

**CITY PLANNING COMMISSION**

June 17, 1987 Calendar No. 78

N 870197(A) ZRY

N 870385(A) ZRY

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IN THE MATTER OF amendments, pursuant to Section 200 the New York City Charter, of the Zoning Resolution of the City of New York submitted by the Department of City Planning, pertaining to the establishment of new zoning districts; establishment of the Quality Housing Program; elimination of the special permit for Housing Quality Developments and modification of street wall and height regulations in certain contextual districts.

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BACKGROUND

In July 1983, the Department of City Planning began a comprehensive review of the zoning regulations affecting medium to high density residential development. The review was prompted by a long-term dearth of housing production, particularly in medium density R6, R7, and R8 zoning districts; increasing community opposition to out-of-character residential development; and concerns about the effectiveness of the existing Housing Quality special permit.

Zoning and Housing Production

Between 1977 and 1986 new housing completions in New York City averaged only 9,029 units yearly. Of these, about 5,500 units were "market rate". During the latter half of this period, subsidized new construction dropped precipitously because of Federal budget cuts, from 6,684 units in 1980 to 2,290 in 1985. By comparison, in the 1950s, housing production averaged about 37,000 units annually. Between 1962 and 1965, when development still proceeded under the pre-1961 zoning, production reached a post war average high of 52,000 units yearly.

Even during the 1967-1976 decade, when the City's population and economic base were declining, housing production averaged 22,300 units per year. The turnaround in the City's economy since 1978 and the increase in population have compounded problems of reduced housing development. The housing vacancy rate, which stood at a high of 3.19% in 1965, has declined from 2.95% in 1978 to 2.13% in 1981 and 2.04% in 1984.

The Department of City Planning's review concluded that while the principal causes of the decline in housing production were economic, the Zoning Resolution adopted in 1961 exacerbated the problem. The 1961 multi-family residential bulk controls were designed to encourage development of tall buildings surrounded by large open spaces in the medium to high density zoning districts. For example, in an R6 district a three story building could have a Floor Area Ratio (FAR) of 1.62. If more of the land were left open (65 to 81 percent) and developments built taller, the FAR increases to 2.12 at six stories and up to 2.43 at 13 stories. On large sites, (over 30,000 sq. ft.), these regulations result in a generally efficient building with a reasonable number of apartments per floor and a reasonable ratio of apartments to common area at the maximum FAR. On small sites, however, these regulations can significantly raise building costs for heights above four stories. The tall, slender buildings necessary on small lots to achieve the maximum FAR have fewer apartments to share the costs of the common areas. This raises the construction and maintenance costs per apartment. Where the housing market is very strong this is not an impediment to development. In other areas, it discourages development.

Medium and high density zoning districts in the 1961 zoning regulations were designed to complement government sponsored land assemblage programs which produced the large sites needed to build efficient apartment houses. The use of government assisted assemblage and clearance has declined in the past 15 years because it has been both expensive and often disruptive to neighborhoods. Consequently, few appropriately zoned sites are available to make efficient use of the 1961 bulk regulations and for many years little development occurred in most R6, R7 or R8 districts. Elevator apartment buildings can only be built in locations where high sales or rental prices can support the inefficient high-rise, low lot coverage prototype.

#### Zoning and Special Districts

Almost from its adoption, some communities objected to the 1961 zoning regulations that resulted in tall slender developments that were out of character with the neighborhood.

As development occurred in individual neighborhoods, the City began reviewing the appropriateness of the 1961 model. In a number of neighborhoods the City adopted special zoning districts to ensure more compatible development, beginning with the Special Park Improvement District in 1973. After adopting many special purpose districts it became apparent that the tower in the park concept was incompatible with the low-rise, streetscape design features which are widespread in many already developed areas. These similarities among neighborhoods do not

necessarily require special district regulations but rather generic zoning regulations that would allow and encourage compatible development.

### Housing Quality

In 1976, the Planning Commission adopted a generic alternative to special districts. Called the Housing Quality Program, it recognized the relationship between building design and the quality of life in a dense urban environment.

It evaluated: the relationship of the design of a proposed building to the surrounding neighborhood, generally seeking to lower the height of new buildings; the adequacy of on-site recreation space; the safety and security of the building and its occupants; and the quality of the building interior. In return for achieving compliance with the program, the Planning Commission and Board of Estimate could approve modifications to the requirements for height, setback, open space, yard, spacing between buildings, parking, window to lot line and zoning lots divided by district boundaries.

The program has produced buildings that are better than typical new construction. However, too few developments have been built using the program, particularly in areas outside the Manhattan Core where developers are less able to pass on higher costs to homebuyers or renters. A complex scoring system and a lengthy special permit procedure that increased risk and raised costs discouraged virtually all but those who built in prime areas. Additionally, in some instances the scoring mechanism has permitted

tall bulky buildings instead of the anticipated short, bulky buildings. The Commission is concerned that such developments are contrary to the program's original goal. It believes that the program's effectiveness could be improved with a specific set of standards that would provide certainty in the types of buildings that can be developed and eliminates the scoring and special permit requirements which added time and cost to the development process.

### Contextual Zoning

In the early 1980s, the Department developed a number of generic zoning districts that could be mapped throughout the city in neighborhoods of similar character. The new "contextual" districts recognized the existing scale and character of neighborhoods, particularly the lower rise, higher coverage building that is generally built on, or within a few feet of, the street line and creates the traditional city streetscape. The bulk regulations in these generic districts represented a break from the 1961 tower in the park concept and allowed the development of a building form which had been traditional until the 1961 Zoning Resolution. These districts were mapped first on Manhattan's West Side and Lexington Avenue and have since been applied to the Upper East Side mid-blocks, Beekman Place, Murray Hill, Windsor Terrace in Brooklyn and Middle Village in Queens. As the Commission examined additional neighborhoods, it became apparent that additional contextual districts were needed to reflect the varied character and built form of the city's medium to high density districts.

## Quality Housing

The Quality Housing Program seeks to encourage the production of multi-family housing, particularly in medium density districts, while maintaining the existing scale of buildings and quality of life in affected neighborhoods. At the same time, the proposal seeks to restore certainty to both the community and property owners in relation to what may be developed on any property by replacing the cumbersome special permit process with specific as-of-right regulations.

From November 1983 to November 1985, during the development of the Quality Housing proposal, department staff consulted with Community Board representatives and more than 60 organizations and individuals. The first draft of the proposal was circulated in May, 1985 to a wide variety of individuals and groups involved in the development process including all 59 Community Boards, members of the Board of Estimate and elected officials.

During this extensive review process the department prepared an Environmental Impact Statement (EIS) (see below). This study included a detailed cost analysis of prototype buildings developed under both the current zoning and the proposed Quality Housing Program, and an estimate of development patterns likely to occur if the proposal or one of several alternatives were adopted.

After a review of the public comments, the cost analysis, the induced development study and completion of the draft

EIS, a revised Quality Housing Program was formally referred on November 10, 1986 to the Community Boards, elected officials and other organizations involved in housing production issues.

The proposal, as referred, sought to:

- ° Delete the Housing Quality Special Permit (Section 74-95) from the Zoning Resolution and substitute as-of-right Quality Housing regulations with four program elements that would result in developments in harmony with their surroundings, providing on-site recreation space, adequately sized units, and a secure environment;
- ° Permit the use of the new Quality Housing Program in all multi-family non-contextual zones (R6 through R10) as an option to the 1961 zoning regulations. Under these optional regulations, on wide streets outside of the Manhattan core only, the FAR would increase in R6 zones from 2.43 to 3.0, in R7 zones from 3.44 to 4.0 and in R8 zones from 6.02 to 7.2. The Manhattan Core was defined as Manhattan south of 96th Street except for Community District #3;
- ° Mandate the use of the Quality Housing Program in all existing contextual districts -- R8A, R8B, R9A, R9X, R10A; and
- ° Establish new contextual districts that would permit higher coverage, lower rise, multi-family construction at floor area ratios of 2, 3, 4, 5 and 6, and require mandatory compliance with the Quality Housing Program

in such districts. The new contextual districts would then be available for mapping in selected neighborhoods where the existing bulk configuration and patterns of development are compatible with the proposed new districts.

#### Neighborhood Character

The Housing Quality Program, the contextual districts, and a number of special purpose zoning districts have all been designed with a common concern: that new construction be compatible with the scale and character of a neighborhood's existing buildings. Most neighborhoods have been shaped more by the pre-1961 zoning regulations and building economics which encouraged higher coverage, lower rise buildings than those promoted by the 1961 zoning. The pre-1961 regulations related the height of buildings to the width of the street. The proposed zoning changes would encourage development with heights and setbacks more in keeping with the pre-1961 multi-family development already in place.

#### Floor Area Ratios

The current bulk envelopes in R6, R7 and R8 districts permit apartment houses to be constructed at maximum FARs of 2.43, 3.44 and 6.02, respectively. These numbers, which derive from mathematical formulas relating building height to the percent of open space in a tower configuration, are often not the most appropriate for lower, bulkier building prototypes. In many instances, these formulas result in buildings that have less floor area than existing



neighborhood apartment houses and are inefficient to build and maintain. In other instances, the formulas encourage buildings which are not compatible with the existing scale. This incompatibility is of great concern in many neighborhoods throughout the city.

To provide zoning tools which would promote economical multi-family housing production that would more closely reflect the variety of the city's neighborhoods, the proposal would establish six new residential zoning districts and their commercial equivalents: R6B at 2.0 FAR, R6A and R7B at 3.0 FAR, R7A at 4.0 FAR, R7X at 5.0 FAR and R8X at 6.02 FAR. The districts with a B suffix are intended primarily for narrow streets, with height and setback regulations reflecting the limited light and air available. R6B is intended primarily for low-rise construction (three and four story) and R7B for apartment house construction. The A and X districts were contemplated primarily for wide streets with better access to light and air. (The X designation is used to signify an extra district, in addition to the non-suffix, the A and the B districts. Currently there is one X district, R9X. The proposed amendment includes R7X and R8X districts for mapping in areas where greater design flexibility is appropriate.)

#### Other Bulk Controls

In these new districts, lot coverages of up to 65 or 70 percent on interior or through lots, and up to 80 percent on corner parcels were proposed. It was proposed that the placement of buildings and their height be controlled by front and rear sky exposure planes. Together with

street wall placement requirements, the sky exposure planes create a fixed envelope under which a variety of building configurations could occur. These envelopes make development more in scale with its surroundings and also allow sufficient room within the envelope to permit design flexibility.

To avoid the negative effects of apartment houses adjacent to low-rise neighborhoods, an additional bulk restriction was proposed for the last 25 feet of a zoning lot adjacent to a district in which the maximum permitted FAR is 2.0 or less. Any floor area placed within this 25 foot strip would have to comply with the R6B envelope.

In R6B and R7B districts, front wall location requirements, similar to those now in R8B, were proposed to ensure that the front walls of new developments line up with existing buildings.

#### Zoning Lot Mergers and Transfer of Bulk Across District Boundaries

Within the Manhattan Core, there would be no change in the provisions regulating transfer of bulk across district boundaries. The current split lot provisions permit bulk to be averaged across district boundaries, and to move from a higher density district to a lower density district. Outside of the Manhattan Core, in R6, R7 and R8 districts, bulk would be transferable across district lines but only from the lower to the higher density district. The maximum FAR transferred would not be allowed to exceed twenty percent of the permitted FAR in the higher density

district and would not penetrate the height and setback requirements of the higher density district. This would provide an additional inducement to protecting the low scale of the lower density districts.

#### Quality Housing Program Elements

The proposed Quality Housing Program would encompass four program elements -- Neighborhood Impact, Recreation Space, Safety and Security, and Building Interior. All Quality Housing buildings must comply with all the requirements of the program elements.

Neighborhood character would be enhanced by the bulk requirements outlined above; by street tree planting requirements (one tree for every 25 feet of lot frontage); and by a ground floor glazing requirement for residential buildings in commercial zones (35% of the first 12 feet of building height).

Each of the other three programs -- Recreation Space; Safety and Security; and Building Interior -- were proposed to have a number of mandatory program elements as well as one component with two-tiered (minimum and preferred) standards.

The Recreation Space Program would consist of minimum and preferred requirements for the amount of equipped indoor and outdoor space; on-site planting requirements as a percentage of the lot area; and on-site tree planting requirements. If a development were to provide only the minimum required recreation space, it would have

to be designed to the preferred level of compliance for the major elements in the Safety and Security (dwelling units per corridor) and Building Interior programs (average dwelling unit size). Up to half of the difference between the minimum and preferred standards for recreation space could be met by balcony space. To encourage recessed balconies instead of protruding balconies, balconies enclosed up to 66 percent, instead of the current 50 percent, would be excluded from floor area.

Safety and Security would be encouraged by five program elements. The most important element would limit the number of dwelling units per corridor in order to encourage neighbor recognition. There would be a minimum and a preferred standard for the number of dwelling units per corridor. In addition, the zoning would require: entrances that are visible from the street; stairs or elevators that are visible from the entrance; doors to dwelling units placed so they are visible from the elevators; open spaces that are fenced and visible from the public spaces within the building; and locked entrances leading to an accessory garage (keys, keypads or similar devices could be used).

The most important element in the Building Interior program set minimum and preferred levels for the average size of dwelling units. Other requirements included larger windows than the Building Code requires (9.5 percent of dwelling unit size for buildings under 13 stories; 14 percent for buildings of 13 stories or more); privacy for ground-floor units to be achieved through the use of setbacks or screening; waste disposal, recycling and

on-site garbage storage; and laundry rooms on the premises. In addition, for each square foot of window glass area lighting a corridor, up to 14 feet of corridor space would be deductible from the floor area calculations.

Buildings using the Quality Housing Program would have to comply fully with the entire program. The program would also amend a number of other zoning regulations. The parking requirement for residential developments in R6 and R7 districts would be set at a minimum of 50 percent. The lot area per room measurement of density would be replaced by lot area per dwelling unit standard, the latter being a more accurate measure of population. The minimum distance between buildings formulas of Section 23-70 would not be applicable to Quality Housing developments. Instead, the minimum distance would be eight feet. However, 30 foot rear yards, 60 foot rear yard equivalents on through lots, and 30 foot window to wall requirements would remain in place to ensure adequate light and air.

#### Quality Housing Applicability

The Quality Housing Program would be mandatory to all developments, enlargements, extensions or conversions in all existing and future contextual districts. In other, non-contextual districts, the program would be optional. However, under the optional regulations, the program would not be applicable on a zoning lot with an existing building because further study was needed of methods to measure non-compliance when two sets of regulations apply to the same zoning lot. The Quality Housing Program would only be applicable in special districts

without specific bulk regulations (Transit Land Use and Limited Commercial). The remaining special districts would be studied later to determine whether the Quality Housing Program is compatible with the aims of the special district. The Quality Housing Program would not be applicable to large-scale residential developments because the large scale provisions permit waivers of height and setback requirements.

In the contextual districts, community facility buildings, and commercial building where permitted, must comply with the bulk requirements of the contextual districts. Under the optional regulations, in any building in which the residential portion is developed pursuant to the Quality Housing Program, any community facility, or commercial portion where permitted, must comply with the Quality Housing bulk regulations.

#### Modification of Contextual Zoning Regulations

A second text amendment (N 870197 ZRY) was proposed on November 12, 1986. It would clarify the current street wall requirements in the R8A, R9A, R9X and R10A districts and modify the R8B street wall location requirements. On a wide street and within 50 feet of a wide street these new R8B requirements would permit the street wall to be within 8 feet of the street line. Beyond 50 feet but less than 100 feet from the intersection with a wide street, the street wall must line up with an adjacent building if the adjacent building is within 15 feet of the street line. The R8B provisions for mid-blocks remain unchanged. To avoid confusion and provide improved

notice, N 870197 ZRY and N 870385 ZRY were combined and heard together on April 1, 1987 as N 870385 ZRY and N 870197(A) ZRY.

#### ENVIRONMENTAL REVIEW

An Environmental Impact Statement (EIS) (N 870385 ZRY) was prepared by the Department of City Planning to assess the impacts of the proposed Quality Housing Program, pursuant to City Environmental Quality Review (CEQR), Executive Order No. 91, dated August 24, 1977 and the regulations of the State Environmental Quality Review Act (SEQRA) as set forth in Part 617, Volume 6 of the New York Code of Rules and Regulations. The Draft EIS received a notice of completion (CEQR No. 85-241) from the Department of Environmental Protection and the Department of City Planning (co-lead agencies) on November 10, 1986.

It was determined by the co-lead agencies that the proposed clarification and modification of the contextual street wall requirements (N 870197 ZRY) would not create any significant impacts and a negative declaration was issued on this initially independent action on October 20, 1986 (CEQR No. 87-049Y).

During the period between the Draft and Final EIS, the Department has modified certain provisions of the proposed amendments based on public comments received. The changes made during this period are detailed later in this report and did not create any significant impacts.

Because the proposed text changes are city-wide in nature, a generic, programmatic EIS was prepared. The 34 study areas examined in the Final EIS were selected as representative of areas where development induced by the Quality Housing proposal might occur. The generic approach examined the potential impacts of such development on these, and by inference, other similar areas. The specific characteristics of these areas have been generalized, and the impacts resulting from the analyses are reported according to the category of impact.

Based on the achievement of the maximum potential development of 36,000 units by 1996, potential significant impacts were identified in the EIS according to study area.

The Department of City Planning (DCP) has identified certain programmatic measures to address impacts of the proposed action as they arise. DCP will monitor the development of new housing units in areas of the City that may receive development under the optional regulations (Tier 1 of the proposed action in the EIS.) The resulting report, issued annually, will identify and map new housing development induced by this proposal. It will be distributed to affected public agencies to facilitate their planning responses to changes within the affected areas and to initiate any necessary measures to prevent potential adverse impacts as identified in Chapter 5 of the Final Environmental Impact Statement (FEIS).

The City Department of Transportation (DOT) will implement a traffic monitoring program for any locations where significant project-induced traffic and mobile source



air quality impacts are identified. This monitoring program will begin in 1988, which is the first year that development induced as a result of the proposed action could reasonably be expected to occur.

For each location to be monitored:

1. DOT will collect two weeks of Automatic Traffic Recorder (ATR) counts three times a year; and do manual site evaluation to determine current conditions (signal timing, lane utilization, etc.) and
2. DOT will tabulate and forward the data to the co-lead agencies for review. For those locations where a significant increase in volumes is identified over the base condition, the State Implementation Plan (SIP) Coordination Group will implement a detailed traffic and air quality modeling program to determine appropriate mitigation measures.

#### LAND USE REVIEW PROCEDURE

On November 10, 1986, the City Planning Commission referred out the Quality Housing Program and on November 12, 1986, the City Planning Commission referred out the clarification and modification of the contextual street wall requirements. Both proposed amendments were referred to all 59 Community Boards and the five Borough Boards. Because of the potential significance of the Quality Housing Program, the Planning Commission delayed its anticipated date of public hearing from February to provide more opportunity for public comment.

On March 18, 1987 (Calendar #5) the Commission set April 1, 1987 for a public hearing on N 870197(A) ZRY and N 870385 ZRY. On April 1, 1987 (Calendar #23) the hearing was opened. The hearing was continued to May 6, 1987 on N 870197(A) ZRY and N 870385 ZRY (Calendar #10).

