

COUNCIL OF THE CITY OF NEW YORK

CALENDAR

OF

THE LAND USE COMMITTEE

FOR THE WEEK OF APRIL 5 - APRIL 9, 2010

LEROY G. COMRIE, *Chair*, Land Use Committee

MARK WEPRIN, *Chair*, Subcommittee on Zoning and Franchises

BRAD LANDER, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

STEPHEN LEVIN, *Chair*, Subcommittee on Planning, Dispositions
and Concessions

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SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Chambers, City Hall, New York City, New York 10007, commencing at **9:30 a.m. on Wednesday, April 7, 2010:**

L.U. No. 50

LE BASKET

MANHATTAN CB - 2

20105189 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Le Basket Inc., d/b/a Le Basket, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 683 Broadway.

L.U. No. 64

SOMBRERO

MANHATTAN CB - 4

20095372 TCM

Application pursuant to Section 20-225 of the Administrative Code of the City of New York, concerning the petition of C.A.P. Restaurant Corp., d/b/a Sombrero, for a revocable consent to construct, maintain and use an enclosed sidewalk café located at 303 West 48th Street.

L.U. No. 65

EL GRECO

QUEENS CB - 1

20105281 TCQ

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 36-19 30th Ave., Inc., d/b/a El Greco, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 36-19 30th Avenue.

L.U. No. 51

ROSE PLAZA ON THE RIVER

**BROOKLYN CB - 1
ZMK**

C 080339

Application submitted by Rose Plaza on River LLC pursuant to sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. changing from an M3-1 District to an R7-3 District property bounded by a line 850 feet southerly of the westerly centerline prolongation of Broadway, Kent Avenue, Division Avenue, a U.S. Pierhead and Bulkhead Line, and a U.S. Pierhead Line; and
2. establishing within the proposed R7-3 District a C2-4 District bounded by a line 850 feet southerly of the westerly centerline prolongation of Broadway, Kent Avenue, Division Avenue, a U.S. Pierhead and Bulkhead Line, a line 100 feet northeasterly of Division Avenue, and a line 100 feet westerly of Kent Avenue;

as shown on a diagram (for illustrative purposes only), dated November 2, 2009.

L.U. No. 52

ROSE PLAZA ON THE RIVER

BROOKLYN CB - 1

C 080340 ZSK

Application submitted by Rose Plaza on the River LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-736 of the Zoning Resolution to modify the requirements of former Section 62-34 (Height and Setback Regulations on Waterfront Blocks) to facilitate the construction of a mixed use development on property located at 470-490 Kent Avenue (Block 2134, Lots 1, and p/o 150), in R7-3 and R7-3/C2-4 Districts.

Application submitted by Rose Plaza on the River LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Appendix F (INCLUSIONARY HOUSING DESIGNATED AREAS), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7-3 districts.

Matter in underline is new, to be added;

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

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

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

APPENDIX F (2/24/2010)

INCLUSIONARY HOUSING DESIGNATED AREAS

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this

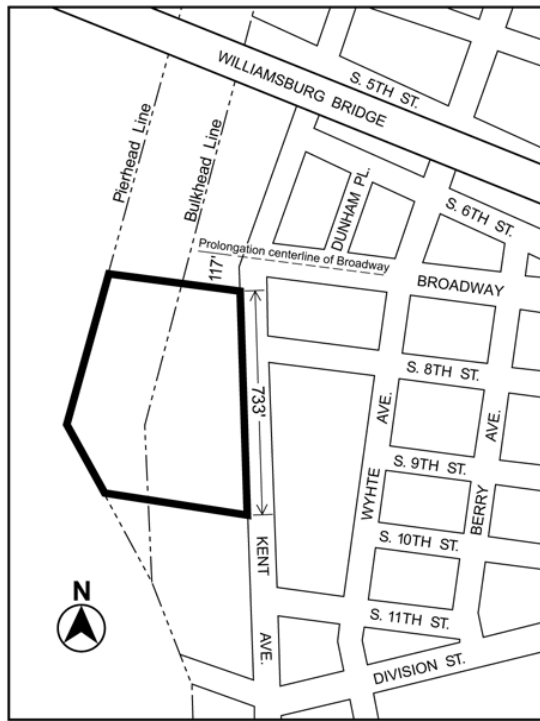
Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #residence districts#.

* * *

Brooklyn, Community District 1

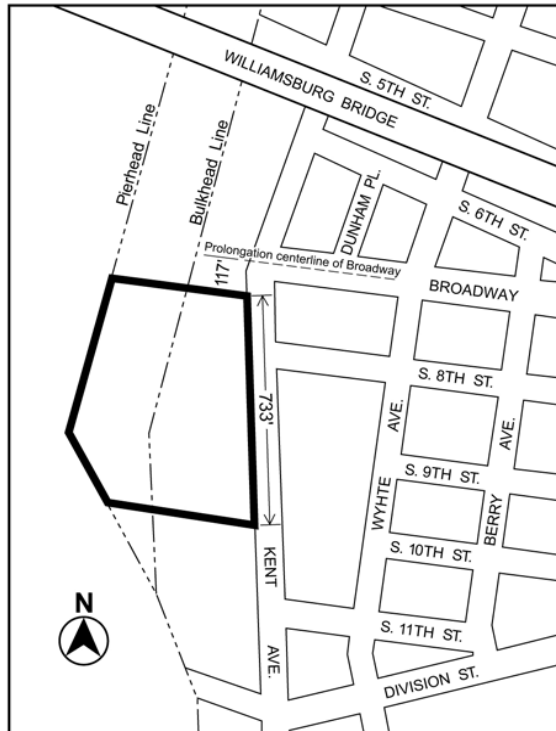
In Waterfront Access Plan BK-1, as set forth in Section 62-352, and in the R6, R6A, R6B, R7A and R7-3 Districts within the areas shown on the following Maps 1, 2 and 3:

* * *



Portion of Community District 1, Brooklyn
EXISTING

Map 3 (2/24/2010)



Portion of Community District 1, Brooklyn
PROPOSED

* * *

SPECIAL COLLEGE POINT DISTRICT

QUEENS CB - 7

N 100124 ZRQ

Application submitted by Skanska USA Civil Northeast Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article XII, Special Purpose Districts, Chapter 6 (Special College Point District), relating to Section 126-233 (b) (Special provisions along district boundaries).

Matter in underline is new, to be added;

Matter in strikeout is old, to be deleted;

Matter within # # is defined in Section 12-10

(DEFINITIONS) * * * indicates where unchanged text appears in the Resolution

Article XII - Special Purpose Districts

Chapter 6

Special College Point District

* * *

126-20

SPECIAL BULK REGULATIONS

* * *

126-23

Modification of Yard Regulations

* * *

126-233

Special provisions along district boundaries

The following regulations shall supplement the provisions of Section 43-30 (Special Provisions Applying along District Boundaries).

- (a) Sections 43-301 (Required yards along district boundary coincident with side lot line of zoning lot in an RI, R2, R3, R4 or R5 District) and 43-303 (Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District) shall be modified so that an open area not higher than

#curb level# and at least 20 feet wide shall be provided within the #Manufacturing District# on any #zoning lot# which is within 25 feet of a

#residence district#.

(b) Within the areas depicted on the Special College Point District Map as 60-foot buffer areas, an open area not higher than #curb level# shall be provided within the #Manufacturing District# as follows:

- (1) ~~and at least 60 feet wide, or where such open buffer area is adjacent to a #street#, a #front yard# not higher than #curb level# at least 60 feet in depth, shall be provided within the Manufacturing District.~~
- (2) where such buffer area is not adjacent to a #street#, an open area at least 60 feet wide shall be provided along the boundary of the #Manufacturing District#. Such open area may be reduced to a width of not less than 25 feet where there is an open area in an adjacent #Residence District# so that, in combination with the open area within the #Manufacturing District#, there is an open area totaling at least 60 feet in width. The open area in the #Residence District# shall be subject to a restrictive declaration requiring that such area be maintained pursuant to the standards of this Section, in a form approved by the New York City Department of Buildings, and subsequently recorded in the Office of the City Register of the City of New York against all tax lots comprising such restricted open area. Proof of recordation of the restrictive declaration in a form acceptable to the New York City Department of Buildings shall be submitted.

All ~~Such~~ open areas shall not be used for #accessory# off-street parking, accessory# off-street loading, or for storage or processing of any kind.

(c) All open areas required pursuant to this Section and Section 43-30 shall be planted, except at entrances to and exits from the #building# and except for access driveways to #accessory# parking and loading areas. In addition, except within #front yards#, there shall be a planting strip at least four feet wide, along the portion of the #lot line# adjoining the #Residence District#, complying with the provisions applicable to Section 126-136 (Screening of storage), provided that paragraph (b) of Section 126136 shall not be a permitted form of screening.

* * *

L.U. No. 55

GRYMES HILL/SUNNYSIDE

STATEN ISLAND CB - 1

C 100120 ZMR

Application submitted by Clove Lakes Civic Association pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21b:

1. changing from an R3-1 District to an R2 District property bounded by:
 - a. Waldron Avenue, a line 150 feet northeasterly of Clove Road, Victory Boulevard, and Clove Road; and
 - b. a line 140 feet southeasterly of Victory Boulevard, a line 100 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 150 feet northeasterly of Clove Road, Dudley Avenue, and Clove Road;
2. changing from an R3X District to an R2 District property bounded by a southeasterly boundary line of Silver Lake Park and its southwesterly prolongation, a line 230 feet northeasterly of Melrose Avenue and its northwesterly prolongation, Waldron Avenue, a line 270 feet northeasterly of Melrose Avenue, a line midway between Victory Boulevard and Waldron Avenue, Cheshire Place, Victory Boulevard, a line 420 feet northeasterly of Grand Avenue, a line midway between Victory Boulevard and Glenwood Avenue, Highland Avenue, Arlo Road, a line 100 feet easterly of Highland Avenue, Howard Avenue, Highland Avenue, a line 95 feet northwesterly of Sunnyside Terrace and its northeasterly prolongation, a line 95 feet northeasterly of Clove Road, a line 60 feet southeasterly of Van Courtlandt Avenue, Clove Road, Dudley Avenue, a line 150 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 100 feet southwesterly of Grand Avenue, Glenwood Avenue, Grand Avenue, Victory Boulevard, a line 150 feet northeasterly of Clove Road, Waldron Avenue, Clove Road, a line perpendicular to the northeasterly street line of Clove Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Clove Road and the northwesterly street line of Beverly Avenue, a line 400 feet northeasterly of Clove Road, a line 75 feet southeasterly of Cheshire Place, a line 145 feet northeasterly of Clove Road, Cheshire Place, and Clove Road;
3. changing from an R3X District to an R3-2 District property bounded by Cheshire Place, a line 145 feet northeasterly of Clove Road, a line 75 feet southeasterly of Cheshire Place, a line 400 feet northeasterly of Clove Road, a line perpendicular to the northeasterly street line of Clove Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the

northeasterly street line of Clove Road and the northwesterly street line of Beverly Avenue, and Clove Road; and 2 C 100120 ZMR

4. establishing a Special Hillside Preservation District (HS) bounded by Victory Boulevard, Highland Avenue, Howard Avenue, and Clove Road;

as shown on a diagram (for illustrative purposes only) dated November 30, 2009.

L.U. No. 56

HUDSON YARDS PARKING

MANHATTAN CBs - 4 and 5

N 100119 ZRM

Application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District).

Matter underlined is new, to be added;

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

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

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

Article IX - Special Purpose Districts

Chapter 3

Special Hudson Yards District

93-00

GENERAL PURPOSES

The “Special Hudson Yards District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

* * *

- (n) to limit the amount of off-street parking based on regulations which address the anticipated needs of residents, workers and visitors to the Hudson Yards Area, consistent with the objective of creating an area with a transit and pedestrian-

oriented neighborhood character.

* * *

93-03

District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Hudson Yards District plan#.

The District Plan includes the following ~~nine~~ten maps:

- Map 1 - Special Hudson Yards District, Subdistricts and Subareas
- Map 2 - Mandatory Ground Floor Retail
- Map 3 - Mandatory Street Wall Requirements
- Map 4 - Mandatory Sidewalk Widening
- Map 5 - Transit Easements and Subway Entrances
- Map 6 - Sites for which Special Parking Regulations Apply
- Map ~~6~~7 - Subdistrict F Site Plan
- Map ~~7~~8 - Subdistrict F Public Access Area Plan
- Map ~~8~~9 - Subdistrict F Mandatory Ground Floor Requirements
- Map ~~9~~10 - Subdistrict F Mandatory Street Wall Requirements

93-052

Applicability of Article I, Chapter 3

#Public parking lots# authorized pursuant to Section 13-552 (~~Public parking lots~~) prior to January 19, 2005, and #accessory# off-street parking facilities for which a special permit has been granted pursuant to Section 13-561 prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

The provisions of Article I, Chapter 3, in their entirety shall be applied to Subdistrict F. Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section 93-80 (inclusive).

* * *

93-054

Applicability of Chapter 4 of Article VII, Chapter 4

* * *

- (b) The following provisions regarding special permits by the City Planning Commission shall be applicable as modified:

Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) shall be applicable to the renewal of City Planning Commission special permits for #public parking lots# of any capacity and to #public parking garages#, granted prior to (date of enactment) or portions thereof, located above grade, subject to the findings of Section 93-821 (Authorization for above grade parking). However, the findings of Section 93-821 shall not apply to any public parking facility in existence prior to January 19, 2005, that is the subject of a renewal or new special permit.

* * *

93-14

Ground Floor Level Requirements

* * *

- (b) Retail continuity along designated streets in Subdistrict F

Map & 9 (Subdistrict F Mandatory Ground Floor Requirements) in Appendix A specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 70 percent of the building's #street# frontage, as indicated for each location on Map & 9.

- (1) Along Eleventh Avenue

The ground floor retail provisions established in paragraph (a) of this Section shall apply to the ground floor #street# frontage of #buildings# along Eleventh Avenue. In addition, if a #street# frontage is occupied by a bank, as listed in Use Group 6, such a #street# frontage shall not exceed a #street wall# width, in total, of 25 feet.

