

PLAN FOR REZONING THE CITY OF NEW YORK

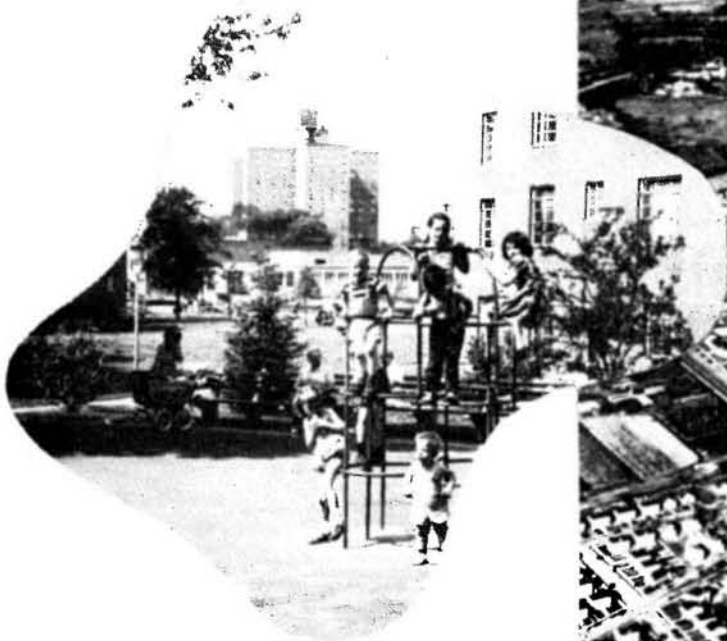
a report
by

HARRISON
BALLARD
& ALLEN

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MODERN ZONING PROVIDES FOR IMPROVING LIVING AND WORKING ENVIRONMENTS IN ALL PARTS OF THE CITY.



PLAN FOR REZONING THE CITY OF NEW YORK

A REPORT SUBMITTED
TO THE CITY PLANNING
COMMISSION BY
HARRISON, BALLARD & ALLEN

OCTOBER, 1950

Harrison, Ballard & Allen
123 East 77th Street
New York 21

October 5, 1950

City Planning Commission
City of New York
Municipal Building
New York 7, New York

Gentlemen:

We submit, herewith, in fulfillment of paragraph 2 (d) of contract No. 159152, the final report of this firm on the Plan for the Rezoning of the City of New York.

Respectfully submitted,

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SUMMARY

OBJECTIVES

The overhauling and modernization of the 1916 Zoning Resolution with its three-map system and more than 1400 amendments was the primary objective of the Plan for Rezoning.

A reduction in permitted bulk and density, to far below the present figures of approximately 70,000,000 residential and 320,000,000 working population, was clearly indicated.

Also needed were regulations calculated to distribute the realistically estimated maximum population, which the City may have in the foreseeable future, over the land available for residence purposes in a manner providing increased light, air and usable open space.

An added objective was to anticipate the needs for commercial, manufacturing and industrial lands of all descriptions within the City; to identify the best locations for these purposes, and to protect these in every practicable way so that economic activities may be encouraged and the people of the City may have the maximum opportunities for employment.

HOW THE JOB WAS DONE

All calculations and mapping have been based upon the study of actual uses and discernible trends rather than on theoretical possibilities.

This involved estimating employment and population, land and space needs, based upon all available sources and verified by discussions with business organizations, specialists in residential and industrial fields and ten Technical Advisory Committees.

It also involved application of over-all measurements in terms of both land use and building bulk to existing built-up areas as well as all vacant land in the City.

A fresh approach was taken to the regulation of uses — the effort being to state positively what uses were to be permitted for each property, rather than merely to exclude, for the most part, uses thought to be objectionable, as at present.

A significant basis for recommendations was the study of all 1948 construction showing trends in land coverage, bulk, densities, living amenities, automotive parking and loading facilities.

A one-map system for the five boroughs has been devised and a relatively

simple, permissive ordinance has been built around 15 basic use districts and a half dozen major, simplified bulk controls.

PROPOSALS

- 1 As a simplified guide to the maximum bulk which may be built on each plot in the City, a "Floor Area Ratio" figure is provided — a multiple of the area of the plot itself.
- 2 To continue to provide light in the City's streets and rear yards, but to free the building designs from the present rigid controls over the shapes of buildings, designers would be permitted to "average" the angle of light obstruction providing the over-all light remained at an adequate standard.
- 3 To improve living and working amenities, more adequate rear and side yards are provided; more usable open space, accessible to residential tenants, would be required; courts in commercial and manufacturing buildings would be improved while allowing considerable freedom in coverage on the lower, profit-making space of such buildings.
- 4 Legal windows in all buildings would be assured adequate and improved light and air through a new, simplified device which would make design of courts and review of designs by the Department of Housing and Buildings much easier.
- 5 To preserve the most important space for employment, residence would be prohibited from all Manufacturing Districts except the very lightest loft-type operations.
- 6 Instead of being permissive, off-street parking would become compulsory, on a sliding scale, depending upon the practical availability of space and economic considerations of land values.
- 7 Off-street loading facilities would be compulsory, even retroactively, in commercial and manufacturing buildings of sufficient size to make such facilities practicable.
- 8 Deeper zoning for commercial space would be mapped in those blocks where existing conditions and provable trends show a demand for larger and deeper store depth for more economical, modern operation.

IMPACT ON THE CITY

The Plan for Rezoning should protect the value of all present properties which are logically located and prevent all properties from being adversely affected in the future by encroachment of incompatible uses and bulks.

By restricting commercial and manufacturing uses to proven, logical locations, residential areas will be protected and the City as a whole will benefit economically from the prevention of unregulated business encroachments; at the same time, the lifeblood of the City, manufacturing, will be protected and encouraged by carefully planned and regulated districts.

The new use and bulk pattern will provide the City with the basis for the ultimate planning of all City services; the devices and controls recommended for structures will make more feasible the construction of more economical and profitable buildings.

PLAN FOR REZONING THE CITY OF NEW YORK



R E P O R T O N
P R O P O S E D
Z O N I N G

THE PROBLEM OF REZONING NEW YORK CITY

THE FUNCTION OF ZONING

The proper function of zoning, although often misunderstood, is simple and clear-cut. Zoning regulations constitute an exercise of the police power, generally delegated by the state to a local government, to control two things — first, the use of land and buildings, and second, the size and shape of buildings and their location in relation to each other and to lot lines. For convenience, these two types of controls are referred to in this Report as use regulations and bulk regulations.

Use regulations allocate to each major type of activity land which is sufficient and appropriate for that purpose. Use regulations also promote convenient and efficient inter-relationships of related uses of land, and segregate uses which are incompatible with each other.

Bulk regulations set a maximum limit on the intensity of development, thereby limiting congestion in living conditions and in pedestrian and vehicular traffic in each area. Moreover, within each level of density, such regulations place certain limitations on the shape and location of buildings, to protect light, air, and — in residential areas — privacy and open space. By these controls zoning regulations protect the desirable character of development in each area, real estate values and the municipal tax base, and provide a framework for city agencies in predicting the need for various city services. In brief, zoning regulations in the long run determine the future city.

Yet it is equally important to recognize at the outset what zoning regulations do not and cannot do.

A zoning scheme is not concerned with laying out or changing street patterns, or with the detailed design of new subdivisions. No specific sites for schools, parks or other public improvements can be shown thereon. Moreover, although it is the type and intensity of building which determines the volume of traffic, zoning controls are not concerned with detailed regulations over vehicular traffic. Zoning's contribution to the immediate relief of congested areas is limited to imposing requirements for off-street parking and loading—which may help considerably. Finally, although a zoning ordinance which is out of tune with current development can get in the way of desirable building, even the best zoning ordinance, cannot by itself create a single building. Zoning then, is merely the framework to guide the development of land.

Originally conceived in Europe, zoning came to the United States in fragmentary form around the turn of the century when Boston and Washington limited the height of buildings and Los Angeles restricted the location of certain objectionable uses. However, comprehensive zoning started in New York City. The New York City Zoning Resolution of 1916, one of the great pioneering achievements of American law, was a brilliantly conceived measure to control the major problems of that time. First, a set of use districts was set up: Residence Districts to protect residences against business and industrial intrusion; and Business Districts, primarily to protect the City's finest retail area against further invasion by manufacturing. Second, two additional

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sets of restrictions were established to limit the height and area of buildings. These sets of regulations were chiefly concerned with guaranteeing some minimum of light and air, thus avoiding a spread of the dark canyons of Wall Street; but incidentally they also set some ceiling on potential congestion in the streets and in public transit. Each of the three sets of restrictions was set forth on a separate map, and the zoning classification for any tract of land could be ascertained by checking its location on all three sets of maps. Wisely, the actual restrictions imposed were very moderate, because substantial resistance existed and because the very idea of cutting off the air rights over property was a drastic move in the light of constitutional law of that time.

In the 31 years since the adoption of the first New York City Resolution, comprehensive zoning has been adopted throughout the country. About 2000 ordinances are in effect at the present time. The courts have generally and increasingly upheld zoning regulations which are based upon a comprehensive plan of city development and upon substantial considerations of health, safety and welfare.

While comprehensive zoning has thus become firmly established, the problems with which zoning ordinances have to cope are changing rapidly. Instead of development by single small lots, building operations have been increasingly in units of a block or more; automobile traffic has almost overwhelmed the existing city pattern; the development of airports has required new protective regulations; and the character of industrial operations has changed with the emergence of decentralized light manufacturing plants on large landscaped sites. As a result of these changes, and of increasing experience with zoning techniques, the newer zoning ordinances have been employing a wide variety of new devices—such as more specialized use districts, new and more flexible bulk controls, vertical zoning, off-street parking and loading regulations, transition zoning, airport zoning, amortization of non-conforming uses, and so on. A few of these innovations have been frivolous, but most are in response to genuine civic problems.

New York has taken the lead in adopting many of these new zoning devices. However, the more new controls are added to the old framework, the more the internal structure of a zoning ordinance becomes complex and confused. As a result, most of

the major cities in the country—Chicago, Los Angeles, Detroit, Cleveland, San Francisco, Providence, Minneapolis, Newark, and innumerable smaller cities—have either completed or are working on a comprehensive revision of their zoning laws. The United States Chamber of Commerce has given a substantial impetus to this nation-wide movement. It is time for New York to reassert her traditional leadership in zoning.

By definition, zoning is primarily concerned with the assignment of the city's land to the purposes for which it is needed. The establishment of use districts does just that. It is, in effect, a quantitative determination, backed by law, as to the amounts of land to be available for the city's various functions.

The broad groups of uses with which zoning is primarily concerned are:

Residence of all types

Local retailing and services of all types

General commerce and business, including wholesaling, central office facilities and retailing

Manufacturing and industry of all types.

In the present study it has been considered axiomatic that the land requirements of New York's job-producing economic functions should receive first attention in the zoning plan. The total amount of land needed for such purposes is relatively small, and will not greatly restrict the space available for residence purposes. For that very reason it is all the more important that these economic needs be calculated realistically and that, having been set aside, these vital areas be actually reserved for the designated uses. In the past, while very substantial areas have been labeled for these purposes in the City's zoning, inconsistent uses have crept in and pre-empted the "less restrictive" lands to such an extent that their economic usefulness has been seriously compromised over considerable areas. A first step has therefore been to ascertain whether, and how, land requirements for living and jobs can both be met.

The calculation of land requirements is not a simple one, either for economic activities or for housing. The first involves analysis of economic activities and their present locations, together with prediction of trends both in growth and mobility. Prediction of future land requirements for residence calls for analysis of present housing types

and family patterns, interpretation of trends in housing production and consideration of expected changes in age distribution, family composition and, again, mobility within or beyond the City. (Calculations of land use requirements for job and living uses are discussed in Chapter 2, and Chapter 7 gives a quantitative check on the adequacy of the proposed zoning to meet these requirements.)