#### Community Board Public Hearings and Review

Most of the Community Boards and Borough boards requested and received presentations on the Quality Housing Program. In those presentations and accompanying discussions a number of comments and concerns were expressed by the Community and Borough Boards. In addition, some Community Boards adopted resolutions. Of these, 10 expressed support or conditional support (Brooklyn Community Boards 6, 12; Manhattan Community Boards 4, 5, 6, 8; Bronx Community Board 12; Staten Island Community Board 1 and Queens Community Boards 5 and 7.) In addition, two Community Boards requested the mapping of specific contextual zoning districts (Queens Community Board 1, Brooklyn Community Board 6). Several Community Boards expressed conditional opposition (Manhattan Community Board 7, Brooklyn Community Board 13) and several Community Boards were opposed (Queens Community Boards 2, and 3 and Manhattan Community Boards 2 and 3).

The major concerns expressed by the Community Boards were that:

- the developers and not the community would have the choice under the optional regulations to build either the tall slender tower or a Quality Housing building;
- while the optional regulations would become effective immediately, the community would have to wait for the completion of individual neighborhood studies to map contextual districts, and future contextual rezonings could not be assured;
- some areas, currently zoned R6 and R7, are primarily low-rise in character and not compatible with mid-rise apartment development;
- the cost savings of lower-rise construction would not be passed on to consumers, although two Community Boards were concerned that the costs of complying with the Quality Housing Program would wipe out the cost savings of lower-rise construction;
- particularly in parts of Queens, the potential for increased development would tax existing municipal resources especially schools, transit and street traffic capacities;
- in Brooklyn, Queens and Staten Island a 50 percent parking requirement is inadequate;
- existing commercial uses might be eliminated by new residential development;

- ° the core of Manhattan should be expanded to include all of Community Board #7 and Community Board #3; and
- ° protruding balconies should be eliminated.

The Manhattan Borough Board supported Quality Housing in principle but could not support the proposal unless the Manhattan Core included all of Community Board 7; development was subject to public review on wide streets outside of the core; balconies were included as floor area and adequate provisions were made for implementation. The Queens Borough Board recommended the proposal be adopted for contextual districts only, to be mapped on a neighborhood basis, with parking requirements based on automobile ownership and proximity to mass transit.

The Department of City Planning also had extensive discussions with community and civic organizations, individual architects and architectural organizations, developers, and other members of the real estate community. While voicing some of the concerns expressed by the community boards, these groups generally supported the proposal to promote more economical and more compatible mid-rise development in R6, R7 and R8 districts. In addition, they expressed the following comments and concerns:

- ° that the sky exposure planes in R6 and R7 districts were somewhat too restrictive to provide economical building designs;

- ° that on deep lots the sky exposure planes were too restrictive to permit the use of all of the available FAR in a practical manner;
- ° that in R9 and R10 districts the rear sky exposure planes placed severe limits on design flexibility and made it difficult for elevators to serve upper floors set back because of the rear sky exposure plane;
- ° that the requirement to meet the preferred standard for two out of three elements -- recreation space, density of apartments per corridor, or average dwelling unit size -- could not be practically met in all situations;
- ° that the minimum and preferred average dwelling unit sizes were too high;
- ° that alternative 4 height and setback regulations in R7X districts and alternative 3 height and setback regulations in R8X districts would result in buildings inappropriately tall for these densities;
- ° that all of the alternative height and setback regulations in R8 and R8X districts required setbacks and therefore added costs;
- ° that the cost of covered parking, necessitated by a parking requirement and high coverage buildings, would substantially raise construction costs and reduce housing production;

- that small sites require waivers and modifications of the parking requirement because of the difficulties of providing a ramp and the required parking on one level;
- that the visibility requirements of common spaces were difficult to meet particularly in buildings with two elevator cores;
- that the visual privacy standards were difficult to meet and provided only limited visual privacy;
- that the ground floor elevation requirements unnecessarily eliminated the possibility of providing stoops;
- that the requirements for larger window areas, particularly in buildings of 13 stories or more would unnecessarily limit the architectural style of these buildings, and;
- that the laundry rooms require too much open area.

Prior to the Commission's first public hearing a number of changes were made to the proposal in response to Community Board and public comments. These included:

- Eliminating the line-up requirement on narrow streets in non-contextual R6 and R7 districts. In these districts, the Quality Housing Program is optional. Buildings developed under the 1961 regulations need not line up with neighboring structures and there was little purpose in having Quality Housing buildings line up while other buildings need not line up;

- Permitting street wall setbacks within a maximum setback distance in the new contextual districts and in non-contextual R6-R10 districts. This would provide increased design flexibility;
- Eliminating the tallest height and setback alternative in R7X and R8X districts. Communities and architects expressed concern that these alternatives resulted in buildings that were too tall;
- Adding a new height and setback alternative in R8 and R8X districts that permits a lower building with little or no setbacks;
- Excluding construction in the existing contextual districts from the visual privacy requirements. Because of the street line, street wall requirements in these districts compliance could only be achieved by eliminating residential use on the ground floor or by raising the level of the first floor;
- Reducing the preferred average apartment size in R9 and R10 districts from 850 square feet to 800 square feet, recognizing the higher costs of construction and generally smaller household sizes in these districts;
- Reducing the aggregate area of window required in buildings of over 13 stories from 14 to 11.5 percent to provide more flexibility in designing building fenestration;

- ° Establishing specific cubic standards for refuse recycling, storage and disposal on recommendation of the Department of Sanitation;
- ° Permitting laundry rooms on each floor as an alternative means of satisfying the laundry facilities requirements;
- ° Raising the threshold for requiring indoor recreation space from 20 apartments to 40 apartments. Smaller buildings do not generate sufficient usage to require the construction of indoor recreation space and the minimum size space of 300 square feet is not generated below 40 dwelling units;
- ° Permitting child use space to be either indoors or outdoors. In many buildings it would be impractical to provide indoor child use space;
- ° Revising the requirement for dwelling units per corridor from 12 and 13 to 15 (17 for non-profit residences for the elderly). This will keep costs down by permitting developments on standard size lots to have only one vertical circulation core; and
- ° Permitting some open accessory parking once the requirements for outdoor recreation space and planting are met. On many sites this will lower the cost of providing more than the minimum required parking.



CITY PLANNING PUBLIC HEARINGS

A public hearing was held on the proposed amendment as modified (N 870385 ZRY and N 870197(A) ZRY) on April 1, 1987 (Calendar No. 23). Thirteen speakers appeared in favor and thirteen spoke in opposition. Three speakers from Woodside, Elmhurst and Maspeth spoke on the inappropriateness of R6 zoning in their neighborhoods.

Representatives of the Friends of the Upper East Side, the Carnegie Hill Neighbors, and the East Side Rezoning Alliance spoke in support, emphasizing the need to reduce the height of new development and the need for contextual zoning. They opposed balconies that protrude from building walls. They also opposed the grandfathering of both previously approved Housing Quality special permits which would not have completed foundations by the time the proposed text would be passed and the continued processing of Housing Quality special permit applications after the adoption of the proposed text would eliminate the Housing Quality special permit.

A representative of Citizen's Housing and Planning Council spoke in general support, while expressing concern that the cost of providing parking would reduce the level of housing produced, questioning the appropriateness of regulating interior design features, and the rear sky exposure plane in R9 and R10 districts.

Manhattan Community Board 6 spoke in favor, supporting increased outer borough development, requesting additional contextual zoning within Community District 6, but opposing

grandfathering for pending Housing Quality applications. Manhattan Community Board 4 endorsed the proposal with conditions relating to the uniform applicability of the lineup provision in R6B and R7B districts, the amount of ground floor glazing, the combined costs of the Quality Housing design features and the need for training Department of Building staff, community board members, architects, and others in the use of the Quality Housing Program.

A representative of the Queens County Builders and Contractors Association spoke in favor but noted a number of specific concerns including dwelling unit size, complying with the parking requirements and the need for modest additional flexibility in the sky exposure planes.

Representatives of the New York Chapter of the American Institute of Architects (NYCAIA) spoke in opposition. While endorsing the intent of the proposal, the NYCAIA submitted a detailed list of concerns, specifically: a lack of design flexibility; the rear sky exposure plane in R9 and R10 districts; smaller minimums for average dwelling unit size; the difficulty of satisfying the requirements for meeting two out of three preferred standards; window size; visual privacy; size of laundry facilities and windows in laundry facilities on individual floors; the entrance to building requirements; and the visibility to and from the vertical circulation core. Three individual architects opposed the proposal particularly because of the rear sky exposure plane in R9 and R10 districts and the difficulty in meeting the preferred standard requirements. A representative of the Real Estate Board of New York raised similar concerns while expressing

support in R6, R7 and R8 districts; and, together with attorneys representing several developers, requested grandfathering for existing Housing Quality applications. A representative of Manhattan Community Board #7 opposed the proposal because the definitions of the Manhattan Core divided Community District #7, there would be no community review of new buildings and the increase in FAR on wide streets outside of the Manhattan Core should not be part of a city-wide text change.

In response to the concerns expressed during the Community review process and at the April 1, public hearing, the Planning Commission made a number of revisions to the proposal. These:

- ° allow, for 25 percent of the streetwall, outer courts deeper than the maximum street wall setback distance under the optional regulations in R6, R7, R8, R9 and R10 districts and in R6A, R6B, R7A, R7B, R7X and R8X districts;
- ° change the slope of the rear sky exposure plane on wide streets in R9 and R10 districts from 1:1 to 1.5 :1;
- ° raise the starting height of the front sky exposure plane in R6 districts on narrow streets from 35 to 40 feet, and in R6B districts from 30 to 35 feet;
- ° raise the starting point of the rear sky exposure plane in R6 districts on wide streets, and R6A districts from 15 to 20 feet and in R7 districts on wide streets and R7A districts from 30 to 35 feet;

- ° change the requirement that developments meet the preferred standard for two out of three elements (recreation space, dwelling unit size or dwelling units per corridor) to one out of two (recreation space or dwelling unit size);
- ° permit developments that meet the preferred standard for dwelling units per corridor to exclude 50 percent of the corridor from the definition of floor area;
- ° reduce the rate for excluding corridor space from the definition of floor area, from 14 square feet to 7 square feet per square foot of window area provided in the corridor;
- ° permit windowless laundry rooms when such rooms serve only one story;
- ° establish a minimum size for outdoor recreation space of 225 square feet;
- ° permit buildings with more than one vertical circulation core to meet the visibility standard with the use of one mirror;
- ° measure visibility to an area three feet in front of elevator and apartment doors; an

expand the number of modifications the Planning Commission may authorize to existing Housing Quality special permits. These modifications would allow a reduction in the amount of laundry room space, but not below the current Housing Quality laundry room standard; allow reductions in bulk storage, but not below the current bulk storage standard; and allow floor area to be moved on the zoning lot within the permitted bulk envelope.

On May 6, 1987, the City Planning Commission continued the public hearing on the original combined text (N 870385 ZRY and N 870197(A) ZRY) and opened a hearing on the amended combined text (N 870385(A) and N 870197(A) ZRY) (Calendar Nos. 10 and 11) which had been set for hearing on April 22, 1987 (Calendar #5). There were 4 speakers in favor and 12 in opposition. A representative of Staten Island Community Board 1 supported the proposal but requested an increase in the parking requirement. Representatives of the Carnegie Hill Neighbors and the Friends of the Upper East Side Historic District reiterated their support and concerns expressed at the April 1 hearing. The Carnegie Hill Neighbors opposed changing the slope of the rear sky exposure plane to 1.5:1 on wide streets in R9 or R10, recommending instead that elevator cores be permitted to penetrate the rear sky exposure planes. A representative of the Queens County Builders and Contractors Association spoke in support, highlighting specific concerns about minimum average dwelling unit sizes and the difficulties of providing parking on small lots.

A representative of the Citizens Housing and Planning Council spoke in opposition primarily because of the high cost of parking. Several attorneys and architects and representatives of the Real Estate Board of New York spoke in opposition and reiterated concerns about the rear sky exposure plane in high density districts; grandfathering; and the need to modify the proposal to permit the use of the Quality Housing Program on zoning lots with existing buildings in the non-contextual zoning districts. Speaking in opposition, representatives of the City Club and the NYCAIA elaborated on the NYCAIA testimony at the April public hearing, adding that the elevation requirements for the main entrance effectively prohibited stoops. One architect spoke of the difficulty of using all of the available floor area under the sky exposure planes, particularly on deep lots. One person spoke of the need to rezone Elmhurst and one opposed the changes in the rear sky exposure plane and density bonuses.

#### CONSIDERATION

Virtually all interested observers concur on the need for increased housing production to help address the current shortage of available and affordable housing. The current proposal is but one of many actions necessary to satisfy the city's housing needs. The Quality Housing Program would revise the Zoning Resolution to promote medium density residential development consistent with other land use planning objectives by removing the current zoning constraints on economic and contextual housing development. The maximum potential development projected by the Environmental Impact Statement based on site availability,

cost and housing demand studies was 36,000 additional housing units generated by the Quality Housing Program over the next 10 years. The probable number of housing units is likely to be 20,000 to 30,000.

The current proposal is not a panacea for New York City's housing ills. Limited land availability, high interest rates and high construction costs relative to the incomes of many New York households place practical limits on the impact of any zoning change. The City of New York is attempting to address some of these problems through non-zoning means as well, including changes to construction codes, increased competition in the concrete industry, streamlined administrative procedures and allocation of \$4.2 billion for subsidized housing in the city's ten-year capital spending plan. Other important factors, in particular the maintenance of a stable economic environment with low interest rates and little inflation, are beyond the city's control.

Nevertheless, the Commission believes it is imperative to have zoning regulations that are compatible with the need to produce housing. In addition to increased market rate development, the cost savings achievable in medium density construction will permit available subsidy money to produce more housing and/or reach households with lower incomes.

As highlighted by many of the Community Boards that commented on this proposal, the need for increased housing production must be accommodated in the context of existing residential neighborhoods. In medium density districts, zoning regulations

that foster lower-rise construction also result in lower construction costs and make smaller -- 10,000 to 20,000 square foot sites -- more economical to build on. Under the optional regulations in R6-R10 district neighborhoods, the Quality Housing Program recognizes this and eliminates the current zoning incentives to produce out of character development. In addition, the proposed amendment would create six new contextual districts to provide a full range of contextual districts for the city's diverse neighborhoods.

The City Planning Commission believes that the housing developed under this program should provide amenities to improve its attractiveness and desirability throughout the life of the building. The Commission has established a variety of safety, recreation, and building interior requirements to ensure that new housing is of sufficient quality to remain desirable, and notes that these standards do not add substantial cost or significantly reduce design flexibility.

#### Bulk Regulations

The Commission reviewed the appropriateness of the proposed bulk regulations. Inside the Manhattan Core, south of 96th Street except for Community Board 3, the sales of new housing units are at high prices in a well established market. This makes construction feasible at the existing permitted FARs. Outside of the Manhattan Core, very little medium density housing is developed. In R6 and R7 districts, the current maximum FARs of 2.43 and 3.44 do not encourage practical buildings. These FARs were



designed to promote the tall tower surrounded by open space in conjunction with publicly assisted land assemblage and clearance. With most future development in these districts likely to be infill on modest size sites, sufficient floor area is needed for an efficient and economical building.

The Commission believes that 3.0 FAR on wide streets in R6 districts and 4.0 FAR on wide streets in R7 districts will produce such buildings at densities appropriate for these medium density neighborhoods. Encouraging new construction on wide streets, where the most appropriate sites are found, will draw development away from the narrow streets which are generally built up with lower-rise structures. Generally, apartment houses built under these proposed regulations will have less floor area than existing neighborhood apartment houses.

The Commission believes that the density increment in R8 districts on wide streets outside of the Manhattan Core provides an opportunity for increased infill housing development in areas well served by mass transit and already characterized by similar types of apartment houses.

However, narrow streets in R6 districts are typically developed at densities lower than 2.43. To more accurately reflect these existing densities and to ensure adequate light and air, the Commission is reducing the allowable FAR for buildings developed pursuant to the optional Quality Housing regulations on narrow streets from 2.43 to 2.0 FAR. Developers could choose to build under the 1961 regulations and achieve the maximum 2.43 FAR in

a tower, or they could use the optional Quality Housing regulations and build in a low-rise economical configuration at 2.0 FAR. The Commission believes that most developers will choose the low-rise option which is more economical and more compatible with the surrounding community.

In Borough Park, Brooklyn, where existing optional regulations already offer developers such a choice, all recent development has been in the low-rise format.

As proposed, the front yard requirements on narrow streets in R6B and R7B districts may have had inadvertent consequences on narrow corner lots or on shallow lots or blocks.

On corner lots with a width of less than 45 feet, requiring two front yards may have made the development of one or two row houses impractical. The proposal has, therefore, been revised to require only one front yard on such corner lots. The resulting building would be similar to existing corner row houses. On shallow lots and blocks, the requirement for front yards combined with the need for a 30 foot rear yard, or 60 foot rear yard equivalent on through lots, may have made it impractical to build on the remaining lot area. The Commission has revised the proposal to eliminate the front yard requirement in such situations.

R6B and R7B districts require that the front wall of new construction line-up with one of the neighboring buildings. On shallow lots and blocks the combination of the line-up and rear yard or rear yard equivalent requirements may have made building on the remaining lot area impractical. The Commission has revised the proposal to eliminate the line-up requirement on shallow lots and blocks. The line-up requirement was also removed

on block fronts that are predominantly vacant. In the absence of an existing character, a line-up requirement is not justified. This change will make R6B and R7B districts more practical in predominantly vacant areas where a medium density low or mid-rise environment is desirable.

On deep lots, the front and rear sky exposure planes may have made using all of the available floor area impossible. In non-contextual districts, this would encourage the development of tall towers and in all districts would encourage setbacks which increase the cost of construction and raise the height of new buildings. The proposal was revised to permit a stretched rear sky exposure plane. On lots deeper than 140 feet, for each extra foot in depth beyond 140 feet, the starting point of the rear sky exposure plane is moved back one foot. However, no building may penetrate the sky exposure planes or exceed the height permitted on lots of less than 140 feet in depth.

The rear sky exposure planes in R9 and R10 districts were the subject of more testimony at both public hearings than any other aspect of this proposal. The concerns related to design flexibility and elevator location. Prior to the May 6 public hearing, the Commission modified the slope of the rear sky exposure planes on wide streets from 1:1 to 1.5:1. In the R9 districts (including R9A and R9X) the Commission believes this change was sufficient to provide opportunities for creative design and economical elevator service to the upper setback floors. In R10 districts, however, the 1.5:1 rear sky exposure plane

conflicts with the practical provision of elevator service to the setback floors. The NYCAIA and the Carnegie Hill Neighbors suggested alternatives to, or exemptions from, the rear sky exposure planes. The Commission has asked the Department of City Planning to explore these and other options and report back on the best methods of regulating bulk above a contextual base in R10 districts. It would be premature to adopt a severely limiting rear sky exposure plane in advance of the completion of this work. Consequently, the proposal has been modified to remove the rear sky exposure plane on wide streets in R10 and R10A districts.