(2) Along designated streets other than Eleventh Avenue

In addition to the #uses# listed in paragraph (a) of this Section, the following #community facility uses# from Use Groups 3 and 4 as well as the following #commercial use# from Use Group 6B shall be permitted on the ground floor level of a #building# or within five feet of #curb level# for frontages along designated #streets#, as shown on Map 8 9, other than Eleventh Avenue.

93-16

Public Parking Facilities

In C2-5, C2-8 and C6 Districts, the provisions of Sections 32-17 (Use Group 8) and 32-21 (Use

Group 12) with respect to #public parking garages# and #public parking lots# are modified to require a special permit pursuant to Section 74 52 (Parking Garages or Public Parking Lots in High Density Central Areas) for #public parking lots# of any capacity, and in C2 8 and C6 Districts, to allow, as of right, #public parking garages#, provided such garages are entirely below grade and contain not more than 0.30 parking spaces for each 1,000 square feet of #floor area# on the #zoning lot#. However, no #public parking garages# shall be permitted within the #Phase 2 Hudson Boulevard and Park#, as shown on Map 1 in Appendix A of this Chapter inapplicable and are superseded by the provisions of Section 93-80 (OFF-STREET PARKING REGULATIONS).

* * *

93-17

Modification of Sign Regulations

(a) Subdistricts A, B, C, D and E

Within Subdistricts A, B, C, D and E, the underlying #sign# regulations shall apply, except that #flashing signs# shall not be allowed within 100 feet of Hudson Boulevard, its northerly prolongation to West 39th Street and its southerly prolongation to West 33rd Street. Furthermore, #flashing signs# shall not be

allowed on any portion of a #building# fronting upon the outdoor plaza required in the Eastern Rail Yard Subarea A1, pursuant to Section 93-71.

(b) Subdistrict F

For the purposes of calculating the permitted #surface area# of a #sign#, each site set forth on Map 6 7 (Subdistrict F Site Plan) in Appendix A shall be considered a separate #zoning lot#.

* * *

93-56

Special Height and Setback Regulations in Subdistrict F

The height and setback regulations set forth in this Section, inclusive, shall apply to specific sites identified as Sites 1 through 6 on Map 6 7 (Subdistrict F Site Plan) in Appendix A. All #developments# or #enlargements# of a #building or other structure# within Subdistrict F, with the exception of those approved as part of a public access area pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F), shall occur within these designated site locations. However, portions of a #building# located entirely below grade, and exempt from the definition of #floor area#, shall be permitted to extend beyond such designated site locations. Furthermore, the boundary of Site 6 may be extended in a westerly direction, by up to 40 feet, to accommodate a public #school# in accordance with the provisions of paragraph (b) of Section 93-568 (Site 6).

Map 4 (Mandatory Sidewalk Widening) in Appendix A identifies the location of a sidewalk widening required along Eleventh Avenue that is referenced in this Section, inclusive. Regulations governing the design of this sidewalk widening are set forth in Section 93-61.

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways. Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A, identifies the location of publicly accessible open spaces, private streets, and pedestrian ways that are referenced in this Section.

Publicly accessible open spaces are comprised of the Western Open Space, the Central Open Space, the Southwest Open Space, the Northeast Plaza, the Midblock Connection and the #High Line#. General rules governing such publicly accessible open spaces are set forth in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

Publicly accessible private streets are comprised of the West 32nd Street Extension (including the Allee, as defined in paragraph (c)(2) of Section 93-761 and shown on Map 7 8) and the West 31st Street Extension. Publicly accessible pedestrian ways are comprised of the West 30th Street Corridor, and the Connector. General rules governing such private streets and pedestrian ways are set forth in Section 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F).

93-561

General rules for Subdistrict F

The following regulations shall apply to all #buildings or other structures# within Sites 1 through 6:

(a) #Street wall# location

For the purposes of applying the height and setback regulations of this Section, inclusive, wherever a #building# fronts upon any publicly accessible open space, private street or pedestrian way, as shown on Map 7 8 (Subdistrict F Public Access Area Plan), the boundary of such publicly accessible open spaces, private streets or pedestrian ways shall be considered to be a #street line#. Furthermore, for the purposes of applying such height and setback regulations, the sidewalk widening line required along Eleventh Avenue shall be considered the Eleventh Avenue #street line#.

Wherever a #building# on Sites 1, 5 or 6 faces the #High Line#, the #street wall# shall not be located closer than five feet to the edge of the #High Line#, as shown on Map 7 8. Such five foot separation shall remain unobstructed, from the level of finished grade adjacent a #building#, to the sky, except as permitted:

* * *

93-562

Street wall regulations for certain streets

The locations of all #street walls# identified in this Section are shown on Map 9 10 (Subdistrict F Mandatory Street Wall Requirements) in Appendix A.

* * *

93-565

Site 3

* * *

(c) Maximum length and height

The maximum horizontal dimension of a tower, measured in any direction, shall not exceed 145 feet. However, if the angle of the tower's maximum horizontal dimension is aligned within 15 degrees of a 45 degree line constructed from either the southwest or northeast corner of the Site 3 rectangle in plan, as shown on Map 6 7 (Subdistrict F Site Plan) in Appendix A, then such maximum horizontal dimension measured in this direction may be increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed a length of 120 feet.

* * *

93-566

Site 4

* * *

(c) Towers

* * *

(2) Maximum length and height

For any portion of a tower above 120 feet, the maximum horizontal dimension, measured in any direction, shall not exceed 145 feet. However, if the angle of the tower's maximum horizontal dimension is aligned within 15 degrees of a 45 degree line constructed from either the southwest or northeast corner of the Site 4 rectangle, in plan, as shown on Map 6 7 (Subdistrict F Site Plan) in Appendix A, then such maximum horizontal dimension measured in this direction may be increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed a length of 120 feet.

* * *

93-567

Site 5

All #stories# of a #development# or #enlargement# located wholly or partially above finished grade on Site 5 shall be considered a tower and shall comply with the provisions of this Section.

On Site 5, a #building or other structure# may be located adjacent to and above the #High Line#, provided no portion of such #building# or an associated structural column is located within five feet of the edge of the #High Line# from the level of finished grade to a level of 50 feet above the level of the #High Line bed#, as shown on Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A.

* * *

(b) Maximum length and height

At or below a height of 50 feet above the #High Line bed#, if a #building or other structure# is #developed# with portions on both sides of the #High Line#, the minimum horizontal dimension, measured in any direction between such portions shall be 60 feet.

For that portion of a tower located above a height of 50 feet above the #High Line bed#, the maximum horizontal dimension, measured in any direction, shall not exceed 145feet. However, if the angle of the tower's maximum horizontal dimension is aligned within 15 degrees of a 45 degree line constructed from either the southwest or northeast corner of the Site 5 rectangle, in plan, as shown on Map 6 7 (Subdistrict F Site Plan) in15Appendix A, then such maximum

horizontal dimension measured in this direction maybe increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed a length of 120 feet. Furthermore, the maximum horizontal dimension for that portion of a tower that spans the #High Line#, measured in any direction, shall not exceed 120 feet.

* * *

93-568
Site 6

* * *

(b) Certification to expand Site 6

The area of Site 6, as shown on Map 6 7 (Subdistrict F Site Plan), may be extended westward by up to 40 feet in order to accommodate a public #school# upon certification of the Chairperson of the City Planning Commission, that:

* * *

93-75
Publicly Accessible Open Spaces in Subdistrict F

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

Publicly accessible open spaces are listed in this Section, inclusive. Such publicly accessible open spaces shall be comprised of the Western Open Space, the Central Open Space, the Southwest Open Space, the Northeast Plaza, the Midblock Connection, and the #High Line# as described within this Section, inclusive. Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A identifies the location of publicly accessible open spaces.

* * *

93-751

General requirements for the Western Open Space

* * *

(b) Location and minimum dimensions

The Western Open Space shall be located east of the #High Line#, and encompass the area between Sites 1 and 5 as shown on Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A. The Western Open Space shall have a minimum easterly boundary of 225 feet, as measured from the easterly #street line# of Twelfth Avenue.

(c) Core elements

* * *

(3) Supplemental area

Any space provided in the Western Open Space which does not meet the criteria for lawn area set forth in paragraph (c)(1) of this Section or the criteria for the #High Line# connection set forth in paragraph (c)(2) shall be designated as supplemental area and shall comply with the requirements set forth in this paragraph, (c)(3).

A minimum of 50 percent of the supplemental area shall be landscaped with soft ground cover, and the remaining 50 percent may be paved. At least one tree shall be provided for every 2,000 square feet of supplemental area. Such trees may be distributed anywhere within the supplemental area.

A minimum of two unimpeded paved pedestrian accesses, each with a minimum width of 12 feet, shall be provided in the supplemental area. One such pedestrian access shall link the West 32nd Street Extension's Allee, as defined in paragraph (c)(2) of Section 93- 761 and shown on Map 7 8, to the #High Line#, and the second such pedestrian access shall link the West 31st Street Extension to the #High Line#.

* * *

93-752

General requirements for the Central 17Open Space

* * *

(b) Location and dimensions

The Central Open Space shall be located within the area bounded by the West 32nd Street Extension, the West 31st Street Extension, the Connector and Eleventh Avenue, and shall also be comprised of any portion of Sites 3 and 4 that are not covered by #buildings# at the ground level as shown on Map 7-8 (Subdistrict F Public Access Area Plan) in Appendix A.

* * *

93-753

General requirements for the Southwest Open Space

* * *

(b) Location and minimum dimensions

The Southwest Open Space shall be located within the area bounded by Twelfth Avenue, the Western Open Space, the West 31st Street Extension, Site 6 and West 30th Street, and shall also be comprised of any portion of Site 5 which is not covered by a #building or other structure# at the ground level as shown on Map 7-8 (Subdistrict F Public Access Area Plan) in Appendix A.

* * *

93-754

General requirements for the Northeast Plaza

A publicly accessible open space, (henceforth referred to as the “Northeast Plaza”), shall be provided at the intersection of West 33rd Street and Eleventh Avenue, as shown on Map 7-8 (Subdistrict F Public Access Area Plan) in Appendix A. The area of such space shall be at least 2,600 square feet, and shall have a minimum #street#

frontage of 40 feet along each #street#. The Northeast Plaza shall be #developed# in accordance with the standards of a #public plaza#, as set forth in Section 37-70 (PUBLIC PLAZAS), exclusive of the area₁₈ dimensions set forth in Section 37-712.

93-755

General requirements for the Midblock Connection

A pedestrian way, (henceforth referred to as the “Midblock Connection”), shall be provided between West 33rd Street and the West 32nd Street Extension, as shown on Map 7 8 (Subdistrict F Public Access Area Plan), in Appendix A.

* * *

93-76

Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

Publicly accessible private streets and pedestrian ways shall be provided in Subdistrict F in addition to the publicly accessible open spaces required in Section 93-75. Such private streets and pedestrian ways shall be comprised of the West 31st and West 32nd Street Extensions, the West 30th Street Corridor and the Connector. Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A of this Chapter identifies the location of these publicly accessible private streets and pedestrian ways.

* * *

93-761

General requirements for the West 32nd Street Extension

* * *

(a) General purpose

The West 32nd Street Extension is intended to serve the following purposes:

- (1) to serve as the primary publicly accessible pedestrian and vehicular connection to the Western Rail Yard from Eleventh Avenue;
- (2) to provide an experience substantially similar to active public #streets# in other highdensity, mixed-use districts;
- (3) to provide a unique urban park-₁₉like experience for an active public

#street# by connecting the Western Open Space and the Eastern Rail Yard plaza with a pedestrian Allee, as defined in paragraph (c)(2) of this Section and shown on Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A; and

- (4) to provide a private street with core elements that are substantially similar to the surrounding public #streets#.

(b) Location and Dimensions

The West 32nd Street Extension shall have its northerly edge located a minimum of 180 feet and a maximum of 200 feet south of the West 33rd Street #street line#, as shown on Map 7 8, except that a terminus to the West 32nd Street Extension, located west of the Connector shall be permitted to expand beyond the maximum dimensions, provided that such terminus extends to provide a building entrance drive along Site 1, and complies with the provisions set forth in paragraph (e) of Section 93-751 (General requirements for the Western Open Space).

(c) Core Elements

The West 32nd Street Extension shall provide the following core elements:

* * *

- (2) Planting and seating requirements for the southern sidewalk and the Allee

Two trees shall be planted for every 20 feet of southern curb length of the West 32nd Street Extension between Eleventh Avenue and the Connector. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire curb length of the West 32nd Street Extension.

Along the southern sidewalk, trees shall be planted within five feet of the curb and the southern edge of the sidewalk. One row of trees shall be planted within five feet of the curb and a second row of trees shall be planted within five feet of the southern edge of the sidewalk. This double row of tree planting

along the southern sidewalk of the West 32nd Street Extension between Eleventh Avenue and the Connector shall henceforth be referred to as the Allee, as shown on Map 7 8. No #development# shall be permitted within 15 feet of the southern edge of the₂₀Allee.

The Allee shall provide a minimum of one linear foot of seating for every 75 square feet of the Allee. A minimum of 50 percent of the required seating shall provide seatbacks.

* * *

93-762

General requirements for the West 31st Street Extension

* * *

(b) Location and dimensions

The West 31st Street Extension shall have its southerly edge located a minimum of 180 feet and a maximum of 200 feet north of the West 30th Street #street line#, as shown on Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A, except that a terminus to the West 31st Street Extension, located west of the Connector, shall be permitted to expand beyond the maximum dimensions, provided that such terminus extends to provide a building entrance drive along Site 5, and complies with the provisions set forth in paragraph (d) of Section 93-753 (General requirements for the Southwest Open Space), and/or paragraph (f) of Section 93-754~~2~~ (General requirements for the ~~Northeast Plaza~~ Central Open Space), as applicable.

* * *

93-763

General requirements for the West 30th Street Corridor

* * *

(b) Location and dimensions

The West 30th Street Corridor shall be located in the area bounded by the #High Line#, Eleventh Avenue, West 30th Street and the eastern edge of the Southwest

Open Space, as shown on Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A.

* * *

93-764

General requirements for the Connector

* * *

(b) Location and dimensions

The western #street line# of the Connector shall be located a minimum of 225 feet east of the easterly #street line# of Twelfth Avenue, as shown on Map 7 8 (Subdistrict F Public Access Area Plan) in Appendix A.