But zoning is by no means dominated by the slide-rule. The interaction of economic factors with human and governmental values was admirably stated by former Mayor O'Dwyer in his preview of the Plan for Rezoning before a group of civic leaders in August, 1950:

"First of all, among its purposes zoning has important *human* objectives. The new zoning resolution will apply direct and positive methods for assuring at least a reasonable minimum of light and air to every legal (required) residential window. It will also include positive requirements for usable open space. There will be space in which small children and old folks can enjoy outdoor life away from the streets. These are to me simple "musts" for any modern city. We must see to it that our people enjoy them.

"Secondly, I am impressed with the *economic* objectives. These include the setting aside of adequate space in the best locations for industry and commerce, and their protection against use for any other purpose. Only so can we hope to hold and attract industries that will provide jobs for all our people. Such rezoning, designed to build New York industrially and commercially, is of equal importance with the protection of restricted areas.

"Then there must be adequate space in suitable locations for *business* of all kinds, local as well as general. These spaces must be adapted to modern large-scale merchandising, which means a substantial departure from our traditional 100-foot-deep business strips.

"All the remaining land of the City, except such as is set aside for *recreational* purposes, will then be available for *living* areas. I am informed that these will be quite ample for any population now here or anticipated in the future.

"Such balanced allocations of land are, fortunately, calculated to produce a maximum of assessed valuations. They indicate the highest use of property and protect it for such use. Thus, what is best for the City is also best for property owners as a group."

SPECIAL COMPLICATIONS IN NEW YORK CITY

To outsiders our City is perhaps best known for its skyscrapers. Actually, of course, skyscrapers cover only a tiny fraction of the City, but they symbolize the fact that New York puts many people on a small amount of land — not only in offices but in homes and factories. The population is so large in relation to land area that even if all space were devoted to residence (eliminating not only commerce and industry but also parks, streets and public institutions), only a fraction of the people could live in free-standing single-family houses — the norm in most other cities of America. It is clear that the great majority of housing will continue to be multi-family buildings, despite the widespread desire for a house with a yard of one's own. It is equally clear that much commercial and industrial activity will continue in multi-story buildings.

No less striking than the high level of population density for the City as a whole is the range and con-

trast of densities as between the several boroughs. The meadows of Staten Island are as much a part of New York as the Garment Center and Times Square. The huge spread of Queens alone, least congested and most homogeneous of the four large boroughs, embraces a range of zoning problems equal to that of most independent cities. It is quite true to say that zoning New York is zoning five cities.

Queens is almost as big as Detroit in both area and population; Brooklyn, with an area comparable to Baltimore, has a population one and a third time as great as Philadelphia; the Bronx compares with Akron in area and with Detroit in population. Manhattan, while covering no more land than Youngstown, Ohio has as many people as Los Angeles. But it is not only in population and area that each of the boroughs must be considered as a city. Each has its own commercial core, a solidly

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developed "downtown." Each has its characteristic types and mixtures of residential development. Each has its light and heavy manufacturing areas, with specializations varying from borough to borough. Each has its cultural pattern, institutions and living habits.

New York's Resolution must deal with the needs

of commercial and residential Fifth Avenue and those of commuter settlements in outer Queens. It must provide elbow-room for Newtown Creek, present and future. It must cope with the potentialities of redevelopment—offering the magnet because it cannot employ the bulldozer—in some of the most extensive slums and blighted areas in the country.

WHY THE CITY NEEDS REZONING

New York's zoning regulations, once a trail-blazing pioneering effort, are outdated. The zoning law has of course performed a great and generally-recognized service to the City, particularly in protecting the better residential and commercial areas; yet there is general agreement among all those who deal with its administration — property owners, civic associations, architects, builders and City officials — that the present provisions are at once inadequate, inflexible, often irrelevant and confusing.

Inadequacy

First and most important, both use and bulk regulations fail to provide the protection which the greatest city in the world deserves. To take the most obvious example, the law does not effectively separate residential and non-residential development. In 1938 the Mayor's Committee on City Planning pointed out that half of the inhabitants of the City lived in non-residential districts; and at present

over half of the area of the Commercial Districts is actually used for residence. Such a situation makes talk about "protecting the home" a mockery for an enormous proportion of the population. Yet, even with non-residential zoning so extensive as to blight huge residential areas and to sterilize miles of ribbon frontage for any effective use, land is not effectively reserved for the vital needs of industry and commerce. No responsible person would attempt to remedy this situation without a careful study of all existing areas, and a clear idea of how much non-residential land the City will actually need.

If the use regulations are often ineffective, the bulk regulations are often nothing short of fantastic. Practically all of the residential areas of Manhattan are "limited" in bulk to the kinds of buildings existing along Park Avenue. So is roughly 80% of the area zoned for residence in the Bronx and Brooklyn, and about 60% in Queens. As for the "low-bulk areas," huge areas of Queens and Brooklyn are zoned for apartments with about the bulk of the Riverton. In non-residential areas, the restrictions in force in huge areas of Manhattan, the lower Bronx, and inner Brooklyn and Queens permit buildings with about twice the overall bulk of Rockefeller Center. Small wonder that the total permitted bulk in residential areas would provide for a resident population of about seventy million — and, in the non-residential areas, for a working population of around three hundred million — more than the total population of the Western Hemisphere. Regulations such as these obviously exert no control at all throughout most of the City.

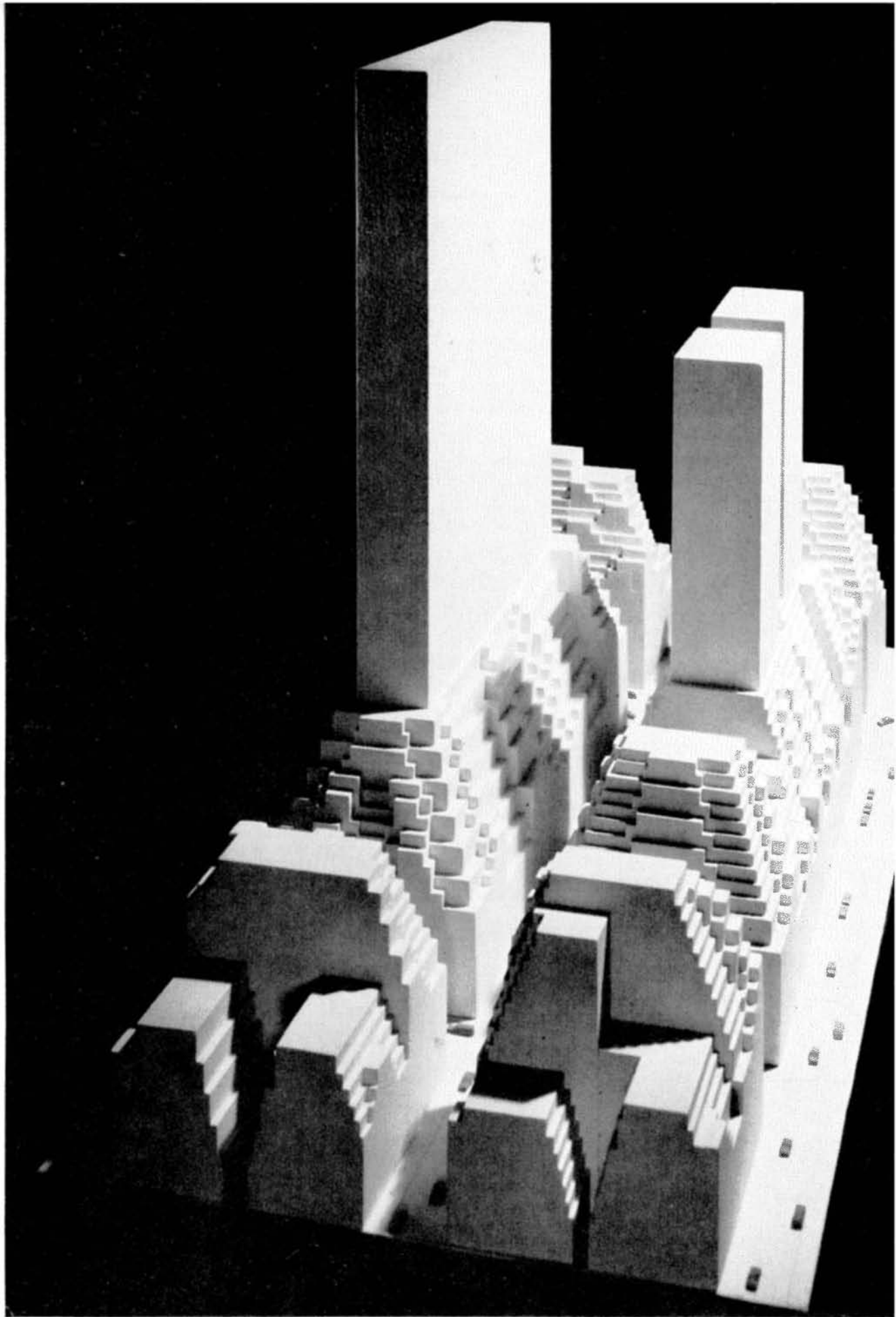
Inflexibility

While the bulk regulations are in general extraordinarily loose, such control as is exercised is often

RESIDENCE AND INDUSTRY

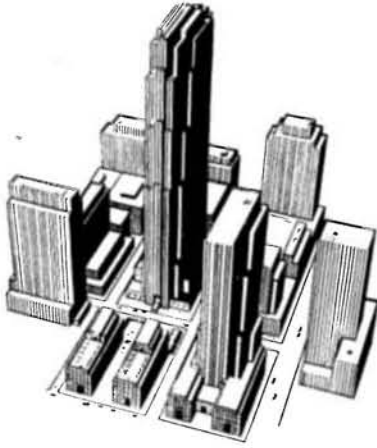
Without adequate safeguards controlling use and bulk, residential locations adjacent to industry seldom create adequate living or efficient working conditions.



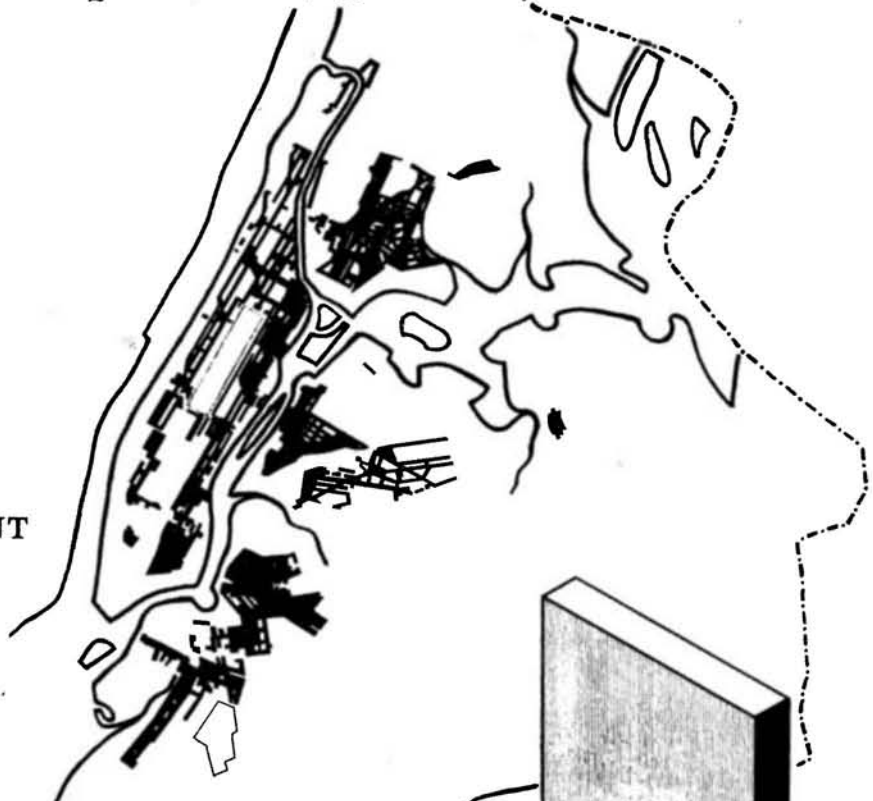


MODEL SHOWING DEGREE OF OVERCROWDING
POSSIBLE UNDER THE PRESENT RESOLUTION. (NASS, 1/2 HEIGHT, B-AREA" DISTRICT)