The proposed parking requirements were the subject of extensive comments from Community Boards, builders and housing advocates. The need for adequate off-street parking is a serious issue in many communities. Providing off-street parking in a mid-rise high-coverage building necessarily means that at least some parking must be enclosed. An enclosed parking space can cost \$15,000 or more to build. This represents 5 to 10 percent of the sales price of a 1000 square foot, two bedroom apartment. In many areas of the city, these costs cannot be recovered at the prevailing level of parking fees. A high parking requirement in the Zoning Resolution may mean that fewer households will be able to afford newly built housing and that less housing will be produced.

There are no easy answers to the parking dilemma. However, the Department of City Planning is now undertaking an extensive study of automobile ownership patterns in New York city. This study will explore the factors that influence car

ownership patterns in multi-family housing such as income, proximity to transit or employment, type of residential building, and accessibility of off-street parking. When this study is complete the department will re-examine the Zoning Resolution's parking requirements for residential development in light of the study's findings. It is anticipated that the results will enable the department to propose a method of creating separate parking districts, thus enabling it to tailor parking requirements to meet the needs of different types of communities.

As an interim measure, the department used as a model the Special Bay Ridge District. Large parts of this district are mapped over an R6 district with a high incidence of car ownership. This special district requires that apartment houses, where permitted, be developed in a configuration similar to that proposed for R6 wide streets and R6A under Quality Housing. The parking requirement in this district is set at 50 percent and this is the level required for R6 and R7 districts under the Quality Housing proposal.

The 50 percent requirement represents the minimum level necessary to avoid significant impacts on the surrounding neighborhood. In those areas where on-street parking is scarce and demand for off-street parking is strong, developments are likely to include higher levels of parking. Recent apartment house development in the Special Bay Ridge District has exceeded the minimum requirement.

In R6 and R7 districts the proposed 50 percent parking requirement generally coincides with the amount of parking that can be provided economically on one level of enclosed parking. To facilitate the provision of additional parking where feasible, the program has been revised to permit uncovered, on-grade parking on that portion of the development site remaining after the planting and recreation space requirements are met. Any such parking would have to be screened from on-site apartments, adjacent properties and the street. The current Zoning Resolution regulations recognize the difficulty of satisfying the parking requirements on small zoning lots and permits modifications or waivers on such lots. The Commission modified the proposal to make these provisions applicable to most Quality Housing developments. These requirements will be re-evaluated as part of the current parking study.

The Commission conducted a detailed review of the Quality Housing elements to more finely balance the need for these requirements against practical building limitations. During the past several months numerous architects and community boards have assisted in this review. The Commission has made a number of changes in these design elements to respond to these comments.

The minimum average size of apartments was reduced from 600 square feet to 575 square feet in R6, R7 and R8B districts; from 650 square feet to 625 square feet in R8, R9 and R9A districts; and from 700 square feet to 675 square feet in R9X and R10 districts. This will

apartments to provide windows measuring 9.5 percent of the net floor area. The 11.5 percent window requirement for buildings of 13 stories or more was removed. The 11.5 percent standard required a facade treatment that might conflict with the architectural style of existing neighborhoods and was considered too restrictive to be mandatory. The 9.5 percent standard assures an improvement in the light and air reaching individual dwelling units and coincides with the Commission's ongoing effort to shift from regulating rooms to regulating dwelling units as referred to above.

The requirements for the visual privacy of ground floor apartments were removed from the program. To be practical while permitting ground floor, street-facing apartments, the standards had to be so weak as to be ineffective. The proposal required the level of the ground floor to be within three feet of curb level to facilitate handicapped access. These standards inadvertently prohibited stoops and have been removed. Handicapped access is the subject of a proposed administrative code amendment.

The Commission also made several additional minor revisions to the program. These revisions:

- ° link the street planting requirements only to new developments or enlargements of 20 percent or more.

Small enlargements should not be burdened with the street planting requirements;

- ° require ground floor glazing in horizontal enlargements; vertical enlargements will be exempt from the requirement;
- ° require only refuse storage, not refuse removal on site;
- ° continue to require that recreation space remain accessible to residents of the building but do not set forth the hours of operation. The Commission anticipates that most housing will be cooperative or condominium ownership or publicly assisted, and believes that hours of operation will best be determined by building management;
- ° increase the number of elderly apartments permitted per corridor from 17 to 20; and
- ° exempt houses of worship from ground floor glazing requirements to permit these institutions to meet their special needs.

The Commission believes that the revised visibility standards for elevator cores and apartment doors are appropriate. Although the use of mirrors in buildings with multiple elevator cores is an imperfect solution, it provides



a basic level of visibility that makes corridors an undesirable place for individuals to hide or accost building residents. The Commission found the current laundry room standards adequate and typical of the better facilities now being provided.

The Commission does not believe that prohibiting protruding balconies is warranted. The provisions to permit some recessed balconies to be exempt from floor area will eliminate one current incentive to protruding balconies. In addition, in street wall contextual districts, the street wall location requirements already limit protruding balconies. It would be inappropriate to count these recessed or protruding balconies as floor area. As a rule, they do not become enclosed portions of the building or increase density.

The Quality Housing proposal would permit as-of-right development. If the proposal is to be effective, this is a necessity. The current zoning permits towers as-of-right. For the Quality Housing alternative to be meaningful, it cannot be encumbered by a lengthy and costly public review and environmental process. Moreover, the purpose of such a public review process must be an exercise of some discretionary approval. Since the Quality Housing Program sets forth the requirements that developments should satisfy, discretion necessarily would mean the

waiver of these requirements. Discretionary review would be contrary to the intent of the program which is to provide certainty to communities about future construction. In addition, permitting discretionary waivers would permit out of character development.

A number of commentators suggested that the Quality Housing Program should only be permitted in contextual districts and should not be an option in the non-contextual R6-R10 districts. They preferred that each individual community be studied for the appropriateness of contextual zoning. While the Commission recognizes that individual community reviews are necessary, it would be counterproductive to eliminate the optional regulations pending the completion of these studies. Doing so would encourage the development of out-of-scale, tall towers in many neighborhoods since that would be the only method of achieving the maximum FAR. Controversies over such construction in Windsor Terrace, Sunset Park, Middle Village, Elmhurst and Greenwich Village might have been avoided had the practical Quality Housing low-rise alternative been available.

The Commission is opposed to the grandfathering of Housing Quality special permits that have not vested. It is also opposed to the grandfathering of applications submitted, but not approved, prior to Board of Estimate action on this proposal. As a matter of policy, the Commission has adhered to the vesting standards set forth in Section 11-33 of the Zoning Resolution, and believes it would be inappropriate to change that policy now. It is unprecedented that a mere submission of an application should entitle the applicant to proceed even after repeal of the provisions

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N 870385(A) ZRY  
N 870197(A) ZRY

under which the application was filed. In this instance, it is particularly inappropriate since all applicants were informed repeatedly that the Commission was contemplating repeal of the Housing Quality Program and since the proposed repeal has been a matter of public record since May, 1985.

The 36,000 dwelling units that the EIS projected is the maximum that could be induced city-wide by this proposal over the next decade and would represent a 40 percent increase in the average annual rate of housing production in New York City. However, even assuming the maximum number projected, this new housing would add only modestly to the existing densities, increasing the total number of dwelling units by only one percent city-wide.

Individual neighborhoods need to be examined to determine whether they should be mapped for contextual zoning .

As highlighted in the EIS, some neighborhoods currently zoned for medium to high density are actually developed at lower densities. Together with the communities and other interested parties, the department will be examining these neighborhoods and recommending zoning changes where necessary.

In addition to the height and setback issues in R10 districts and the parking issues referred to above, the Commission has asked the department to examine how to use Quality Housing under the optional regulations on lots with existing buildings. Without this change, developments on merged lots are encouraged to build in a tower configuration. The Commission has considered the potential significant

impacts identified in the FEIS, among which, the most significant are on: school capacity; air quality; traffic; and housing production. The Commission has instructed the Department of City Planning to use its housing data base to track Quality Housing projects. This will enable the department to determine which, if any, neighborhoods have the potential to be impacted and will allow the City to target resources to mitigate any significant adverse impacts.

Lower density R3-2, R4 and R5 districts also face many similar issues, particularly neighborhood character, parking and housing production. These will be the subject of a separate study to be commenced after the Board of Estimate acts on the current proposal.

In conclusion, the Planning Commission believes the Quality Housing Program as modified, including the clarification and modification of the streetwall requirements in R8A, R8B, R9A, R9X and R10A districts, is an important zoning amendment to guide future development. The proposal protects the character of neighborhoods, ensures a minimum level of residential quality and promises increased housing production to help alleviate the current housing shortages.

#### ENVIRONMENTAL FINDINGS

Having considered the FEIS, the City Planning Commission finds that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones that minimize or

avoid adverse environmental effects to the maximum extent practicable; and

2. To the maximum extent practicable, the adverse environmental impacts revealed in the environmental impact statement process would be minimized or avoided by incorporating as conditions to the decision those mitigative measures identified as practicable.

This report, with the FEIS, shall constitute the written statement of facts supporting the decision and indicating the social, economic, and other factors and standards that form the basis of the decision, pursuant to 6 NYCRR 617.9 (c) (3).

Consequently, the Commission has determined that this application warrants approval.

Therefore, the City Planning Commission considers the proposed amendments, as modified, appropriate and adopted the following resolution on June 17, 1987 (Calendar No. 78).

RESOLVED: by the City Planning Commission that the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, pursuant to Section 200 of the New York City Charter, is further amended by the establishment of new contextual zoning districts; the establishment of the Quality Housing Program including the clarification and modification of the existing contextual districts; and the deletion of the Housing Quality Program as follows:

Matter in **Bold Type** is new;  
Matter in [brackets] is old, to be omitted;  
Matter in *italics* is defined in Section 12-10 or 28-02.

Article I

General Provisions

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

\* \* \*

11-12

Establishment of Districts

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

Residence Districts

\* \* \*

**R6A General Residence District**

**R6B General Residence District**

\* \* \*

**R7A General Residence District**

**R7B General Residence District**

**R7X General Residence District**

\* \* \*

**R8X General Residence District**

\* \* \*

Commercial Districts

\* \* \*

**C1-6A Local Retail District**

\* \* \*

**C1-7A Local Retail District**

\* \* \*

**C2-6A Local Service District**

\* \* \*

**C4-2A General Commercial District**

\* \* \*

**C4-3A General Commercial District**

\* \* \*

**C4-4A General Commercial District**

\* \* \*

**C4-5A General Commercial District**

\* \* \*

**C4-5X General Commercial District**

\* \* \*

**C5-1A Restricted Central Commercial District**

\* \* \*

**C6-3A General Central Commercial District**

\* \* \*

**C6-4A General Central Commercial District**

\* \* \*

12-10 DEFINITIONS

\* \* \*

**Lot Coverage, Quality Housing**

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

\* \* \*

**Manhattan Core**

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

\* \* \*

**Physical Culture or Health Establishments**

\* \* \*

[Non-commercial physical culture or health facilities in a Housing Quality development under Section 74-95 (Housing Quality Development), may qualify as a *community facility use* provided that such health related facilities are located in a C2, C4, C5 or C6 District and provided further that the Commission makes the findings as set forth in Section 73-36 (Physical Culture of Health Establishments) of the Zoning Resolution in lieu of the special permit procedure pursuant thereto.]

\* \* \*

**Sky exposure or front sky exposure plane**

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

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

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**Sky exposure plane, rear**

A "rear sky exposure plane" is an imaginary inclined plane:

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

\* \* \*

Article II

Residential District Regulations

\* \* \*

Chapter J Bulk Regulations for Residential Buildings in Residence Districts

23-00 APPLICABILITY AND GENERAL PURPOSES

23-01

Applicability of This Chapter

\* \* \*

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

Column A	Column B	Column C
R8A	R8	23-142, 23-143, 13-145, 23-22
R8B		23-223, 23-25, 23-533, 23-632 23-633, 23-71
R9A	R9	23-142, 23-143, 23-145, 23-22 23-223, 23-533, 23-632, 23-633 23.71
R9X	R9	23-142, 23-143, 23-145, 23.22 23-223, 23-25, 23-533, 23-632 23-71
R10A	R10	23-145, 23-15, 23.22, 23-223, 23-533, 23-632, 23-633, 23-71]

\* \* \*

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

\* \* \*

23-011

District designations

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

23-012

Quality Housing Program

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

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

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

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



## General Purposes of Residential Bulk Regulations

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

\* \* \*

## 23-13

## Balconies

## 23-131

In R1 through R10 Districts

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

In the districts indicated, balconies which:

- (a) are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height;
- (b) are located at or higher than the floor level of the third *story* of a *building* or at least 20 feet above *curb level* and except that in the case of a *residential building* not more than 32 feet in height, such balconies may be located at or above the floor level of the second *story* provided that such balcony is located not lower than seven feet above *curb level*, or seven feet above adjacent natural grade, whichever is higher;
- (c) have an aggregate length, at the level of any *story*, not exceeding 50 percent of the length at that level of the plane surface of the *building wall* from which they project; and
- (d) have an aggregate area of projection at the level of any *story*, not exceeding, in square feet, 1.8 times the length in feet at that level of such plane surface.

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

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

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

23-132

Balconies in R6A through R10A Districts

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

(a) In the districts indicated, balconies may be provided as set forth in Section 23-131 paragraphs (a) through (d) except that projections shall conform to the provisions of paragraph (b) below. In addition, balconies may be enclosed by the *building walls* provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height, and such balcony is counted as *Quality Housing lot coverage*. The area of such balcony shall be excluded from the definition of *floor area*.

(b) In no event shall balconies:

- (i) project by a distance greater than seven feet as measured from the plane surface of the *building wall* from which it projects;
- (ii) penetrate the *front or rear sky exposure planes*;
- (iii) project into the minimum required distance between *buildings* on the same *zoning lot*;
- (iv) cover more than 10 percent of the area designated as outdoor recreation space pursuant to Section 28-30 (RECREATION SPACE AND PLANTING AREAS).

23-14

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

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

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

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

\* \* \*

23-142

In R6, R7, R8 or R9 Districts

R6, R7, R8, R9

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

Table unchanged

\* \* \*

23-143

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

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

Table unchanged

\* \* \*

23-144

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

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

Table unchanged

\* \* \*

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

[23-145

In R8A, R8B, R9A, R9X or R10A Districts  
R8A.R9A.R8B.R9X

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

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

Table Unchanged

\* \* \*

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

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

R6,R7,R8,R9,R10

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

Maximum Quality Housing Lot Coverage (in percent)

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

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

\* \* \* lly

23-147

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

R6A,R7A,R6B,R7B,R7X

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

Maximum Quality Housing Lot Coverage (in percent)

Corner Lot	Interior Lot or Through Lot	Maximum Floor Area Ratio	District
80	60	3.90	R6A
80	60	2.00	R6B
80	65	5.01	R7A
80	65	3.90	R7B
80	70	5.01	R7X

\* \* \*

23-15

Maximum Floor Area Ratio in R10 Districts

R10

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

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

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

Section 23-18 (Floor Area Bonus for Arcades)

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

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

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

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

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

The provisions of Sections 23-16 (Floor Area Bonus for a Plaza), 23-17 (Floor Area Bonus for a Plaza-Connected Open Area) and 23-18 (Floor Area Bonus for Arcades) shall not apply to *developments* or *enlargements*, pursuant to the Quality Housing Program.

\* \* \*

23-19

Special Provisions for Zoning Lots Divided by District Boundaries

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

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

\* \* \*

23-22

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

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

\* \* \*

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

\* \* \*

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

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

\* \* \*

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

In R6, R7, R8, R9 or R10 Districts

\* \* \*

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

**REQUIRED LOT AREA**  
(in square feet)

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

**R6,R7,R8,R9,R10**

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

**REQUIRED AREA**  
(in square feet)

Per Dwelling Unit	Per Rooming Unit	District
278	206	R6
338	250	R6B
227	167	R6*,R6A,R7B
198	138	R7
169	125	R7*,R7A,R8B
135	100	R7X
123	88	R8,R8A,R8X
102	80	R8*
98	78	R9,R9A
88	66	R9X
79	60	R10,R10A

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

\* \* \*

23-225

Lot area requirements for non-profit residences for the elderly

R3,R4,R5,R6,R7

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

Table Unchanged

\* \* \*

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

R6,R7

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

**REQUIRED LOT AREA**  
(in square feet)

Per Dwelling Unit	Per Rooming Unit	District
183	146	R6.R6A.R7B
338	270	R6B
143	114	R7.R7A.R7X

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

\* \* \*

23-25

Special Provisions for Buildings Used Partly for Non-Residential Uses

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

In the districts indicated, if a *building* is used partly for *residences* and partly for *non-residential uses* (other than *community facility uses*, the provisions for which are set forth in Article II, Chapter 4), for each 100 square feet of *floor area* used for such *non-residential uses*, at least the amount *lot area* set forth in the following table shall be provided. *Developments, or enlargements* where permitted, pursuant to the quality Housing Program located within 100 feet of a *wide street* in R6, R7, or R8 Districts without a letter suffix outside the *Manhattan Core* shall provide the *lot area* designated by the same district with an asterick. Such *lot area* shall be in addition to that required for the *residential uses* under the provisions of Section 23-22 (Required Lot Area per Dwelling Unit or Per Room).

**REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA**

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

\* \* \*

23-28

Special Provisions for Zoning Lots Divided by District Boundaries

R1.R2.R3.R4.R5.R6.R7.R9.R10

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

\* \* \*

23-44

Permitted Obstructions in Required Yards or Rear Yard Equivalents

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

\* \* \*

Steps, and ramps for access by the handicapped

\* \* \*

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

(b)

\* \* \*

23-45

Minimum Required Front Yards

R1.R2.R3.R4.R5

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

FRONT YARD

Feet	District
20	R1
15	R2.R3
18	R4.R5

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*.