* * *

93-78

Site and Landscape Plans for Public Access Areas in Subdistrict F

* * *

- (e) Where a phase of #development# results in all building sites in Subdistrict F, as shown on Map 6 7 (Subdistrict F Site Plan) in Appendix A, having been #developed# in whole or in part pursuant to the provisions of Section 93-56 (Special Height and Setback Regulations in Subdistrict F), the Department of Buildings shall not issue a certificate of occupancy for the last #building# of such phase unless and until the Chairperson certifies to the Commissioner of Buildings that all public access areas within Subdistrict F are substantially complete, and are open to and useable by the public. However, in the event that the site and landscape plans for the #High Line# open space have not been approved pursuant to paragraph (c) of this Section at the time such last #building# is eligible for a certificate of occupancy, the Department of Buildings shall issue such certificate of occupancy upon certification of the Chairperson that all public access areas other than the #High Line# open space are substantially complete.

* * *

93-80

OFF-STREET PARKING REGULATIONS

In Subdistricts A, B, C, D and E, the regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

In Subdistrict F, the regulations of Article 1, Chapter 3 shall apply.

93-81

Definitions

Hudson Yards parking regulations applicability area

The “Hudson Yards parking regulations applicability area” is comprised of Subdistricts A, B, C, D and E of the #Special Hudson Yards District#, the 42nd Street Perimeter Area of the #Special Clinton District# and Area P2 of the #Special Garment Center District#.

Hudson Yards development parking supply

The “Hudson Yards development parking supply” shall be the aggregate number of off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking lots# and #public parking garages# in the #Hudson Yards parking regulations applicability area#:

- (a) that have been constructed, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before (date of enactment), to the extent that such spaces satisfy the ratios of Section 93-821;
- (b) that have been constructed, pursuant to a City Planning Commission special permit approved subsequent to January 19, 2005, and before (date of enactment);
- (c) for which the Chairperson has issued a certification, pursuant to Section 93-821, paragraph (e); and
- (d) that have been approved by Board of₂₃Standards and Appeals variance, pursuant

to Section 72-21 , to the extent that such spaces satisfy the ratios of Section 93-821.

However, all off-street parking on Site 1, as shown on the map of the Special 42nd Street Perimeter Area in Appendix A of the #Special Clinton District# (Article IX, Chapter VI) shall be counted towards the #Hudson Yards development parking supply#.

For purposes of this definition, “constructed” shall include any off-#street# parking spaces in #accessory# or #group parking facilities#, #public parking garages# or #public parking lots#, where such #accessory# or #group parking facilities#, #public parking garages# or #public parking lots# were completed on (date of enactment); under construction on such date with the right to continue construction pursuant to Section 11-331; or granted a City Planning Commission special permit after January 19, 2005, where such permit had not lapsed as of (date of enactment).

Public parking

“Public parking” shall be off-street parking that is open to the public during the business day for hourly, daily or other time-defined rental of parking spaces, for which a fee is charged;

Reservoir deficit

The “reservoir deficit” shall be the amount by which the #reservoir surplus# is less than zero;

Reservoir parking supply

The “reservoir parking supply” shall be the sum of:

- (a) all off-street parking spaces lawfully operating as of May 27, 2009, in the #Hudson Yards parking regulations applicability area# as #public parking#; and
- (b) any off-street parking spaces for which a valid building permit had been issued, as of May 27, 2009, and which have been constructed before (date of enactment).

However, any off-street parking space that satisfies the definition of the #Hudson Yards development parking supply# in this Section shall not be counted as part of the #reservoir parking supply#.

For purposes of this definition, “constructed” shall include any off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking garages# or #public parking lots#, where such #accessory# or #group parking facilities#, #public parking garages# or #public parking lots# were either completed on (date of enactment) or under construction on such date with the right to continue construction pursuant to Section 11-331.

Reservoir surplus

The initial #reservoir surplus# shall be 3,600 off-street parking spaces. The “reservoir surplus” shall be increased by:

- (a) the aggregate number of off-street parking spaces in the #reservoir parking supply# for which a building permit has been issued, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before the (date of enactment);
- (b) the number of off-street parking spaces in the #Hudson Yards parking regulations applicability area# above the ratios permitted in Section 93-821, either certified by the Chairperson pursuant to Sections 93-822, paragraph (c), or by City Planning Commission special permit, pursuant to Section 93-823; and
- (c) the number of off-street parking spaces lawfully added in the #Hudson Yards parking regulations applicability area#, other than those permitted pursuant to this Section 93-80 et. seq., except for any increase by Board of Standards and Appeals variance that is counted as part of the #Hudson Yards development parking supply#;

The #reservoir surplus# shall be decreased by:

- (a) the aggregate number of parking spaces counted at any time in the #reservoir parking supply#, that subsequently are:
 - (1) reduced through modification or discontinuance of the applicable Department of Consumer Affairs license or certificate of occupancy or otherwise cease operation permanently; or
 - (2) not constructed in accordance with the applicable building permit, as reflected in a modification of such building permit or the issuance of a certificate of occupancy for a reduced number of spaces; or

(b) the issuance of a certificate of occupancy for a #development# or #enlargement# providing a smaller number of spaces than allowed, pursuant to Section 93-821, to the extent of the difference between the number of #accessory# off-street parking spaces allowed, and the number provided. However, this paragraph shall not apply to Sites 2, 3, 4 and 5, as shown on Map 6 of Appendix A, and shall apply to no more than 200 #accessory# off-street parking spaces on Site 6 as shown on Map 6.

Substantial construction

“Substantial construction” shall mean the substantial enclosing and glazing of a new #building# or of the #enlarged# portion of an existing #building#.

~~93-81~~

93-82

Required and Permitted Parking

All #Developments# or #enlargements# on #zoning lots# greater than 15,000 square feet in the #Hudson Yards parking regulations applicability area# may shall provide #accessory# parking spaces in accordance with the provisions of this Section. For #zoning lots# of 15,000 square feet or less, #accessory# parking spaces are permitted up to the maximum number allowed for required spaces as set forth in this Section. The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted #accessory# off-street parking spaces.

93-821

Permitted parking when the reservoir surplus is greater than or equal to zero

When the #reservoir surplus# is greater than or equal to zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

(a) ~~Except in the Eastern Rail Yards Subarea A1, f~~For #residences#, #accessory# off-street parking spaces shall may be provided for at least not more than 33 30 percent of the total number of #dwelling units#, except that where such #dwelling units# are comprised of #low income floor area#, #moderate income floor area# or #middle income floor area#, as defined in Section 23-911 of this Resolution government assisted, pursuant to paragraph (e) of Section 25-25, #accessory# off-street parking spaces shall may be provided for at least 25 not more than eight percent of the total number of such #dwelling units#. In all areas, the total number of off street parking spaces²⁶#accessory# to #residences# shall not

~~exceed 40 percent of the total number of #dwelling units#. However, if the total number of #accessory# off-street parking spaces required for such #use# on the #zoning lot# is less than 15, no such spaces shall be required.~~

~~(b) Except in the Eastern Rail Yards Subarea A1, for #commercial# and #community facility uses#, a minimum of 0.30 #accessory# off-street parking spaces shall be provided for each 1,000 square feet of #floor area#, and not more than 0.325 off-street parking spaces shall be provided for every 1,000 square feet of #floor area#. However, if the total number of #accessory# off-street parking spaces required for such #uses# on the #zoning lot# is less than 40, no such spaces shall be required. No parking shall be required for houses of worship or #schools#.~~

~~(c) Except in the Eastern Rail Yards Subarea A1, the required and permitted amounts of #accessory# off-street parking spaces shall be determined separately for #residential#, #commercial# and #community facility uses#.~~

(b) For Use Group 5 #transient hotels#, the provisions of Section 13-131 shall apply with respect to the number of permitted #accessory# off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of #floor area#.

(c) For Use Group 6B offices not more than 0.16 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#.

(d) In the Eastern Rail Yard Subarea A1, ~~no #accessory# off-street parking shall be required~~ paragraphs (a) through (c) of this Section shall not apply, and any #accessory# off-street parking shall comply with the provisions of this paragraph, (d).

(1) For #residences#, #accessory# off-street parking spaces may be provided for not more than 40 percent of the total number of #dwelling units#.

(2) For #commercial# and #community facility uses#, not more than 0.325 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#, provided that in no event shall the number of off-street parking spaces #accessory# to #commercial# or #community facility uses# exceed 350 spaces.

(3) In no event shall the total number of #accessory# off-street parking spaces for all #uses# exceed 1,000.

- (e) ~~The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted or required #accessory# off-street parking spaces.~~

The Department of Buildings shall not issue a building permit for any #accessory# offstreet parking pursuant to paragraphs (a) through (c) of this Section unless the Chairperson has certified that:

(1) The sum of the following is less than or equal to 5,084 spaces:

(i) the #reservoir surplus# or zero;

(ii) the #Hudson Yards development parking supply#; and

(iii) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought; and

(2) The sum of the following is less than or equal to 5,905 spaces:

(i) all off-street parking spaces in the #Hudson Yards parking applicability area# that have been categorized, in accordance with the definition in Section 93-81, as part of the #reservoir parking supply#, less any such off-street parking spaces that have been categorized as decreasing the #reservoir surplus# in accordance with paragraph (a) of the second part of the definition of #reservoir surplus# in Section 93-81 ;

(ii) all off-street parking spaces in the #Hudson Yards parking applicability area# that have been categorized as increasing the #reservoir surplus# in accordance with paragraphs (b) and (c) of the first part of the definition of #reservoir surplus# in Section 93-81;

(iii) the #Hudson Yards Development Parking Supply#; and

(iv) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought.

(3) Notwithstanding paragraphs (e) (1) and (2) of this Section, if the Chairperson

determines that final certificates of occupancy have been issued by the Department of Buildings for all #buildings# shown in the site plan for the Eastern Rail Yards Subarea A1 as required by the provisions of Section 93-70, and that upon the completion of all such #buildings#, fewer than 1,000 #accessory# offstreet parking spaces have been provided in such subarea, any difference between the number of #accessory# off-street parking spaces provided in the Eastern Rail Yards Subarea A1, and 1,000, may be added to the limits of 5,084 and 5,905 spaces set forth in paragraphs (e) (1) and (2), respectively.

- (4) Any certification granted by the Chairperson pursuant to this Section shall lapse after two years if #substantial construction# of the new #building# or of the #enlarged# portion of an existing #building# which includes the subject #accessory# off-street parking spaces has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-822

Permitted parking when a reservoir deficit exists

When a #reservoir deficit# exists, additional off-street parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1:

- (a) The number of permitted #accessory# off-street parking spaces for Use Group 5 hotels may exceed 0.16 for every 1,000 square feet of #floor area#, up to the number permitted by Section 13-131;
- (b) The number of permitted #accessory# off-street parking spaces for Use Group 6B offices may be increased by up to 33 percent of the number permitted pursuant to Section 93-821, paragraph (b);
- (c) The Department of Buildings shall not issue a building permit for any additional #accessory# off-street parking spaces permitted pursuant to this Section unless the Chairperson has certified that

- (1) a #reservoir deficit# exists;

(2) the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821 proposed to be added by the #development# or #enlargement# for which certification is sought, does not exceed such #reservoir deficit#; and

(3) such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in subparagraphs (i), (ii) and (iii) of paragraph (e)(2) of Section 93-821 does not exceed 5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e) (2) has been adjusted pursuant to the provisions of paragraph (e) (3) of Section 93-821.

(d) Any certification granted by the Chairperson pursuant to this Section shall lapse after two years if #substantial construction# of the new #building# or of the #enlarged# portion of an existing #building# which includes the subject #accessory# off-street parking spaces has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-823

Parking permitted by special permit

When a #reservoir deficit# exists, the City Planning Commission may allow, by special permit, Use Group 6B offices to exceed the number of #accessory# off-street parking

spaces permitted by Section 93-822, in accordance with the provisions of Section 13-561, except that finding (a) of Section 13-561 shall not apply. In addition, the Commission shall find that the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# that is the subject of the application under review, does not exceed the #reservoir deficit#; and that such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in subparagraphs (i), (ii) and (iii) of paragraph (e)(2) of Section 93-821 does not exceed 5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e) (2) has been adjusted pursuant to the provisions of paragraph (e) (3) of Section 93-821. In making such finding, the Commission shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-824

Publication of data

The Department of City Planning shall make available, in a form easily accessed by the public, regularly updated calculations of the current #Hudson Yards development parking supply#, #reservoir parking supply#, and #reservoir surplus# or #reservoir deficit#, as applicable.

~~93-82~~

93-83

Use and Location of Parking Facilities

The provisions of this Section shall apply to all off-street parking spaces within the #Special Hudson Yards District#.

- (a) All off-street parking spaces #accessory# to #residences# shall be used exclusively by the occupants of such #residences#. Except in the Eastern Rail Yard Subarea A1, aAll #accessory# off-street parking spaces #accessory# to Use Group 5 #transient hotels# and Use Group 6B offices may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request therefore is made to the landlord. Furthermore, if #accessory# and public parking spaces are provided on the same #zoning lot#, all such spaces shall be located within the same parking facility. However, such regulations are modified in the following areas:
- (1) ~~in C1 7A Districts and in C2 5 Districts mapped within R8A Districts, all #accessory# off street parking spaces shall be used exclusively by the occupants of the #residential development#, #enlargement# or conversion. Where a parking facility is located partially within a C2 5 District mapped within an R8A District and partially within another district, all such #accessory# off street parking spaces may be made available for public use provided more than half of the floor space of the parking facility is located outside the C2 5 District mapped within an R8A District; or~~
- (2) ~~in the Eastern Rail Yards Subarea A1, any #accessory# parking spaces shall be exclusively for #uses# located in the Subarea.~~
- (b) ~~All #accessory# off street parking spaces may be provided within parking facilities on #zoning lots# other than the same #zoning lot# as the #uses# to which they are #accessory#, provided:~~

~~(1) such parking facilities are located within a C2-8 or C6-4 District within the #Special Hudson Yards District#, or within the 42nd Street Perimeter Area of the #Special Clinton District# or within Area P-2 of the #Special Garment Center District#;~~

~~(2) the off street parking space within such facility is counted only once in meeting the parking requirements for a specific #zoning lot#; and~~

~~(3) the number of parking spaces within such facility shall not exceed the combined maximum number of spaces permitted on each #zoning lot# using such facility, less the number of any spaces provided on such #zoning lots#. The provisions of Section 13-141 (Location of accessory off-street parking spaces), inclusive, shall apply.~~

(c) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:

(1) entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or

(2) located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas.