CURRENT BUILDING VS. PRESENT PERMITTED ENVELOPE NON-RESIDENTIAL 1½ HEIGHT, B AREA, DISTRICTS

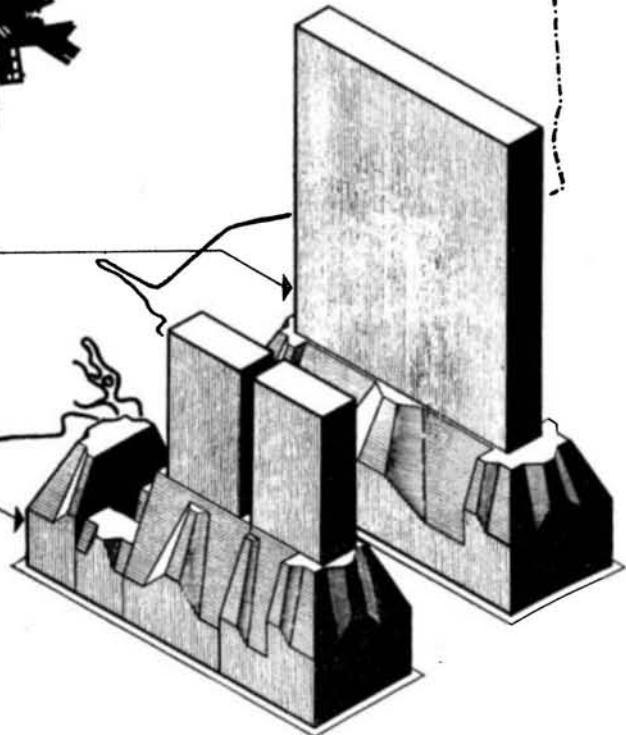


CURRENT DEVELOPMENT
ROCKEFELLER CENTER
FLOOR AREA RATIO - 11.9



SINGLE OWNERSHIP
200' x 600' BLOCK
70-STORY TOWER
FLOOR AREA RATIO - 28.5

MULTIPLE OWNERSHIP
200' x 600' BLOCK
45-STORY TOWERS
FLOOR AREA RATIO - 190

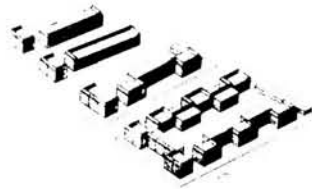


PERMITTED DEVELOPMENT

unnecessarily restrictive in the wrong places. In many instances, particularly in the high-bulk areas, the present provisions dictate the shape and design of structures, without regard for economy of construction or the developer's specific needs for his site and building. For each individual lot, the regu-

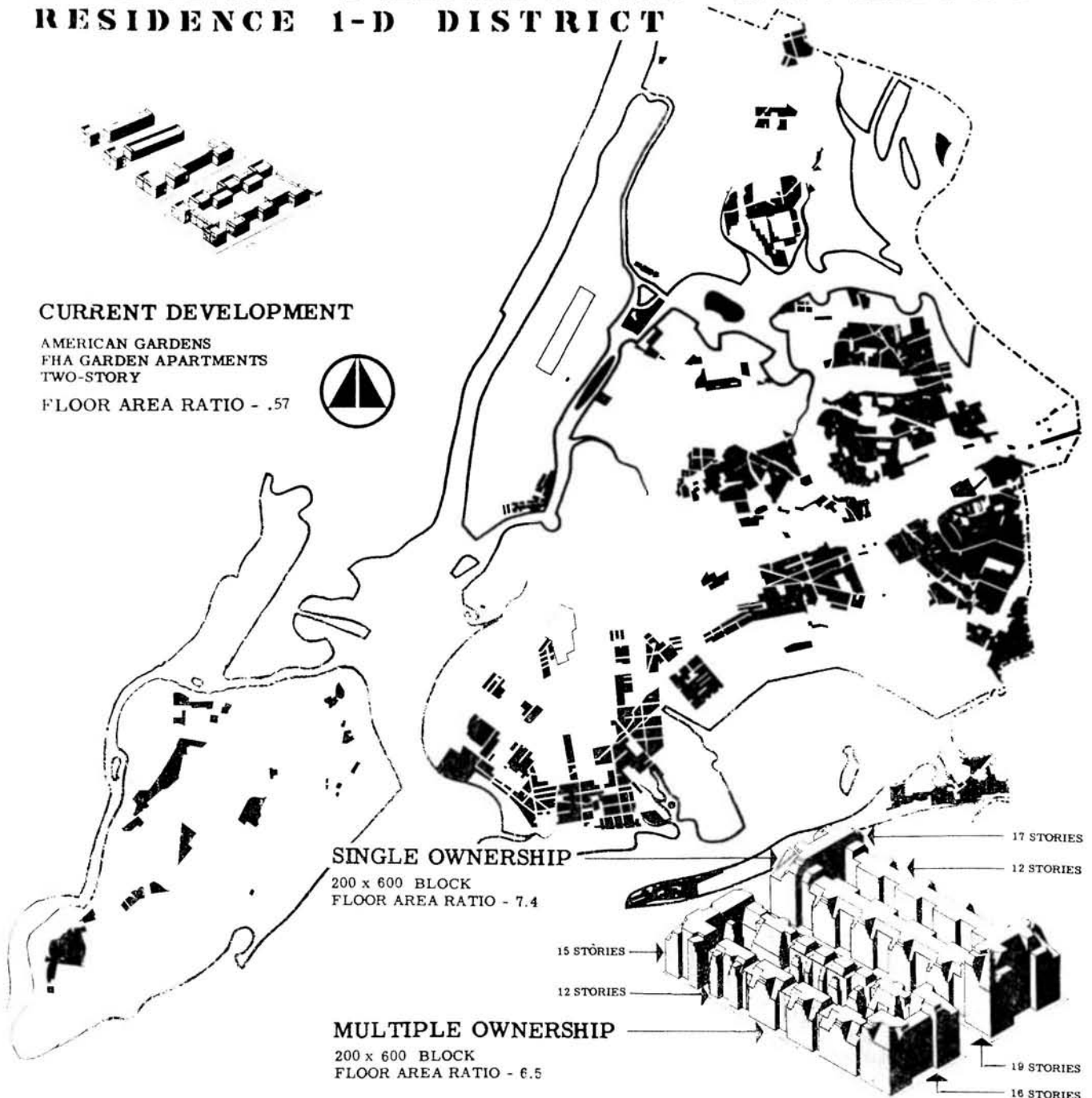
lations establish a rigid envelope within which any building must be constructed. The central areas are full of buildings in which the outer walls are designed to fill the envelope, and the space inside is then arranged as best it can be. Opinions differ as to their appearance, but there is no denying that

CURRENT BUILDING VS. PRESENT PERMITTED ENVELOPE RESIDENCE 1-D DISTRICT



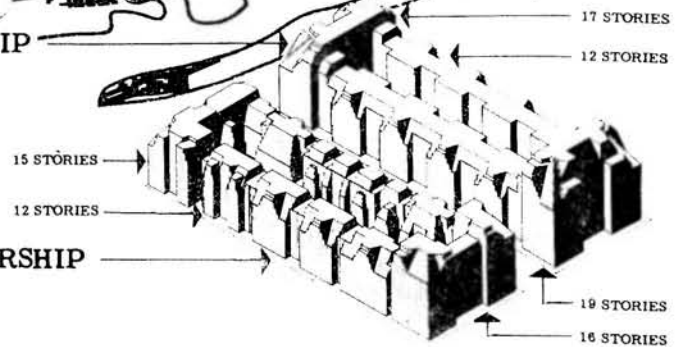
CURRENT DEVELOPMENT

AMERICAN GARDENS
FHA GARDEN APARTMENTS
TWO-STORY
FLOOR AREA RATIO - .57



SINGLE OWNERSHIP

200 x 600 BLOCK
FLOOR AREA RATIO - 7.4



MULTIPLE OWNERSHIP

200 x 600 BLOCK
FLOOR AREA RATIO - 6.5

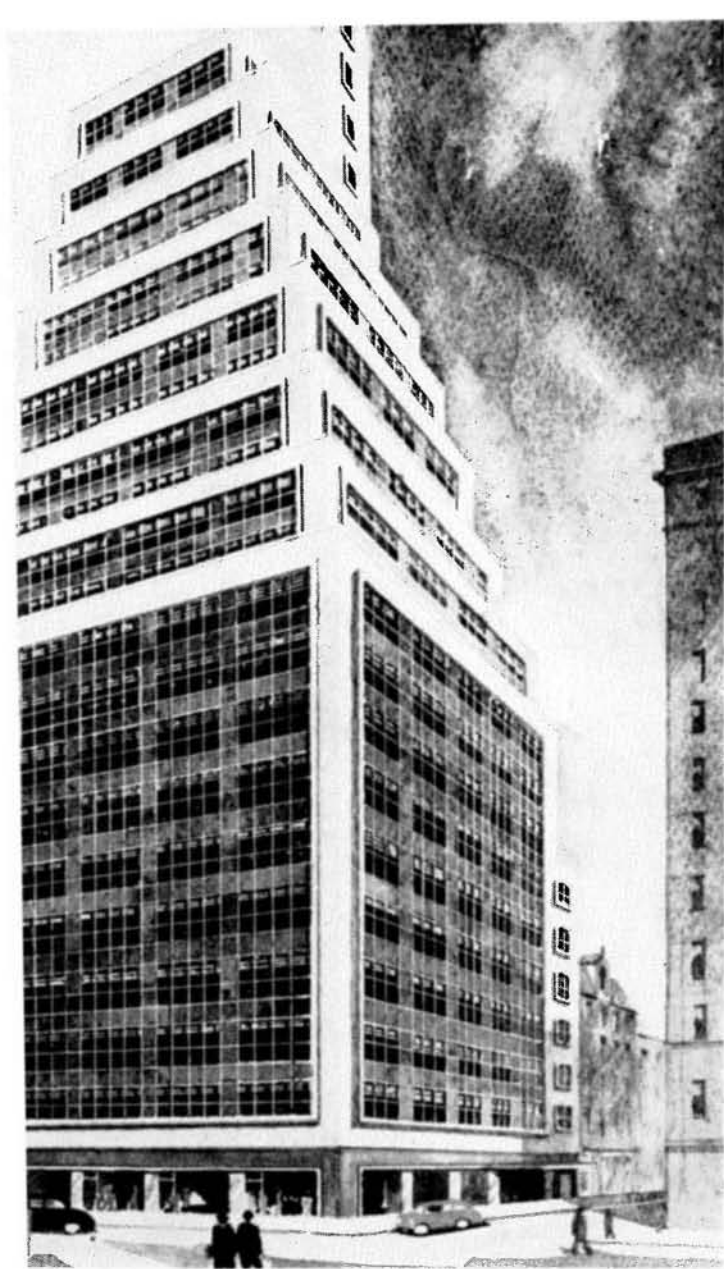
PERMITTED DEVELOPMENT

they are less economic in construction and less satisfactory to use than they might be.

Irrelevance

When applied to large-scale projects of a city block or more, the traditional bulk regulations —

in New York as in other cities — are largely an irrelevant nuisance. Since the height regulations are based upon an assumed gridiron pattern of streets, their effect on a multi-block tract is to permit a monstrous super-pyramid structure with set-backs rising toward a gigantic tower in the center — a



INFLEXIBILITY OF DESIGN

Pyramid type design forced upon builders attempting economic development by inflexibility of present Zoning Resolution.

PROTECTION OF RESIDENTIAL AREAS

are inadequate safeguards in the existing Zoning Resolution prevent the invasion of low density home areas by high bulk apartment buildings.



wholly fantastic conception. Moreover, the traditional yard regulations, combined with the requirement that each building be on a separate lot, result in the absurd situation of developers of such large projects being forced to sketch in fictitious lot lines around each building. Within the basic structure of the present Resolution, there is no way to control the density and spacing of large-scale projects in the various districts. In short, since practically no control is exerted over either low-density development in the outer areas or other large-scale construction anywhere, the present bulk regulations do not affect a very large percentage of current construction.

