

# RESIDENTIAL STREETSCAPE PRESERVATION

## PROPOSED TEXT AMENDMENT

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

### Article 1

#### GENERAL PROVISIONS

\* \* \*

### Chapter 2

#### Construction of Language and Definitions

\* \* \*

### 12-10

#### DEFINITIONS

\* \* \*

Building segment

\* \* \*

Building, Quality Housing

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

Building segment, Quality Housing

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#;
- (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) the 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 is not 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 when located in any open area on a #zoning lot#, or, where applicable, #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;
- (c) Driveways, private streets, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths, provided that, in accordance with the provisions of Section 25-64 (Restrictions on Use of Open Space for Parking), 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:
  - (1) 50 percent in R1, R2, R3, R4A, R4-1, R4B, R6, R7, R8, R9 or R10 Districts; and
  - (2) 66 percent in R4 other than R4A, R4-1 and R4B Districts, 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;

\* \* \*

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

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

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

\* \* \*

Parking spaces, off-street, open, within a #front yard#, that are #accessory# to a #residential building# 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 shall be located in a driveway that accesses parking spaces located to the side or rear of the #residential building#. No such spaces or portions thereof shall be located between the #street line# and #street wall# of such #building#, except that parking spaces may be located between the #street line# and #street wall# of the #residential building# only where such spaces are in front of a garage;
- (2) in R3-2, R4 other than R4A, R4-1 and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, no more than two parking spaces are required, and provided such spaces meet all the requirements of paragraph (a) of Section 25-621 (Location of parking spaces in certain districts);
- (3) in R3-2, R4 other than R4A, R4-1 and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, more than two parking spaces are required, and provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts);
- (4) in #lower density growth management areas#, such spaces are non-required and 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# shall not exceed ~~six~~ ten feet above #curb level# 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 #residential building# constructed after April 30, 2008 shall provide planted areas in accordance with the provisions of this Section. Any #zoning lot# occupied by a #residential 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 allocated to each of multiple #buildings# on a single #zoning lot#, as applicable. | Minimum percentage of #front yard# to be planted |
|---|--|
| 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 #residential buildings# or #building segments#. All such #residential 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 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#. 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#.

\* \* \*

**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, R7X, R8A, R8B, R8X, R9X, 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**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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# created on or prior to December 15, 1961, off-street parking spaces #accessory# to such #dwelling units# or #rooming units# cannot be removed if such spaces would be required for such #dwelling units# or #rooming units# as if they were created 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 25-21 (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 location of Spaces

\* \* \*

### 25-621

#### Location of parking spaces in certain districts

All #accessory# off-street parking spaces 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 18 feet of uninterrupted curbside space along the #street# frontage, access to #accessory# spaces need not be through a #side lot ribbon# provided that, on a #zoning lot# with less than 50 feet of frontage along a #street#, no more than one enclosed #accessory# parking space is provided within the #residential building#.~~

~~R6 R7 R8~~

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

~~R4B R5B R5D R6B R7B R8B~~

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

~~(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 #accessory# parking spaces are required:~~

~~R2X R3 R4 R5~~

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

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

~~(ii) a #group parking facility# with five or more spaces is provided and is screened in accordance with the requirements of Section 25-66 (Screening); 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#. Such parking spaces may also be located between the #street line# and #street wall# of #buildings# and their prolongations only in accordance with the following provisions:
- (1) for #detached# or #zero lot line buildings# on #zoning lots# with less than 35 feet of #street# frontage, if such parking spaces are located in a driveway in the #side lot ribbon# that accesses parking spaces located to the side or rear of the #residential building#, and no such parking spaces or portions thereof are located in front of the #street wall# of the #building#;
  - (2) for #detached buildings# on #zoning lots# with at least 35 feet of #street# frontage and at least 18 feet of uninterrupted curb space along the #street#, and for #semi-detached buildings#, where permitted, if such parking spaces are located in accordance with the following provisions:
    - (i) for #residential buildings# without garages accessed through the #street wall# of the #building#, if such parking spaces are located in a driveway that accesses parking spaces located to the side or rear of the #building#, and no such spaces shall be located in front of the #street wall# of the #building#;  
and
    - (ii) for #residential buildings# with garages accessed through the #street wall# of the #building#, if such spaces are located in a driveway in front of such garage.
  - (3) 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 R1, R2, 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 such

#buildings#. Such 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 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 a #building# 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# comprised of 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# comprised of #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.