93-8231

Authorization for above-grade parking

The City Planning Commission may authorize parking facilities that do not comply with the provisions of paragraph (c) of Section 93-823 (Use and Location of Parking Facilities) and may authorize floor space used for parking and located above a height of 23 feet to be exempt from the definition of #floor area#, provided that:

(a) below-grade parking has been provided to the fullest extent feasible, and such above-grade facility is necessary due to subsurface conditions such as the presence of bedrock, railroad rights-of-way or other conditions that impose practical difficulties for the construction of below-grade parking facilities;

(b) the scale of the parking facility is compatible with the scale of #buildings# in the surrounding area;

- (c) the materials and articulation of the #street wall# of the parking facility is compatible with #buildings# in the surrounding area;
- (d) the ground floor level of such parking facilities that front upon #streets# is occupied by #commercial#, #community facility# or #residential uses# that activate all such adjoining #streets#, except at the entrances and exits to the parking facility. Where site planning constraints make such #uses# infeasible, the parking facility shall be screened from adjoining #streets# or public access areas with a densely planted buffer strip at least 10 feet deep. Where such screening is not desirable, such ground floor wall of the parking facility shall be articulated in a manner that provides visual interest;
- (e) any floor space above the ground floor level utilized for parking is located, to the greatest extent feasible, behind #commercial#, #community facility# or #residential floor area# so as to minimize the visibility of the parking facility from adjoining #streets# or public access areas. Any exterior wall of the parking facility visible from an adjoining #street# or public access area shall be articulated in a manner that is compatible with #buildings# in the surrounding area;
- (f) for portions of parking facilities that are visible from #streets#, publicly accessible open areas or nearby properties, interior lighting and vehicular headlights are shielded to minimize glare on such #streets#, public access areas or properties; and
- (g) the location of vehicular entrances and exits will not unduly inhibit surface traffic and pedestrian flow.

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

~~93-83~~ 93-84

Curb Cut Restrictions

* * *

~~93-831~~ 93-841

Curb cut restrictions in the Large-Scale Plan Subdistrict A

* * *

~~93-832~~ 93-842

Curb cut restrictions in the Farley Corridor Subdistrict B

* * *

93-84 93-85

Authorization for Additional Curb Cuts

* * *

Appendix A

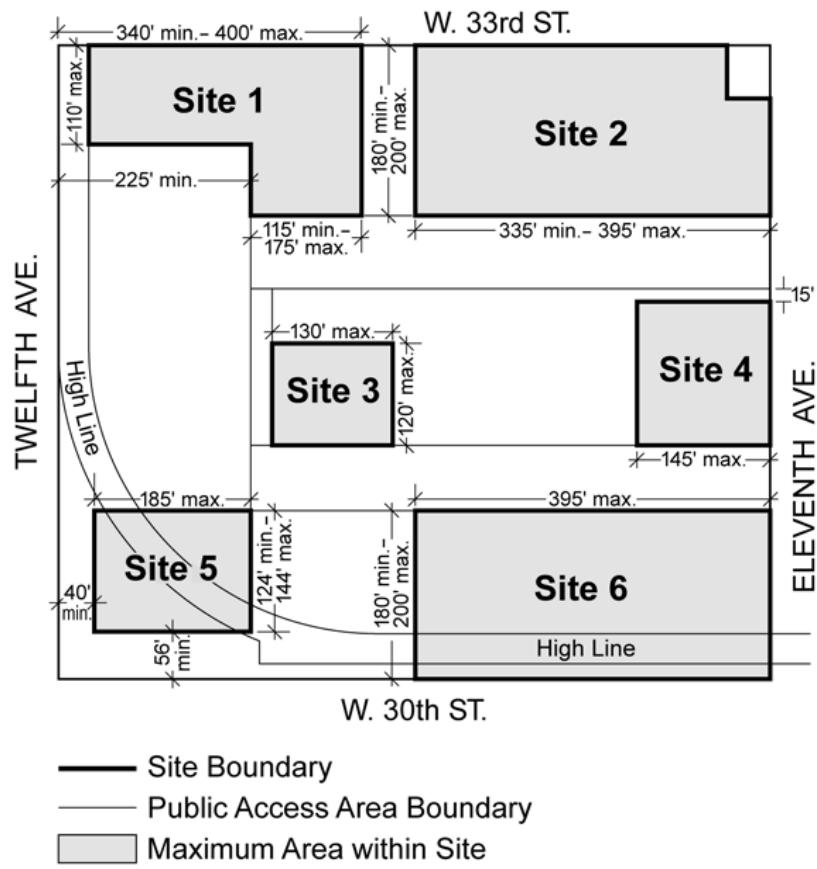
Special Hudson Yards District

* * *

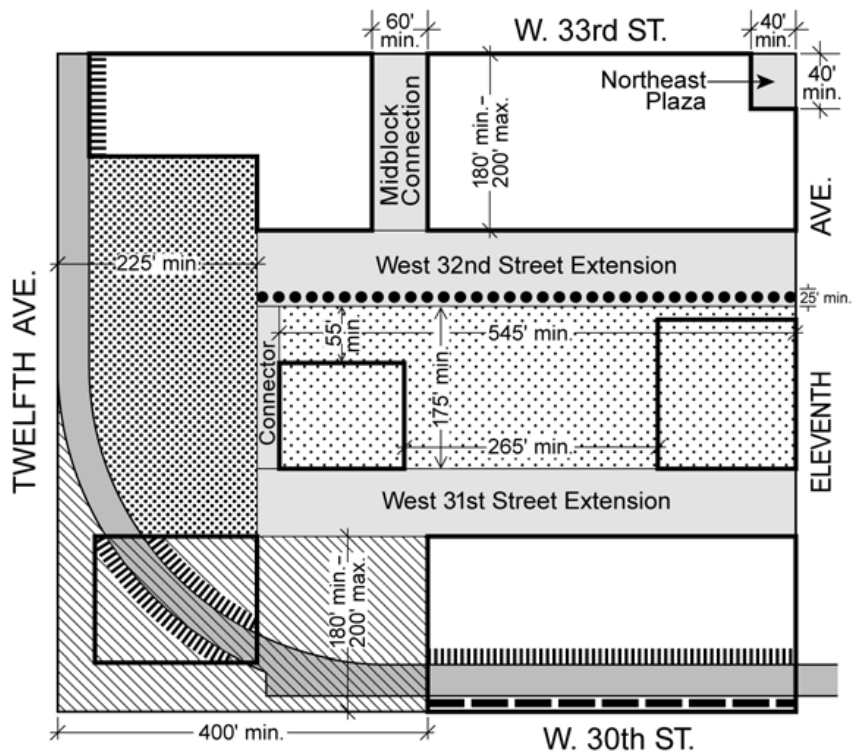
Map 6 – Sites for which Special Parking Regulations Apply



Map 6 7 – Subdistrict F Site Plan

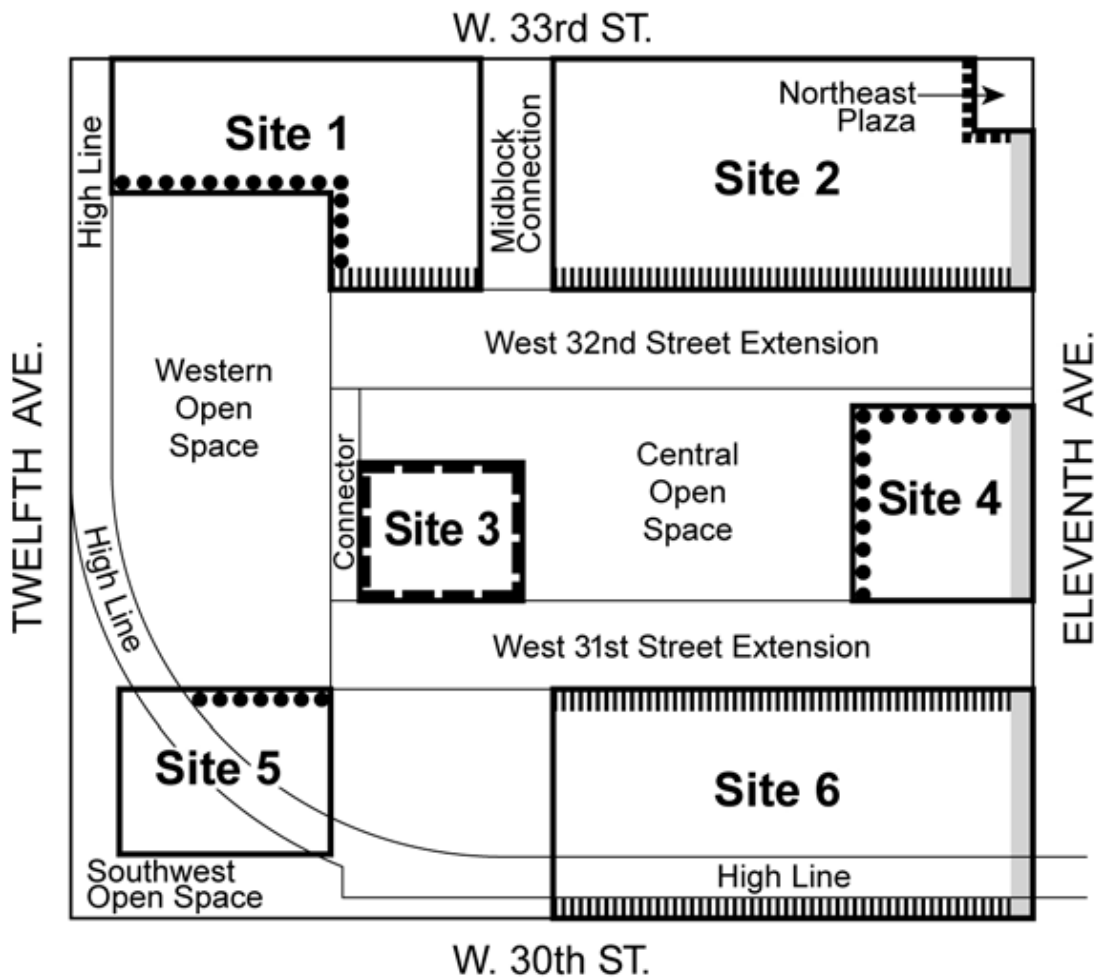


Map 7 8 – Subdistrict F Public Access Area Plan



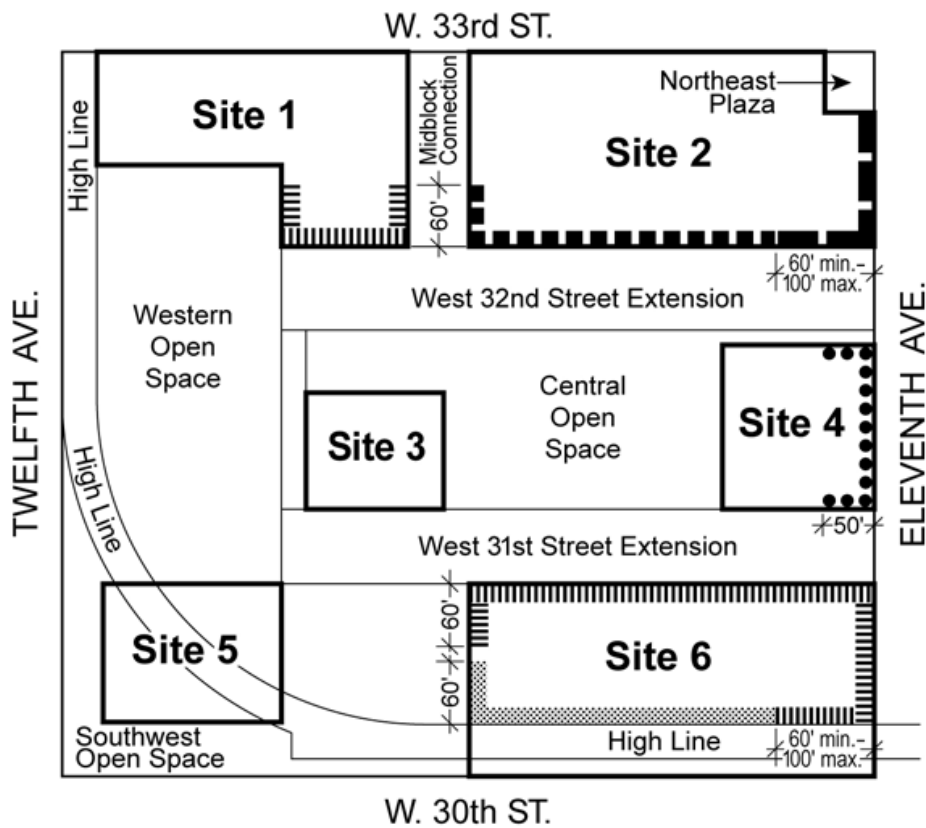
- Site Boundary
- Public Access Area Boundary
- Streets, Pedestrian Ways and Northeast Plaza
- Western Open Space
- Central Open Space (includes areas of Site 3 and Site 4 which are not part of a building)
- Southwest Open Space (connects beneath the High Line and includes areas of Site 5 which are not part of a building)
- High Line
- 30th Street Corridor
- Required 5' Setback from High Line
- Allee






Map 8 9 – Subdistrict F Mandatory Ground Floor Requirements



- 100% Retail and Glazing Requirement
- ||||| 70% Retail or Community Facility and Glazing Requirement (Section 93-14, (b) and (c))
- Public Plaza 50% Retail and Glazing Requirements (Section 37-76)
- - - Ground Floor Requirements (Section 93-565(a))
- 50% Glazing Requirement (Sections 93-751(d) and 93-752(e))

Map 9 10 – Subdistrict F Mandatory Street Wall Requirements



	Minimum Base Height	Maximum Base Height	Percentage of frontage that must be occupied by a street wall	Percentage of street wall which must recess	Maximum percentage of street wall which may set back
	50'*	60'*	100%	20%	30%
	60'	90'	100%	20%	30%
	90'	120'	100%	20%	50%
	90'	120'	100%	20%	30%
	120'	150'	100%	20%	30%