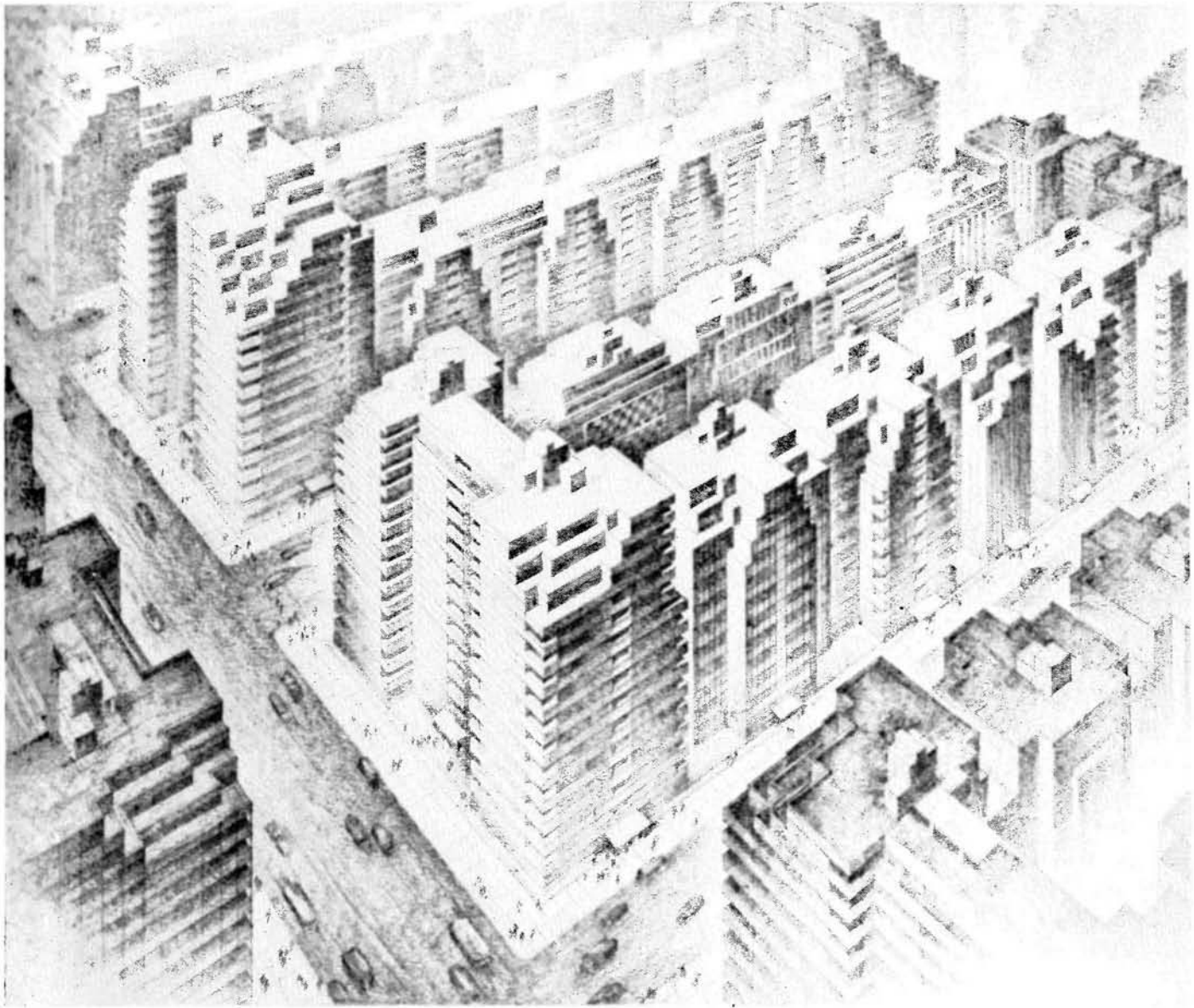
Confusion

In addition to the substantive defects of looseness, inflexibility, and irrelevance, the present Resolution has become extremely confusing in both structure and language. Property owners, builders and architects have great difficulty in finding out what can be done in developing a given piece of land. City officials charged with enforcement and interpretation have serious trouble in performing their jobs.

First, the zoning maps are as obsolete in form as in content. The possible combinations of the existing Use, Height and Area Districts total 864, many of which are obviously absurd. 184 of these (including a fair share of the absurd ones) were actually in existence on the three maps in 1948 for developers to analyze, correlate and comply with. Moreover, the maps were originally laid out without benefit of a general City plan, and amended 1439 times between 1916 and the end of 1948, so that the legal argument that the present zoning regulations are based upon a comprehensive plan is not too strong.

Moreover, the structure of the Zoning Resolution text is complicated and unsatisfactory. For example, the controls over the front wall of a building are set forth in the article on height regulations, and those over the rear wall in the article on area regulations — so that it is not generally realized that both are actually light-angle regulations. It is never easy to explain to the layman why the regulations (for example) of the "class 1½ districts" permit building up to only 1¼ times the width of the street.

The present Resolution is full of booby-traps for



EXAMPLE OF MAXIMUM PERMITTED DEVELOPMENT, THE PRESENT ZONING RESOLUTION IN THE MOST MAPPED RESIDENTIAL DISTRICT, "RESIDENCE, 1 F D-AREA DISTRICT"

the developer. Even after consulting the three sets of maps, correlating the use regulations with two sets of bulk regulations, and working out the interrelationships of the latter, it is still necessary to read the entire text from cover to cover, in order to be sure of knowing all the regulations which apply to a single piece of land. Without doing this, the developer of a site within two miles of a major airport would be quite likely not to learn of the special height regulations set forth in section 9-A; or, near a school, park or hospital, of the limitations on garages and filling stations in section 21-A; nor is anyone except an expert likely to know of the bonus afforded by section 19 (g) for providing parking spaces. It is also unlikely that property owners in a restricted district have any idea what could be located next to them by authorization of the Board of Standards and Appeals (under section 7) or the Planning Commission under various

sections. Even the most diligent search may not turn up a "sleeper" — some obscure provision tucked away in a paragraph apparently far from the subject, but one which may ultimately subject the developer to penalty if he ignores it. There is no reason why all the regulations applying to a single piece of land cannot be collected and set forth in tabular form, so that the whole picture may be seen at a glance.

The structure of the Resolution, while complicated, can be mastered by any intelligent man or woman who has the time; but the language — full of negatives, double negatives, exceptions and qualifications — often cannot.

New York is a complicated place, and obviously there is a limit to the extent to which controls over its development may be simplified. However, there is no need for the Resolution to confront the developer with this sort of language:

PLAN FOR REZONING

"... but for each one foot that an outer court at any given height would, under the above rules, be wider in its least dimension for such height than the minimum required by its length, one inch shall be deducted from the required least dimension for such height for each 24 feet of such height."

Nor is it necessary to state most of the use regulations in negatives, telling owners what they may not do, but leaving them very much confused as to what they may do. The addition of exceptions regarding uses that are *not excluded* results in double and even triple negatives: these are probably responsible for more confusion than any other single feature of the present Resolution. It is quite possible to state directly and simply what is permitted on any given piece of land.

Finally, there is a great deal of overlapping between the Zoning Resolution and other building

regulations, notably the Multiple Dwelling Law. Both laws contain elaborate requirements as to light, air, open space and so on, for health and safety in multiple dwellings. Most of the overlapping provisions are concerned with courts, yards, and height. Some of the zoning regulations, however, are more restrictive than those of the Multiple Dwelling Law, while others are less restrictive. Such inconsistencies are resolved by the catch-all provision that whichever is more restrictive shall apply. As a result, a single wall is frequently controlled by one law at one height and by the other law at another height. This involves detailed knowledge and application of both laws in each case. It makes work for technicians and expense for the owner, but is hardly a logical way of defining what is permitted on the given piece of land. Unnecessary overlapping should be eliminated by action of the proper authorities.

THE PLAN FOR REZONING: OBJECTIVES

Modernization of the City's zoning regulations had been considered as far back as the early 1930's, and was given serious study by the City Planning Commission soon after its creation in 1938. At that time it was decided not to drop the existing legislation but to attempt keeping it abreast of the times by substantive amendments dealing with new problems such as those discussed in paragraphs above.

By 1948, however, the Commission concluded that a fundamental new approach was needed, and it authorized the Plan for the Rezoning of New York City. Work was authorized in two stages of one year each.

Many of the study's aims were determined by problems which have been highlighted previously. Other aims were recognized, however, and a more inclusive statement of objectives is as follows:

To apportion the City's land area and zone it for needed uses in such manner that its usefulness and value will be increased.

To check increases of congestion where it al-

ready exists and to prevent future congestion insofar as possible in other areas.

To check excessive development and densities of population in residence areas.

To foster reduction in travel distance and time consumed in the journey from home to work.

To prevent harmful encroachment of incompatible uses in areas zoned for residence or industry, respectively.

To conserve industrial and business areas and thus encourage increased employment.

To promote more effective control of building bulk so as to conserve light, air and usable open space.

To relieve street congestion through requirements for off-street automotive parking and loading facilities.

To isolate or control the location of unavoidable nuisance-producing uses.

To foster well-conceived plans for redeveloping deteriorated areas.

THE PLAN FOR REZONING: ORGANIZATION

This Plan for the Rezoning of New York City was developed under two successive 12-month Contracts with the Consultants. An additional period of three months was allowed for the submission of the Final Report.

Personnel

Liaison between the Commission and the Consultants for technical and policy matters was maintained by the designation of Lawrence M. Orton, a member of the Commission, as liaison officer. For

organizational and administrative purposes, the services of a Director and an Administrator for the Plan for Rezoning were contributed by one of the City's large corporations. Their access to essential data and their personal effort supplemented and greatly aided the efforts of both the Consultants and the Commission.

The staff recruited for the work was subject to the approval of the Chairman of the City Planning Commission, and varied in number and composition according to the exigencies of the work. To assist the Consultants, their staff, and the Commission, a panel of Advisory Committees was appointed by the Chairman. These committees, listed elsewhere in this Report, were representative of various fields of interest and professional competence, and met from time to time to discuss and advise regarding the work in hand. Although they were not asked to assume responsibility for the conclusions, the Advisory Committees deserve a large measure of credit for what has been accomplished. Giving generously of their time and thought, according to the demands in their several fields, the Committees and their individual members served as testing grounds and friendly counsellors at all stages.

Work Program — First Year

The broad outlines of the program of work were laid down by the Contract and by the continuing advice on policy and program of the Commission's liaison officer.

The first Contract called for certain specific items, including:

A map showing the present use of every property in the City.

Transparent overlays of the present Use, Height, and Area Districts at the same scale.

Estimates of population and other basic data as of 1970.

Proposals for a preliminary outline of the Zoning Resolution and its method of control.

The second Contract required submissions of material at specified intervals, as follows:

Within four months:

An outline of the proposed new Zoning Resolution.

Maps showing generally the new zoning districts.

Within seven months:

A preliminary draft of the text of the Resolution.

Broad application of the proposed districts by boroughs.

Within twelve months:

Final draft of the Resolution.

Maps showing precise boundaries of all the proposed districts.

Within fifteen months:

A Final Report on the entire Plan for Rezoning.

In programming the work pursuant to these contractual requirements, those in charge first of all took into account the status of city planning activity in New York, and the defects in the original zoning.

While lacking any officially adopted comprehensive Master Plan, the City and its official agencies, including the Planning Commission, already had a broad background of relevant material which needed to be supplemented and brought into focus. Whereas the initial 1916 zoning of the City was done without any adequate basis of population studies, land use data and economic forecasting, the present undertaking either had, or sought to obtain, reasonably adequate data in all these fields.

Thus the first activities of the staff were concerned with an appraisal of the population outlook, the preparation of detailed land use maps of the City, the charting of existing zoning regulations and assessed land values, and analysis of the City's economic prospects.

A second stage was concerned with the translation of these basic studies into guides for the formulation of the required zoning plan. These were largely quantitative, in terms of the amounts of land required to meet the City's variegated needs, but they also included the information essential to the proper allocation of the needed land to the terrain of the City. The pattern of land use ultimately arrived at, and recommended to be implemented by the proposed zoning regulations, may be looked upon as the starting point of the developing Master Plan of the City. The basic studies were the subject of a series of reports submitted at the end of the first year's work, which are more fully described in Chapter 2 of this Report.