\* \* \*

23-462

Side yards for all other residential buildings

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

\* \* \*

R6, R7, R8, R9, R10

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

\* \* \*



23-464

Side yards for buildings used for permitted non-residential uses

\* \* \*

R6.R7.R8.R9.R10

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

\* \* \*

23-51

Special Provisions Applying along District Boundaries

R6.R7.R8.R9.R10

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

\* \* \*

23-53

Special Provisions for Through Lots

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

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

\* \* \*

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23-533

Required rear yard equivalents

R4.R5.R6.R7.R8.R9.R10

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

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

\* \* \*

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

\* \* \*

23-55

Special Provisions for Zoning Lots Divided by District Boundaries

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

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

\* \* \*

23-62

Permitted Obstructions

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

\* \* \*

23-63

Maximum Height of Front Wall and Required Front Setbacks

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

\* \* \*

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

\* \* \*

23-632

Front setbacks in districts where front yards are not required

\* \* \*

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

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

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

23-633

Street wall and height and setback regulations in certain districts

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

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

1. Location of Street Wall

R8A, R9A, R9X, R10A

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

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

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

Option 1

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

Option 2

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

Option 3

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

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

**Recesses shall comply with the applicable regulations of Section 23-80 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES.)**

R8A, R9A, R9X, R10A

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

Option 1

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

Option 2

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

**Recesses shall comply with the applicable regulations of Section 23-80 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).**

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

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

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

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

- (i) On a *wide street* the *street wall* shall be located within 8 feet of the *street line*. However, if the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line* is further than 8 feet from the *street line*, the *street wall* may be set back further than 8 feet but not more than either of such adjacent front walls. This requirement shall apply to all *developments* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.
- (ii) On a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street*, but within 100 feet of such intersection:
- 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 sub-section 1 paragraph (b) above. However, if a *street wall* is provided within the optional *street wall* portion of the *narrow street* frontage of such *zoning lot* it shall be subject to the location requirements of paragraph (i) above.
- (iii) On a *narrow street* except within a distance of 100 feet from an intersection with a *wide street* the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*.
- (iv) The mandatory *street wall* pursuant to paragraphs (i), (ii), and (iii) above shall extend the entire length of the *street line* of the *zoning lot* from *side lot line* to *side lot line* or intersecting *street wall*, except as provided in paragraph (ii) above, or sub-section 3 (Modification of Street Wall Requirements). Recesses and projections are permitted, except within 20 feet of a *street corner*, provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 per cent of the *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not extend more than two feet from the *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 23-80 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

R6B.R7B.R6A.R7A.R7X.R8X

- (d) In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts without a letter suffix, all *street walls* of any *development or enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street wall* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below except as provided in paragraph (f) and sub-section 3 (Street Wall Modifications) below. However, at any level a portion of any *street wall* below the height above the *street line* of the *sky exposure plane* may be located beyond the maximum *street wall* setback distance provided that such portion of the *street wall* does not exceed 25% of the length of that *street wall* and is located in an *outer court* which complies with the requirements of Section 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 on:
- (i) a *street* where existing *buildings* with *street walls* located between five and fifteen feet of the *street line* comprise less than 25 per cent 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 per cent 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) [(d)] In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, a vertical *enlargement* in excess of one *story* or 15 feet to an existing *building* is permitted only pursuant to the mandatory requirements of the above provisions or as a vertical extension of the existing *street wall* except as provided in [(3)] sub-section 3 below.

2. Height of Street Wall

[R8A, R8B, R9A, R9X, R10A]

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

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

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

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

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

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

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

R8A, R8B, R9A, R9X, R10A

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

R7X, R8X

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

3. Modifications of Street Wall Requirements

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

(a) In the districts indicated, on a zoning lot where there is an existing building to remain, and when there is to be a new development or enlargement, that includes new street walls, the requirements governing height and location of street walls shall not apply within a volume defined by the rear wall of the existing building [(W<sup>2</sup>)], the front lot line [(W<sup>1</sup>)], the prolongations of the side walls [(L)], and [a height of 150 feet above curb level. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined the requirements governing street wall height and location shall apply.]

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

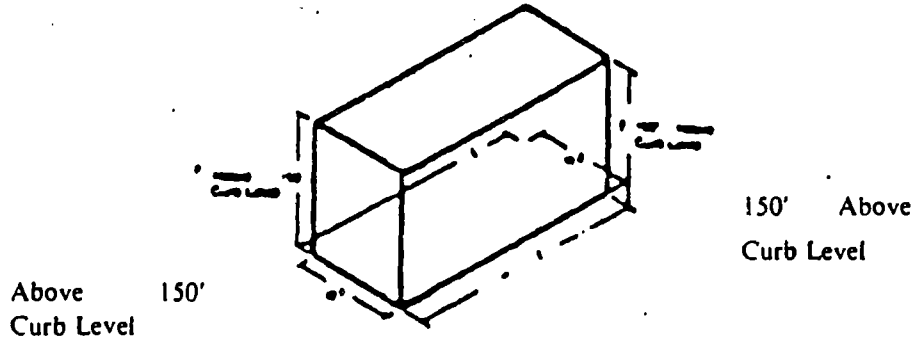


ILLUSTRATION OF STREET WALL REQUIREMENTS  
FOR CONTEXTUAL ZONES

L Sidewall and prolongation of existing building

W<sup>1</sup> Front lot line

W<sup>2</sup>Rear wall of existing building]

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

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

\* \* \*

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

4. Front and Rear Sky Exposure Planes

In the districts indicated, and for *residential buildings developed, or enlarged* where permitted, pursuant to the quality Housing Program in other R6, R7, R8, R9 or R10 Districts, no *building or other structure* shall penetrate [a *rear sky exposure plane* beginning at a distance of 100 feet from the *street line*, at a height of 30 feet above *curb level* with a slope of 1 foot vertical to 1 foot horizontal.] the *front or rear sky exposures planes* as set forth in the table below.

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.

• • •



TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)	
	On a Wide Street	On a Narrow Street	on a Wide Street	on a Narrow Street	Near Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance
					Height Above the 100-foot Line (in feet)	Vertical Distance to Horizontal Distance
B4B (1)	20	20	-	-	35	1.0 to 1.0
B6 (Narrow Street) (1)(2)	-	15	-	-	40	1.0 to 1.0
B6 (Wide Street - Inside Core) (3)	0	15	-	-	55	1.0 to 1.0
B6A, B6 (Wide Street (3) - Outside Core) (4)	0	15	-	-	60	1.0 to 1.0
B7B (1)	0	15	-	-	55	1.0 to 1.0
B7 (Narrow Street) (1)(2)	-	15	-	-	55	1.0 to 1.0
B7 (Wide Street (3) - Inside Core) (4)	0	15	-	-	60	1.0 to 1.0
B7A, B7 (Wide Street (3) - Outside Core) (4)	0	15	-	-	65	1.0 to 1.0
B7E - Alt - 1	0	15	-	-	85	1.0 to 1.0
- Alt - 2	0	15	-	-	115	1.0 to 1.0
- Alt - 3	0	15	-	-	135	1.0 to 1.0
B8B (7)	(5)	(5)	55	23	60	1.0 to 1.0
B8 (Narrow Street) (2)	-	15	-	-	90	1.0 to 1.0
B8 (Wide Street - (3) Inside Core) (4)	0	15	-	-	85	1.5 to 1.0
B8A	0	(6)	60	23	85	1.5 to 1.0

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

District	Maximum Street Wall Setback Distance		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)	
	Front Stry Exposure Plans		Near Sky Exposure Plans		Front Stry Exposure Plans	
	On a Wide Street	On a Narrow Street	Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
RX - Alt - 1						
R8 (Wide Street) - (3)	8	15	-	-	85	1.5 to 1.0
R8 (Wide Core) (4)	8	15	-	-	135	1.0 to 1.0
RX - Alt - 2	8	15	-	-	170	1.0 to 1.0
Alt - 3	-	15	-	-	93	1.5 to 1.0
R9 (Narrow Street) (2)	8	15	-	-	102	1.5 to 1.0
R9 (Wide Street) (3)	-	-	23	-	102	1.5 to 1.0
R9A (Wide Street) (2)	-	-	60	-	120	2.0 to 1.0
R9A (Wide) (3)	(8)	(6)	-	-	120	2.0 to 1.0
R9X (Narrow) (2)	-	-	105	-	150	2.5 to 1.0
R9X (Wide) (3)	(8)	(6)	-	-	150	2.5 to 1.0
R10 (Narrow Street) (2)	8	15	-	-	140	1.0 to 1.0
R10 (Wide Street) (3)	8	15	-	-	140	1.0 to 1.0
R10A (Narrow) (2)	-	-	23	-	140	1.0 to 1.0
R10A (Wide) (3)	(8)	(6)	125	-	150	2.5 to 1.0

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

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

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

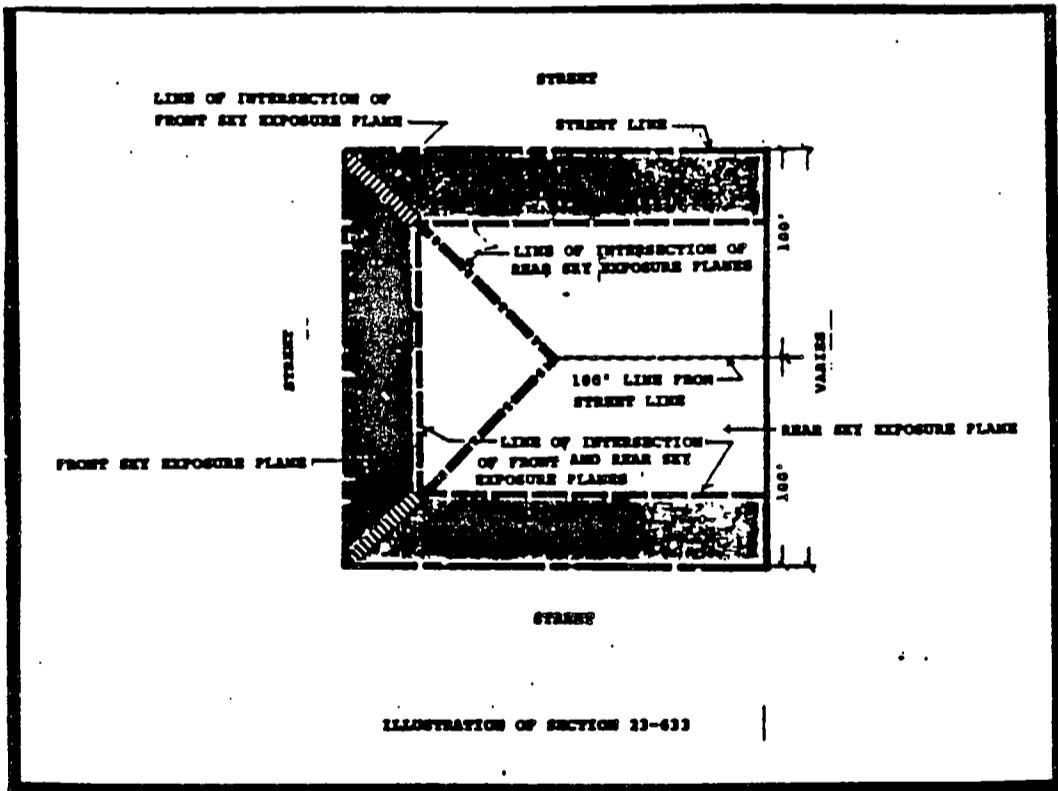
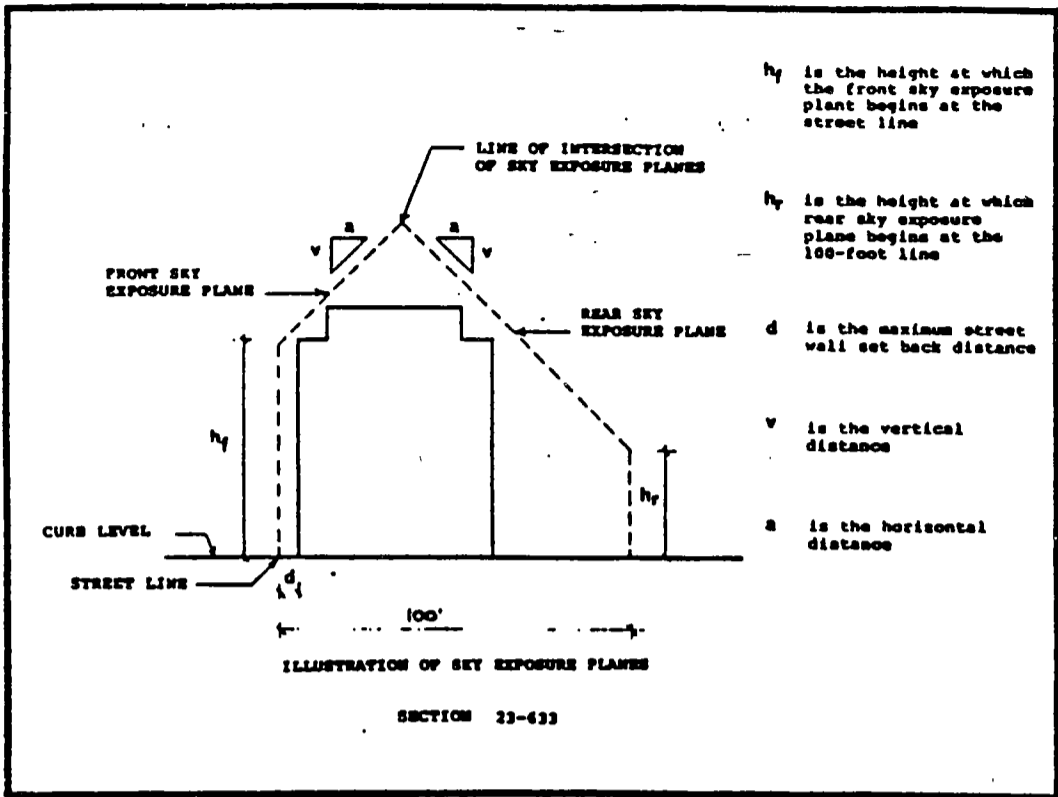
(4) Core refers to Manhattan Core.

(5) Varies, see Section 23-63) 1(c).

(6) Varies, see Section 23-63) 1(b).

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

(8) Varies, see Section 23-63) 1(b).



23-634

Provisions for lots more than 100 feet in depth

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

In the districts indicated, and for residential buildings developed, or enlarged where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts no building subject to the provisions of Section 23-633 (Street wall and height and setback regulations in certain districts) shall be permitted beyond 100 feet from a street line, except for permitted obstructions in rear yards or as permitted in Section 23-633 4. (Front and Rear Sky Exposure Planes).

\* \* \*

23-663

Required rear setbacks for tall buildings in other districts

R6, R7, R8, R9, R10

\* \* \*

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

\* \* \*

23-68

Special Provisions for Zoning Lots Divided by District Boundaries

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

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

\* \* \*

23-692

Additional Regulations for Narrow Buildings or Enlargements

In R7-2, R7X, R8, R9, R10 Districts, or in C1, or C2 Commercial Districts with equivalent residential floor area ratios, and in C4-5X C4-6A, C4-7A, C5-1A, [and] C6-2A, C6-3A or C6-4A Districts, if the width of a street wall of a new building or the enlarged portion of an existing building is 45 feet or less, the alternate front setback and tower regulations of Section 23-64 (Alternate Front Setbacks), 23-65 (Tower Regulations), 33-44 (Alternate Front Setbacks) and 33-45 (Tower Regulations) shall be inapplicable.

\* \* \*

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

23-71

Minimum Distance between Buildings on a Single Zoning Lot

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

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

\* \* \*

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

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

\* \* \*

Chapter 4 Bulk Regulations for Community Facility  
Buildings in Residence Districts

24-00 APPLICABILITY, GENERAL PURPOSES, AND DEFINITIONS

24-01

Applicability of this Chapter

\* \* \*

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

Column A	Column B	Column C
R8A	R8	24-11, 24-382, 24, 52, 24-523
R8B	R8	24-11, 24-21, 24, 382 24-52, 24-523
R9A R9X	R9	24-11, 24-21, 24-22, 24, 382 24-52, 24-523
R10A	R10	24-11, 24-22, 24-382, 24-52, 24-523]

\* \* \*

24-011

District designations

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

\* \* \*

24-012

Quality Housing Program

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

In other R6, R7, R8, R9 or R10 Districts, the *bulk* regulations applicable to Quality Housing *developments* may, as an alternative, be applied to the *residential* portion of a *building* under the same conditions set forth in Section 23-012 provided that:

- (a) the entire *building* is *developed* pursuant to the *bulk* regulations in Article II, Chapter 4 for buildings in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program; and
- (b) the entire *building* complies with the applicable provisions of Article II, Chapter 8.

\* \* \*

24-02

General Purposes of Community Facility Bulk Regulations

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

\* \* \*

24-10 FLOOR AREA AND LOT COVERAGE REGULATIONS

24-11

Maximum Floor Area Ratio and Percent of Lot Coverage

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

\* \* \*

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

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE

Lot coverage  
(percent of lot  
area)

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

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

g t  
24-111

11y Maximum floor area ratio for certain community facility uses

\* \* \*

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

\* \* \*

(b) In the districts indicated for any zoning lot containing nursing homes, health related facilities or domiciliary care facilities for adults each of which have secured certifications by the appropriate governmental agency, sanitariums or philanthropic or non-profit institutions with sleeping accommodations as listed in Use Group 3, the allowable floor area ratio shall not exceed the maximum floor area ratio as set forth in the table below, except where the permissible floor area ratio is modified pursuant to Section 24-902 (Bulk modifications for certain community facility uses).

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

\* \* \*

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

\* \* \*

24-174

Location of open space for residential portion

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

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

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

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

24-175

Balconies in R3 through R10 districts

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

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

Balconies which:

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

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

- (i) [a] *Open Space*, as defined in Section 12-10 (Definitions);
- (ii) [b] *Plazas*, as defined in Section 12-10 (Definitions);
- (iii) [c] *Rear yards*, as defined in Section 12-10 (Definitions);

- (iv) [d] *Initial setback distances or sky exposure planes*, as set forth in Section 24-52 (Maximum Height of Front Wall and Required Front Setbacks);
- (v) [e] *Alternate front setbacks or sky exposure planes*, as set forth in Section 24-53 (Alternate Front Setbacks); -
- (vi) [f] *Open area not occupied by towers*, as set forth in Section 24-54 (Tower Regulations);
- (vii) [g] *Required side and rear setbacks*, as set forth in Section 24-55 (Required Side and Rear Setbacks);
- (viii) [h] *Pedestrian mall*.

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

**24-176**

**Balconies in R6A through R10A Districts**

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

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

\* \* \*

**24-18**

**Special Provisions for Zoning Lots Divided by District Boundaries**

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

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

\* \* \*



24-21

Required Lot Area

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

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

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

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

REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA USED FOR COMMUNITY FACILITY USE in Square Feet	District
100	R1, R2, R3
50	R6B
33	R6A, R7B
25	R7A, [R8A], R8B
20	R6, R7-1, R7X
15	R7-2, R8, R8A, R8X
13	R9A
11	R9X
10	R9, R10, R10A

\* \* \*

24-23

Special Provisions for Zoning Lots Divided by District Boundaries

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

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

\* \* \*

24-34

Minimum Required Front Yards

R1.R2.R3.R4.R5

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

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

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*.