*As measured above the High Line bed

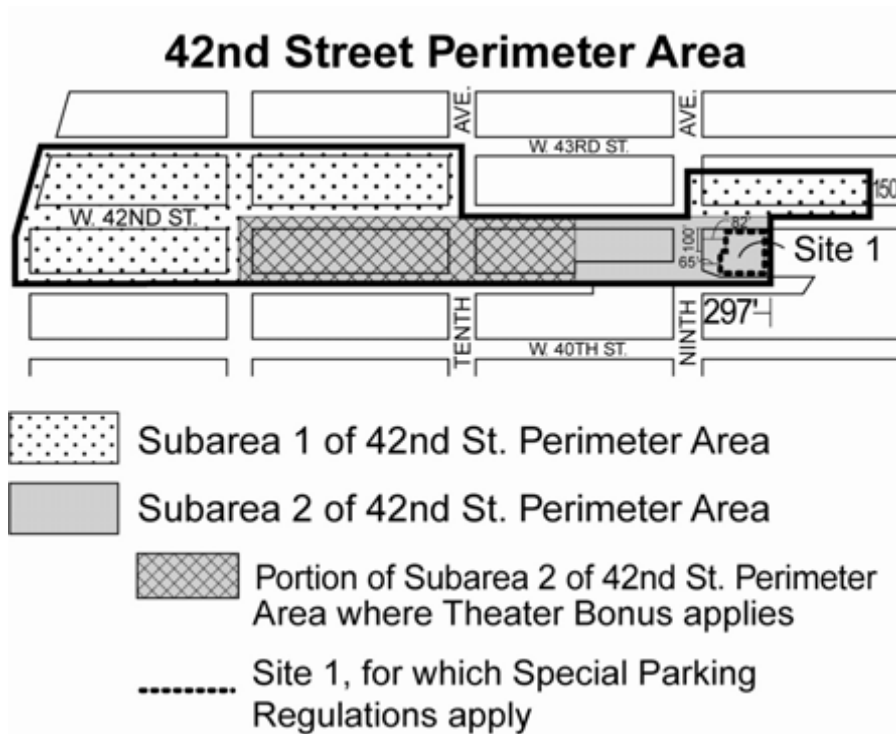
Article IX - Special Purpose Districts

Chapter 6 Special Clinton District

* * *

Appendix A

Special Clinton District Map



* * *

L.U. No. 57

RESIDENTIAL STREETSCAPES PRESERVATION

CITYWIDE

N 100139 ZRY

Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Articles I, II, III, VII and XII and other related Sections concerning front yard planting, parking location and curb cut regulations for residential uses.

Matter in underline is new, to be added;

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

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

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

Article 1

GENERAL PROVISIONS

* * *

Chapter 2
Construction of Language and Definitions

* * *

12-10 DEFINITIONS

* * *

Publicly accessible open area

* * *

Quality Housing building

A “Quality Housing building” is a #building developed, enlarged, extended# or converted pursuant to the Quality Housing Program.

Quality Housing building segment

A “Quality Housing building segment” is a #building segment developed, enlarged, extended# or converted pursuant to the Quality Housing Program.

* * *

Chapter 3
Comprehensive Off-Street Parking Regulations in Community Districts 1 through 8 in Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens

* * *

13-50
SPECIAL PERMITS AND AUTHORIZATIONS

* * *

13-55
Authorizations

* * *

13-551
Accessory off-street parking spaces

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed #accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing #buildings#, provided that the Commission finds that:

- (a) the #building# does not have #accessory# off-street parking spaces;
- (b) such parking spaces are needed for and will be used exclusively by the occupants of the #use# to which they are #accessory#. For the purposes of this finding (b), need shall exist where there are special circumstances and there are no reasonably viable alternatives to on-site enclosed parking spaces;
- (c) the parking spaces will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic ~~and pedestrian movement;~~
- (d) the parking spaces will not adversely affect pedestrian movement; and
- ~~(d)~~(e) parking spaces will not be incompatible with, or adversely affect, adjacent #uses# including uses# within the #building#; and
- (f) the curb cut accessing such parking spaces will not be inconsistent with the character of the existing streetscape.

* * *

13-553

Curb cuts

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a #wide street# provided the Commission finds that a curb cut at such location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular ~~and pedestrian~~ movement; ~~and~~
- (c) will not adversely affect pedestrian movement;

~~(e)~~(d) will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities.; and

~~(d)~~(e) will not be inconsistent with the character of the existing streetscape.

* * *

Article 2 RESIDENCE DISTRICT REGULATIONS

Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-011 Quality Housing Program

- (a) In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, any ~~#development# or #enlargement#~~ #building# shall comply with the applicable district ~~#bulk#~~ regulations as set forth in this Chapter and ~~any #residential development#, #enlargement#, #extension# or conversion~~ any #building# containing #residences# shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program). In R5D Districts, certain requirements of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).
- (b) In other R6, R7, R8, R9 or R10 Districts, the ~~#bulk#~~ regulations applicable to ~~#Quality Housing #developments#~~ buildings# may, as an alternative, be applied if the ~~#zoning lot#~~ is ~~#developed#~~ or #enlarged# pursuant to all of the requirements of the Quality Housing Program. Such ~~#developments#~~ #buildings# may be subsequently ~~#enlarged#~~ only pursuant to the Quality Housing Program. In these districts, the Quality Housing ~~#bulk#~~ regulations may apply to ~~#developments#~~ or ~~#enlargements#~~ on ~~#zoning lots#~~ with existing ~~#buildings#~~ to remain, if:
- (1) the existing ~~#buildings#~~ are non-~~#residential#~~ and the entire ~~#zoning lot#~~ will comply with the ~~#floor area ratio#~~ and density standards applicable to ~~Quality Housing #developments#~~ #Quality Housing buildings#; or
 - (2) the existing ~~#buildings#~~ are ~~#residential#~~, and such ~~#buildings#~~ comply with the maximum base heights and maximum ~~#building#~~ heights listed in the tables in Section 23-633 or Section 35-24 for the applicable district, and the entire ~~#zoning lot#~~ will comply with the ~~#floor area ratio#~~, ~~#lot coverage#~~, and density standards applicable to ~~Quality Housing #developments#~~ or ~~#enlargements#~~ #Quality Housing buildings#.
- (c) The optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section shall not apply to:

* * *

- (3) #zoning lots# in R6 or R7 Districts within the study areas set forth in this paragraph, (c)(3), and occupied, as of August 14, 1987, by a #single-#, #two-# or three-#family detached# or #semi-detached residence# where 70 percent or more of the aggregate length of the blockfronts in #residential use# on both sides of the #street# facing each other are occupied by such #residences#. For any #development# or #enlargement# on such #zoning lot#, the #floor area ratio# and density requirements of the underlying district shall apply. On a #narrow street# that intersects with a #wide street#, the 70 percent #residential use# requirement on a #narrow street# shall be measured from a distance of 100 feet from its intersection with a #wide street#.

The study areas are:

* * *

In the Borough of Brooklyn:

Midwood Area

The area bounded by Avenue M, Coney Island Avenue, ~~Avenue P, Ocean Avenue, Quentin Road~~ Avenue O, and a line midway between East 10th Street and Coney Island Avenue.

* * *

In the Borough of Queens:

Elmhurst/Corona Area

The area bounded by ~~Junction Boulevard~~, Roosevelt Avenue, 114th Street, 34th Avenue, ~~105th Street~~ and ~~35th Avenue~~ 112 Street.

~~Bell Boulevard Area~~

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

Forest Hills Area

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

Road.

Area A

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

Area B

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

* * *

23-10

OPEN SPACE AND FLOOR AREA REGULATIONS

* * *

23-12

Permitted Obstructions in Open Space

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, the following ~~shall not be considered~~ obstructions shall be permitted when located in any #open space# required on a #zoning lot#, or, in R2X, R3A, R3X, R4A, R4-1 and R5A Districts, and for #Quality Housing buildings# or #Quality Housing Building segments#, open area provided #open space# required on a #zoning lot#, except that no portion of such #open space# which is also a required #yard# or #rear yard equivalent#, or is #open space# needed to satisfy the minimum required area or dimensions of a #court#, may contain any obstructions not permitted in such #yard#, #rear yard equivalent# or #court#:

- (a) Balconies, unenclosed, subject to the provisions of Section 23-13;
- (b) Breezeways;
- (d) Driveways, private streets, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths,

provided that the total area occupied by all these items does not exceed the percent of the total open area or required #open space# on the #zoning lot#, as follows, set

forth in Section 25-64 (Restrictions on Use of Open Space for Parking):

- ~~(1) 50 percent in R1, R2, R3, R6, R7, R8, R9 or R10 Districts; and~~
- ~~(2) 66 percent in R4 or R5 Districts;~~
- (d) Eaves, gutters or downspouts, projecting into such #open space# not more than 16 inches or 20 percent of the width of such #open space#, whichever is the lesser distance;
- (e) Parking spaces, off-street, enclosed, #accessory#, not to exceed one space per #dwelling unit#, when #accessory# to a #single-family#, #two-family# or three-#family residence#, provided that the total area occupied by a #building# used for such purposes does not exceed 20 percent of the total required #open space# on the #zoning lot#. However, two such spaces for a #single-family residence# may be permitted in #lower density growth management areas# and in R1-2A Districts;
- (f) Swimming pools, #accessory#, above-grade structures limited to a height not exceeding eight feet above the level of the #rear yard# or #rear yard equivalent#;
- (g) Terraces, unenclosed, fire escapes, planting boxes or air conditioning units, provided that no such items project more than six feet into or over such #open space#.

However, any such #open space# or open area, or portion thereof, that is part of a required #yard#, #rear yard equivalent# or #court# may contain an obstruction listed in this Section only where such obstruction is permitted pursuant to Sections 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) or 23-87 (Permitted Obstructions in Courts), as applicable.

* * *

23-22

Maximum Number of Dwelling Units or Rooming Units

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

* * *

*** for #buildings# subject to the provisions of paragraph (c) of Section 25-631 (Location and width of curb cuts in certain districts) ~~25-633 (Prohibition of curb cuts in certain districts)~~

* * *

23-44

Permitted Obstructions in Required Yards or Rear Yard Equivalents

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

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

* * *

Parking spaces, off-street, open, within a #front yard#, that are #accessory# to a #residential #building# containing #residences# where provided that:

- ~~(1) in R2X, R3, R4 and R5 Districts, no more than two parking spaces are required, provided such spaces are located in a permitted #side lot ribbon#;~~
- ~~(2) in R3, R4 and R5 Districts, more than two parking spaces are required, provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts) and the screening requirements of Section 25-66.~~

However, no such parking spaces shall be permitted in any #front yard# within a R1, R2 other than R2X, R4B, R5B or R5D District, and no such required spaces shall be permitted in any #front yard# within any R1, R2, R3, R4A or R4-1 District within a #lower density growth management area#.

- (1) in R1, R2, R3A, R3X, R3-1, R4A, R4-1 and R5A Districts, except in #lower density growth management areas#, such spaces meet all the requirements of paragraph (a) of Section 25-62 1 (Location of parking spaces in certain districts);
- (2) in R3-2, R4 other than R4A, R4-1 and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, such spaces meet all the requirements of paragraph (b) of Section 25-62 1 (Location of parking spaces in certain districts);
- (3) in #lower density growth management areas#, such spaces are non-required and are located in a driveway that accesses parking spaces that are located behind the #street wall# of the #building# or prolongation thereof.

However, no parking spaces of any kind shall be permitted in any #front yard# in an R4B, R5B or R5D District. Furthermore, no parking spaces of any kind shall be permitted in any #front yard# on a #zoning lot# containing an #attached building# or #semi-detached building# in an R1, R2, R3A, R3X, R4A or R5A District, or in any #front yard# on a #zoning lot# containing an #attached building# or a #semi-detached building# abutting an #attached building# in an R3-1 or R4-1 District.

* * *

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

* * *

Parking spaces, off-street, #accessory#, for automobiles or bicycles, provided that:

- (1) the height of a #building# used for such purposes, if #accessory# to a #single-# or #two-family residence#, shall not exceed one #story# and, if located in an R1 District, such #building# may not be nearer than five feet to a #rear lot line# or #side lot line#. In R2A Districts, detached garages shall be included in #lot coverage#;
- (2) if #accessory# to any other kind of #residential building#, the height of such #accessory building#, including the apex of a pitched roof, shall not exceed six ten feet above adjoining grade in R3, R4 or R5 Districts, or fourteen feet above #curb level# or #base plane#, as applicable, in R6, R7, R8, R9 or R10 Districts;

* * *

23-451

Planting requirement

R1 R2 R3 R4 R5

In the districts indicated, a minimum percentage of the area of the #front yard# shall be planted, which shall vary by #street# frontage of the #zoning lot# as set forth in the following table. For the purposes of this Section, the #front yard# shall include the entire area between all #street walls# of the #building# and their prolongations and the #street line#. Planted areas shall be comprised of any combination of grass, groundcover, shrubs, trees or other living plant material, and shall have a minimum dimension of one foot, exclusive of any bounding walls. Any planted area within a driveway or parking space shall not qualify towards meeting the minimum planting requirements of this Section.

For #through lots# or #corner lots#, the planting requirement of this Section shall be applied separately to each #street# frontage. For #corner lots#, planted areas of overlapping portions of #front yards# shall only be counted towards the planting requirement of one #front yard#.

For #zoning lots# with multiple #building segments#, the planting requirement of this Section shall be determined by the #street# frontage of each #building segment# and applied separately to the entire area between the #street wall# of each #building segment# and the #street line#.

Where multiple #buildings# on a single #zoning lot# front upon the same #street#, the planting requirements of this Section shall be determined by the #street# frontage allocated to the area occupied by each such #building# and applied separately to the entire area between the #street line# and the #street wall# of each #building# and its prolongation. The allocation of planting requirements to open areas between #buildings# shall be determined by dividing such open area evenly, with an equal portion attributed to each #building# on both sides of such open area.

Any #zoning lot# occupied by a #building# constructed after April 30, 2008 shall provide planted areas in accordance with the provisions of this Section. Any #zoning lot# occupied by a #building# constructed prior to such date shall not be altered in any way that will either create a new non-compliance or increase the degree of non-compliance with the provisions of this Section.

