

▶ What is a curb cut and why do I need a permit?

A curb cut is a break in a curb allowing access from the roadway and across the sidewalk to a legal parking space within the property line. The City regulates curb cuts to ensure the public's safety. Curb cuts must not be installed too close to intersections, where exiting cars can interfere with traffic flow and possibly cause accidents. Also, curb cuts must not be located in bus stop zones or too near fire hydrants, trees, utility poles or parking signs.

Both the Zoning Resolution and the City's Administrative Code have rules governing the location and design of curb cuts. The Department of Buildings permit process ensures that curb cuts comply with these rules.

▶ How do I get a curb cut permit?

Prior to starting construction, the homeowner must obtain plan/design approval and a construction permit from the Department of Buildings. A permit to temporarily close the sidewalk is also required from the Department of Transportation. The checklist in this brochure lists the steps you should take.

Keep in mind that the Department reviews each application individually. Not every property may be eligible for a curb cut. If you have specific questions, call the Buildings Department office in your borough.

Installing a curb cut without a permit may result in court appearances and the imposition of fines. Initial fines can be as high as \$2,500.

CURB CUT PERMIT CHECKLIST

1. Submit Required Application Materials

Several items must be submitted to the Department's borough office where the property is located: a permit application, a plan and survey, and the filing fee. Bring an extra set of all documents for filing with the Department.

- A. Complete a Department **application** (Form PW-1). Forms are available at the Department's borough offices or may be downloaded from www.NYC.gov/buildings.
- B. Submit a **drawing (plan)** of the proposed work. Curb cuts are one of the few construction plans/designs that may be prepared by a homeowner or non-professional. You may prefer to hire a NYS licensed architect or engineer do this.
- C. Submit a recent **survey** (no older than 90 days) of the sidewalk area where you want the curb cut installed. The survey must show nearby trees, fire hydrants, street signs, utility poles and similar structures and have the Land Surveyor's seal.
- D. Submit the initial **\$100 filing fee** (money order, cash or check). The check or money order must be payable to NYC Department of Buildings.

2. Obtain Application Approval

It usually takes about one week for the Department to review and approve a simple curb cut application. It can take up to two weeks if the application requires additional research.

If there are problems with the application, a borough staff member will contact you. You can check on the progress of your application in the Building Information System, the Department's online property database, available at www.NYC.gov/buildings.

3. Obtain Work Permits: Buildings & Transportation

- A. Once the application is approved and before any work begins, you (or your contractor) must obtain a construction permit (Form PW-2) from the borough office. At this time, you must pay additional curb cut fees, calculated at \$3 per linear foot for 1-, 2- and 3-family homes or \$6 per foot for other building types.
- B. Before beginning work, you must also obtain a permit from the Department of Transportation. A DOT permit allows you to alter the existing curb and sidewalk and, if necessary, allows you to obstruct the sidewalk while the work is in progress. Consult www.NYC.gov/dot or call 311 for DOT permit requirements and fees.
- C. Both permits will have expiration dates, which may not be the same. Plan accordingly so that the work is completed while both permits are valid or be prepared to renew those permits as necessary.

Note: Your contractor should have a Home Improvement Contractor's license from the Department of Consumer Affairs. Call 311 for more information or visit www.NYC.gov/consumers.

4. Complete the Work

The completed work must conform to the plans approved by the Department of Buildings. Any deviation from those plans may prevent the project from receiving its final sign-off.

5. Obtain Final Sign-Off on Completed Work

When the work is completed, there are just a few more steps to follow to complete the project:

- A. Inform the Construction Division of the Department of Buildings borough office that the work is finished. Request an **inspection** of the curb cut.
- B. Hire a licensed land surveyor to perform an **updated survey** of the entire curb cut and any trees, fire hydrants, utility poles and parking signs in the immediate vicinity. This survey may be conducted either before or after the Construction Division inspection has occurred.
- C. After the inspection date, call the Construction Division to obtain the inspection **results**. If the inspector determined that the project cannot be approved, you will be informed of the changes required to bring the curb cut into compliance..
- D. If the work has passed inspection, visit the borough office to obtain a **final sign-off**. Bring an extra copy of the updated survey. The Department will update its property records to show the project is completed.

► Technical rules for curb cut applications

Proposed curb cuts must comply with regulations from the Department of Buildings, Department of Transportation and the Department of City Planning. If your property is a designated landmark or within a landmark district, you will need the approval of the Landmarks Preservation Commission.

- In most zoning districts, parking spaces must be at least 8.5 feet wide and 18.5 feet deep, and must be fully within the property lines. No portion may extend over the legal street or sidewalk. Consult the Department of City Planning for specific zoning requirements
- In most zoning districts, parking spaces are allowed only in the side or rear yards. There are some exceptions where front parking spaces are allowed. Consult with the Department of City Planning for specific zoning requirements.
- Curb cuts must be at least 10 feet wide, including the splays (slopes). The length is limited by the street frontage.
- Curb cuts cannot encroach on the clearance of a utility pole or fire hydrant. There must be sufficient clearance on each side of a pole or hydrant, as determined by Department of Transportation rules.
- The following **minimum distances** are required between the edge of the driveway splay (slope) and the items listed below:
 - Five feet from NYC right-of-way lines and utility easements in residential zones
 - Seven feet from trees, light poles and street signs

- Ten feet from fire hydrants, telephone booths and utility poles
- Sixteen feet from the edge of an adjacent driveway. This applies to new residential developments constructed after June 30, 1989 in specified zoning districts only. Consult the Department of City Planning for specific zoning requirements.

- A permit is required from the Department of Transportation for each curb cut project. Visit www.NYC.gov/dot for information, or call 311.
- The Department of City Planning can advise you on the zoning requirements for your project. Visit www.NYC.gov/planning for information, or call 311.
- If any part of a sidewalk tree will be affected, prior approval from the Department of Parks and Recreation is required. Visit www.NYC.gov/parks for information, or call 311.
- To find out if your contractor has a valid Home Improvement Contractor's license, contact the Department of Consumer Affairs at www.NYC.gov/consumers, or call 311.
- The New York State Department of Education licenses architects, engineer and land surveyors. For information, visit www.nysed.gov.

This brochure provides general guidelines. If you have specific questions, call the Department of Buildings office in your borough and consult with a NYS licensed architect or engineer.

New York City Department of Buildings

Executive Offices / 212-566-5000
280 Broadway, New York, NY 10007

Manhattan Borough Office / 212-566-0042
280 Broadway, New York, NY 10007

Bronx Borough Office / 718-579-6920
1932 Arthur Avenue, Bronx, NY 10457

Brooklyn Borough Office / 718-802-3675
210 Joralemon Street, Brooklyn, NY 11201

Queens Borough Office / 718-286-0600
120-55 Queens Boulevard, Kew Gardens, NY 11424

Staten Island Borough Office / 718-816-2300
10 Richmond Terrace, Borough Hall, Staten Island, NY 10301

Department of Investigation (DOI) / 212-825-3330
80 Maiden Lane, New York, NY 10038

Call 311 for non-emergency complaints or information about Department of Buildings services.
Use 911 only for life-threatening emergencies.

Visit NYC.gov/buildings to:

- Access comprehensive information about Buildings
- Check the status of a filing on the Building Information System (BIS)
- Download plan/work approval forms and the Building Code

Mission

The NYC Department of Buildings ensures the safe and lawful use of buildings and properties by enforcing the Building Code and Zoning Resolution. We facilitate development with integrity, efficiency and professionalism.

Michael R. Bloomberg, MAYOR
Patricia J. Lancaster, FAIA, COMMISSIONER



about

Curb Cuts



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