\* \* \*

24-35

Minimum Required Side Yards

\* \* \*

R6.R7.R8.R9.R10

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

24-351

Special provisions applying along district boundaries

R6.R7.R8.R9.R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4, or R5 District coincides with a *side lot line* of a *zoning lot*, a *side yard* at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, the requirements for R6B Districts in Sections 24-34 (Minimum Required Front Yards) and 24-523 (Street wall and height and setback regulations in certain districts) shall apply to any portion of a *building* located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District if the *building* that contains such portion is:

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

\* \* \*

24-38

Special Provisions for Through Lots

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

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

\* \* \*

24-382

Required rear yard equivalents

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

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

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

\* \* \*

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

\* \* \*

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

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

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

\* \* \*

24-51

Permitted Obstructions

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

\* \* \*

24-52

Maximum Height of Front Wall and Required Front Setbacks

\* \* \*

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

\* \* \*

24-522

Front setbacks in districts where front yards are not required

(a) existing text to remain

\* \* \*

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

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

24-523

Street wall and height and setback regulations in certain districts

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

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

1. Location of Street Wall

R8A, R9A, R9X, R10A

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

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

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

Option 1

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

Option 2

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

Option 3

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

Recesses shall comply with the applicable regulations of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

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

R8A, R9A, R9X, R10A

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

Option 1

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

Option 2

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

Recesses shall comply with the applicable regulations of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

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

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

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

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

- (i) On a *wide street* the *street wall* shall be located within 8 feet of the *street line*. However, if the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line* is further than 8 feet from the *street line*, the *street wall* may be set back further than 8 feet but not more than either of such adjacent front walls. This requirement shall apply to all *developments* or *enlargements* on *zoning lots* along a *narrow street* within 50 feet of its intersection with a *wide street*.
- (ii) On a *narrow street* beyond a distance of 50 feet from its intersection with a *wide street*, but within 100 feet of such intersection:
- 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 sub-section 1 paragraph (b) above. However, if a *street wall* is provided within the optional *street wall* portion of the *narrow street* frontage of such *zoning lot* it shall be subject to the location requirements of paragraph (i) above.
- (iii) On a *narrow street* except within a distance of 100 feet from an intersection with a *wide street* the *street wall* shall be neither closer to nor further from the *street line* than the front wall of any adjacent existing *building* on the same or another *zoning lot* fronting on the same *street line*, but need not be more than 15 feet from the *street line*.
- (iv) The mandatory *street wall* pursuant to paragraphs (i), (ii), and (iii) above shall extend the entire length of the *street line* of the *zoning lot* from *side lot line* to *side lot line* or intersecting *street wall*, except as provided in paragraph (ii) above, sub-section 3 (Modification of Street Wall Requirements). Recesses and projections are permitted, except within 20 feet of a *street* corner, provided that the aggregate length of all recesses or projections at the level of any *story* does not exceed 50 percent of the *street wall*. The depth of such recesses or projections shall not exceed four feet and balconies shall not extend more than two feet from the *street wall* of a *building*. Recesses shall comply with the applicable *outer court* regulations of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

R6B.R7B.R8X.R6A.R7A.R7X

(d) In the districts indicated for any *development* or *enlargement*, and for buildings in which the *residential* portion of *developed* or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, all *street walls* of any *development* or *enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street walls* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below except as provided in paragraph (f) and sub-section 3 (Street Wall Modifications) below. However, at any level a portion of any *street wall* below the height above the *street line* of the *sky exposure plane* may be located beyond the maximum *street wall* setback distance provided that such portion of the *street wall* does not exceed 25% of the length of that *street wall* and is located in an *outer court* which complies with the requirements of Section 24-60 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES). No driveways or parking spaces are permitted in such *outer court*.

R6B.R7B

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

(i) a *street* where existing *buildings* with *street walls* located between five and 15 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 *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) [(d)] In the districts indicated for any *development* or *enlargement*, and for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9, or R10 Districts, a vertical *enlargement* in excess of one *story* or 15 feet to an existing *building* is permitted only pursuant to the mandatory requirements of the above provisions or as a vertical extension of the existing *street wall* except as provided in [(3)] sub-section 3 below.

2. Height of Street Wall

[R8A, R8B, R9A, R9X, R10A]

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

Column A		Column B			
		<i>Sky Exposure Plane**</i>			
Mandatory minimum height of <i>street wall</i> (in feet)	Maximum permitted height of <i>street wall</i> without setback at the <i>street line</i> (in feet)	Slope over <i>zoning lot</i> (expressed as a ratio of vertical to horizontal distance)			
Wide <i>street</i> *	Narrow <i>street</i> *	Vertical	Horizontal		
60	23	1.5	10	1	R8A
55	23***	1.0	10	1	R8B**
60	23***	1.5	10	1	R9A
110	23***	2.0	10	1	R9X
125	23***	2.5	10	1	R10A

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

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

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

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

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

R8A, R8B, R9A, R9X, R10A

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

R7X, R8X

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

3. Modifications of Street Wall Requirements

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

(a) In the districts indicated, on a zoning lot where there is an existing building to remain, and when there is to be a new development or enlargement, that includes new street walls, the requirements governing height and location of street walls shall not apply within a volume defined by the rear wall of the existing building [(W<sup>2</sup>)], the front lot line [(W<sup>1</sup>)], the prolongations of the side walls [(L)], and [a height of 150 feet above curb level. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined, the requirements governing street wall height and location shall apply.]

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

[

150' Above  
Curb Level

Above 150'  
Curb Level

L Sidewall and prolongation of existing building

W<sup>1</sup> Front lot line

W<sup>2</sup> Rear wall of existing building]

\* \* \*

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

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

\* \* \*



4. Front and Rear Sky Exposure Planes

In the districts indicated, and for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted in other R6, R7, R8, R9 or R10 Districts, no *building* or *other structure* shall penetrate [a *rear sky exposure plane* beginning at a distance of 100 feet from the *street line*, at a height of 30 feet above *curb level* with a slope of 1 foot vertical to 1 foot horizontal.]

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

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.

\* \* \*

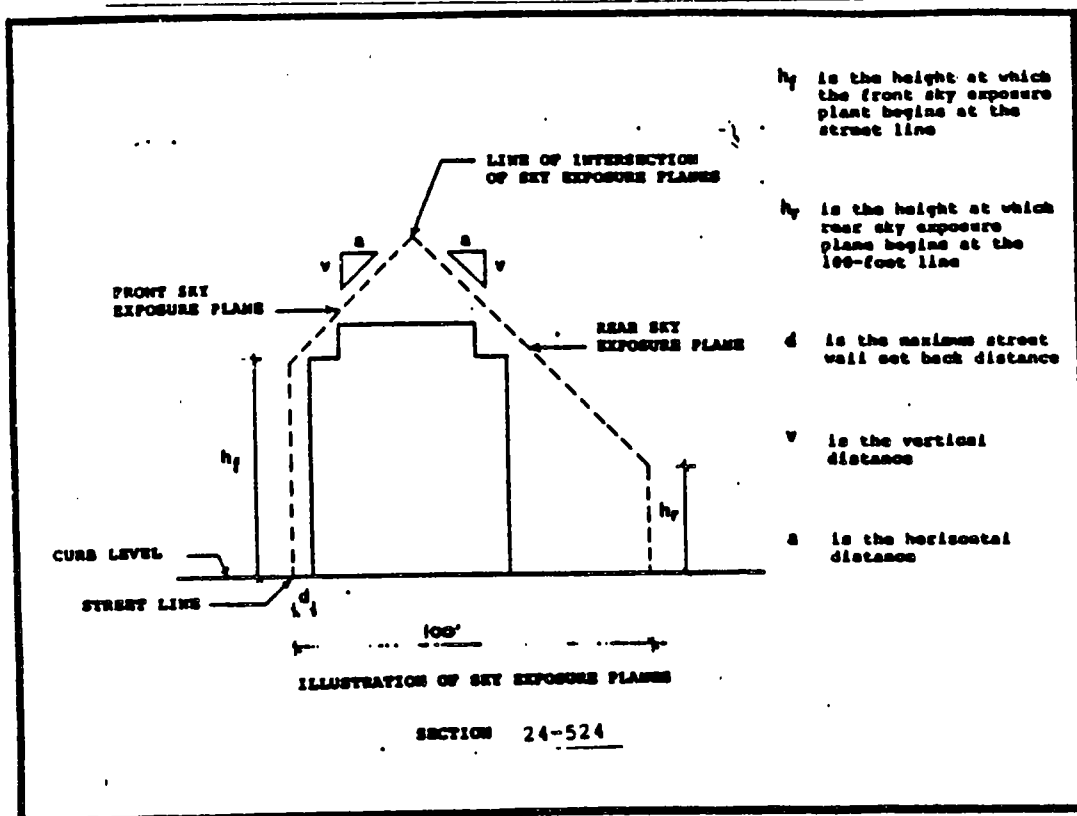
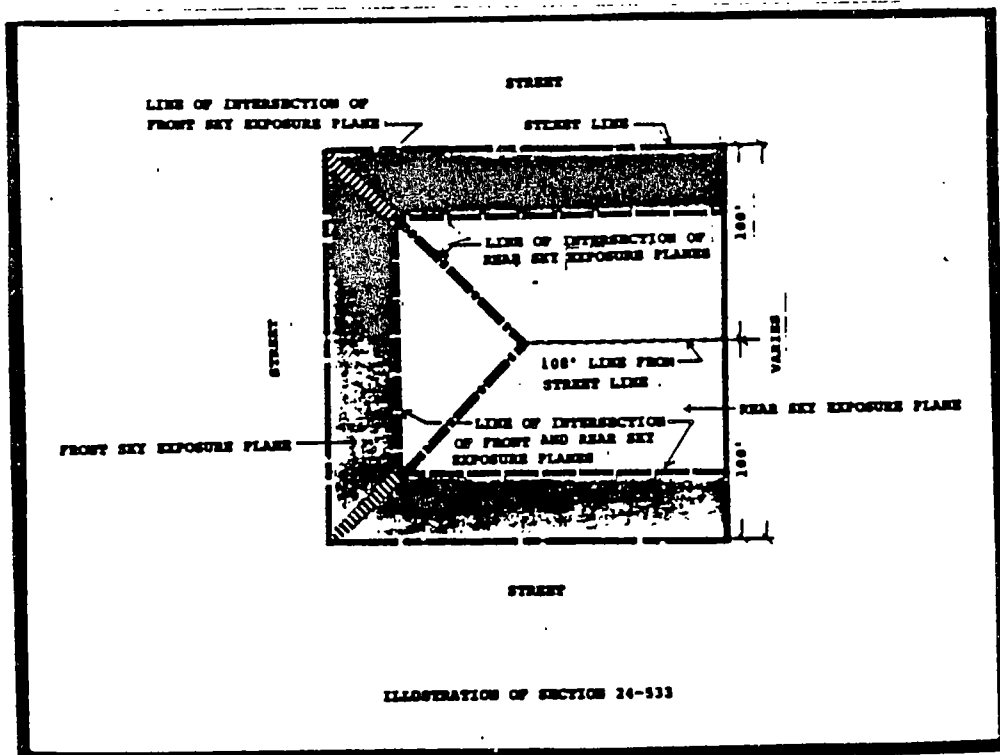
TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
B4B (1)	20	20	-	-	35	1.0 to 1.0	0	1.0 to 1.0
B4 (Narrow Street) (1)(2)	-	15	-	-	40	1.0 to 1.0	10	1.0 to 1.0
B4 (Wide Street - Inside Core) (3)	0	15	-	-	55	1.0 to 1.0	10	1.0 to 1.0
B4A, B4 (Wide Street (3) - Outside Core) (4)	0	15	-	-	60	1.0 to 1.0	20	1.0 to 1.0
B7B (1)	0	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
B7 (Narrow Street) (1)(2)	-	15	-	-	55	1.0 to 1.0	30	1.0 to 1.0
B7 (Wide Street (3) - Inside Core) (4)	0	15	-	-	60	1.0 to 1.0	30	1.0 to 1.0
B7A, B7 (Wide Street (3) - Outside Core) (4)	0	15	-	-	65	1.0 to 1.0	35	1.0 to 1.0
B7E - Alt - 1	0	15	-	-	85	1.0 to 1.0	45	1.0 to 1.0
- Alt - 2	0	15	-	-	115	1.0 to 1.0	60	1.0 to 1.0
- Alt - 3	0	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0
B8B (7)	(5)	(5)	55	23	40	1.0 to 1.0	30	1.0 to 1.0
B8 (Narrow Street) (2)	-	15	-	-	60	1.0 to 1.0	70	1.0 to 1.0
B8 (Wide Street - (3) Inside Core) (4)	0	15	-	-	85	1.5 to 1.0	60	1.0 to 1.0
B8A	0	(6)	60	23	85	1.5 to 1.0	80	1.0 to 1.0

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

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Slope Over Zoning Lot (Expressed as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street	on a Narrow Street	on a Wide Street	on a Narrow Street	Front Sky Exposure Plane		Rear Sky Exposure Plane	
					Height Above the Street Line (in feet)	Vertical Distance to Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance to Horizontal Distance
B8K - Alt - 1	-	-	-	-	35	1.5 to 1.0	80	1.0 to 1.0
B8 (Wide Street - (3) Outside Core) (4)	0	15	-	-	135	1.0 to 1.0	105	1.0 to 1.0
B8K - Alt - 2	0	15	-	-	170	1.0 to 1.0	145	1.0 to 1.0
- Alt - 3	0	15	-	-	93	1.5 to 1.0	100	1.0 to 1.0
B9 (Narrow Street) (2)	-	15	-	-	102	1.5 to 1.0	100	1.0 to 1.0
B9 (Wide Street) (3)	0	15	-	-	102	1.5 to 1.0	100	1.0 to 1.0
B9A Narrow (2)	-	(8)	-	23	102	1.5 to 1.0	100	1.5 to 1.0
B9A (Wide) (3)	(8)	-	60	-	102	1.5 to 1.0	100	1.5 to 1.0
B9X (Narrow) (2)	-	(6)	-	23	120	2.0 to 1.0	120	1.0 to 1.0
B9X (Wide) (3)	(8)	-	105	-	120	2.0 to 1.0	120	1.5 to 1.0
B10 (Narrow Street) (2)	-	15	-	-	150	2.5 to 1.0	120	1.0 to 1.0
B10 (Wide Street) (3)	0	15	-	-	150	2.5 to 1.0	-	-
B10A Narrow (2)	-	(6)	-	23	150	2.5 to 1.0	140	1.0 to 1.0
B10A (Wide) (3)	(8)	-	125	-	150	2.5 to 1.0	-	-

- (1) A front yard with a minimum depth of 5 feet is required.
- (2) Refer to that portion of a district on a narrow street except within a distance of 100 feet from its intersection with a wide street.
- (3) Refer to that portion of a district which is within 100 feet of a wide street.
- (4) Core refers to Manhattan Core.
- (5) Varies, see Section 24-523 1(c).
- (6) Varies, see Section 24-523 1(b).
- (7) A setback of 20 feet from the mandatory setback wall is required at a height of 60 feet.
- (8) Varies, see Section 24-523 1(b).



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).

\* \* \*

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

24-552

Required rear setbacks for tall buildings

\* \* \*

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*.

\* \* \*

24-58

Special Provisions for Zoning Lots Divided by District Boundaries

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

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

lly

\* \* \*

24-591

Additional regulations for narrow buildings or enlargements

R7-2.R8.R9.R10.R7X

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

\* \* \*

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

25-00 GENERAL PURPOSES AND DEFINITIONS

\* \* \*

25-024

District designations

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

\* \* \*

25-025

Applicability of regulations to Quality Housing

On any zoning lot containing residential uses developed, enlarged or converted pursuant to the Quality Housing Program, all accessory off-street parking spaces shall comply with the provisions of Section 28-50 (PARKING FOR QUALITY HOUSING).

\* \* \*

25-16

Maximum Spaces for Other than Single-Family Detached Residences

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

In the districts indicated, the provisions of this section shall apply to all dwelling units or rooming units in residential buildings other than Quality Housing buildings and single-family detached residences, except as provided in Section 25-17 (Modification of Maximum Spaces for Other than Single-Family Detached Residences).

\* \* \*

25-23

Requirements Where Group Parking Facilities Are Provided

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

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

PARKING SPACES REQUIRED WHERE GROUP PARKING FACILITIES ARE PROVIDED.

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

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

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

\* \* \*

25-241

Reduced requirements

R6. R7. R8. R9. R10

In the districts indicated, for zoning lots of 10,000 or 15,000 square feet or less, the number of required accessory off-street parking spaces is as set forth in the following table:

Lot area	REDUCED REQUIREMENTS FOR SMALL ZONING LOTS Parking spaces required as a percent of total dwelling units				
	50	R6	R7B		
10,000 square feet or less	30		R7-1	R7A	R7X
	30	†	R7-2	[R8B]	
10,001 to 15,000 square feet	20			R8*	R9 R10

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

In R8B Districts the parking requirements may not be reduced.

25-242

Waiver of requirements for small zoning lots in high bulk districts

R7-2. R8. R9. R10

In the districts indicated, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be waived for zoning lots of 10,000 square feet or less[,] except in R8B Districts.

25-25

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

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

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

- (a) All dwelling units in publicly-assisted housing developments approved by the City Planning Commission and the Board of Estimate which limit maximum tenant income and receive cash and/or interest subsidies under Federal mortgage programs;
- (b) All dwelling units in low rent public housing developments owned by or constructed for the New York City Housing Authority or other public authority and receiving cash subsidies, or dwelling units in new housing developments approved by the City Planning Commission and the Board of Estimate that are reserved for low-income tenants for a period of not less than 40 years at rentals equivalent to rentals in low rent public housing developments receiving cash subsidies;
- (c) All dwelling units in publicly-assisted housing developments approved by the City Planning Commission and the Board of Estimate which limit maximum tenant income and receive rent subsidy contracts under Federal rent subsidy programs, other than such developments owned by or constructed for the New York City Housing Authority which have received "plan" and "project" approval prior to June 30, 1975; and non-profit residences for the elderly or dwelling units for the elderly;
- (d) Non-profit residences for the elderly or dwelling units in a publicly-assisted or public housing development that are reserved for elderly tenants for a period of not less than 40 years and that comply with the appropriate space requirements for related accessory social and welfare facilities set forth in the definition of a non-profit residence for the elderly in Section 12-10 (DEFINITIONS).