#Street# frontage of #zoning lot#, #street wall# width of #building segment#, or #street# frontage	Minimum percentage of #front yard# to be planted
multiple #buildings# on a single lot#, as applicable.	
Less than 20 feet	20
20 to 34 feet	25
35 to 59 feet	30
60 feet or greater	50

* * *

23-80

COURT REGULATIONS, MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES AND OPEN AREA REQUIREMENTS

* * *

23-89

Open Area Requirements for Residences ~~in R1 through R5 Districts~~

23-891

In R1 through R5 Districts

R1 R2 R3 R4 R5

In the districts indicated, except R4B and R5B Districts, the provisions of this Section shall apply to all #zoning lots# with two or more #buildings# containing #residences# or #building segments#. All such #buildings# or #building segments# shall provide open areas as follows:

- (a) An open area shall be provided adjacent to the rear wall of each such #building# or #building segment#. For the purposes of this Section, the “rear wall” shall be the wall opposite the wall of each #building# or #building segment# that faces a #street# or #private road#. The width of such open area shall be equal to the width of each #building# or #building segment#, and the depth of such open area shall be at least 30 feet when measured perpendicular to each rear wall. No such open areas shall serve more than one #building# or #building segment#. Only those obstructions set forth in Section 23-44 shall be allowed, except that parking spaces, whether enclosed or unenclosed, and driveways shall not be permitted within such open areas.
- (b) For #buildings# or #building segments# that front upon two or more #streets# or #private roads#, and for #buildings# or #building segments# that do not face a #street# or #private road#, one wall of such #building# or #building segment# shall be designated the rear wall, and the open area provisions of this Section applied adjacent to such wall. However, for not more than one #building# or #building segment# located at the corner of intersecting #streets# or #private roads#, the depth of such required open area may be reduced to 20 feet.

23-892

In R6 through R10 Districts

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9X R10A R10X

- (a) In the districts indicated, the entire area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations shall be planted, except at the entrances to and exits from the #building# or driveways accessing off-street parking spaces located within, to the side, or rear of such #building#. No #zoning lot# shall be altered in any way that will either create a new non-compliance or increase the degree of non-compliance with the provisions of this Section.

R6 R7 R8 R9 R10

(b) In the districts indicated without a letter suffix, on #zoning lots# containing a #Quality Housing building#, the entire area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations shall be planted, except at the entrances to and exits from the #building# or driveways accessing off-street parking spaces located within, to the side, or rear of such #building#.

* * *

Chapter 5

Accessory Off-Street Parking and Loading Regulations

Off-street Parking Regulations

25-00

GENERAL PURPOSES AND DEFINITIONS

* * *

25-02 Applicability

* * *

25-025

Applicability of regulations to Quality Housing

On any #zoning lot# containing #residences# in R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts or their commercial equivalents, and on any #zoning lot# in other districts containing #residential uses developed#, #enlarged# or converted pursuant to the Quality Housing Program, a #Quality Housing building#, all #accessory# off- street parking spaces shall comply with the provisions of Section 28-50 (PARKING FOR QUALITY HOUSING).

* * *

25-20

REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES

25-21

General Provisions

In all districts, as indicated, ~~#accessory#~~ off-street parking spaces, open or enclosed, shall be provided for all ~~new #residences# constructed #dwelling units# or #rooming units# created~~ after December 15, 1961, in accordance with the provisions of the following Sections and the other applicable provisions of this Chapter, as a condition precedent to the ~~#use#~~ of such ~~#residences# #dwelling unit# or #rooming unit#~~.

Section 25-22(Requirements Where Individual Parking Facilities Are Provided)

Section 25-23(Requirements Where Group Parking Facilities Are Provided)

Section 25-24(Modification of Requirements for Small Zoning Lots)

Section 25-25(Modification of Requirements for Public Housing or Housing for Elderly)

Section 25-28(Special Provisions for Zoning Lots Divided by District Boundaries)

~~After December 15, 1961, for all #enlargements# which increase the number of #dwelling units# or #rooming units# in a #building#, the same requirements shall apply to the additional #dwelling units# or #rooming units# created by such #enlargements#.~~

For #dwelling units# or #rooming units# constructed pursuant to the zoning regulations in effect after July 20, 1950 and prior to December 15, 1961, off-street parking spaces #accessory# to such #dwelling units# or #rooming units# cannot be removed if such spaces were required by such zoning regulations, unless such spaces would not be required pursuant to the applicable zoning regulations currently in effect.

For the purposes of these Sections, three ~~#rooming units#~~ shall be considered the equivalent of one ~~#dwelling unit#~~.

For the purposes of calculating the number of required parking spaces for any ~~#residential development# #building# containing #residences#~~, any fraction of a space 50 percent or greater shall be counted as an additional space.

In the event that the number of ~~#accessory#~~ off-street parking spaces required under the provisions of these Sections exceeds the maximum number of spaces permitted under the provisions of Section 25-16 (Maximum Spaces for Other than Single-Family Detached Residences) the Commissioner of Buildings shall reduce the required number of spaces to the maximum number permitted.

25-211

Application of requirements to conversions and certain enlargements

R3 R4

(a) In the districts indicated, except for #zoning lots# in R4 Districts utilizing the special optional regulations of a #predominately built-up area#, wherever additional #dwelling units# are created by conversions or #enlargements# of #residential buildings#, there shall be one off-street parking space provided on the #zoning lot# for each such additional #dwelling unit#. Such off-street parking spaces shall be in addition to any existing off-street parking spaces on the #zoning lot# and shall not be located in any common easement driveways or within a #front yard#. The provisions of Section 25-27 (Waiver of Requirements for All Zoning Lots Where Access Would be Forbidden) shall not apply to such #zoning lots#. Furthermore, such additional #dwelling units# shall be permitted only if the #zoning lot# complies with the provisions of Section 25-64 (Restrictions on Use of Open Space for Parking).

R4 R5

(b) In R5 Districts, and for #zoning lots# in R4 Districts utilizing the special optional regulations of a #predominately built-up area#, the requirements of Section 25-2 1 (General Provisions) shall not apply to additional #dwelling units# created by conversions of #residential buildings# on #zoning lots# with less than 5,000 square feet of #lot area#, provided such #buildings# were constructed prior to (effective date of amendment) and not subsequently #enlarged#.

R1 R2 R3 R4 R5 R6 R7-1 R7A R7B R7D R7X

(c) In the districts indicated, the requirements of Section 25-21 (General Provisions) shall not apply to #dwelling units# or #rooming units# created by conversions of non-#residential uses# to #residential uses# on #zoning lots# with less than 5,000 or more square feet of #lot area#.

R7-2 R8 R9 R10

(d) In the districts indicated, no #accessory# off-street parking is required for additional #dwelling units# created by conversions of any kind.

* * *

25-261

For new developments or enlargements

R4B R5B R5D R6 R7 R8 R9 R10

~~In the districts indicated, for all new #developments# or #enlargements#, For #developments# in R4B and R5B Districts, and for #developments# and #dwelling units# within #enlarged# portions of #buildings# in R5D, R6, R7, R8 R9 and R10 Districts, 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	District
1	R4B R5B R5D
5	R6 R7-1 R7B
15	R7-2 R7A R7D R7X R8 R9 R10

25-262

For conversions

R6 R7-1 R7A R7B R7D R7X

In the districts indicated, for conversions of any kind 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~~ However, 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).

~~* No accessory off street parking is required for additional dwelling units created by conversions in R7-2, R8, R9 or R10 Districts. See Section 25-211 (Application of requirements to conversions).~~

* * *

25-27

Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the requirements set forth in Section 25-21 (General Provisions) shall not apply to any ~~#building# or #zoning lot# as to which the Commissioner of Buildings has certified that~~ where there is no way to arrange the required spaces with access to the ~~#street#~~ to conform to the provisions of Section 25-63 (Location of Access to the Street). ~~The Commissioner of Buildings may refer such matter to the Department of Traffic for report and may base his determination on such report.~~

* * *

25-62 Size and L Location of Spaces

* * *

25-621 Location of parking spaces in certain districts

All ~~#accessory#~~ off-street parking spaces on #zoning lots# with #buildings# containing #residences# shall be located in accordance with the provisions of this Section, except that in R1, R2, R3, R4A and R4-1 Districts within ~~#lower density growth management areas#~~, the provisions of Section 25-622 shall apply. In addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63 (Location of Access to the Street).

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

~~R2X R3 R4 R5~~

~~(1) In the districts indicated, except R4B or R5B Districts, #accessory# off street parking spaces shall be permitted only in the #side lot ribbon#, within a #building# or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# or prolongation thereof of the #building#. Access to the #accessory# spaces through a front setback area or required #front yard# shall be only through the #side lot ribbon#. However, for #zoning lots# that have a minimum of 35 feet of #street# frontage along one #street#, are occupied by a #single # or #two family detached residence#, and maintain a minimum of 1 8 feet of uninterrupted curbside space along the #street# frontage, access to #accessory# spaces~~

need not be through a ~~#side lot ribbon#~~ provided that, on a ~~#zoning lot#~~ with less than 50 feet of frontage along a ~~#street#~~, no more than one enclosed ~~#accessory#~~ parking space is provided within the ~~#residential building#~~.

~~R6 R7 R8~~

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

~~R4B R5B R5D R6B R7B R8B~~

~~(3) In the districts indicated, #access or y# off street parking spaces shall be located only within a #building#, or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#.~~

~~(4) R1 R2~~

~~(4) In the districts indicated, required #accessory# off street parking spaces shall be permitted only within a #building#, or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation.~~

~~(b) For #zoning lots# with #residential buildings# where more than two # access or y# parking spaces are required:~~

~~R2X R3 R4 R5~~

~~(1) In the districts indicated, except R4B or R5B Districts, #accessory# off street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# which is not between the #street line# and the #street wall# of the #building# or its prolongation, unless:~~

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

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

~~R6 R7 R8~~

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

~~R4B R5B R5D R6B R7B R8B~~

~~In the districts indicated, #accessory# off street parking spaces shall be located only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation. Access to such parking spaces shall be provided only through the #side lot ribbon# or through the #rear yard#.~~

R1 R2 R3A R3X R3-1 R4A R4-1 R5A

(a) In the districts indicated, #accessory# off-street parking spaces shall be located within or to the side or rear of #buildings# containing #residences#. #Accessory# parking spaces may also be located between the #street line# and #street wall# of such #buildings# and their prolongations only where such spaces are located in a driveway that accesses at least one parking space located to the side or rear of such #building# and no portion of such driveway is located in front of such #buildings#.

However, such parking spaces may also be located in a driveway directly in front of a garage, where such garage is within:

- (1) a #semi-detached building# in an R3-1 or R4-1 district, or
- (2) a #detached building# on a #zoning lot# with at least 35 feet of frontage along the #street# accessing such driveway, and at least 18 feet of uninterrupted curb space along such #street

No parking spaces of any kind shall be allowed between the #street line# and #street wall# of an #attached building# or #semi-detached building# in an R1, R2, R3A, R3X, R4A or R5A District, or for an #attached building# or #semi-detached building# abutting an #attached building# in an R3-1 or R4-1 District.

R3-2 R4 R5

(b) In the districts indicated, other than R4A, R4B, R4-1, R5A, R5B and R5D Districts, #accessory# off-street parking spaces shall be located within or to the side or rear

of

#buildings# containing #residences#. #Accessory# parking spaces may also be located between the #street line# and #street wall# of such #buildings# and their prolongations provided that, for #buildings# on #zoning lots# with less than 35 feet of #street# frontage, such spaces are located in a driveway in the #side lot ribbon#, and provided that for #buildings# on #zoning lots# with at least 35 feet of #street# frontage and at least 18 feet of uninterrupted curb space along a #street#, either:

- (1) no more than two parking spaces located between the #street line# and #street wall# of such #buildings# and their prolongations shall be accessed from a single curb cut, and the parking area for these spaces shall not be more than 20 feet in width measured parallel, or within 30 degrees of being parallel, to the #street line#; or
- (2) a #group parking facility with five or more spaces is provided and is screened in accordance with the requirements of Section 25-66 (Screening), paragraphs (a) or (b).

R4B R5B R5D R6A R6B R7A R7B R7D R7X R8A R8B R8X

(c) In the districts indicated, #accessory# off-street parking spaces shall be located only within or to the side or rear of #buildings# containing #residences#. No parking spaces of any kind shall be permitted between the #street line# and the #street wall# of such #buildings# and their prolongations.

R6 R7 R8

- (d) In the districts indicated without a letter suffix, the following provisions shall apply:
- (1) for #zoning lots# containing non-#Quality Housing buildings# or non-#Quality Housing building segments#, each of which contains not more than three #dwelling units#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (b) of this Section;
 - (2) for #zoning lots# containing #Quality Housing #buildings# or #Quality Housing building segments#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (c) of this Section.

* * *

25-622

Location of parking spaces in lower density growth management areas

The provisions of this Section shall apply to all ~~#residential developments#~~ ~~#zoning lots#~~ with ~~#buildings#~~ containing ~~#residences#~~ in R1, R2, R3, R4A and R4-1 Districts within ~~#lower density growth management areas#~~.