Work Program — Second Year

With the City's needs in focus, and with the defects of the existing zoning clearly in view, the second year's work program proceeded directly toward well-defined objectives.

At this point the staff was divided into separate units for the formulation of appropriate new zoning regulations and for their application to the City's terrain, with a headquarters unit to advise and coordinate the activities of both units.

Within four months, as required by the Contract, these units prepared: (1) an outline of the proposed regulations constituting the framework of a new Zoning Resolution; and (2) a map by boroughs at a scale of 2,000 feet to the inch, showing generalized areas proposed to be established by the new regulations.

Within another three months the next contractual submission was made. This consisted of further development of each of the two previous items. The outline of the proposed Resolution had by now been expanded into draft text for all its major elements. The generalized land use map had been made as precise as practicable for showing the proposed new districts at 2,000-foot scale, except that local areas for retail stores were omitted. These were submitted a month later at 1,000-foot scale following special studies of required frontage based upon the population capacity of the surrounding Residence District.

Review of Material Submitted

As directed by the Contract and arranged through the Commission, various steps were taken to obtain suggestions and criticism at the several stages. During the first year the Chairman of the Commission directed a letter to all civic organizations on available lists, inviting their suggestions as to the zoning of their communities.

At later stages material submitted to the Commission was transmitted to the Borough Advisory Planning Boards, to the appropriate Advisory Committees, and to organizations known to have special problems in their areas. The 121 meetings held for these purposes, and in response to requests for in-

formation, elicited a great deal of useful discussion and suggestion.

Final Submissions

In the final months the two principal items previously submitted were revised in the light of discussion and further study, completed, and prepared for submission.

In the case of the proposed new Resolution, this meant a complete text. The zoning district maps were given precise definition at the scale of 600 feet to the inch prescribed by the Contract.

With a period of three months still allowed for submission of this Report, all practicable steps were again taken to obtain criticism and suggestions.

The text of the proposed Resolution included in this Report is substantially changed from that previously submitted, as a result of criticisms received in time to be given consideration.

Suggestions regarding the maps were not numerous or substantial, and could not be embodied in the submitted maps, but are being transmitted to the Commission for consideration.

Final Report

This Report presents the essential elements of all the work done under the Contract and known as the Plan for Rezoning of the City of New York.

It includes, in sequence, Chapters on the need for rezoning, the basic studies, the framework of the proposed Resolution, the devices embodied in it, the districts recommended, administrative provisions, and finally the application of the districts to the City map.

An Appendix presents material which should be useful in sustaining significant provisions of the new zoning if they are attacked in court.

It is confidently anticipated that New York's approach to the modernization of its zoning regulations may not only lay the foundation for an effective collaboration between the responsible officials and the citizens of the City in this important matter, but that New York's experience may contribute substantially to the rezoning movement now actively under way throughout the country.

GOVERNING FACTORS IN THE FUTURE DEVELOPMENT OF THE CITY

In 1916, when the original Zoning Resolution was adopted, there were no broad studies of the City's structure and probable future growth to guide the zoning then being done. It is common knowledge that although one of the principal purposes of zoning then, as now, was to reduce congestion, the regulations actually enacted allowed residential development to house about 70,000,000 people, and working space for some 300,000,000 employees inside the City limits.

It also became obvious long since to anyone studying the City's zoning that, whereas zoning was enacted largely for the purpose of separating peo-

ple's homes from factories and stores, about half the entire population of the City lived in districts zoned non-residentially where nuisances were and are a constant threat to their homes.

These were some of the basic defects in the original zoning which have been only slightly modified by amendments in the intervening years. The Plan for Rezoning was undertaken to remedy them. In order to do so it was necessary to undertake a wide range of studies of land use and of the City's population and economic outlook. These studies were the subject of interim reports to the Commission, which are summarized in this Chapter.

LAND USE

The preparation of an up-to-date land use map of the City was a practical and common-sense, as well as a contractual, obligation. Only so could existing uses, the necessary point of departure in any zoning operation, be studied.

Unfortunately, there was no readily available source of information regarding the use of property and premises in categories useful for zoning purposes. The problem was, therefore, to discern, classify, and map the use of over 850,000 individual properties lying within some 36,000 City blocks, and to do it quickly and inexpensively.

Maps prepared by a W.P.A. project previous to the organization of the City Planning Commission in 1938 were made available for this purpose. When corrected for new and changed property lines these served as the base for the new land use map.

It was then determined that all these properties in the City should be classified under the following thirteen headings:

<u>USES</u>	<u>COLORS USED</u>
1. Vacant land	White
2. Parks and outdoor recreation	Green
3. Single-family detached residence	Very light yellow
4. Single-family attached residence	Yellow
5. Two-family residence	Orange
6. Walk-up apartment	Light Brown
7. Elevator apartment	Dark Brown
8. Office & Store	Red
9. Warehouse, loft & light industry	Blue
10. Automotive	Light purple
11. Objectionable industry	Dark purple
12. Public buildings and institutions	Dark green
13. Transportation	Gray

PLAN FOR REZONING

Through the generous cooperation of a group of financial institutions, which contributed funds for the purpose, teams of City Assessors were employed after hours to enter the appropriate numbers in each property on the base map. These entries were then sample checked in the field, and corrected as need be.

When complete, the map was colored to bring out the various uses visually, according to a color schedule especially designed for the job. This colored use base map has served many purposes. As a base it affords comparison with transparencies showing existing zoning. It aided in the preparation of generalized use maps, where predominant use, rather than individual properties, was of interest. It served as a reminder of non-conformity when compared with these generalized use maps. But perhaps most important of all, it permitted quantitative measurement of the ways in which the City's land is now used.

In order to do this, specially designed I.B.M. cards were prepared for each block in the City. The present use of the land in the block used for each of the 13 categories and the area in each present zoning district in the block were punched on these cards. Space was left for the proposed zoning and for other data the Commission might in future wish to record by blocks.

These cards provide a ready means for keeping track of the City's land use in relation to its zoning. A first run through the tabulating machine indicated the following use of the City's land, other than streets and land under water, at the time of the survey:

**EXISTING USE OF LAND IN
NEW YORK CITY — 1948**
(in acres)

Residence ^a	41,020
Business, Industry and Transport	18,970 ^b
Parks, playgrounds, public and private institutions and cemeteries	37,250
Vacant	36,540

^aIncludes residential buildings with stores on the ground floor.

^bIncludes 5,360 acres in LaGuardia and International Airports in Queens.

The adequacy of the areas available for meeting the City's demands for these purposes in the future, taking into account the amount and usability of the vacant land which may be drawn upon, is the foundation of this rezoning study. Analyses of the amounts of land needed in the future for residence and for business and industry, completed during the first year's work, are summarized in the following sections of this Chapter, of which the first is devoted to population.

INTERNATIONAL BUSINESS MACHINE PUNCH CARD

Developed for tabulation of land use data in each City block. These cards provide the City Planning Commission with a permanent record of 1948 land use, 1948 zoning and the means for future tabulating and analysis.

1948 LAND USE BY CATEGORIES IN THOUSANDS OF SQ. FT.													1949 ZONE CLASSIFICATION												
1	2	3	4	5	6	7	8	9	10	11	12	13	1	2	3	4	5	6	7	8	9	10	11	12	13
[Detailed Category Labels]													[Detailed Zone Classification Labels]												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	
4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	
5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	
7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	
8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	
9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	

POPULATION

An understanding of the City's future population outlook is basic to all planning and zoning. Consequently it was the second inquiry in the Plan for Rezoning, and the findings furnish the point of departure for much of the Rezoning Plan.

This is not to say that population can be considered as a thing apart. The number of people who will live and work in New York City in the future obviously is ultimately related to the opportunities for employment here; to the type and density at which residential building takes place on vacant land; and to the amenities of City living contrasted with those in the suburbs. All of these may be affected in turn by the way the City is planned and zoned.

The population outlook is however, the logical point of beginning which can usefully be studied in and of itself at the start of any planning operation, even though various modifying factors may have to be taken into account later on.

The Plan for Rezoning did not attempt to undertake original population research. At least three organizations, in addition to the United States Census, have been documenting New York City's population over a long period of years. It was clear that what was needed was to take the fullest possible advantage of their work rather than attempt to duplicate it.

Source and Method of Estimates

The Regional Plan Association has kept its finger upon the pulse of population trends throughout the New York metropolitan area for several decades. It has studied the growth of the region in relation to that of the nation; of New York City in relation to the larger region; and of the five boroughs in relation to the entire City.

The Consolidated Edison Company has had different opportunities for study of population growth in four of the five boroughs, i.e. all except Richmond. By keeping track of the demand for utility services, a direct index of population growth and movement has been maintained. Moreover, it is on the basis of information so obtained that the Company plans to provide services needed in the future.

The New York City Health Department, approaching the problem through the vital statistics of birth and death rates, modified by migration estimates, maintains its own current population statistics.

In estimating the future population of the entire City, a projection extending past growth a generation into the future was used by both the Regional Plan and the Consolidated Edison Company. In both cases the results were checked against: (a) the long-term growth of the City and nation as reflected in the logistic or normal S-curve of growth; and (b) trends in changes in rate of growth locally and nationally, using United States Census "medium rates of mortality and fertility, with limited immigration." In both cases the reasonableness of the conclusions was considered in the light of employment opportunities, migration trends, and the racial, sex, and age composition of the population.

In distributing the anticipated population among the five boroughs, both agencies took into account, inter alia, the availability of vacant land and transportation facilities.

Estimated Future Population

In the light of the available data, including the independent estimates referred to, it was concluded that for the purpose of the Plan for Rezoning a population of about 8,600,000, predicted to be reached by 1970, should be regarded as the probable ultimate, i.e. stabilized, population of the City.

No population estimate, including this one, is to be considered as final. Obviously the effects of war, economic depression, epidemic, radical changes in economic organization and living habits are unpredictable. Some of these may involve temporary departures from anticipated trends which, in the long run, are unimportant. Others may be more significant.

The point is that public action, such as that involved in zoning, should be based upon facts and assumptions which are reasonable at the time. Serious departures from these premises may then all the more easily be detected, and such modifications made as may be appropriate under changed circumstances.

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The distribution of this population between the several boroughs is as follows:

	1950 Population*	Estimated 1970 Population
Manhattan	1,939,551	1,920,000
Bronx	1,444,903	1,650,000
Brooklyn	2,720,238	2,960,000
Queens	1,546,316	1,815,000
Richmond	191,015	240,000
City Total	7,842,023	8,585,000

*The 1950 Census figures, available since the initial Report was made, are slightly less than the previous predictions for that year, and strengthen the conclusions that the estimate of an ultimate population of about 8,600,000 is a suitable outside figure for planning and zoning purposes.

In the face of this realistic outlook on the City's future population, the figure of 70,000,000 people which has been calculated could be accommodated within the residential building envelope now permitted, illustrates how far the City's present zoning is from exercising any real control over the distribution of population and provision for its basic needs.

Family Size

Crude population estimates, however, are hardly sufficient for calculating future residential land needs. The composition of the population can be extremely significant. This is particularly true of the factor of family size as related to New York City's outlook over the next two decades at least.**

Taking the family size trends of the nation and the New York metropolitan region as a guide, New York may expect a sharp decrease from 3.64 persons per "family" in 1940 to 3.1 persons in 1970. The estimates for these areas are, respectively:

	1940	1970 (Estimated)
United States	3.77	3.25
New York Region	3.72	3.2
New York City	3.64	3.1

This trend toward a smaller family size has great significance in zoning, for it means that estimates of space requirements must take into account the fact

**"Family size", as used here, refers to the average number of persons per occupied dwelling unit, rather than social families.

that more dwellings will be required to house the same number of people.

The number of persons in the City is expected to increase by 15 per cent from 1940 to 1970. During this same period the size of the family is expected to drop from 3.6 to 3.1, a decrease of 14 per cent. Due to this drop in family size, the number of families is expected to rise from 2,048,000 in 1940 to 2,769,000 in 1970, a 35 per cent increase. The following tabulation shows the number of families by borough for 1940, and the assumed number of families by borough for 1970.