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

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or Dwelling Units for Low Income Tenants	Non-Profit Residences for the Elderly or dwelling units for the Elderly	Government Assisted Housing	District
80	65	50	1	80	R1, R2
80	65	50	35	80	R3, R4
70	56	42.5	31.5	70	R5
55	45	35	22.5	55	R6**
39	32	25	16	35	R6A, R6B, R7B
45	38	30	20	45	R7-1**
30	23	15	12.5	25	R7-2, R7A, R7X, R8B*
30	21	12	10	25	R8, R8A, R8X, R9, R10

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

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

District	Applicable District Parking Requirement
R6	R6A
R7-1	R7A

25-26

Waiver of Requirements for Small Number of Spaces

\* \* \*

25-261

For new developments or enlargements

R6.R7.R8.R9.R10

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

Maximum Number of Spaces Waived		
5	R6 R7-1 R7-B	
15	R7A R7X	R7-2 R8 R9 R10

25-262

For conversions

R6.R7-1.R7A,R7B,R7X

In the districts indicated<sup>2</sup>, the conversions in *buildings*, or portions thereof, which result in the creation of additional *dwelling units* or *rooming units*, the maximum number of *accessory* off-street parking spaces for which requirements are waived is 20 spaces, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

\* \* \*

25-28

Special Provisions for Zoning Lots Divided by District Boundaries

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

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

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

25-31

General Provisions

\* \* \*

REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES

Type of use	Parking spaces required in relation to specified unit of measurement	
<b>FOR COMMUNITY FACILITY USES</b>		
Hospitals and related facilities <sup>1</sup>	1 per 5 beds	R1 R2 R3 R4 R5
	1 per 8 beds	R6 R7B R7-1
	1 per 10 beds	R7A R7X R7-2 R8 R9 R10
Medical offices or group medical centers	Square feet of floor area:	
	None required	R7A R7X R7-2 R8 R9 R10
	1 per 400	R1 R2 R3
	1 per 500	R4 R5
	1 per 800	R6 R7B R7-1
Churches	None required	R7A R7X R7-2 R8 R9 R10
	1 per 10 fixed seats	R1 R2 R3
	1 per 15 fixed seats	R4 R5
	1 per 20 fixed seats	R6 R7B R7-1



Clubs, community centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf	Rated Capacity: None required	R7A R7X R7-2 R8 R9 R10
	1 per 10 persons	R1 R2 R3 R4 R5
course club houses:	1 per 20 persons	R6 R7B R7-1
health centers: non-commercial recreation centers; or welfare centers, provided that in R5, R6 and R7-1 districts, no <i>accessory</i> off-street parking spaces shall be required for that portion of a non-profit neighborhood settlement house or community center which is used for youth-oriented activities.		
	<i>Square feet of floor area</i>	
Libraries, museums, or non-commercial art galleries <sup>1</sup>	None required	R7A R7X R7-2 R8 R9 R10
	1 per 1,000	R1 R2 R3 R4 R5
	1 per 2,000	R6 R7-1 R7B
College dormitories, fraternity or houses	None required	R7A R7X R7-2 R8 R9 R10
	1 per 6 beds	R1 R2 R3 R4 R5
	1 per 12 beds	R6 R7B R7-1
Colleges, universities, or seminaries (a) Classrooms, laboratories, student	<i>Square feet of floor area:</i>	
	None required	R7A R7X R7-2 R8 R9 R10
	1 per 2,000	R6 R7B R7-1
(b) Theatres, auditoriums, gymnasiums, or stadiums	Rated capacity:	
	None required	R7A R7X R7-2 R8 R9 R10
	1 per 8 persons	R1 R2 R3 R4 R5
	1 per 16 persons	R6 R7-1 R7B
Agricultural uses, including greenhouses, nurseries, or truck gardens	<i>Square feet of lot area used for selling purposes:</i>	
	None required	R7A R7X R7-2 R8 R9 R10
	1 per 1,000	R1 R2 R3 R4 R5
	1 per 2,500	R6 R7-1 R7B
Outdoor skating rinks	<i>Square feet of lot area:</i>	
	None required	R7A R7X R7-2 R8 R9 R10
	1 per 800	R1 R2 R3 R4 R5
	1 per 2,000	R6 R7-1 R7B
Outdoor tennis courts	<i>Number of Courts:</i>	
	None required	R7A R7X R7-2 R8 R9 R10
	1 per 2 courts	R1 R2 R3 R4 R5
	1 per 5 courts	R6 R7-1 R7B

Philanthropic or non-profit institutions with sleeping accommodations; all types of nursing homes, health related facilities, domiciliary care facilities or sanitariums	None required	R7A R7X R7-2 R8 R9 R10
	1 per 10 beds	R1 R2 R3 R4 R5
	1 per 20 beds	R6 R7-1 R7B
Schools	Square feet of <i>floor area</i> : None required	R3 R4 R5 R6 R7 R8 R9 R10
	1 per 1,500	R1 R2

\* \* \*

Post Offices	Square feet of <i>floor area</i> : None required	R7A R7X R7-2 R8 R9 R10
	1 per 800	R1 R2 R3
	1 per 1,200	R4 R5
	1 per 1,500	R6 R7-1 R7B

**FOR USES PERMITTED BY SPECIAL PERMIT**

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

1 per 2,000 square feet of <i>lot area</i> or 1 per 3 employees, whichever will require a lesser number of spaces	R1 R2 R3 R4 R5 R6 R7 R8 R9 R10
---	--------------------------------

Fire or police stations	Square feet of <i>floor area</i> : None required	R7A R7X R7-2 R8 R9 R10
	1 per 500	R1 R2 R3 R4 R5
	1 per 800	R6 R7-1 R7B

Riding academies or stables	Square feet of <i>floor area</i> : None required	R7A R7X R7-2 R8 R9 R10
	1 per 500	R1 R2 R3 R4 R5
	1 per 800	R6 R7-1 R7B

\* \* \*

25-33

Waiver of Requirements for Spaces below  
Minimum Number

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

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

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

\* \* \*

25-52

Off-Site Spaces for Residences

\* \* \*

25-521

Maximum distance from zoning lot

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

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

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

\* \* \*

Chapter 6 Special Urban Design Guidelines—Streetscape

\* \* \*

26-02

Applicability of this Chapter

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

\* \* \*

Chapter 7 Special Urban Design Guidelines—Residential Plazas

\* \* \*

27-01

Applicability of this Chapter

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

\* \* \*

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

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

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

**28-02**

**Definitions**

**Net square feet of a dwelling unit or rooming unit**

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

**Total Net Residential Floor Area**

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

**Vertical Circulation Core**

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

28-03

#### Quality Housing Program Elements

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

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

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

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

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

Each Quality Housing *building* shall comply with all of the mandatory requirements of this Chapter and meet the preferred level in one of the two standards for *residential* unit size and recreation space.

#### 28-10 NEIGHBORHOOD IMPACT

28-11

##### Bulk Regulations

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

28-12

##### Street Tree Planting

All Quality Housing *developments* 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 Highways determines that such tree planting would be infeasible. All street trees shall be planted, maintained and replaced when necessary with the approval of, and in accordance with the standards of, the Department of Parks and Recreation and the Department of Highways.

28-13

##### Ground Floor Glazing

In all *Commercial Districts*, the *street wall* of any non-*residential* portion of a Quality Housing *development* or *enlargement* 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.

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.

District	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	Other Residential Building	Non-Profit Residence for Elderly	Other Residential Building
R6, R6A, R6B R7, R7A, R7B, R7X R8B	500	575	550	750
R8, R8A, R8X R9, R9A R9X, R10A	500	625	550	800

28-22

Windows

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

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

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

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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 feet of the corridor provided that:

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

28-30 RECREATION SPACE AND PLANTING AREAS

28-31

Types of Recreation Space

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

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

28-32

Required Indoor and Outdoor Recreation Space

All *developments, enlargements, extensions* or conversions with nine or more *dwelling units* or *rooming units* shall provide at least the minimum amount of indoor and outdoor recreation space as set forth in the table below. The amount of recreation space required is expressed as a percentage of the *total net residential floor area* of the *development, enlargement, extension* or conversion. *Developments, enlargements, extensions* or conversions with 40 or fewer *dwelling units* or *rooming units* may aggregate the minimum or preferred recreation space in one type, indoors or outdoors. *Developments, enlargements, extensions* or conversions electing to use the minimum standard of Section 28-21 (Size of Dwelling Units) shall meet or exceed the preferred standard for recreation space as set forth in the table below. *Developments, enlargements, extensions* or conversions that create *rooming units* shall meet the preferred standard for joint use space set forth in the table below for that portion of the *total net residential floor area* used by such units in lieu of providing child use space. In R9 or R10 Districts and in the equivalent *Commercial Districts* rooftop greenhouses and solariums may count towards the required outdoor recreation space on a square foot per square foot basis, and shall be excluded from the definition of *floor area*. The floor space of indoor recreation space provided in accordance with the standards set forth in Sections 28-31 to 28-34 and not exceeding the preferred standard in the table below shall be excluded from the definition of *floor area*.

REQUIRED RECREATION SPACE

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

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

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

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

-33

Location of Recreation Space

28-331

Indoor recreation space

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



28-332

Outdoor recreation space

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

28-333

Special regulations for R9 or R10 Districts

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

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

28-334

In a mixed use development or enlargement

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

28-34

Standards for Recreation Space

28-341

Standards for all recreation space

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

28-342

Standards for outdoor recreation space

- (a) The minimum size of any outdoor recreation space shall be 225 square feet.
- (b) For every ten *dwelling units* or *rooming units* in the *development, enlargement, extension* or conversion one fixed seat with a back shall be provided in outdoor recreation spaces.
- (c) All outdoor recreation spaces shall be enclosed with a fence or wall at least six feet high along the *lot lines* and shall be separated from all *dwelling units, rooming units*, and outdoor areas serving individual units by a four foot high opaque fence, wall or year round dense screen of strip densely planted shrubs located at least six feet from a window or door of a *dwelling unit* or *rooming unit*.
- (d) At a height of 120 feet or more above *curb level* all outdoor recreation space shall be protected from the wind with a screen mounted on the parapet wall. The minimum height of such screen shall be six feet above the roof level provided that only a transparent screen may penetrate a *sky exposure plane*.

28-343

Standards for outdoor child use space

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

28-344

Standards for outdoor joint use space

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

28-345

Standards for indoor recreation space

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

28-35

Planting Areas

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

28-351

Location of required planting

- (a) The area of the *zoning lot* between the *street line* and the *street wall* of the *building* shall be planted, except at the entrances to and exits from the *building*, or adjacent to *commercial uses* fronting on the *street*.
- (b) Fifty percent of the *zoning lot* which is not *Quality Housing lot coverage* and is not more than 23 feet above *curb level* shall be planted except for areas improved as open *accessory off-street parking* for assisted housing as described in Section 25-25. Up to 30 percent of the required planting area may be developed as outdoor recreation space.
- (c) In R9 or R10 Districts and the equivalent *Commercial Districts* the planting and tree requirements may be satisfied within rooftop greenhouses or solariums.

28-352

Standards for planting

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

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

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

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

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

REQUIRED TREE PLANTING

Lot Coverage	Required Trees Per 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 set forth in the table below, then 50 percent of the square feet of the corridor serving such *dwelling units* or *rooming units* on such *story* may be excluded from the definition of *floor area*.

DENSITY OF DWELLING UNITS PER CORRIDOR

District	Number of Dwelling Units and Rooming Units Served by a Corridor Per Story	
	Minimum Standard*	Preferred Standard
R6,R6A,R6B,R7,R7A,R7B,R7X	15	11
R8,R8A,R8B,R8X	15	10
R9,R9A,R9X,R10,R10A	15	8

\* For *non-profit residences for the elderly* or publicly assisted housing for the elderly the minimum standard shall be 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 28-31 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).

28-513

For off-site accessory off-street parking

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

28-52

**Location of Accessory Parking**

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

28-53

**Non-Conforming Uses**

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

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

**33-00 APPLICABILITY, DEFINITIONS, AND GENERAL PROVISIONS**

33-01

**Applicability of this Chapter**

\* \* \*

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

Column A	Column B	Column C
C1 and C2 in R8A and R8B	C1 and C2 in R8	35-411
C1 and C2 in R9A and R9X	C1 and C2 in R9	35-411,35-42, 35-631
C1 and C2 in R10A	C1 and C2 in R10	35-42,35-631
C1-8A,C1-8X	C1-8	35-23,35-412
C2-7A, C2-7X	C2-7	35-42,35-631
C1-9A	C1-9	35-23, 35-42,
C2-8A	C2-8	35-631
C4-6A	C4-6	
C4-7A	C4-7	35-23, 35-42,33-632
C6-1A	C6-1	34-23, 34-412
C6-2A	C6-2	35-23, 35-42, 35-632]

\* \* \*

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

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

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

\* \* \*

33-011

**District designations**

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

\* \* \*

33-120.5

Maximum limit on floor area ratio

C1 C2 C3 C4 C5 C6 C7 C8

\* \* \*

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

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

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

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

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

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

33-121

In districts with bulk governed by Residence District bulk regulations

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

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

MAXIMUM FLOOR AREA RATIO

District	For commercial buildings	For community facility buildings	For buildings used for both commercial and community facility uses
R-1	1.00	0.50	1.00
R-2	1.00	0.50	1.00
R3	1.00	1.00	1.00
R4	1.00	2.00	2.00
R5, R6B	1.00	2.00	2.00
R6A, R7B	2.00	3.00	3.00
R7A, R8B	2.00	4.00	4.00
R6	2.00	4.80	4.80
R7-1	2.00	4.80	4.80
R7X	2.00	5.00	5.00
R7-2	2.00	6.50	6.50
R8	2.00	6.50	6.50
R8A	2.00	6.50	6.50
R8X	2.00	6.00	6.00
R9	2.00	10.00	10.00
R9A	2.00	7.50	7.50
R9X	2.00	9.00	9.00
R10	2.00	10.00	10.00
R10A	2.00	10.00	10.00

\* \* \*

33-122

Commercial buildings in all other Commercial Districts

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

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

MAXIMUM FLOOR AREA RATIO

0.50		C3	
1.00			C4-1 C8-1
	C1-6		
	C1-7	C2-6	
	C1-8	C2-7	C8-2
	[C1-8A]	[C2-7A]	C7 C8-3
2.00	[C1-8X]	[C2-7X]	
	C1-9	C2-8	
	[C1-9A]	[C2-8A]	
3.00		C4-2A	
		C4-3A	
3.40		C4-2	
		C4-3	
		C4-4	
		C4-5	
		C4-6	
		[C4-6A]	
4.00		C4-4A	C5-1
		C4-5A	
		C4-5X	
5.00			C8-4
			C6-1
			C6-1A
6.00			C6-2
			[C6-2A]
			C6-3
		C4-7	C6-4
		[C4-7A]	
			C5-2
			C5-4
			C6-5
10.00			C6-8
12.00		C5-2A	
15.00		C5-3	C6-6
		C5-5	C6-7
			C6-9

33-123

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

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

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

MAXIMUM FLOOR AREA RATIO

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

\* \* \*

33-17

Special Provisions for Zoning Lots Divided by District Boundaries

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

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

\* \* \*

33-25

Minimum Required Side Yards

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

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

\* \* \*



33-283

Required rear yard equivalents

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

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

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

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

\* \* \*

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

\* \* \*

33-294

Other special provisions along certain district boundaries

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

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

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\* \* \*

33-42

Permitted Obstructions

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

\* \* \*

33-43

Maximum Height of Front Wall and Required Front Setbacks

\* \* \*

33-431

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

\* \* \*

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

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

(b) In the districts indicated when mapped within R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A or R10A Districts the provisions of Section 26-633 (Street wall and height and setback regulations in certain districts) shall apply.

33-432

In other Commercial Districts

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

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

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

33-433

Street wall and height and setback regulations in certain districts

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

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

1. Location of Street Wall

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

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

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

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

Option 1

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

Option 2

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

Option 3

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

Recesses shall comply with the applicable regulations of Section 33-50 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES).

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

(b) In the districts indicated all *street walls* of any *development* or *enlargement* shall be located no further from the *street line* than the maximum permitted *street wall* setback distance until the height of such *street walls* equals the height above the *street line* of the *front sky exposure plane* as set forth in the table below except as provided in paragraph (c) and Subsection 3 (Street Wall Modifications) below. However, at any level a portion of any *street wall* below the height above the *street line* of the *sky exposure plane* may be located beyond the maximum *street wall* setback distance provided that such portion of the *street wall* does not exceed 25% of the length of that *street wall* and is located in an *outer court* which complies with the requirements of Section 33-50 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES). No driveways or parking spaces are permitted in such *outer court*. These *street wall* requirements shall be applicable to only one *street* on *through lots* which extend less than 110 feet in maximum depth from *street* to *street*, but shall apply to both *streets* on deeper *through lots*. These *street wall* requirements shall be inapplicable along a *wide street* within 15 feet of its intersection with a *narrow street*, or to any *street wall* located beyond 100 feet from a *street line*.

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

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

2. Height of Street Wall

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

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

Column A		Column B				
		Sky Exposure Plane**				
Mandatory minimum height of street wall (in feet)	Maximum permitted height of street wall without setback at the street line (in feet)	Slope over zoning lot (expressed as a ratio of vertical to horizontal distance)				
Wide street*	Narrow street*	Vertical	Horizontal			
60	23	85	1.5	10	1	C6-2A
60	23***	100	1.5	10	1	C1-8A C2-7A
110	23***	110	2.0	10	1	C1-8X C2-7X
125	23***	150	2.5	10	1	C1-9A C2-8A C4-6A C4-7A

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

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

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

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

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

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

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

#### C4-5X

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

### 3. Modifications of Street Wall Requirements

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

(a) In the districts indicated, on a *zoning lot* where there is an existing *building* to remain, and when there is to be a new *development* or *enlargement* that includes new *street walls*, the requirements governing height and location of *street walls* shall not apply within a volume defined by the rear wall of the existing *building* [(W<sup>2</sup>)], the *front lot line* [(W<sup>1</sup>)], the prolongations of the side walls [(L)], and a height of 150 feet above *curb level*. If, after April 9, 1984, any exterior demolition or destruction occurs within the volume defined by the requirements governing *street wall* height and location shall apply. the roof of the existing *building*. If, after (the effective date of this amendment), any exterior demolition or destruction occurs within this volume or to the boundaries of this volume, or if any *development* or *enlargement* occurs above this volume the requirements governing *street wall* height and location shall apply.

150' Above  
Curb Level

Above 150'  
Curb Level

L Sidewall and prolongation of existing building

W<sup>1</sup> Front lot line

W<sup>2</sup> Rear wall of existing building]

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

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

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

#### 4. Front and Rear Sky Exposure Planes

In the districts indicated, no *building* or *other structure* shall penetrate the *front* or *rear sky exposure planes* set forth in the table below.

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.