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

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

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

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

* * *

25-631

Location and width of curb cuts in certain districts

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

~~(a) For #zoning lots# with #residential buildings# where not more than two #accessory# parking spaces are required:~~

~~R2A~~

~~(1) In R2A Districts, the maximum width of a curb cut shall be 18 feet, and the maximum width of a driveway within a #front yard# shall be 20 feet. All #zoning lots# shall maintain at least 18 feet of uninterrupted curb space along each #street# frontage.~~

~~R2X R3 R4 R5~~

~~(2) In the districts indicated, except R4B and R5B Districts, and except as otherwise provided in Section 25-633 (Prohibition of curb cuts in certain districts), curb cuts shall comply with the following provisions:~~

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

~~R6 R7 R8~~

~~(3) In the districts indicated without a letter suffix, for #zoning lots# comprised of #single #, #two #, or three #family residences# or #building segments#, the width and location of curb cuts shall be in accordance with the provisions of paragraph (a)(2), inclusive, of this Section.~~

R4B R5B R6B R7B R8B

~~(4) In the districts indicated, for #attached residential buildings# and rowhouses, and for multiple dwellings in R5B, R6B, R7B and R8B Districts, new #residential developments# shall provide a minimum distance of 34 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.~~

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

R2X R3 R4 R5

~~(1) In the districts indicated, except R4B and R5B Districts, and except as otherwise provided in Section 25-633, curb cuts shall comply with the following provisions:~~

~~(i) #zoning lots# with 35 feet or more of frontage along a #street# shall maintain a minimum distance of 16 feet of uninterrupted curb space along such #street#;~~

~~(ii) new #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts on the same or adjoining #zoning lots developed# after June 30, 1989;~~

~~(iii) the maximum width of a curb cut serving a #group parking facility# shall be as set forth in the following table:~~

Size of Facility (in number of spaces)	Maximum Width of Curb Cuts (in feet)
up to 4	15
5 to 24	22
25 and over	30

~~(iv) all driveways shall be located at least 13 feet from any other driveway on the same or adjoining #zoning lots#. However, driveways may be paired with other driveways on the same or adjoining #zoning lots#, provided the aggregate width of such paired driveways, including any space between them, does not exceed 20 feet. Curb cuts accessing such paired driveway shall have a minimum width of 15 feet and a maximum width, including splays, of 18 feet.~~

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

~~R6 R7 R8~~

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

~~R4B R5B R6B R7B R8B~~

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

~~(c) Modification of curb cut location requirements:~~

~~R2X R3 R4 R5 R6 R7 R8~~

~~(1) In the districts indicated, the location and width of curb cuts, as required by the provisions of this Section, may be modified if the Commissioner of Buildings certifies that the specified curb cut locations would require the removal of shade trees maintained by the City of New York. The Commissioner of Buildings may refer such matter to the Department of Parks and Recreation and the Department of Transportation for reports, and may base the determination on such report.~~

~~R6 R7 R8~~

~~(2) In the districts indicated, except R6, R7 or R8 Districts with a letter suffix, the City Planning Commission may authorize modification of the location and width of curb cuts as required by the provisions of this Section provided that the Commission finds that:~~

~~(i) the proposed modification does not adversely affect the character of the surrounding area; and~~

- (ii) ~~where more than one curb cut is provided, the curb cuts are arranged to foster retention of curb side parking spaces along the #street frontage# of the #development#.~~

All curb cuts on #zoning lots# with #buildings# containing #residences# shall comply with the provisions of this Section, except that in #lower density growth management areas#, the provisions of Section 25-632 shall apply. The minimum width of a curb cut shall be eight feet, including splays. In addition, for #non-conforming buildings# in all districts, the provisions of Section 25-633 (Curb cut restrictions for certain buildings in R1 through R5 districts) shall apply.

R2A

- (a) In R2A Districts, the maximum width of a curb cut shall be 18 feet, and the maximum width of a driveway within a #front yard# shall be 20 feet. All #zoning lots# shall maintain at least 18 feet of uninterrupted curb space along each #street# frontage.

R2X R3 R4 R5

- (b) In the districts indicated, except R4B and R5B Districts, curb cuts shall comply with the following provisions:

- (1) For #zoning lots# containing #residences# where not more than two #accessory# parking spaces are required:

- (i) for #zoning lots# with less than 50 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of ten feet, shall be permitted. Access to parking spaces through a front setback area or required #front yard# shall only be through a #side lot ribbon#, and all curb cuts shall be a continuation of the #side lot ribbon#;
- (ii) for #zoning lots# with at least 50 feet of frontage along a #street#, no more than two curb cuts shall be permitted along such #street# frontage. If one curb cut is provided, such curb cut shall have a maximum width, including splays, of 18 feet. If two curb cuts are provided, the maximum width of each curb cut, including splays, shall be ten feet, and a minimum distance of 30 feet of uninterrupted curb space shall be provided between such curb cuts;

(iii) wherever #accessory# parking spaces are provided in adjacent #side lot ribbons# on #zoning lots# subdivided after June 30, 1989, the curb cuts giving access to such #side lot ribbons# shall be contiguous (paired), so that only one curb cut, having a maximum width of 18 feet, including splays, shall serve both #side lot ribbons#; and

(iv) a minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to #zoning lots# existing both on June 30, 1989 and (effective date of amendment) that are less than 40 feet wide and where at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#.

(2) For #zoning lots# containing #residences# where more than two #accessory# parking spaces are required:

(i) #zoning lots# with 35 feet or more of frontage along a #street# shall maintain a minimum distance of 16 feet of uninterrupted curb space along such #street#;

(ii) a minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to any #zoning lot# existing both on June 30, 1989 and (effective date of amendment) that is less than 40 feet wide and where at least 16 feet of uninterrupted curb space is maintained in front of such #zoning lot# along the #street#;

(iii) all driveways shall be located at least 13 feet from any other driveway on the same or adjoining #zoning lots#. However, driveways may be paired with other driveways on the same or adjoining #zoning lots#, provided the aggregate width of such paired driveways, including any space between them, does not exceed 20 feet. Curb cuts accessing such paired driveway shall have a minimum width of 15 feet and a maximum width, including splays, of 18 feet;

(iv) except for paired driveways as set forth in paragraph (iii) above, the maximum width of a curb cut accessing less than 50 parking spaces shall be 12 feet, including splays, and the maximum width of a curb cut accessing more than 50 parking spaces shall be 22 feet, including splays. However, where Fire Department regulations set forth in the Administrative Code of the City of New York require curb cuts of greater width, such curb cuts may be increased to the minimum width acceptable to the Fire

Department.

R4B R5B

- (c) In the districts indicated, curb cuts are permitted only on #zoning lots# with at least 40 feet of #street# frontage and existing on the effective date of establishing such districts on the #zoning maps#. For #detached#, #semi-detached# and #zero lot line buildings#, the width and location of curb cuts shall be in accordance with paragraph (b)(1), inclusive, of this Section. For #attached buildings# and #building segments#, and for multiple dwellings in R5B Districts, at least 34 feet of uninterrupted curb space shall be maintained between all curb cuts constructed after June 30, 1989, provided that this requirement shall not apply to #zoning lots# existing on both June 30, 1989 and (the effective date of amendment) that are less than 76 feet wide and where at least 34 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#.

For #zoning lots# with less than 40 feet of #street# frontage and existing on the effective date of establishing such districts on the #zoning maps, curb cuts shall be prohibited.

R6 R7 R8

- (d) In the districts indicated without a letter suffix, for #zoning lots# containing non-#Quality Housing buildings# or non-#Quality Housing building segments#, each of which contains not more than three #dwelling units#, #accessory# off-street parking spaces shall be located in accordance with the provisions of paragraph (b)(2), inclusive, of this Section.

R6 R7 R8

- (e) In the districts indicated, except as provided in paragraph (d) of this Section, only one curb cut, having a maximum width of 12 feet, including splays, shall be permitted on any #street# frontage of a #zoning lot#. However, where a curb cut accesses a #group parking facility# with 50 or more spaces, the maximum width of a curb cut shall be 22 feet, including splays, or alternatively, two curb cuts shall be permitted to access such #group parking facility#, each with a maximum width of 12 feet, including splays, and spaced at least 60 feet apart. For #zoning lots# subdivided after (the effective date of amendment), curb cuts shall only be permitted along the #street# frontage of such subdivided #zoning lot# where at least 34 feet of uninterrupted curb space is maintained, and shall comply with the width and spacing requirements of this paragraph (e).

These curb cut provisions shall apply as follows:

- (1) In R6, R7 and R8 Districts without a letter suffix, to non-#Quality Housing buildings# or non-#Quality Housing building segments#, any of which contain four or more #dwelling units#;
- (2) In R6, R7 and R8 Districts without a letter suffix, to #Quality Housing buildings# or #Quality Housing building segments#;
- (3) In R6A, R7A, R7D, R7X, R8A, R8X Districts, to all #buildings#; and
- (4) In R6B, R7B and R8B Districts, to #zoning lots# occupied by a #building# with a #street wall# at least 40 feet in width, or, for #zoning lots# with multiple #building segments#, only where such curb cut is in front of a #building segment# with a #street wall# at least 40 feet in width. On such #zoning lots#, curb cuts shall be permitted only on the #street# frontage that is at least 40 feet wide. On all other #zoning lots# in R6B, R7B and R8B Districts, curb cuts shall be prohibited.

(f) Modification of curb cut location requirements:

R2X R3 R4 R5 R6 R7 R8

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

R6 R7 R8

- (2) In the districts indicated, except R6, R7 or R8 Districts with a letter suffix, the City Planning Commission may authorize modification of the location and width of curb cuts as required by the provisions of this Section provided that the Commission finds that:
 - (i) the proposed modification does not adversely affect the character of the surrounding area; and
 - (ii) where more than one curb cut is provided, the curb cuts are

arranged _____ to
foster retention of curbside parking spaces along the #street frontage# of the
#zoning lot#.

25-632

Driveway and curb cut regulations in lower density growth management areas

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

* * *

- (e) All ~~#residential developments~~ #zoning lots# with #buildings# containing #residences# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.

* * *

25-633

~~Prohibition of curb cuts in certain districts~~

Curb cut restrictions for certain buildings in R1 through R5

Districts R4B

~~R5B R6B R7B R8B~~ R1 R2 R3A R3X R3-1 R4A R4-1 R5A

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

- (a) In the districts indicated, curb cuts are prohibited for #attached buildings#. Furthermore, for a #semi-detached building# that abuts an #attached building#, a curb cut shall only be permitted along that portion of the #street# frontage of the #zoning lot# directly in front of a #side yard# that is at least eight feet wide and accesses a parking space located beyond the #street wall# or prolongation thereof.

R1 R2 R3A R3X R4A R5A

- (b) In the districts indicated, for #semi-detached buildings#, a curb cut shall only be permitted along that portion of the #street# frontage of the #zoning lot# directly in front of a #side yard# that is at least eight feet wide and accesses a

parking space located beyond the #street wall# or prolongation thereof.

* * *

25-64

Restrictions on Use of Open Space for Parking

Restrictions on the use of open space for parking and driveways are set forth in this Section, in accordance with the provisions of Section 23-12 (Permitted Obstructions in Open Space). ~~For #zoning lots# in #lower density growth management areas#, the provisions of paragraph (b) of this Section shall apply.~~

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

Percent	District
50	<u>R1 R2 R3 R6 R7 R8 R9 R10</u>
66	<u>R4 R5</u>

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

~~(1) Driveways, #private roads# and open #accessory# off street parking spaces may occupy no more than 50 percent of the #lot area# not covered by #residential buildings# in R1, R2 and R3 Districts, and may occupy no more than 66 percent of the #lot area# not covered by #residential buildings# in R4 and R5 Districts; and~~

~~(2) The area within 30 feet and perpendicular to the #rear wall line# of any #building# or #building segment# that does not front upon two #streets# in its entirety shall not be occupied by driveways or off street parking spaces, except that this provision shall not apply to any #zoning lot# occupied by only one #single # or #two family detached# or #semi detached residence#.~~

(a) In R1, R2, R3, R4A, R4-1 and R4B Districts, driveways, #private roads#, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths may occupy no more than 50 percent of the #lot area# not covered by #buildings# containing #residences#;

(b) In R4 Districts except for R4A, R4-1 and R4B Districts, and in R5 Districts,

driveways, #private roads#, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths may occupy no more than 66 percent of the #lot area# not covered by #buildings# containing #residences# ;

- (c) In R6, R7, R8, R9 and R10 Districts without a letter suffix, driveways, private streets, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths may not use more than 50 percent of the required #open space# on any #zoning lot#. The provisions of this paragraph (c) shall not apply to #Quality Housing buildings#.

* * *

Chapter 8

The Quality Housing Program

28-00

GENERAL PURPOSES

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

- (a) is compatible with existing neighborhood scale and character;
- (b) provides on-site recreation space to meet the needs of its occupants; and
- (c) 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, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R1 0A or R1 0X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, ~~some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single # or #two family residences#. all such #buildings# shall comply with the Quality Housing Program standards and requirements as set forth in this Chapter. In R5D Districts, only the requirements set forth in Sections 28-12 (Street Tree Planting), 28-23 (Refuse Storage and Disposal), 28-3 3 (Planting Areas) and 28-53 (Location of Accessory Parking) shall apply.~~

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 the ~~mandatory~~ Quality Housing Program standards and requirements set forth in this Chapter.

* * *

28-33 Planting Areas

The area of the #zoning lot# between the #street line# and the #street wall# of the #building# shall be planted pursuant to the provisions of Section 23-892 (In R6 through R10 Districts).; ~~except at the entrances to and exits from the #building#, or adjacent to #commercial uses# fronting on the #street#.~~

* * *

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~~ the applicable underlying district regulations.

* * *

28-52 Special Regulations for Off-Site Accessory Parking

Off-site #accessory# off-street parking spaces ~~for Quality Housing #development#, #enlargement# or conversion~~ may be unenclosed, provided that the #zoning lot# on which such spaces are located does not contain a #residential use#.

28-53 Location of Accessory Parking

On-site #accessory # off-street parking ~~for Quality Housing #developments#, #enlargements# or conversions~~ shall not be permitted between the #street line# and the #street wall# of a #building# or its prolongation.

However, on #through lots# measuring less than 180 feet in depth from #street# to

#street#, accessory# off-street parking may be located between the #street line# and any #street wall# located beyond 50 feet of such #street line#.

* * *

ARTICLE III

Chapter 6

Accessory Off-Street Parking and Loading Regulations

36-00

GENERAL PURPOSES AND DEFINITIONS

Off-Street Parking Regulations

* * *

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,~~ a #Quality Housing building#, all #accessory# off-street parking spaces shall comply with the provisions of Section 28-50 (PARKING FOR QUALITY HOUSING) ~~, to 28-52 inclusive~~ .

* * *

36-10

PERMITTED ACCESSORY OFF-STREET PARKING SPACES

* * *

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#, #Quality Housing building#~~, 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 3 6-57 (Accessory Off- Street Parking Spaces in Public Parking Garages).