NUMBER OF FAMILIES — 1940-1970*

	1940	Assumed 1970
New York City	2,048,000	2,769,000
Manhattan	549,000	619,000
Bronx	378,000	532,000
Brooklyn	717,000	955,000
Queens	361,000	586,000
Richmond	43,000	77,000

*For 1940 the number of "families" as given is equivalent to the number of occupied dwelling units as reported in the U.S. Census 1940. For 1970, it is assumed for purposes of further calculations that the number of families per borough will be equivalent to the estimated borough population divided by 3.1 persons per family.

Age Groups

At least one other characteristic of the City's future population deserves mention here, namely, the shifting of age groupings within the total. Not only the kind of dwellings, but the availability of applicants for employment may be affected by the significant shift toward an older population.

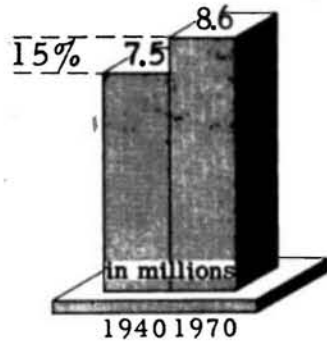
Again basing the predictions on national and regional trends, the figures for New York City are expected to be:

Age Group	Per Cent of Population		Total 1970
	1940	1970	
Over 45 years	27.5	34.3	2,944,655
20-44 years	44.7	41.0	3,519,850
19 and under	27.8	24.7	2,120,495

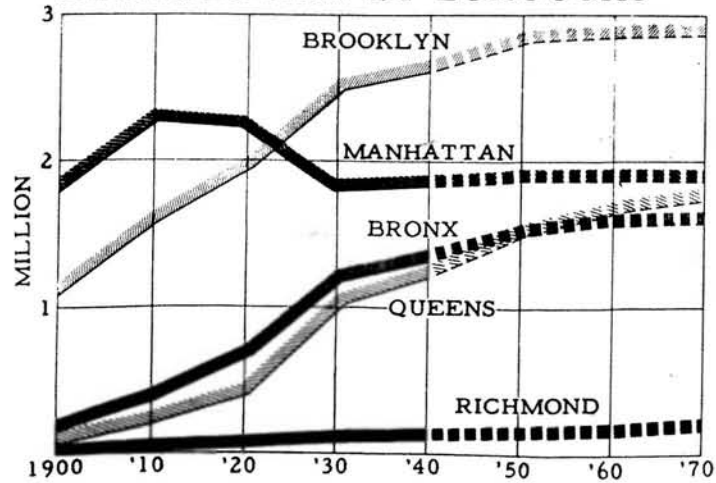
The validity of these population predictions is more dependent on the City's economic outlook than on any other single factor. Before attempting to calculate the land requirements for either function, a careful analysis was therefore made of the City's economic base and anticipated future employment.

HOW MANY FAMILIES?

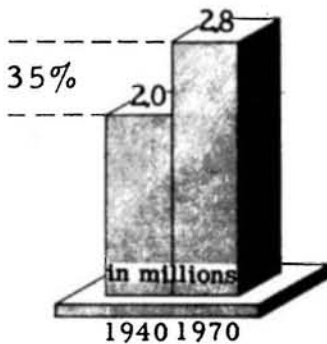
PERSONS



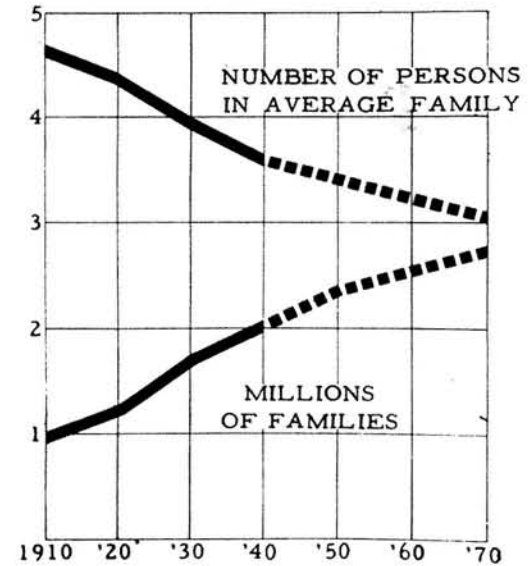
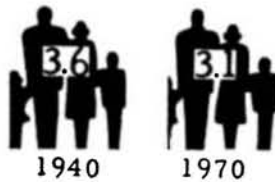
DISTRIBUTION BY BOROUGHES



FAMILIES



FAMILY SIZE



THE CITY'S ECONOMIC BASE

In approaching the economic outlook for the City, either in and of itself or as a check on the reasonableness of population predictions, it is essential to correlate the City's economic base with its total working population.

The existence of New York City and its ability to maintain a population of 8,000,000 within its corporate limits in 1948 depends absolutely upon the number of its own residents who are employed in producing goods and services for families living outside the City. It is the *basic* activity of manufacturing goods not consumed locally, of performing wholesale, financial, management, insurance and brokerage services for people in the rest of the United States, and of providing shipping, railroad, airplane, truck transportation in foreign or interstate commerce, that support the workers in the non-basic or service lines, such as those engaged in construction, domestic and professional services, manufacturing for local use and local government and utilities. No city can live by taking in its own washing. New York City does not raise its own food, nor mine the coal, petroleum, iron, copper or other minerals used in its factories, nor does it produce the wool, cotton, or silk, leather or rubber consumed by its clothing and textile manufacturers. Hence the workers of New York City must fabricate goods or perform services that will pay for these indispensable imports of food and raw materials.

Commuters and Total Space Requirements

New York City is not a self-contained economic entity. Approximately 500,000 commuters come to New York City, chiefly to Manhattan to work, and about 50,000 New York City residents work outside the City. Consequently, 450,000 more persons are employed in New York City than live here, and in calculating future space requirements, the total daytime working population must of course be taken into account. These commuters draw their basic economic support from New York City but they do not contribute to its support except through retail purchases or restaurant meals, which show as basic factors through the increased employment in New York City stores and restaurants.

The economic base of the entire New York metropolitan region has already been analyzed.* In this

survey our problem is two-fold — first, to determine how the growth of the resident New York City population can be supported (the economic base) and second, how much space will be required in New York City for working places, not only for the residents but for the commuters. These two problems must be kept separate and distinct to avoid confusion of thought. The economic base analysis will be applied only to determine how people living in New York City can and will be supported. The total number employed in New York City in 1948 and 1970, regardless of whether they are engaged in basic or service lines, will be used as the basis for calculating space requirements.

Population, Labor Force and Employment

There is a definite relationship between the total population, labor force and employment in any urban region. In New York City, approximately 46.6 per cent of the resident population was in the labor force in 1940, the remainder consisting of housewives, children, and retired persons who are supported by those who are gainfully employed.

Basic and Service Employment in 1948

In New York City in 1948, the employment of 3,400,000 persons was made possible because 1,370,000 of its residents had basic jobs, which meant that this number of persons were producing goods for people living outside New York City; this basic employment supported 2,030,000 others in non-basic or service jobs. The 300,000 unemployed would require the services of at least 100,000 persons out of this total of 2,030,000 in non-basic jobs. Thus 1,370,000 persons in basic lines actually support about 1,930,000 in non-basic or service lines, or on a ratio of 1 person in basic activity to 1.41 persons in non-basic lines. This is the normal proportion in highly diversified cities in the United States. The ratio between basic and service employment in Chicago is normally 1 to 1.5. In smaller industrial cities like York, Pennsylvania, the ratio is 1 to 1 and in depressed industrial centers with large unemployment like Brockton, Massachusetts, the ratio is 1 to 0.8.

*Regional Plan Association of New York. "The Economic Status of the New York Metropolitan Region in 1944."

**BASIC AND SERVICE EMPLOYMENT
OF NEW YORK CITY RESIDENT POPULATION
1948**

	Total Employment	Basic Employment	Per Cent of Total Basic Employment	Non-basic or Service Employment
Manufacturing	1,000,000	663,000	48.40	337,000
Wholesale Trade	265,000	185,000	13.50	80,000
Transportation ^a	180,000	100,000	7.30	80,000
Finance & Insurance	145,000	90,000	6.57	55,000
Retail Trade	420,000	140,000	10.22	280,000
Hotels & Amusement	45,000	45,000	3.28	—
Radio, Advertising & Television	37,000	37,000	2.70	—
State & Federal Offices	100,000	50,000	3.65	50,000
Utilities	90,000	10,000	0.73	80,000
Working Outside New York City ^b	50,000	50,000	3.65	—
Construction	100,000	—	—	100,000
Real Estate	100,000	—	—	100,000
Personal Services	300,000	—	—	300,000
Professional Services	200,000	—	—	200,000
Business Services	250,000	—	—	250,000
City Employees ^c	118,000	—	—	118,000
Total	3,400,000	1,370,000	100.0	2,030,000

^aIncludes railroads, shipping, airlines, trucks and local subways, buses, taxis and services allied to transportation.

^b50,000 living in New York City working outside the City; majority work in Jersey City, Hoboken, Bayonne, Union City and other nearby New Jersey communities.

^cIncluding school teachers.

^dExcluding transportation workers and school teachers.

1970*

	Total	Basic Employment	Per Cent of Total Basic Em- ployment	Service Employment	Increase Basic over 1948	Total Increase Over 1948
Manufacturing	1,100,000	730,000	47.7	370,000	67,000	100,000
Wholesale Trade	285,000	200,000	13.1	85,000	15,000	20,000
Transportation - rail, water, trucking, air	205,000	110,000	7.2	95,000	10,000	25,000
Retail Trade	450,000	150,000	9.8	300,000	10,000	30,000
Finance & Insurance	150,000	95,000	6.2	55,000	5,000	5,000
Radio, Advertising and Television	50,000	50,000	3.3	—	13,000	13,000
State & Federal Emp.	110,000	55,000	3.6	55,000	5,000	10,000
Hotels	55,000	55,000	3.6	—	10,000	10,000
Utilities	90,000	10,000	0.6	80,000	—	—
Working Outside City	75,000	75,000	4.9	—	25,000	25,000
Construction	145,000	—	—	145,000	—	45,000
Real Estate	110,000	—	—	110,000	—	10,000
Personal Service	340,000	—	—	340,000	—	40,000
Professional Services	240,000	—	—	240,000	—	10,000
Business Services	265,000	—	—	265,000	—	15,000
City Government	130,000	—	—	130,000	—	12,000
TOTAL	3,800,000	1,530,000	100.0	2,270,000	160,000	400,000

*Ratio basic to service employment after allowing for services for the unemployed is 1 to 1.44

PLAN FOR REZONING

Of the total of 1,370,000 New York City residents employed in basic jobs in 1948, 663,000 or 48.4 per cent were in manufacturing for non-local consumption and lesser numbers were employed in other lines, as indicated in the upper table on page 19.

Importance of Manufacturing Employment

As already indicated, manufacturing contributes only about one-half of the basic support of New York City. Nevertheless, facilitating the growth of manufacturing employment in New York City by zoning more well located potential industrial sites for factory use has tremendous importance for the future growth and welfare of the City.

There is no alternative to seeking increased factory employment in New York City except higher relief loads. There is little opportunity to increase materially the employment in wholesale trade, in the retail stores, in finance, insurance and the Port, and what chance there is to raise the levels in other

lines depends primarily on the increase in the number of industrial jobs. If factory employment falls, there will be less wholesale and retail trade, less financial activity and a smaller volume of exports from the Port, because all of these functions are related closely to each other.

It was the gain in employment in basic manufactures, particularly metals and machinery, which required 80,000 more workers, as well as apparel with 73,000 more jobs, that gave New York City its biggest employment boost from 1940 to 1946. It is in these durable lines and apparel that there is possibility for further growth in New York City.