\* \* \*

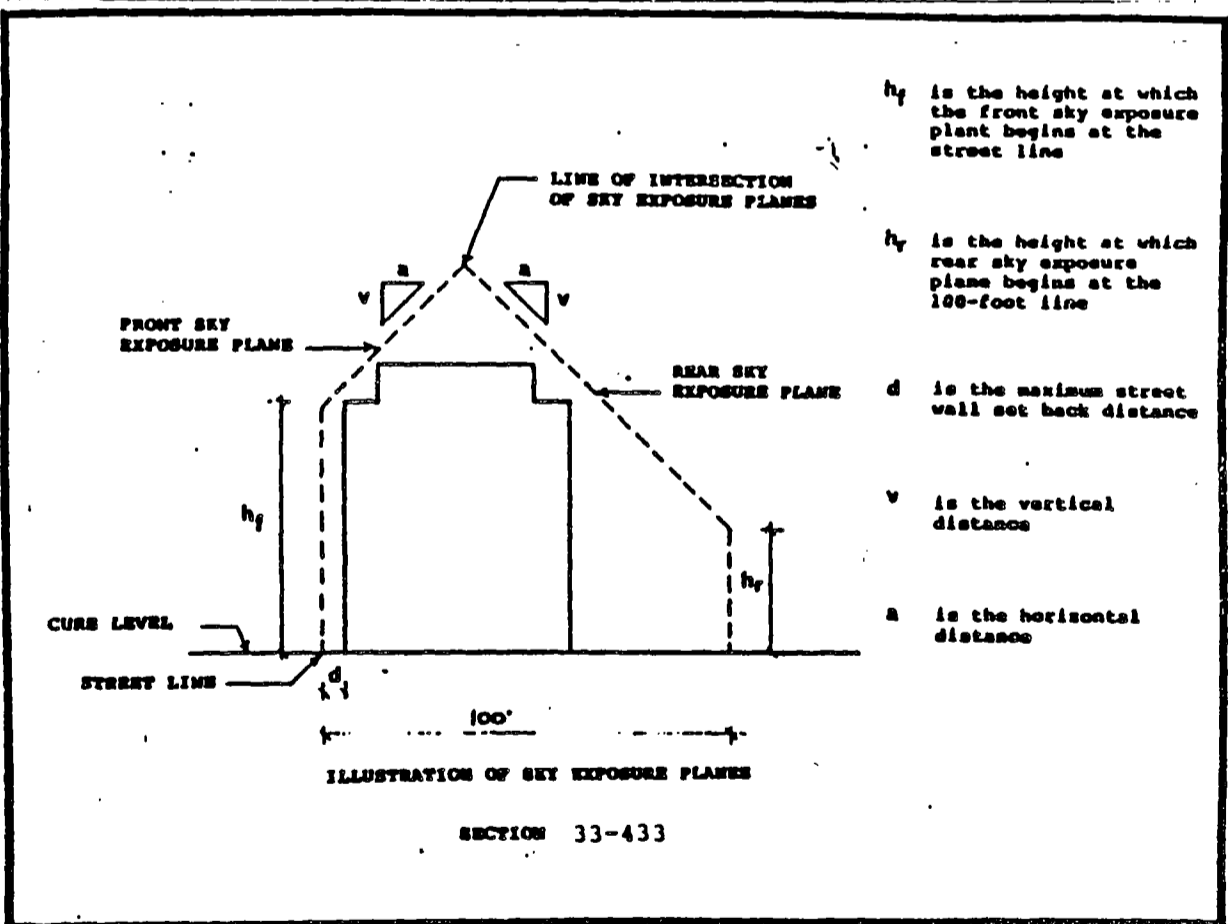
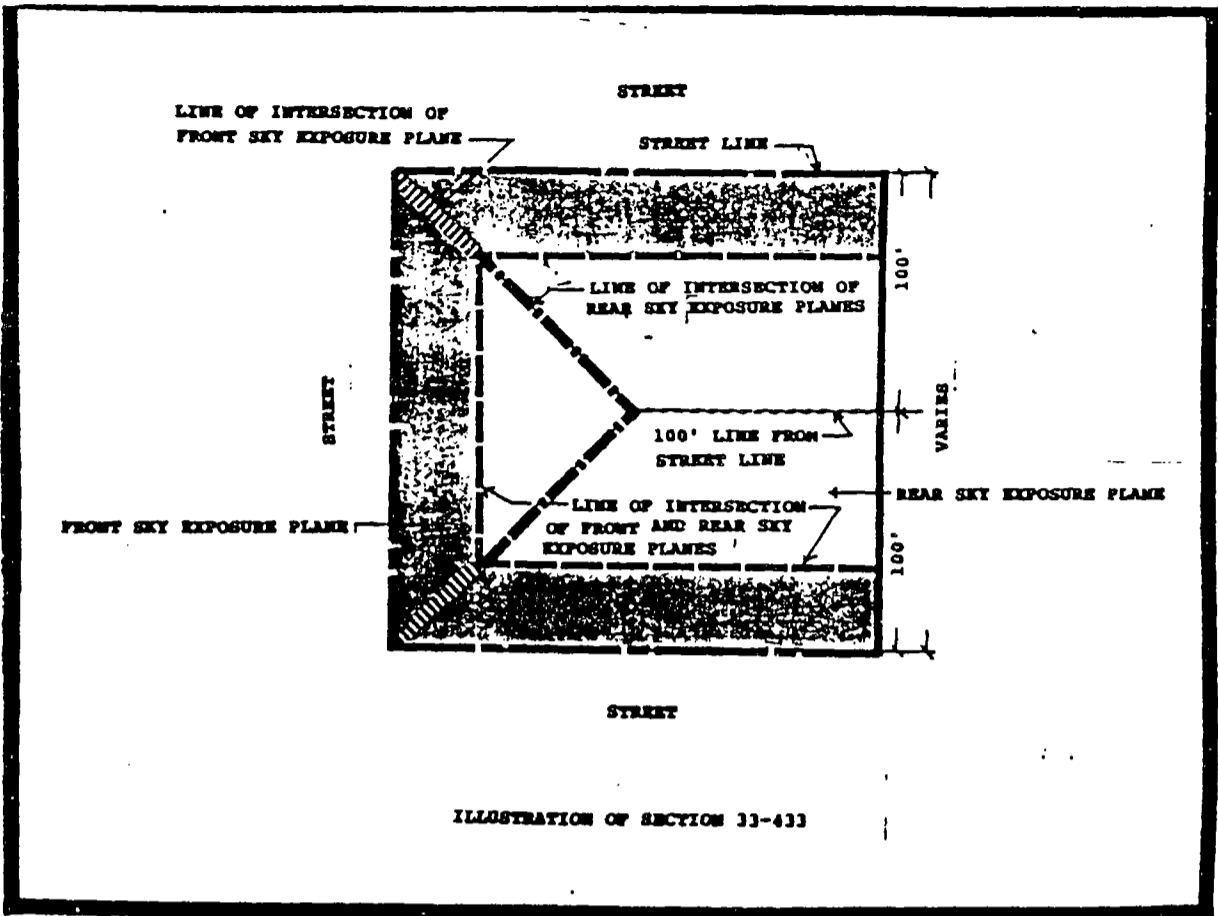
TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Height Above the Street Line (in feet)	Slope Over Leasing Lot (Specified as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street		on a Narrow Street			From the Expansive Plane		East the Expansive Plane	
	Wide Street	Narrow Street	Wide Street	Narrow Street		Vertical Distance in Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance in Horizontal Distance	
	Street	Street	Street	Street		Horizontal Distance	Line (in feet)	Horizontal Distance	
CI as shown mapped within 81 to 110 Westside III	0	11	-	-	61	1.0 to 1.0	30	1.0 to 1.0	
CI-6A	0	0	60	15	61	1.1 to 1.0	30	1.0 to 1.0	
CI-1A	0	0	-	11	101	1.1 to 1.0	100	1.0 to 1.0	
CI-6A (Narrow) III	0	0	60	-	101	1.1 to 1.0	100	1.1 to 1.0	
CI-6B (Wide) III	0	0	-	11	110	1.0 to 1.0	110	1.0 to 1.0	
CI-6B (Narrow) III	0	0	101	-	110	1.0 to 1.0	110	1.1 to 1.0	
CI-9B (Wide) III	0	0	-	15	150	1.1 to 1.0	110	1.0 to 1.0	
CI-9B (Narrow) III	0	0	115	-	150	1.1 to 1.0	-	-	
CI-6A	8	15	-	-	61	1.0 to 1.0	30	1.0 to 1.0	
CI-1A (Narrow) III	0	0	-	15	101	1.1 to 1.0	100	1.0 to 1.0	
CI-2A (Wide) III	0	0	60	-	101	1.1 to 1.0	100	1.1 to 1.0	
CI-7B (Narrow) III	0	0	-	11	110	1.0 to 1.0	110	1.0 to 1.0	
CI-7B (Wide) III	0	0	105	-	110	1.0 to 1.0	110	1.1 to 1.0	
CI-6B (Narrow) III	0	0	-	15	150	1.1 to 1.0	110	1.0 to 1.0	
CI-6A (Wide) III	0	0	115	-	110	1.1 to 1.0	-	-	
CI-1B	0	-	-	65	60	1.0 to 1.0	10	1.0 to 1.0	
CI-3A	0	-	-	65	60	1.0 to 1.0	10	1.0 to 1.0	
CI-4A	0	-	-	65	65	1.0 to 1.0	15	1.0 to 1.0	
CI-5A	0	-	-	65	61	1.0 to 1.0	15	1.0 to 1.0	
CI-2B - S1 - 1	0	-	-	65	61	1.0 to 1.0	15	1.0 to 1.0	
- S1 - 5	0	-	-	65	61	1.0 to 1.0	15	1.0 to 1.0	
CI-6A (Narrow) III	0	0	-	15	115	1.1 to 1.0	105	1.0 to 1.0	
CI-6A (Wide) III	0	0	115	-	110	1.1 to 1.0	-	-	
CI-1A (Narrow) III	0	0	-	15	150	1.1 to 1.0	140	1.0 to 1.0	
CI-1A (Wide) III	0	0	115	-	150	1.1 to 1.0	-	-	
CI-1A (Narrow) III	0	0	-	25	150	1.1 to 1.0	140	1.0 to 1.0	
CI-1A (Wide) III	0	0	120	-	150	1.1 to 1.0	-	-	
CI-2A	0	0	60	15	65	1.1 to 1.0	30	1.0 to 1.0	
CI-3A (Narrow) III	0	0	-	25	101	1.1 to 1.0	100	1.0 to 1.0	
CI-3A (Wide) III	0	0	60	-	102	1.1 to 1.0	100	1.1 to 1.0	

TABLE: STREET WALL AND HEIGHT AND SETBACK REGULATIONS

District	Maximum Street Wall Setback Distance from Street Line (in feet)		Minimum Required Height of a Street Wall within Setback Distance (in feet)		Height Above the Street Line (in feet)	Slope Over Leasing Lot (Specified as a Ratio of Vertical to Horizontal Distance)			
	on a Wide Street		on a Narrow Street			From the Expansive Plane		East the Expansive Plane	
	Wide Street	Narrow Street	Wide Street	Narrow Street		Vertical Distance in Horizontal Distance	Height Above the 100-Foot Line (in feet)	Vertical Distance in Horizontal Distance	
	Street	Street	Street	Street		Horizontal Distance	Line (in feet)	Horizontal Distance	
CI-6A (Narrow) III	0	0	-	15	110	1.1 to 1.0	140	1.0 to 1.0	
CI-6A (Wide) III	0	0	115	-	150	1.1 to 1.0	-	-	

- (1) The height of a street wall and its setbacks shall be the same as that of a residence district within which a CI or CI district is mapped.
- (2) Refers to that portion of a district on a narrow street except within a distance of 100 feet from its intersection with a wide street.
- (3) Refers to that portion of a district which is within 100 feet of a wide street.



33-48

Special Provisions for Zoning Lots Divided  
by District Boundaries

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

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

\* \* \*

33-491

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

Additional regulations for narrow buildings  
or enlargements

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

\* \* \*

Chapter 4 Bulk Regulations for Residential Buildings in Commercial Districts

34-00 APPLICABILITY AND DEFINITIONS

34-01

Applicability of this Chapter

\* \* \*

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

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

\* \* \*

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

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

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

34-011

District designations

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



34-012

Quality Housing Program

In C1 and C2 Districts mapped within *Residence Districts* with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-5A, C4-5X, C4-6A, C4-7A, C5-1A, C6-2A, C6-3A, or C6-4A Districts, *residential buildings* shall comply with all of the requirements of Article II, Chapter 8 (Quality Housing Program).

In the above listed districts without a letter suffix and in C5-2, C5-3, C5-4, C5-5, C6-1, C6-1A, C6-5, C6-6, C6-7, C6-8, or C6-9 Districts the *bulk* regulations applicable to Quality Housing *developments* may, as an alternative be applied under the same conditions set forth in Sections 23-012 and 34-112. In addition, all Quality Housing *buildings* shall comply with Section 34-223 (Special provisions along district boundaries).

\* \* \*

34-112

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

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

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

Applicable Residence District

R3-2			C3		
R5				C4-1	
R6				C4-2	
				C4-3	C6-1A
				C4-2A	
R6A				C4-3A	
				C4-4	
R7	C1-6	C2-6		C4-5	C6-1
R7A	C1-6A	C2-6A		C4-4A	
				C4-5A	
R7X				C4-5X	
R8	C1-7			C4-2F	C6-2
R8A	C1-7A				C6-2A
R9	C1-8	C2-7			C6-3
R9A	C1-8A	C2-7A			C6-3A
R9X	C1-8X	C2-7X			
R10	C1-9	C2-8		C4-6	C6-4
				C4-7	C6-5
					C6-6
					C6-7
					C6-8
					C6-9
R10A	C1-9A	C2-8A		C4-6A	C6-4A
				C4-7A	C5-1A

\* \* \*

34-223

Special provisions applying along district boundaries

C1, C2, C3, C4, C5, C6

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

C1,C2,C3,C4,C5,C6

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

Chapter 5 Bulk Regulations for Mixed Buildings in Commercial Districts

35-00 APPLICABILITY AND DEFINITIONS

35-01

Applicability of this Chapter

\* \* \*

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

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

\* \* \*

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

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

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

35-011

District designations

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

\* \* \*

35-012

Quality Housing Program

In C1 and C2 Districts mapped within *Residence Districts* with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-5A, C4-5X, C4-6A, C4-7A, C5-1A, C6-2A, C6-3A, or C6-4A Districts, any *residential* portion of a *mixed building* shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program) and the entire *building* shall comply with the applicable provisions of Article II, Chapter 8.

In the above listed districts without a letter suffix and in C5-2, C5-3, C5-4, C5-5, C6-1, C6-1A, C6-5, C6-6, C6-7, C6-8, or C6-9 Districts the *bulk* regulations applicable to Quality Housing *developments* may, as an alternative, be applied to the *residential* portion of a *mixed building* under the same conditions set forth in Sections 23-012 and 35-23 provided that:

- (a) the entire *building* is *developed* pursuant to the *bulk* regulations in Article III, Chapter 5 for *buildings* in which the *residential* portion is *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program; and
- (b) the entire *building* complies with the applicable provisions of Article II, Chapter 8 (Quality Housing Program).

\* \* \*

35-23

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

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

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

APPLICABLE RESIDENCE DISTRICT						
R3-2			C3			
R5				C4-1		
				C4-2		
R6				C4-3		C6-1A
R6A				C4-2A		
				C4-3A		
				C4-4		
R7	C1-6	C2-6		C4-5		C6-1
R7A	C1-6A	C2-6A		C4-4A		
				C4-5A		
R7X				C4-5X		
R8	C1-7			C4-2F		C6-2
R8A	C1-7A					C6-2A
R9	C1-8	C2-7				C6-3
R9A	C1-8A	C2-7A				C6-3A
R9X	C1-8X	C2-7X				
						C6-4
						C6-6
						C6-7
				C4-6		C6-8
R10	C1-9	C2-8		C4-7	C5	C6-9
				C4-6A		
R10A	C1-9A	C2-8A		C4-7A	C5-1A	C6-4A

\* \* \*

35-35

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

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

\* \* \*

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

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

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

\* \* \*

35-411

In C1 or C2 Districts mapped within Residence Districts

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

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

*Developments*, or *enlargements* where permitted, pursuant to the Quality Housing Program, located within 100 feet of a *wide street* in C1 and C2 Districts mapped within R6, R7 or R8 Districts without a letter suffix outside the *Manhattan Core*, shall provide the *lot area* designated by the same district with an asterisk.

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

District within which C1 or C2 District is Mapped	Required Lot Area (in square feet)	
	<i>Commercial Use</i>	<i>Community Facility Use</i>
R1, R2, R3	100	100
R6B	50	50
R6	50	20
R6* R6A, R7B	30	30
R7-1	30	20
R7-2	30	15
R7A	25	25
R7* R7X	20	20
R8	20	15
R8X	17	17
R8* R8A	17	15
R8B	25	25
R9	15	10
R9A	13	13
R9X	11	11
R10	10	10
R10A	10	10

35-412

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

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

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

REQUIRED LOT AREA PER 100 SQUARE FEET OF FLOOR AREA IN COMMERCIAL OR COMMUNITY FACILITY USES (IN SQUARE FEET)						
Commercial Use	Community Facility Use					
200	100	C3				
100	50	C4-1				
30	30	C4-2A C4-3A				
30	20	C4-2 C4-3 C6-1A				
30	15	C1-6	C2-6	C4-4 C4-5		
25	25	C1-6A	C2-6A	C4-4A C4-5A		
20	15	C1-7				
20	20	C4-5X				
17	17	C1-7A				
17	15	C4-2F C6-1 C6-2 [C6-2A]				
15	10	C1-8	C2-7	C6-3		
13	13	C1-8A	C2-7A	C6-3A		
11	11	C1-8X	C2-7X			
10	10	C1-9 [C1-9A]	C2-8 [C2-8A]	C4-6 [C4-6A] C4-7 [C4-7A]	C5-1 C5-4	C6-4 C6-5 C6-8
6.5	6.5	C5-3 C6-6 C5-5 C6-7 C6-9				

35-42

Density or Lot Area Bonus In Mixed Buildings

\* \* \*

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

\* \* \*

35-52

Modification of Side Yard Requirements

C1, C2, C3, C4, C5, C6

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

35-53

Modification of Rear Yard Requirements

C1.C2.C3.C4.C5.C6

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

35-54

Special Provisions Applying along District Boundaries

C1.C2.C3.C4.C5.C6

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

\* \* \*

35-63

Special Tower Regulations for Mixed Buildings

35-631

In certain specified commercial districts

\* \* \*

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

35-632

In other specified commercial districts

\* \* \*

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

\* \* \*

35-70 SPECIAL PROVISIONS FOR CERTAIN MIXED BUILDINGS

\* \* \*

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

COMMERCIAL DISTRICTS

Chapter 6 Accessory Off-Street Parking and Loading Regulations

Off-Street Parking Regulations

36-00 GENERAL PURPOSES AND DEFINITIONS

\* \* \*

36-025

District designations

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

36-026

Applicability of regulations to Quality Housing

On any zoning lot containing residential uses developed, enlarged or converted pursuant to the Quality Housing Program, all accessory off-street parking spaces shall comply with the provisions of Section 28-50 to 28-52 (PARKING FOR QUALITY HOUSING).