* * *

36-30

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

36-31

General Provisions

C1 C2 C3 C4 C5 C6

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided for all ~~new #residences# constructed~~ #dwelling units# or #rooming unit# created after December 15, 1961, in accordance with the provisions of the following Sections and the other applicable provisions of this Chapter, as a condition precedent to the #use# of such ~~#residences#~~ #dwelling unit# or #rooming unit#:

Section 3 6-32(Requirements Where Individual Parking Facilities Are Provided)

Section 36-33(Requirements Where Group Parking Facilities Are Provided)

Section 3 6-34(Modification of Requirements for Small Zoning Lots)

Section 36-35 (Modification of Requirements for Public Housing or Non-profit Residences for Elderly)

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

Section 36-39 (Special Provisions for Zoning Lots Divided by District Boundaries)

~~After December 15, 1961, for all #enlargements# which increase the number of #dwelling units# or #rooming units# in a #building#, the same requirements shall apply to the additional #dwelling units# or #rooming units# created by such #enlargements#.~~

For #dwelling units# or #rooming units# constructed pursuant to the zoning regulations in effect after July 20, 1950 and prior to December 15, 1961, off-street parking spaces #accessory# to such #dwelling units# or #rooming units# cannot be removed if

such spaces were required by such zoning regulations, unless such spaces would not be required pursuant to the applicable zoning regulations currently in effect.

For the purposes of these Sections, three #rooming units# shall be considered the equivalent of one #dwelling unit#.

36-311

Application of requirements to conversions in C1 or C2 Districts

C1 C2

- (a) In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, ~~R7B or R7-1~~ or R7 Districts, except R7-2 Districts, the requirements of Section 36-31 (General Provisions) shall not apply to the additional #dwelling units# or #rooming units# created by conversions of any kind on #zoning lots# with less than 5,000 or more square feet of #lot area#, ~~except as otherwise provided in Sections 36-363 (For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations) and 73-46 (Waiver of Requirements for Conversions).~~
- (b) In the districts indicated, where such districts are mapped within R7-2, R8, R9 or R10 Districts, the requirements of Section 36-31 (General Provisions) shall not apply to the additional #dwelling units# or #rooming units# created by conversions of any kind on #zoning lots# of any size.

36-312

Application of requirements to conversion in C3 or C4 Districts

C3 C4-1 C4-2 C4-3

In the districts indicated, the requirements of Section 36-31 (General Provisions) shall not apply to the additional #dwelling units# or #rooming units# created by conversions of any kind on #zoning lots# with less than 5,000 or more square feet of #lot area#, ~~except as otherwise provided in Sections 36-364 (For conversions in C4 Districts) and 73-46 (Waiver of Requirements for Conversions).~~

* * *

36-32

Requirements Where Individual Parking Facilities Are Provided

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5 C3 C4-1 C4-2 C4-3

In the districts indicated, where #group parking facilities# are not provided, the requirements for #accessory# off-street parking spaces are as set forth in this Section.

36-321

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, where such districts are mapped within R1, R2, R3, R4, or R5, ~~R6 or R7~~ 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 #Quality Housing buildings# in R6 or R7 Districts without a letter suffix.~~

* * *

36-33

Requirements Where Group Parking Facilities Are Provided

C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, for new #residences developed# under single ownership or control where #group parking facilities# are provided, the number of required #accessory# off-street parking spaces is as set forth in this Section.

* * *

36-50

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

* * *

36-52

Size and Location of Spaces

C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, all #accessory# off-street parking spaces shall comply with the size and location provisions of this Section.

(a) ~~Size of spaces~~

36-521

Size of spaces

C1 C2 C3 C4 C5 C6 C7 C8

* * *

(b) ~~Location of parking spaces in certain districts~~

36-522

Location of parking spaces 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
C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-4A
C6-4X

In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and for #Quality Housing buildings# in C1, C2, C4, C5 and C6 Districts without a letter suffix, all #accessory# off-street parking spaces shall comply with the provisions of this Section.

(a) #Buildings other than #mixed buildings#

~~#accessory# off street parking spaces shall not be located between the #street wall# of a #building# and any #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire block front. Where a #zoning lot# is bounded by more than one #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire block front, this provision need not apply along more than one #street line#.~~

For any block front that is entirely within a #Commercial District#, #accessory# off-street parking spaces shall be located only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# of the #building# or its prolongation. Where a #zoning lot# is bounded by more than one such #street line#, this provision shall apply along only one #street line#.

(b) #Mixed buildings#

For #mixed buildings#, all #accessory# off-street parking spaces shall be located only within a #building# or in any open area on the #zoning lot# that is not between the

#street line# and the #street wall# of the #building# or its prolongation.

36-53

Width of Curb Cuts and Location of Access to the Street

C1 C2 C3 C4 C5 C6 C7 C8

* * *

36-531

Location of curb cuts in C1 or C2 Districts mapped in R5D Districts

In C1 or C2 Districts mapped within R5D Districts, a minimum distance of 34 feet of uninterrupted curb space shall be provided between all curb cuts constructed after June 29, 2006. Furthermore, no curb cuts shall be permitted on the #wide street# frontage of any #zoning lot# existing on June 29, 2006, with access to a #narrow street#.

36-532

Location and width of curb cuts accessing residential parking spaces in certain districts

The provisions of this Section 3 6-532 shall apply to all curb cuts accessing off-street parking spaces #accessory# to #residences# in C1 and C2 Districts mapped within R1 through R8 Districts, and in all other #commercial districts# where, as set forth in the Tables in Section 34- 112 or 35-23, as applicable, the applicable #Residential District# is R3, R4, R5, R6, R7 or R8.

- (a) All such curb cuts shall comply with the provisions of Section 25-631 (Location and width of curb cuts in certain districts), as set forth for the applicable #building#, #building segment# and #residence district#. All #buildings# containing #residences# in C1 and C2 Districts mapped within R1, R2, R3A, R3X, R3-1, R4A, R4-1 and R5A Districts shall comply with the provisions set forth in Section 25-631 for an R3-2 District;
- (b) All such curb cuts shall be prohibited on the #wide street# frontage of any #zoning lot# existing on (the effective date of amendment) with access to a #narrow street#; and
- (c) Where a commercial district with only #narrow street# frontage is mapped along the short end of a #block#, and a #zoning lot# existing on (effective date of amendment) has access to both the short and long ends of such #block#, all such curb cuts shall be prohibited along the #street line# of the short end of such #block#.

* * *

73-46

Waiver of Requirements for Conversions

In R6 or R7-1 Districts, in C1 or C2 Districts mapped within R6 or R7-1 Districts, or in C4-2 or C4-3 Districts, where the number of #accessory# off-street parking spaces required for additional #dwelling units# created by conversions of any kind exceeds the number of spaces which may be waived as of right under the provisions of Sections 25-262 (For conversions), 36-363 (For conversions in C1 or C2 Districts governed by surrounding Residence District bulk regulations) or 36-364 (For conversions in C4 Districts), the Board of Standards and Appeals may waive all or part of the required spaces, provided that the Board finds that there is neither a practical possibility of providing such spaces:

- (a) on the same #zoning lot# because of insufficient #open space# and the prohibitive cost of structural changes necessary to provide the required spaces within the #building#; nor
- (b) on a site located within 1,200 feet of the nearest boundary of the #zoning lot# because all sites within such radius are occupied by substantial improvements.

* * *

Article XI - Special Purpose Districts

Chapter 7

Special Long Island City Mixed Use District

* * *

117-64

Special Parking Regulations

* * *

- (b) #Residential uses#

* * *

- (3) Where the designated district is a M1-2/R5B District, the provisions of paragraph of Section 25-631 (Location and width of curb cuts in certain districts) ~~25-633 (Prohibition of curb cuts in certain districts)~~ shall not apply.

* * *

Article XII - Special Purpose Districts

Chapter 3

Special Mixed Use District

* * *

123-70

PARKING AND LOADING

* * *

123-72

Residential and Community Facility Uses

For #residences# and #community facility uses#, the #accessory# off-street parking and loading regulations of the designated #Residence District#, as set forth in Article II, Chapter 5, shall apply, except that:

- (a) the provisions of Section 25-50 (RESTRICTIONS ON LOCATION OF ACCESSORY OFF-STREET PARKING SPACES) shall not apply. In lieu thereof, the provisions of Section 44-30 (RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES) shall apply to such #uses#; and ~~in #mixed-use buildings#, the provisions of Section 25-60 shall not apply. In lieu thereof, the provisions of Section 44-40 (ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF STREET PARKING SPACES) shall apply to such #uses#.~~ for #buildings# containing #residences# in #Special Mixed Use Districts#, in addition to the applicable #accessory# off-street parking and loading regulations set forth in Article II, Chapter 5, the provisions of Section 44-46 (Accessory Off-Street Parking Spaces in Public Parking Garages), Section 44-47 (Parking Lot Maneuverability and Curb Cut Regulations) and Section 44-48 (Parking Lot Landscaping) shall apply.

* * *

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Hearing Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at **11:00 a.m. on Wednesday, April 7, 2010:**

L.U. No. 58

DOLLAR SAVINGS BANK

BRONX CB - 1

20105348 HKX (N 100226 HKX)

Designation (List No. 425/LP No. 2370) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Dollar Savings Bank, located at 2792 Third Avenue (a/k/a 495 Willis Avenue), (Block 2307, Lot 54), as an historic landmark.

L.U. No. 59

311 BROADWAY BUILDING

MANHATTAN CB - 1

20105350 HKM (N 100223 HKM)

Designation (List No. 425/LP No. 2343) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 311 Broadway Building, located at 311 Broadway (Block 151, Lot 31), as an historic landmark.

L.U. No. 60

WEST PARK PRESBYTERIAN CHURCH

MANHATTAN CB - 7

20105349 HKM (N 100224 HKM)

Designation (List No. 425/LP No. 2338) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the West Park Presbyterian Church, located at 165 West 86th Street a.k.a. 165-67 West 86th Street, 541 Amsterdam Avenue (Block 1217, Lot 1), as an historic landmark.

L.U. No. 61

RIDGEWOOD THEATER BUILDING

QUEENS CB - 5

20105352 HKQ (N 100222 HKQ)

Designation (List No. 425/LP No. 2325) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Ridgewood Theater Building, located at 55-27 Myrtle Avenue (Block 3451, part of Lot 7), as an historic landmark.

L.U. No. 62

PUBLIC SCHOOL 66Q

QUEENS CB - 9

20105351 HKQ (N 100221 HKQ)

Designation (List No. 425/LP No. 2317) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of Public School 66, located at 85-11 102nd Street (Block 9183, Lot 1), as an historic landmark.

L.U. No. 63

MARY AND DAVID BURGHER HOUSE

STATEN ISLAND CB - 1

20105353 HKR (N 100225 HKR)

Designation (List No. 425/LP No. 2367) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of Mary and David Burgher House located at 63 William Street (Block 514, Lot 30), as an historic landmark.



SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Hearing Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at **1:00 p.m. on Wednesday, April 7, 2010:**

L.U. No. 66

EAST HARLEM VETERANS INITIATIVE

MANHATTAN CB - 11

20105424 HAM

Application submitted by the Department of Housing Preservation and Development for an Urban Development Action Area Designation and Project, located at 98-108 East 118th Street, Council District 8, Borough of Manhattan.

PRECONSIDERED L.U. NO.

TERRIFIC TENEMENTS

MANHATTAN CB - 4

20105425 HAM

Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for approval to the Prior Exemption and consent to the voluntary dissolution of a redevelopment company for property located at Block 1076/Lot 15 and Block 1058/Lot 16, Council District 3, Borough of Manhattan.

L.U. NOS. 23, 25, 40, 69 AND PRECONSIDERED

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal

Law pursuant to said Section;

3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the projects from real property taxes pursuant to Section 577 of the Private Housing Finance Law for L.U. Nos. 25, 69 and Non-ULURP Nos. 20105420 HAM, 20105421 HAM, 20105422 HAM and 20105423 HAM; and pursuant to Section 696 of the General Municipal Law for L.U. No. 40.

L.U. No.	Non-ULURP No.	Address	Block/Lot	Program	CB	Tax Exemption
23	2010273 HAQ	190-01 -05 Linden Boulevard Queens	11060/1	Tenant Ownership	12	
<i>Laid over from meeting of Subcommittee on Planning, Dispositions and Concessions on January 26, 2010, February 8, 2010, February 24, 2010, and March 9, 2010.</i>						
25	20105283 HAM	226 West 111 th Street Manhattan	1826/52	Tenant Interim Lease	10	Section 577
<i>Laid over from meeting of Subcommittee on Planning, Dispositions and Concessions on January 26, 2010, February 8, 2010, February 24, 2010, and March 9, 2010.</i>						
40	20105364 HAK	917 Gates Avenue Brooklyn	1632/66	Asset Control Area	03	Section 696
<i>Laid over from meeting of Subcommittee on Planning, Dispositions and Concessions on February 24, 2010 and March 9, 2010.</i>						
69	20105415 HAM	163 Lenox Avenue Manhattan	1903/31	Tenant Interim Lease	10	Section 577
<i>Laid over from meeting of Subcommittee on Planning, Dispositions and Concessions on March 9, 2010.</i>						
Pre.	20105417 HAX	100 West 163 rd Street 954 Anderson Avenue Bronx	2511/64 2504/59	NRP	04	
Pre.	20105418 HAX	783 East 168 th Street Bronx	2673/1	NRP	03	
Pre.	20105419 HAX	190 Brown Place Bronx	2264/1	NRP	01	

L.U. No.	Non-ULURP No.	Address	Block/Lot	Program	CB	Tax Exemption
Pre.	20105420 HAM	167 West 129 th Street Manhattan	1914/1	Tenant Interim Lease	10	Section 577
Pre.	20105421 HAM	565 West 125 th Street Manhattan	1982/63	Tenant Interim Lease	09	Section 577
Pre.	20105422 HAM	626 West 136 th Street Manhattan	2002/95	Tenant Interim Lease	09	Section 577
Pre.	20105423 HAM	2041 5 th Avenue Manhattan	1751/1	Tenant Interim Lease	11	Section 577

LAND USE COMMITTEE

The Land Use Committee will hold a meeting in the Hearing Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at **10:00 a.m. on Thursday, April 8, 2010**, on the following matter:

A local law to amend the New York City Charter in relation to authorizing the Department of Transportation to extend the expiration date of the operating authority of certain unsubsidized private bus services.

And subsequently consider all items reported out of the Subcommittees at the meetings held on Wednesday, April 7, 2010, and conduct such other business as may be necessary.