Increase of Basic Employment, 1948-70

In 1970, a projected population of 8,585,000 could be supported by a labor force of 4,000,000 persons, if the same ratio of labor force to total population prevails as in 1940. Although full employment may be achieved by that date, it was decided to estimate unemployment not to exceed

TOTAL NUMBER OF PERSONS WORKING IN NEW YORK CITY 1948 AND 1970

	1948	1970	Increase 1948-1970
Manufacturing	1,070,000	1,190,000	120,000
Wholesale Trade	335,000	360,000	25,000
Transportation—rail, water, trucking, airlines and local transportation ^a	200,000	230,000	30,000
Finance and Insurance	185,000	200,000	15,000
Retail Trade	460,000	500,000	40,000
Hotels	45,000	55,000	10,000
Radio, advertising, television	50,000	75,000	25,000
State and Federal Offices	112,000	125,000	13,000
City Government ^b	118,000	130,000	12,000
Construction	100,000	145,000	45,000
Real Estate	120,000	130,000	10,000
Personal Service	370,000	415,000	45,000
Professional Services ^c	300,000	350,000	50,000
Business Services ^d	280,000	300,000	20,000
Utilities	105,000	105,000	—
Total Working in N. Y. City	3,850,000	4,310,000	460,000
Total Workers Living in N.Y.C.	3,400,000	3,800,000	400,000
Difference	450,000	510,000	60,000
Living in N.Y.C. Working Outside	50,000	75,000	25,000
Total Commuters to N. Y. City	500,000	585,000	85,000

^aIncluding 38,250 transit city employees; 10,206 local railways and buses; 61,973 water transport; 17,969 taxicabs; 11,262 air transports; 37,934 trucking; 50,285 services allied to transport.

^bExcluding teachers and City transportation employees

^cIncluding City teachers.

^dExcluding Hotels and Radio.

INCREASE IN MANUFACTURING EMPLOYMENT IN NEW YORK CITY 1948 - 1970

Industries with Prospects of Increased Employment

	Number Employed in 1948	Est. Number Employed in 1970	Increase Over 1948
Apparel	355,000	390,000	35,000
Miscellaneous Industries ^a	100,000	125,000	25,000
Electrical Machinery	45,000	60,000	15,000
Machinery other than Electrical	45,000	55,000	10,000
Food	85,000	95,000	10,000
Printing	125,000	135,000	10,000
Paper	30,000	37,500	7,500
Petroleum	7,500	15,000	7,500
TOTAL	792,500	912,500	120,000

Group of Industries in which Gains and Losses will Balance Each Other

Leather	45,000	. . . ^b	. . .
Non-ferrous Metals	45,000	. . . ^b	. . .
Chemicals	45,000	. . . ^b	. . .
Iron and Steel	40,000	. . . ^b	. . .
Textile Mill Products	35,000	. . . ^b	. . .
Furniture	20,000	. . . ^b	. . .
Transportation Equipment	20,000	. . . ^b	. . .
Stone, Clay and Glass	10,000	. . . ^b	. . .
Automobiles	7,500	. . . ^b	. . .
Rubber	4,000	. . . ^b	. . .
Tobacco	3,000	. . . ^b	. . .
Lumber and Timber	3,000	. . . ^b	. . .
TOTAL	277,500	277,500	---
GRAND TOTAL	1,070,000	1,190,000	120,000

^aIncluding scientific instruments, plastics, toys, buttons, brushes, hand stamps, feathers, artificial flowers, pencils, etc.

^bIt is assumed that 1970 employment will be slightly more or less than in 1948 for each industry and that the total will be approximately the same in 1970 as in 1948.

200,000, since recent (1948) unemployment of 300,000 in New York City is high compared with the rest of the nation. That means employment should be found for 3,800,000 New York City residents in 1970 or 400,000 more than in 1948, if the increased population is to be supported.

Instead of being obliged to find 400,000 more jobs, however, we need to secure only 160,000 more basic jobs and the rest should be forthcoming, since there will be 1.5 service jobs for every basic job.

The industries likely to furnish this increase of 160,000 in basic jobs are indicated in the lower table on page 19.

Estimated Increase in Workers 1948-1970

The lower table on page 19, presenting figures

for basic and service employees residing in New York City is helpful in checking predictions of the 1970 resident population in the City and the number of families to be housed.

In the table on page 20 figures are presented on the increase in the number of persons working in New York City in each line from 1948 to 1970. These are used to calculate future industrial and commercial space requirements.

Increase in Manufacturing Employment, 1948-1970

In view of the importance of manufacturing in the City's economy, estimates have been made of the make-up of the total anticipated increase of

PLAN FOR REZONING

120,000 manufacturing employees by 1970. These are indicated in the table on page 21.

It is, of course, important that New York hold its paramount position in banking, wholesale trade, the Port, the theatre, commercial airlines, radio, advertising and television, but these lines in many cases have reached or will shortly reach the limit of their

possibilities, as the present position of New York City is due to the fact that it already has the lion's share in these activities. Factory production which will give much of the basic employment needed to sustain the City's economy can be fostered, particularly in the durable lines, if sound planning and zoning supply protected sites for these purposes.

SPACE FOR INDUSTRY AND COMMERCE

In order to supply sites for manufacturing and for other non-residential purposes which can be protected through zoning, it is essential to gauge the present and future demands for these purposes with considerable accuracy. That they should be calculated first, among the City's needs, seems justified by their importance in the City's economy and because the land required for such uses is a comparatively small part of the City's total usable land. It also happens in many instances to be the land least desirable for residential purposes.

The principal sources of information used in making this calculation were:

Employment in 1948 and estimates for employment in 1970, which have been summarized in the previous section.

Information as to the existing use of land throughout the City, also summarized in this Chapter.

Calculations of floor space per worker in selected lines and in the different boroughs from data provided by a survey of industrial floor space made by the Consolidated Edison Company in 1944.

The latter source was invaluable in view of the wide variety of employment characteristics in New York City, and the very great differences in space utilization as between the several boroughs.

For the purposes of these calculations, the uses identified in the Existing Land Use Survey having to do with industrial and commercial employment, were grouped under four headings, namely, manufacturing and industry; commerce; automotive storage and services; and transportation.

The most inclusive calculation was made in the case of manufacturing and industry, represented by categories 9 and 11 in the Land Use Survey, being warehouse, loft and light manufacturing uses, and industrial uses, respectively.

The enormous differences in the use of land for these purposes, as between the several boroughs, is revealed by the following table:

EXISTING USE OF LAND FOR MANUFACTURING AND INDUSTRY

Borough	Land (a) (acres)	Employment (b)	Acres per 1000 Employees
Manhattan	940	627,000	1.50
Bronx	510	38,500	13.25
Brooklyn	2,370	282,500	8.39
Queens	1,650	109,000	15.14
Richmond	1,190	13,000	91.54
N. Y. City	6,660	1,070,000	6.23

(a) 1948 Land Use Survey

(b) Employment covered by the New York State Unemployment Insurance Law

In distributing the anticipated employment in these lines for 1970 among the five boroughs, past trends as between the boroughs, and the availability of suitable land, were both taken into account. As a result, it was concluded that the borough employment pattern would change in accordance with the following percentages:

CHANGE IN EMPLOYMENT PATTERN BY BOROUGH, 1948-1970

	Change from 1948 Employment	Per Cent
Manhattan	-31,000	-5.0
Bronx	+32,800	+85.0
Brooklyn	+47,500	+17.0
Queens	+58,000	+53.0
Richmond	+12,700	+98.0
New York City	+120,000	+11.0

In this and other instances, no such precision is presumed as might be inferred from the use of precise figures. The figures are based upon the data and calculations described. While there obviously may be substantial departures from them, it is believed

FACTORS IN FUTURE DEVELOPMENT

that they provide adequate guidance for zoning purposes. Certainly zoning districts based upon such calculations will be nearer to reality than mapping without benefit of any objective data. In carrying out the calculations several elements of latitude were introduced to assure reasonable choice of sites, care being taken, however, not to sterilize land by excessive allocations to uses which are presumed to be protected for specific purposes under the proposed new zoning.

These estimates of future employment are made for the purpose of ensuring that plenty of land will be made available to take care of all reasonable expectations. The figures should not, therefore, be quoted loosely for other purposes.

To the average number of acres per 1000 employees, previously presented, there was therefore added a margin of 10 per cent in calculating future land use needs. On this basis, the future land requirements for these purposes may be stated as follows:

LAND REQUIREMENTS FOR MANUFACTURING AND INDUSTRY — 1970

Borough	Employment	Acres per 1000 Employees	Acres Required
Manhattan	596,000	1.64	977
Bronx	71,300	14.68	1,047
Brooklyn	330,000	9.23	3,046
Queens	167,000	16.65	2,781
Richmond	25,700	91.69	2,356
N. Y. City	1,190,000	8.58	10,207

The City-wide acreage per 1,000 employees will undergo much more than a 10 per cent increase in this process because of the greater proportion of employment in the outer boroughs where the land: employment ratio is higher. Actually, it results in a 53 per cent increase in manufacturing and industrial land for the entire City by 1970.

Intensity of Manufacturing and Industrial Land Use

For zoning purposes it is useful to have some indication of the intensity with which manufacturing and industrial land is utilized, especially since it is obvious that in this respect, too, there are wide divergences between the several boroughs.

Data on floor space per manufacturing employee have been developed from a survey of 15,000 firms made by the Consolidated Edison Company in 1944.

The survey covered a representative sample of all types of manufacturing in the City. Borough averages were calculated, representing a composite of the proportional amounts of each type of industry in each borough, except Richmond (where data was not available).

Multiplying the average floor space per employee in each borough by the number of employees gives the floor space utilized for manufacturing and industry in the borough. Increased by 25 per cent to allow for hallways, elevators, entrances, etc., and translated into acres, this results in the following figures:

TOTAL FLOOR SPACE FOR MANUFACTURING AND INDUSTRY: 1948

Borough	Average Floor Space per Employee	Employment	Gross Floor Space (Net + 25%)
Manhattan	251	627,000	4,516 acres
Bronx	396	38,500	438 acres
Brooklyn	122	282,500	3,421 acres
Queens	391	109,000	1,223 acres
Richmond			Data not available

In order to arrive at an index figure showing for each borough the average height in stories of the manufacturing and industrial plants, assuming 100 per cent coverage of the land in use for these purposes, a final calculation is made. This consists of dividing the gross floor area, from the above table, by the land in industrial use, and results in a figure representing the relation of gross floor space to land.

These figures are:

RELATION OF GROSS FLOOR SPACE TO LAND: 1948

Borough	Gross Floor Space	Land in Use	Relation Gross Floor Space to Land
Manhattan	4,516 acres	935 acres	4.83
Bronx	438 acres	514 acres	.85
Brooklyn	3,421 acres	2,370 acres	1.44
Queens	1,223 acres	1,650 acres	.74
Richmond			Data not available

It will be observed that the intensity of land use for manufacturing and industrial purposes in Manhattan is over six times that in Queens, with the Bronx and Brooklyn ranging in between. Richmond, for which data were not available, would almost certainly be less than Queens. These figures should be kept in view, even though not closely adhered to, in any zoning operation.

Commercial Land and Space Utilization

The use of land and of building space for commercial purposes was approached in the same way, but without comparably complete data. The uses comprised all those in Category No. 8 of the land use survey which does not include mixed residential and business properties and automotive storage and service.

The calculations indicate that whereas there were 1,900,000 employees in 1948 using 1,930 acres at an average intensity of 4.61, in 1970 there would be 2,120,000 employees using 2,160 acres at the same average intensity.

Automotive and Transportation Land Use, 1948-1970

Since New York's lag in car ownership is being reduced, and traffic relief programs may be expected to increase the amount of land devoted to parking and garaging, an arbitrary 30 per cent increase was applied to the 1,450 acres in automotive storage and service uses in 1948 bringing the

space required for these uses in 1970 to 1,880 acres.

In the case of transportation, which includes airports, railroad and subway rights of way and yards, as well as piers and docks, no appreciable increase is expected by 1970. Much public transit, of course, lies in streets which do not enter into usable land calculations. The figure has therefore been held at 8,884 acres.

Summary

The present use of land for these non-residential purposes, and the future outlook, by 1970, may therefore be summarized in the table below.

