishments) or Section 52-77 (Termination of Adult Establishments), provided that:

\*\*\*

73-211

Location in C2, C4, C6 or C7 Districts

\*\*\*

(5) that ~~#accessory-business signs#, other than #advertising signs#~~ shall be subject to the applicable district ~~#sign#~~ regulations, provided that:

\*\*\*

73-241

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, M1-5A or M1-5B Districts

\*\*\*

The Board may modify the regulations relating to ~~#accessory-business signs#~~ in C3 Districts to permit a maximum total ~~#surface area#~~ of 50 square feet of non-~~#illuminated#~~ or ~~#illuminated#~~ non-~~#flashing signs#~~, provided that any ~~#illuminated sign#~~ shall not be less than 150 feet from the boundary of any ~~#Residence District#~~. The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows; provision of sound-lock vestibules; specification of acoustical insulation; maximum size of establishment; kinds of amplification of musical instruments or voices; shielding of floodlights; adequate screening; curb cuts or parking.

73-242

In C3 Districts

\*\*\*



The Board may modify the regulations relating to ~~#accessory-business signs#~~ in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs#, provided that any #illuminated sign# shall not be less than 150 feet from the boundary of any #Residence District#.

\*\*\*

73-25  
Boatels

\*\*\*

The Board may modify the regulations relating to ~~#accessory-business signs#~~ in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs# on each of not more than three #street# or water frontages.

\*\*\*

73-35  
Amusement Arcades

\*\*\*

- (c) that the #use# is so located within the shopping center that no entrance and no ~~#accessory-business sign#~~ fronts upon or faces a #street#.

\*\*\*

74-47  
Amusement Arcades

- (c) the #use# is so located within the #building# that no entrance nor any ~~#accessory-business sign#~~ of the amusement arcade fronts upon or faces a #street#.

\*\*\*

74-744  
Modification of use regulations

\*\*\*

(c) Modifications of ~~#accessory-business sign#~~ regulations

In C6 Districts, the City Planning Commission may modify the regulations of Section 32-65 (Permitted Projection or Height of Signs) for ~~#accessory-business signs#, other than #advertising signs#~~ on a non-~~#residential building#~~, provided that such ~~#accessory signs#~~ will not be incompatible with the character of the surrounding area.

\*\*\*

81-141  
Special sign regulations

\*\*\*

- (b) In a C5-3 District within the Fifth Avenue Subdistrict, the Chairperson of the City Planning Commission may, by certification, modify the requirements of Section 32-655 (Height of signs in all other Commercial Districts), to allow a single non-~~#illuminated business sign#, other than #advertising sign#~~ per ~~#building#~~ to be located at a height between 25 and 50 feet above ~~#curb level#~~ provided that the permitted ~~#sign#~~ shall:

\*\*\*

82-24  
Supplementary Sign Regulations

No permitted ~~#business sign#~~ shall extend above ~~#curb level#~~ at a height greater than 20 feet or obstruct an ~~#arcade#~~.

\*\*\*

93-34  
Accessory Business Signs

All ~~#accessory-business signs#, other than #advertising signs#~~ and ~~other than window #signs#~~, shall be located in a horizontal band not higher than two feet, the base of which is located not less than 13 feet nor more than 16 feet above ~~#curb level#~~. Where there is a grade change of a least 1.5 feet in 100 feet along the portion of the ~~#street#~~ upon which the ~~#development#~~ fronts, such signage band may be staggered along such ~~#street#~~.

\*\*\*

94-066

## Additional sign regulations

Where #illuminated signs# are permitted by the underlying district regulations, such #signs# shall have only indirect illumination. Where #business signs#, other than #advertising signs#, are permitted by the underlying district regulations, such #signs# shall not extend above the roof level of any #building or other structure# in the Special District.

\*\*\*

97-112

## Sign regulations

All #signs# for Use Group M #manufacturing uses# within the R(M) #Special Northside Mixed Use District# shall be limited to #accessory-business signs#, other than #advertising signs#, and shall conform to regulations for C1 Districts as set forth in Sections 32-61 to 32-68 (Sign Regulations) inclusive, in this Resolution, except that no #illuminated signs# shall be permitted in the R(M) #Special Northside Mixed Use

District#. In addition, no #sign# shall extend above the floor level of the second #story# above ground.

\*\*\*

108-112

## Sign regulations

All #signs# for #manufacturing# or #commercial uses# within the #Special Franklin Street Mixed Use District# shall be limited to #accessory-business signs#, other than #advertising signs#, and shall conform to regulations for C1 Districts as set forth in Section 32-61 to 32-68 (Sign Regulations), inclusive, in this Resolution, except that no #illuminated signs# shall be permitted in the #Special Franklin Street Mixed Use District#. In addition, no #sign# shall extend above the floor level of the second #story# above ground.

\*\*\*

109-24

## Sign Regulations

In addition to the underlying district #sign# regulations, the following regulations shall apply to all #signs#:

- (a) ~~#accessory-business signs#~~ may not occupy more than 25 percent of the total area of the storefront measured from ~~#curb level#~~ to 10 feet above ~~#curb level#~~;

\*\*\*

- (c) ~~#accessory-business signs#~~ may not cover columns, cornices or sills.