\* \* \*

36-12

Maximum Size of Accessory Group Parking Facilities

C1 C2 C3 C4 C5 C6 C7 C8

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

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

\* \* \*

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

36-21

General Provisions

\* \* \*

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

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

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

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



	Square feet of floor area:							
		CI-5						
		CI-6 C2-5		C4-4A				
		CI-7 C2-6		C4-5				
		CI-8 C2-7		C4-6				
Low traffic generating uses—	None required	CI-9 C2-8		C4-7	C5	C6	C8-4	
Uses in parking requirement category C in Use Group 6, 7, 9, 12,	1 per 400	CI-1 C2-1	C3	C4-1				
	1 per 600	CI-2 C2-2		C4-2			C8-1	
	1 per 800	CI-3 C2-3		C4-2A C4-3		C7	C8-2	
13, 14, or 16, or when permitted by special permit	1 per 1,000	CI-4 C2-4		C4-4			C8-3	
	Square feet of floor area:							
		CI-5						
		CI-6 C2-5		C4-4A				
		CI-7 C2-6		C4-5				
		CI-8 C2-7		C4-6				
Court Houses	None required	CI-9 C2-8		C4-7	C5	C6	C8-4	
	1 per 500	CI-1 C2-1	C3	C4-1				
	1 per 800	CI-2 C2-2		C4-2			C8-1	
	1 per 1,000	CI-3 C2-3		C4-2A C4-3			C8-2	
	1 per 2,000	CI-4, C2-4		C4-4			C8-3	
	Rated capacity:							
		CI-5						
		CI-6 C2-5		C4-4A				
		CI-7 C2-6		C4-5				
		CI-8 C2-7		C4-6				
Places of assembly—	None required	CI-9 C2-8		C4-7	C5	C6	C8-4	
Uses in parking requirement category D in Use Group 6, 8, 9, 10,	1 per 4 persons	CI-1 C2-1	C3	C4-1				
	1 per 8 persons	CI-2 C2-2		C4-2			C8-1	
	1 per 12 persons	CI-3 C2-3		C4-2A C4-3		C7	C8-2	
12, 13, or 14, or when permitted by special permit	1 per 25 persons	CI-4 C2-4		C4-4			C8-3	
	Square feet of lot area <sup>1</sup>							
Open commercial	None required						C8-3 C8-4	
amusements—								
Uses in parking requirement category E in Use Group 13 or 15, or when permitted by special permit	1 per 500		C3				C8-1	
	1 per 2,000					C7	C8-2	
Light manufacturing or semi-industrial uses—	None Required					C5	C6	C8-4
Uses—in parking requirement category F in Use Group 11 of 16, and with a minimum of either 7,500 square feet of floor area or 15 employees	1 per 1,000 square feet of floor area, or 1 per 3 employees, whichever will require a larger number of spaces						C8-1 C8-2 C8-3	
Storage or miscellaneous uses—								
Uses in parking requirement category G in Use Group 10 or Use Group 16, or when permitted by special permit, and with a minimum of 10,000 square feet of floor area or 15 employees	1 per 2,000 square feet of floor area or 1 per 3 employees, whichever will require a lesser number of spaces			C4-4A C4-5 C4-6 C4-7	C5		C6	C8-4
				C4-1 C4-2 C4-3 C4-4			C8-1 C8-2 C8-3	
Other commercial uses—								
Uses in parking requirement category H in Use Group 5, 6, 7, 8, 13 or 14, or when permitted by special permit	1 per 2 guest rooms or suites	C2	C3		C6		C7	C8
Boatels								
	Parking spaces required in relation to specified unit of measurement							
Type of use								
Camps overnight or day, with a minimum of either 10,000 square feet of lot area or 10 employees	1 per 2,000 square feet of lot area, or 1 per 3 employees; whichever will require a lesser number of spaces	C1	C2	C3			C7	C8

Churches		C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			C8-3
	None required	C1-9 C2-8		C4-7	C5	C6	C8-4
	1 per 10 fixed seats	C1-1 C2-1	C3	C4-1			
	1 per 15 fixed seats	C1-2 C2-2		C4-2			C8-1
	1 per 20 fixed seats	C1-3 C2-3		C4-2A			C8-2
		C4-3					
Rated capacity:							
Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations; golf course club houses; health centers; non- commercial recreation centers; or welfare centers		C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			C8-3
	None required	C1-9 C2-8		C4-7	C5	C6	C8-4
	1 per 10 persons	C1-1 C2-1		C4-1			
	1 per 20 persons	C1-2 C2-2	C3	C4-2			C8-1
		C1-3 C2-3		C4-2A		C7	C8-2
				C4-3			
Libraries, museums, or non-commercial art galleries <sup>1</sup>		C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			
	None required	C1-9 C2-8		C4-7	C5	C6	
	1 per 1,000	C1-1 C2-1		C4-1			
		C1-2 C2-2	C3	C4-2			
	1 per 2,000	C1-3 C2-3		C4-2A			
				C4-3			
Philanthropic or non- profit institutions with sleeping accommodations; all types of nursing homes or sanitariums		C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			
	None required	C1-9 C2-8		C4-7	C5	C6	
	1 per 10 beds	C1-1 C2-1		C4-1			
	1 per 20 beds	C1-2 C2-2	C3	C4-2			
		C1-3 C2-3		C4-2A			
				C4-3			
College dormitories or fraternity or sorority houses		C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			
	None required	C1-9 C2-8		C4-7	C5	C6	
	1 per 6 beds	C1-1 C2-1		C4-1			
	1 per 12 beds	C1-2 C2-2	C3	C4-2			
		C1-3 C2-3		C4-2A			
				C4-3			
Square feet of floor area:							
Colleges, universities, or seminaries (a) For that floor area used for classrooms, laboratories, student centers, or offices		C1-4 C2-4					
		C1-5 C2-5					
		C1-6		C4-4			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			C8-3
	None required	C1-9 C2-8		C4-7	C5	C6	C8-4
	1 per 1,000	C1-1 C2-1	C3	C4-1			C8-1
		C1-2 C2-2		C4-2			
	1 per 2,000	C1-3 C2-3		C4-2A			C8-2
				C4-3			
Rated capacity:							
(b) For that floor area used for theatres, auditoriums, gymnasiums, or stadiums		C1-4					
		C1-5 C2-4					
		C1-6 C2-5		C4-4			
		C1-7 C2-6		C4-5			
		C1-8 C2-7		C4-6			C8-3
	None required	C1-9 C2-8		C4-7	C5	C6	C8-4
	1 per 8 persons	C1-1 C2-1		C4-1			
	1 per 16 persons	C1-2 C2-2	C3	C4-2			C8-1
		C1-3 C2-3		C4-2A			C7
				C4-3			

		Square feet of lot area used for selling purposes:						
Agricultural uses,	None required	C1-4						
		C1-5 C2-4						
		C1-6 C2-5		C4-4				
		C1-7 C2-6		C4-5				C8-3
		C1-8 C2-7		C4-6				C8-4
		C1-9 C2-8		C4-7	C5	C6		
including greenhouses, nurseries, or truck gardens	1 per 1,000	C1-1 C2-1		C4-1				
		C1-2 C2-2	C3	C4-2				C8-1
	1 per 2,500	C1-3 C2-3		C4-2A				C8-2
				C4-3				

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

\* \* \*

36-231

In districts with high, medium, or low parking requirements

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

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

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

\* \* \*

36-25

Special Provisions for Zoning Lots Divided by District Boundaries

C1 C2 C3 C4 C5 C6 C7 C8

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

36-30

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

36-31

General Provisions

\* \* \*

36-311

Application of requirements to conversions in C1 or C2 Districts

C1 C2

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

\* \* \*

36-321

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

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

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

\* \* \*

36-33

Requirements Where Group Parking Facilities Are Provided

\* \* \*

36-331

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

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

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

REQUIRED PARKING SPACES AS A PERCENT OF TOTAL DWELLING UNIT:

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

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

36-332

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

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

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

REQUIRED PARKING SPACES AS A PERCENT OF TOTAL DWELLING UNITS			
100		C3	
85			C4-1
			C4-2
			C4-3
			C4-2A
			C4-3A
			C4-4
50	C1-6	C2-6	C4-5
			C6-1
			C6-2
			C6-3
			C6-4
			C6-5
			C6-6
			C6-7
			C6-8
40	C1-7	C2-7	C4-6
	C1-8		C4-7
	C1-9	C2-8	C5
			C6-9

36-341

Reduced requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations.

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

In the districts indicated, for zoning lots of 10,000 or 15,000 square feet or less, the number of required accessory off-street parking spaces is determined by the Residence District within which such Commercial District is mapped, in accordance with the following table:

Lot area	REDUCED REQUIREMENTS FOR SMALL ZONING LOTS	
	District within which C1 or C2 District is mapped	Parking spaces required as a percent of total dwelling units
10,000 square feet or less	R6, R7B	50
	R7-1, R7A, R7X	30
10,001 to 15,000 square feet	R7-2	30
	R8*, R9, or R10	20

In R8B Districts the parking requirements may not be reduced.

\* \* \*

36-343

Waiver of requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-4, C1-5, C2-4, C2-5

In the districts indicated, when mapped within an R7-2, R8, R9, or R10 District, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities Are Provided) shall be waived for zoning lots of 10,000 square feet or less[,] except in R8B Districts.

\* \* \*

36-35

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

C1 C2 C3 C4 C5 C6

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

\* \* \*

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

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

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

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or Dwelling Units for Low Income Tenants	Non-Profit Residences for the Elderly or Dwelling Units for the Elderly	Government Assisted Housing	District
80	65	50	1	80	R1, R2
80	65	50	35	80	R3, R4
70	56	42.5	31.5	70	R5
55	45	35	22.5	55	R6 * *
39	32	25	16	35	R6A, R6B, R7B
45	38	30	20	45	R7-1 * *
30	23	15	12.5	25	R7-2, R7A, R7X, R8B*
30	21	12	10	25	R8, R8A, R8X, R9, R9A, R9X, R10, R10A

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

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

District	Applicable District Parking Requirement
R6	R6A
R7-1	R7A

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

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

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

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

Publicly Assisted Housing	Federal Rent Subsidy Programs	Public Housing Developments or Dwelling Units for Low Income Tenants	Non-Profit Residences for the Elderly or Dwelling Units for the Elderly	Government Assisted Housing	District
80	65	50	35	80	C3
70	56	42.5	31.5	70	C4-1
55	45	35	22.5	55	C4-2 * C4-3 *
39	32	25	16	35	C4-2A C4-3A C6-1 * C4-4 * C4-5 *
30	23	15	12.5	25	C1-6 C2-6 C4-4A C4-5A C4-5X
30	21	12	10	25	C1-7 C2-7 C6-2 C6-6 C1-8 C2-8 C4-6 C5 C6-3 C6-7 C1-9 C4-7 C6-4 C6-8 C6-5 C6-9

\* For assisted housing projects *developed*, or *enlarged* where permitted, pursuant to the Quality Housing Program in C4-2, C4-3, C4-4, C4-5 or C6-1 Districts the applicable district parking requirements shall be as follows:

District	Applicable District Parking Requirement
C4-2 C4-3	C4-2A
C4-4 C4-5 C6-1	C4-4A

\* \* \*

36-361

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

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

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

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

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

\* \* \*

36-363

For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations

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

In the districts indicated<sup>1</sup>, where such districts are mapped within R6, R7A, R7B, R7X or R7-1 Districts, the requirements set forth in Section 36-311 (Application of requirements to conversions in C1 or C2 Districts) shall be waived if the required number of *accessory* off-street parking spaces resulting from the application of such requirements is 20 spaces or less, provided that the Board of Standards and Appeals may waive requirements for a greater number of spaces in accordance with the provisions of Section 73-46 (Waiver of Requirements for Conversions).

\* \* \*

36-39

Special Provisions for Zoning Lots Divided by District Boundaries

C1, C2, C3, C4, C5, C6

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

\* \* \*

Chapter 7 Special Regulations

37-01

Special Urban Design Guidelines—Streetscape

37-011

Applicability of Section 37-01

The regulations of Section 37-01 apply to any *residential development* or any *development* occupied by *predominantly residential use*, constructed after April 21, 1977 located on any *zoning lot* within C1-8, C1-9, C2-7, C2-8, C4-6, C4-7, C5-1, C5-2, C5-4, C6-3, C6-4, C6-5, or C6-8 districts, or C1 and C2 districts mapped within R9 or R10 districts. However, Section 37-01 shall not apply within any *Special Purpose District* nor shall it apply to any *development* [for which the Commission has granted a special permit pursuant to Section 74-95 (Housing Quality Developments)], pursuant to the *Quality Housing Program*, except as otherwise set forth therein.

\* \* \*

Article V

Non-Conforming Uses and Non-Complying Buildings

\* \* \*

Chapter 2 Non-Conforming Uses

\* \* \*

52-30 CHANGE OF CONFORMING USE

52-31

General Provisions

For the purposes of this Chapter, a change of use is a change to another use listed in the same or any other Use Group; however, a change in ownership or occupancy shall not, by itself, constitute a change of use.

A non-conforming use may be changed to any conforming use, and the applicable district bulk regulations and accessory off-street parking requirements shall not apply to such change of use or to alterations made in order to accommodate such conforming use, but shall apply to any enlargement. In all zoning districts which mandate compliance with the Quality Housing Program, the provisions of Article II, Chapter 8 shall apply to such change of use.

\* \* \*

Chapter 4 Non-Complying Buildings

\* \* \*

54-311

Buildings non-complying as to lot area per dwelling unit, lot area per room or floor area per room

\* \* \*

In all zoning districts which mandate compliance with the Quality Housing Program the provisions of Article II, Chapter 8 shall apply to any enlargement, extension, or conversion.

Article VII

Chapter 4 Special Permits by the City Planning Commission

\* \* \*

74-71

Landmarks Preservation

74-711

Landmarks Preservation in all districts

\* \* \*

For such existing buildings or portion thereof being converted to residential use, the City Planning Commission shall make the following findings:

(1) that the gross residential floor area per room shall be at least equal to the requirement set forth herein:

Total Existing FAR	Required Gross Floor Area Per Room (S.F.)
below 3.4	215
between 3.4 and [to] 7.5	240
above 7.5	300

However, for such buildings in zoning districts requiring mandatory compliance with the Quality Housing Program the average net square feet of a dwelling unit or rooming unit as defined in Section 28-02 (DEFINITIONS) shall not be less than as set forth in Section 28-21 (Size of Dwelling Units).

\* \* \*

74-85

Special Height and Setback Regulations

74-851

Height and setback regulations for certain residential buildings

\* \* \*



However, the provisions of this section shall not apply to *developments* built pursuant to the Quality Housing Program.

\* \* \*

74-95

[Housing Quality Developments]

Delete entire section

Modifications of Housing Quality Special Permits

The City Planning Commission may, upon application, authorize modifications of special permits granted before (the effective date of this amendment) under Sections 74-95 (Housing Quality Developments) and 74-97 (Special Provisions for a Housing Quality Development on a Through Lot Divided by Residence—Manufacturing District Boundaries with a Substantial Grade Differential).

No such modification may create a new non-compliance or increase the degree of an existing non-compliance. Non-compliance shall be measured pursuant to the applicable district *bulk* regulations and the provisions of Article II, Chapter 8.

In no event may the Commission grant a modification of a previously approved special permit which would:

- (a) increase the height of the *building*;
- (b) extend the location of the exterior walls of the *building*;
- (c) increase the portion of the *zoning lot* covered by the *building*;
- (d) increase the *floor area* on the *zoning lot*;
- (e) reduce the amount of indoor and outdoor recreation space other than laundry rooms in the *development*;
- (f) reduce the amount of bulk storage within a *dwelling unit* or reduce shared bulk storage below 40 cubic feet of storage space for each additional 300 square feet of *dwelling unit*, or portion thereof, above 450 square feet.
- (g) affect the provision and maintenance of off-site neighborhood improvements.

\* \* \*

[74-97

Special Provisions for a Housing Quality Development on a Through Lot Divided by Residence-Manufacturing District Boundaries with a Substantial Grade Differential]

Delete entire section

\* \* \*

Chapter 7 Special Provisions for Zoning Lots  
Divided by District Boundaries

77-00 GENERAL PROVISIONS

\* \* \*

77-02

Zoning Lots Not Existing Prior to Effective Date of Amendment of Resolution

Subject to the provisions of Section 77-04 and Section 77-221 whenever a *zoning lot* is divided by a boundary between two or more districts and such *zoning lot* did not exist at December 15, 1961 or any applicable subsequent amendment thereto, each portion of such *zoning lot* shall be regulated by all the provisions applicable to the district in which such portion of the *zoning lot* is located.

\* \* \*

77-20 BULK REGULATIONS

\* \* \*

77-22

Floor Area Ratio

\* \* \*

[The *floor area* resulting from application of the adjusted maximum *floor area ratio* may be located anywhere on the *zoning lot*, subject to all other regulations of this resolution, and provided that the *floor area ratio* for any portion of the *zoning lot* within one district shall not exceed the maximum *floor area ratio*, by *height factor* if applicable, specified for that district, or the adjusted maximum *floor area ratio* for the *zoning lot*, whichever is greater.]

77-221

Quality Housing Buildings

For *developments*, or *enlargements* where permitted, pursuant to the Quality Housing Program in R6, R7, R8 Districts and equivalent *Commercial Districts* outside of the *Manhattan Core*, the *residential floor area ratio* of that portion of the *zoning lot* fronting on and within 100 feet of a *wide street* and permitting the greater maximum *residential floor area ratio* may exceed the maximum permitted *residential floor area ratio* for the portion of the *zoning lot* by up to 20 percent provided that the maximum *residential floor area ratio* for the *zoning lot* does not exceed the adjusted maximum *residential floor area ratio* applicable to such *zoning lot*.

77-222

Other Buildings

The *floor area* resulting from application of the adjusted maximum *floor area ratio* may be located anywhere on the *zoning lot*, subject to all other regulations of this Resolution, and provided that the *floor area ratio* for any portion of the *zoning lot* within one district shall not exceed the maximum *floor area ratio*, by *height factor* if applicable, specified for that district, or the adjusted maximum *floor area ratio* for the *zoning lot*, whichever is greater.

\* \* \*

77-24

Lot Coverage

\* \* \*

However, for *buildings* in which the *residential* portion is *developed* or *enlarged* pursuant to the Quality Housing Program, the regulations relating to *Quality Housing lot coverage* shall be found in Article II, Chapter 3 for the *residential* portion.

77-25

Lot Area or Floor Area Requirements

\* \* \*

The total number of *dwelling units* or *rooms* permitted on the *zoning lot* shall not exceed the sum of the *dwelling units* or *rooms* permitted on each portion of such *zoning lot* in accordance with the applicable district regulations for such portion. Such *dwelling units* or *rooms* may be located wherever a *building* is permitted on a *zoning lot*, provided that on no portion of the *zoning lot* shall there be more than 150 percent of the number of *dwelling units* or *rooms* permitted in the applicable district regulations for such portion.

However, for *buildings developed, enlarged, extended* or converted pursuant to the Quality Housing Program, the *dwelling units* or *rooming units* may be located wherever a *building* is permitted on the *zoning lot*.

\* \* \*

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

However, for *developments, enlargements, extensions* or conversions built pursuant to the Quality Housing Program, the average *net square feet of a dwelling unit* for each portion of the *zoning lot* shall be multiplied by the percentage of the total permitted *floor area* to which such average *net square feet of a dwelling unit* applies. The sum of the products thus obtained shall be the average *net square feet of a dwelling unit* for the *zoning lot*.

\* \* \*

77-28

Height and Setback Regulations

\* \* \*

However, for *developments or enlargements* built pursuant to the Quality Housing Program, the height and setback regulations set forth in Sections 23-633, 24-523 and 33-433 for each *street frontage* of the *zoning lot* shall apply to that *street frontage*.

\* \* \*

#### Article VII

Chapter 8 Special Regulations Applying to Large-Scale Residential Developments

\* \* \*

78-03

Applicability of this Chapter

*Large-scale residential developments* are governed by all the *use, bulk, off-street parking and loading*, and other applicable regulations of this Resolution, except for such special provisions as are specifically set forth in this Chapter and apply only to such *developments*. However, the Quality Housing Program is inapplicable in a *large scale residential development*.

The above Resolution duly adopted by the City Planning Commission on June 17, 1987 (Calendar #78), is hereby filed with the Secretary of the Board of Estimate pursuant to Section 200 of the Charter.

Sylvia Deutsch, Chairperson

Salvatore C. Gagliardo

Garrison McNeil

Daniel T. Scannell

Denise M. Scheinberg, Commissioners