\* \* \*

**25-631**

**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. 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 non-conforming buildings in certain districts) shall apply.

- (a) For #zoning lots# with ~~#residential buildings#~~ #buildings# containing #residences# 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. 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#.
  - (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~~ 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) 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)~~ (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 ~~15~~ 18 feet, including splays, shall serve both #side lot ribbons#; and
  - ~~(v)~~ (iv) new #residential developments# shall maintain 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 ~~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#.~~ 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#.

R4B R5B ~~R6B~~ R7B R8B

~~(4)~~

(3) 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 (a)(2), inclusive, of this Section. For ~~#attached residential buildings# and rowhouses, #building segments#, 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.~~ 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#.

R6 R7 R8

~~(3)~~

(4) In the districts indicated without a letter suffix, the following provisions shall apply: ~~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.~~

(i) 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 (a)(2), inclusive, of this Section;

(ii) 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 (b)(3) of this Section.

- (b) For ~~#zoning lots#~~ with ~~#residential buildings#~~ #buildings# containing ~~#residences#~~ 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;~~  
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) ~~the maximum width of a curb cut serving a #group parking facility# shall be as set forth in the following table:~~

| <del>Size of Facility<br/>(in number of spaces)</del> | <del>Maximum Width of Curb Cuts (in feet)</del> |
|---|---|
| <del>up to 4</del>                                    | <del>15</del>                                   |
| <del>5 to 24</del>                                    | <del>22</del>                                   |
| <del>25 and over</del>                                | <del>30</del>                                   |

- (iv) ~~(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 a #group parking facility# with less than 50 spaces shall be 12 feet, including splays, and the maximum width of a curb cut accessing a #group parking facility# with 50 or more 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 than listed in this chart, such curb cuts may be increased to the minimum width acceptable to the Fire Department.

R4B R5B R6B R7B R8B

(3)

(2) 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. 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. curb cuts are permitted only on #zoning lots# at least 40 feet wide and existing on the effective date of establishing such district 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 (a)(2), inclusive, of this Section. For #attached residential buildings# and rowhouses, #building segments#, 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. 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 a #zoning lot# existing on both June 30, 1989 and (the effective date of amendment) that is less than 76 feet wide and where at least 34 feet of uninterrupted curb space is maintained in front of such #zoning lot# along the #street#. Such permitted curb cuts shall comply with the provisions of paragraph (b)(3) of this Section.

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.

R6 R7 R8

(3) In the districts indicated, 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 complying with the provisions of this paragraph (b)(3) shall only be permitted along

the #street# frontage of such subdivided #zoning lot# where at least 34 feet of uninterrupted curb space is maintained.

These curb cut provisions shall apply as follows:

- (i) 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#;
- (ii) In R6A, R6A, R7X, R8A, R8X Districts, to all #buildings#; and
- (iii) 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.

(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#.

\* \* \*

**25-633**

**Prohibition of curb cuts in certain districts**

~~R4B R5B R6B R7B R8B~~

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

**25-633**

**Curb cut restrictions for non-conforming buildings in R1 through R5 Districts**

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

- (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 front yard.

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 front yard.

\* \* \*

**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      | R1 R2 R3 R6 R7 R8 R9 R10 |

- (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 and open accessory off-street parking spaces 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 and open accessory off-street parking spaces 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, driveways, private streets, open accessory off-street 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, R10A or R10X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, ~~some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single-# or #two-family residences#.~~ 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), 28-33 (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.

\* \* \*

**28-50**

**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#~~.

\* \* \*

## **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.

\* \* \*

### **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 36-57 (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 36-32 (Requirements Where Individual Parking Facilities Are Provided)
- Section 36-33 (Requirements Where Group Parking Facilities Are Provided)
- Section 36-34 (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 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

In the districts indicated, where such districts are mapped within R1, R2, R3, R4, R5, R6, R7B or R7-1 Districts, the requirements of Section 36-31 (General Provisions) shall 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).~~

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

~~Program~~ #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 blockfront. 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 blockfront, this provision need not apply along more than one #street line#.~~

For any blockfront that is entirely within a #Commercial District#, #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and its prolongation and any #street line# of such blockfront. 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 36-532 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 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.

\* \* \*

END