\*\*\*

112-00  
GENERAL PURPOSES

\*\*\*

- (c) to maintain and protect the environmental quality and "village" character of City Island Avenue by imposing special controls on building setbacks and ~~accessory-business signs~~; and

\*\*\*

112-123  
Screening requirements for parking facilities accessory to commercial uses

\*\*\*

- (c) shall have no ~~#signs#~~ hung or attached thereto other than those permitted in Section 32-62 (Permitted ~~Accessory-Business Signs~~), Section 32-63 (Permitted Advertising Signs) or Section 42-52 (Permitted ~~Accessory-Business Signs~~ or Advertising Signs).

\*\*\*

115-046  
Permitted projection of signs

Except as otherwise permitted in Section 32-653 (Additional regulations for projecting ~~business signs~~), no permitted ~~#sign#~~ shall project across a ~~#street line#~~ more than 12 inches. Double or multifaced ~~#signs#~~ are not permitted.

\*\*\*

117-423  
~~Accessory-business~~ ~~sign~~ regulations

\*\*\*

118-12  
Sign Regulations

\*\*\*

~~#Signs# on #street walls# fronting on all other #streets# within the Special District shall be subject to the provisions of Section 37-016 (Accessory-business-sign regulations).~~

\*\*\*

121-20  
SIGN REGULATIONS

The following provisions apply on ~~#wide streets#~~ within the ~~#Special Garment Center District#~~:

- (a) ~~no #accessory-business sign# or #advertising sign# shall project across the #street line# of a #wide street# more than 18 inches for double or multi-faced #signs# or 12 inches for other #signs#;~~

\*\*\*

122-20  
SPECIAL SIGN REGULATIONS

In order to enhance the visual quality of the Special District, the applicable ~~#sign#~~ regulations of the underlying districts are modified as follows:

- (a) ~~Within the Limited Commercial Areas, only one #accessory-business sign#, other than an #advertising sign#, with a surface area not exceeding 12 square feet shall be permitted per #commercial use#. #Accessory-business such signs# shall be located in a #sign band#, on the flap of a canopy, or as allowed under Section 122-20(d). The height of an #accessory-business such #sign# shall be not more than 24 inches and the letter sizes shall be restricted to a height of 12 inches. Except as provided in Section 122-20(d), all such #signs# may not project from the vertical surface of a #building# more than 18 inches.~~
- (b) ~~Within the Commercial Extension Areas, no #accessory-business signs# and no #display windows# shall be permitted on a #building or other structure# within 50 feet of the Grand Concourse. #Commercial uses#~~

which are located on a cross-street beyond a distance of 50 feet from the Grand Concourse #street line#, shall comply with the #sign# regulations applicable to the underlying #Commercial District#.

- (c) On Commercial Infill Sites, the maximum surface area to be occupied by an ~~#accessory-business sign#~~, other than an ~~#advertising sign#~~, shall be three square feet for every five feet of store frontage or 12 square feet, whichever is greater. ~~#Accessory-business~~ Such #signs# shall be located in a #sign band# and/or on the flap of a canopy, or as allowed under Section 122-20(d). On portions of Commercial Infill Sites more than 50 feet from the Grand Concourse, the signage regulations of a C1 District shall apply.
- (d) Except in C1 Districts, no #sign# may be located so as to obscure any decorative lintel, cornice or other architectural detail. In the event that compliance with this requirement does not provide adequate surface area for the allowable ~~#accessory-business sign#~~ as defined in Section 122-20(a), a projecting #sign# may be permitted by the Commissioner of Buildings provided that no such #sign# shall project from the vertical surface of a #building# more than 18 inches.

(On January 7, 1998, Cal. No. 1, the Commission scheduled January 21, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

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### III. REPORTS

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#### BOROUGH OF THE BRONX

No. 9

CD 5

C 970677 PPX

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of three (3) city-owned properties, pursuant to zoning.

| <u>BLOCK</u> | <u>LOT</u> | <u>ADDRESS OR LOCATION</u> |
|--------------|------------|----------------------------|
| 3187         | 5          | 2308 Jerome Avenue         |
| 3196         | 66         | 27 Buchanan Place          |
| 3207         | 22         | 50 Clinton Place           |

(On November 19, 1997, Cal. No. 2, the Commission scheduled December 3, 1997 for a public hearing. On December 3, 1997, Cal. No. 2, the hearing was closed.)

For consideration.

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No. 10

CD 6

C 970356 PPX

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of three (3) city-owned properties, pursuant to zoning:

| <u>BLOCK</u> | <u>LOT</u> | <u>ADDRESS</u>      |
|--------------|------------|---------------------|
| 3035         | 7          | 4270 Park Avenue    |
| 3040         | 3          | 4648 Park Avenue    |
| 3038         | 87         | 452 E. 183rd Street |

(On November 19, 1997, Cal. No. 3, the Commission scheduled December 3, 1997 for a public hearing. On December 3, 1997, Cal. No. 3, the hearing was closed.)

For consideration.

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No. 11

CD 5

C 970640 PPX

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the disposition of six (6) city-owned properties, pursuant to zoning.

A list and description of the properties can be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, The Bronx, New York 10458.

(On November 19, 1997, Cal. No. 4, the Commission scheduled December 3, 1997 for a public hearing. On December 3, 1997, Cal. No. 4, the hearing was closed.)

For consideration.

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No. 12

CD 6

C 970641 PPX

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the disposition of seven (7) city-owned properties, pursuant to zoning.



A list and description of the properties can be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, The Bronx, New York 10458.

(On November 19, 1997, Cal. No. 5, the Commission scheduled December 3, 1997 for a public hearing. On December 3, 1997, Cal. No. 5, the hearing was closed.)

For consideration.

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**BOROUGH OF BROOKLYN**

**No. 13**

**CD 2**

**C 970753 ZMK**

**IN THE MATTER OF** an application submitted by the Two Trees Development Corp. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, changing from an M1-2 District to a C6-2A District property bounded by Plymouth Street, Adams Street, Water Street, and Main Street, as shown on a diagram (for illustrative purposes only) dated August 18, 1997 and subject to the conditions of CEQR Declaration E-84.

(On November 19, 1997, Cal. No. 6, the Commission scheduled December 3, 1997 for a public hearing. On December 3, 1997, Cal. No. 6, the hearing was closed.)

For consideration.

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**No. 14**

**CD 1**

**C 980067 ZMK**

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

- 1) changing from an M3-1 District to an M1-2 District property bounded by a line midway between Plymouth Street and Water Street, a line 100 feet westerly of Hudson Avenue, Water Street, and Bridge Street;
- 2) changing from an M1-2 District to an R6B District property bounded by Water Street, a line 100 feet westerly of Hudson Avenue, Plymouth Street, Little Street, a line 400 feet northeasterly of Navy Street, a line perpendicular to and passing through a point on the last-named course

distant 400 feet southeasterly of the intersection of the last-named course with the southerly street line of Evans Street, Navy Street, Hudson Avenue, Front Street, and a line 75 feet easterly of Bridge Street;

- 3) changing from an M1-2 District to an R6A District property bounded by Front Street, Hudson Avenue, Navy Street, York Street, and Bridge Street; and
- 4) establishing within the proposed R6A District a C2-4 District bounded by a line 100 feet northerly of York Street, Navy Street, York Street, Bridge Street, Front Street, and a line 100 feet easterly of Bridge Street,

as shown on a diagram (for illustrative purposes only) dated August 18, 1997 and subject to the conditions of CEQR Declaration E-83.

(On November 19, 1997, Cal. No. 8, the Commission scheduled December 3, 1997 for a public hearing. On December 3, 1997, Cal. No. 8, the hearing was closed.)

**For consideration.**

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**BOROUGH OF MANHATTAN**

**No. 15**

**CD 10**

**C 970780 HAM**

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of 244 - 252 W. 112th Street (Block 1827, Lots 53, 54, 56 and 57), as an Urban Development Action Area;
  - b) an Urban Development Action Area Project for such area; and

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

to facilitate construction of a six-story building with 61 units of rental housing for elderly persons of low income plus one unit for a superintendent. The project, tentatively known as Lucille C. Clarke Housing for the Elderly, will be developed under the Federal Section 202 Supportive Housing Program for the Elderly.

(On December 15, 1997, Cal. No. 5, the Commission scheduled January 7, 1998 for a public hearing. On January 7, 1998, Cal. No. 7, the hearing was closed.)

For consideration.

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No. 16

CD 1

N 980249 PXM

**IN THE MATTER OF** a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 161 Maiden Lane (Block 72, Lot 2). (Traffic Control Division Offices)

(On December 22, 1997, the Commission duly advertised a public hearing. On January 7, 1998, Cal. No. 8, the hearing was closed.)

For consideration.

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No. 17

CD 8

N 980252 PXM

**IN THE MATTER OF** a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 505 Park Avenue (Block 1394, Lot 1). (Community District 8 Offices)

(On December 22, 1997, the Commission duly advertised a public hearing. On January 7, 1998, Cal. No. 9, the hearing was closed.)

For consideration.

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**BOROUGH OF QUEENS**

**No. 18**

**CD 2**

**C 970335 PCQ**

**IN THE MATTER OF** an application submitted by the Department of Health and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 37-50 57th Street (Block 1211, Lots 22 and 38), for use as a garage and vehicle maintenance facility.

(On November 19, 1997, Cal. No. 11, the Commission scheduled December 3, 1997 for a public hearing. On December 3, 1997, Cal. No. 11, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 19**

**(Report pursuant to Section 3020 of the City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York, concerning the landmark rescission of the former Poillon-Seguine-Britton House)**

**CD 3**

**N 980231 HKR**

**IN THE MATTER OF** a communication dated November 25, 1997, from the Executive Director of the Landmark Preservation Commission regarding the landmark rescission of the Former Poillon-Seguine-Britton House, 361 Great Kills Road (Block 5195, Lot 6) by the Landmark Preservation Commission on November 18, 1997 (List No. 286/LP No.1209).

**For consideration.**

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