Although the percentage gains anticipated in some cases are impressive, the total amounts of land for all these purposes, whether in 1948 or 1970, do not represent major allocations in relation to the City's total usable land. The remainder is, generally speaking, available for residence and its immediate services, to which the following section is devoted.

NON-RESIDENTIAL LAND USE, 1948 - 1970

	Total		Manufacturing and Industry		Commerce		Automotive Storage & Services		Transportation	
	1948	1970	1948	1970	1948	1970	1948	1970	1948	1970
New York City	18,970	23,131	6,660	10,207	1,930	2,160	1,450	1,880	8,930	8,930
Manhattan	2,100	2,281	940	977	560	625	260	311	340	340
Bronx	1,830	2,455	510	1,047	340	385	280	361	700	700
Brooklyn	1,070	4,941	2,370	3,046	420	465	510	666	770	770
Queens	9,080	10,380	1,650	2,781	520	585	350	452	6,560*	6,560
Richmond	1,890	3,071	1,190	2,356	90	100	50	60	560	560

*Includes 5,360 acres in LaGuardia and International Airports.

RESIDENTIAL LAND REQUIREMENTS

Calculation of residential land requirements is complicated by the fact that people live in different types of dwellings and at widely varying densities on the land. Floor space per person is perhaps the best common denominator of housing accommodation. Bulk of building, automatically taking into account number of stories and land coverage of buildings, is the best index of building intensity.

Thus it appears that population times the number of square feet of floor space per person must equal the residential land area times a bulk factor (or rather factors, since bulk varies widely in different parts of the City).

In this calculation, floor space, although necessarily an approximation, can be estimated independently of other factors and may be figured as a fixed quantity. Future population may also be considered a fixed factor since the growth projected to 1970 approximates the maximum population expected for the City. As to land, it has been a basic assumption throughout this zoning study that adequate land for economic activities must take precedence over other demands, since the population can be accommodated at densities less than at present even with this priority for economic activities. Therefore, after land for streets, parks, etc. has

TRANSPORTATION : TIME FROM HOME TO WORK

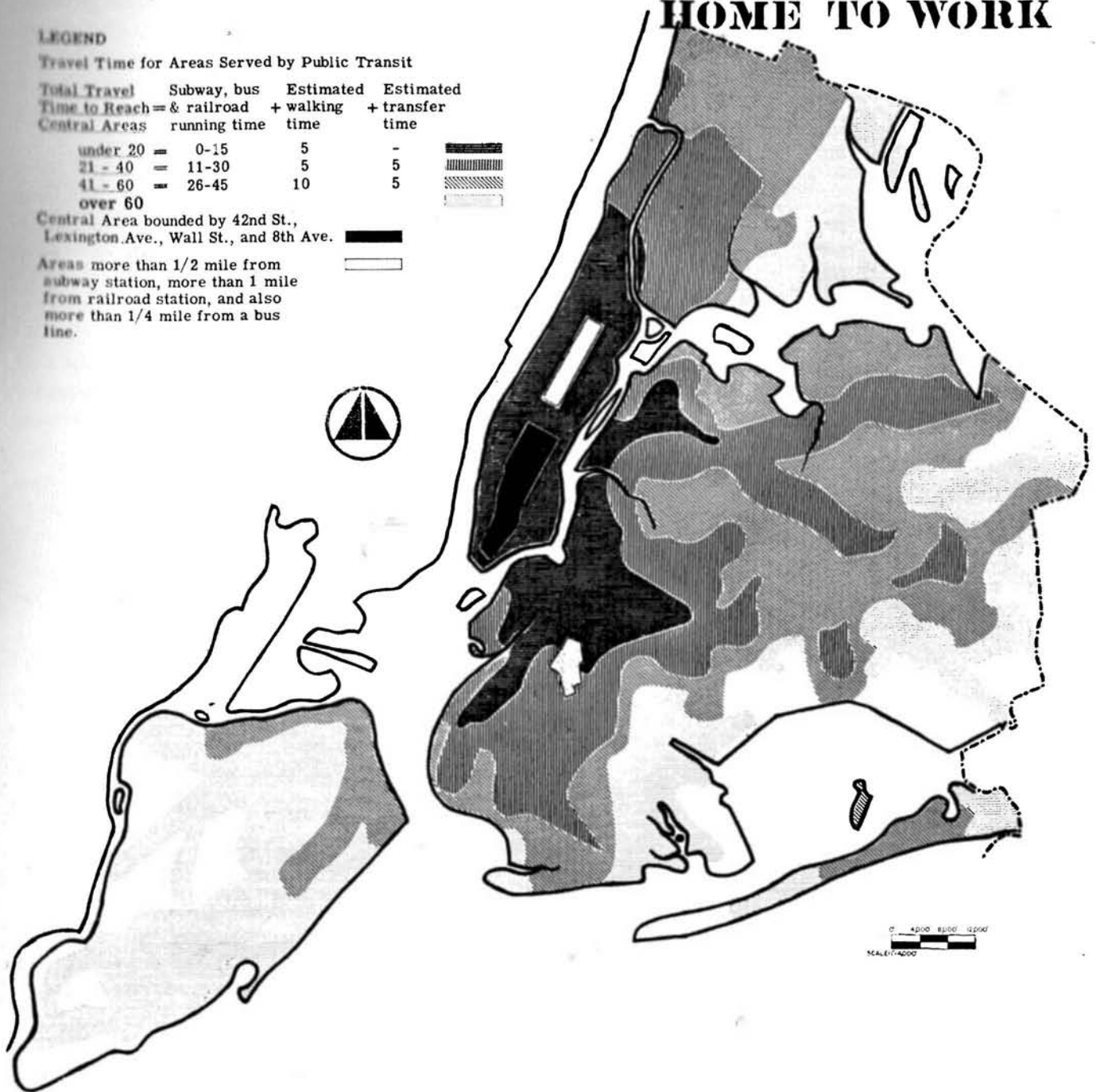
LEGEND

Travel Time for Areas Served by Public Transit

Total Travel Time to Reach	Subway, bus & railroad running time	Estimated + walking time	Estimated + transfer time
under 20	= 0-15	5	-
21 - 40	= 11-30	5	5
41 - 60	= 26-45	10	5
over 60			

Central Area bounded by 42nd St., Lexington Ave., Wall St., and 8th Ave.

Areas more than 1/2 mile from subway station, more than 1 mile from railroad station, and also more than 1/4 mile from a bus line.



been added to commercial and industrial land requirements, the remainder can be assumed to be available for residence.

The bulk pattern resulting from these fixed factors was tested for its reasonableness in relation to

existing buildings, current trends in building practice, the transportation pattern and effective demands of residents in terms of amenity and choice of building types. This method, while approximate, provides a base from which the zoning envelope can be developed.

Gross Population Densities

In order to view New York's situation in perspective, it is interesting to compare its gross population density with that of the other cities listed:

GROSS POPULATION DENSITIES — 1940

City	Total Area in acres	Population 1940	Persons per acre
New York	191,570	7,455,000	39.0
Chicago	135,232	3,396,808	25.1
Newark	17,152	429,760	25.1
Milwaukee	27,776	587,472	21.2
Boston	42,176	770,816	18.3
Detroit	90,880	1,623,452	17.9
Los Angeles	289,408	1,504,277	5.2

From these figures it is clear that New York conditions are unique, and the solution of its problems can neither be borrowed from nor applied to other cities.

This conclusion is underlined by consideration of the same facts by boroughs, with projections to 1970. (Richmond is again listed separately because of its very special situation.)

Density of Developed Land

From the table below it might be concluded that these facts forecast an absolute increase in residential densities in New York City. That this is not the case is evident when the same population figures are applied to developed land, thus taking into account the vacant land still available.

The 1950 population of 7,841,023 averages fifty persons per acre on the City's 155,957 acres of developed land. Thus the forty-five persons per acre predicted for 1970 represents an anticipated drop in actual residential densities of about 10 per cent, attributable to the development of most of the City's remaining usable vacant land.

Floor Space Requirements

Taking into account all available data as to the amount of floor space per family and per person, including smaller family units and improved living standards, it was concluded that the 3.1 person family of 1970 would have 865 square feet per dwelling, or 279** square feet per person.

Applied to the total of 2,769,000 families predicted for 1970, this gives 2,455,823,000 square feet as the amount required for residential purposes, an increase of 33 per cent over 1940 residential floor space.

Land Available for Residence

Starting with the usable land in each of the four most populous boroughs, and making deductions for all other principal land uses, the balance remaining for residence was determined to be:

BALANCE OF LAND AVAILABLE FOR RESIDENCE

Borough	Available for Residence	Per Cent of Total Usable Land
Manhattan	3,700 acres	26%
Bronx	7,800 acres	29%
Brooklyn	16,600 acres	37%
Queens	27,400 acres	40%
Total, 4 Boroughs*	55,500 acres	36%

*Richmond is omitted because it is assumed that available land there is more than ample for any growth that may occur in the period ending 1970.

The existing pattern of population density differs widely as between the boroughs. Manhattan's is concentrated in the high density brackets, and the borough has no low density areas. In the Bronx,

**including a 5 per cent allowance for vacancies.

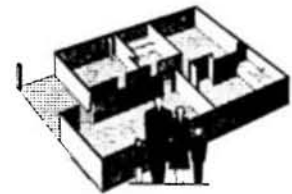
GROSS POPULATION DENSITY BY BOROUGH, 1940-1970

Borough	Total Usable Area in Acres	Population 1940	Persons per Acre 1940	Population 1970	Persons per Acre 1970
Manhattan	14,272	1,890,000	132	1,920,000	135
Bronx	27,217	1,395,000	51	1,650,000	61
Brooklyn	44,922	2,698,000	60	2,960,000	66
Queens	68,633	1,298,000	19	1,815,000	26
Subtotal	155,044	7,281,000	47	8,345,000	54
Richmond	36,526	174,000	5	240,000	7
Total	191,570	7,455,000	39	8,585,000	45

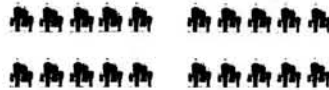
RESIDENTIAL FLOOR SPACE

1940

$$250 \text{ sq. ft./PERSON} \times 3.6 \text{ PERSONS/FAMILY} = 900 \text{ sq. ft./FAMILY}$$



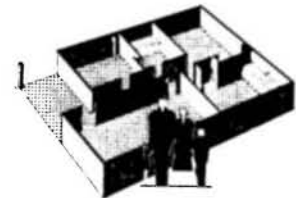
$$900 \text{ sq. ft./FAMILY} \times 2.0 \text{ MILLION FAMILIES} = 1,800,000,000 \text{ sq. ft.}$$



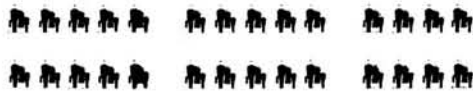
RESIDENTIAL
F L O O R
S P A C E

1970 (ESTIMATED)

$$285 \text{ sq. ft./PERSON} \times 3.1 \text{ PERSONS/FAMILY} = 885 \text{ sq. ft./FAMILY}$$



$$885 \text{ sq. ft./FAMILY} \times 2.8 \text{ MILLION FAMILIES} = 2,478,000,000 \text{ sq. ft.}$$



RESIDENTIAL
F L O O R
S P A C E

most of the population lives in areas in high density classifications; low density areas account for less than one-sixth of the population, but constitute one-half of the land. Brooklyn's population and land are divided fairly evenly among three middle range brackets. In Queens, practically all the land and most of the people are in low density areas.

What is important then, is where is the new construction taking place, and what are the predom-

inant dwelling types of new construction? Out of 30,760 dwelling units on which construction was started in 1947-48, 55% were located in Queens, 23% in Manhattan, and the remaining 22% in the other three boroughs. Since over half the new dwellings built at this time in Queens were of the one- and two-family variety, the percentage of new one- and two-family dwellings constructed for the entire City was 35% of all new structures. In 1940 only 26%

of all structures in the City were in this category. This shift in type of construction, regardless of the density at which the multi-family units are being built cannot but cause a trend toward the reduction of overall population density in the City. However, coupled with the trend toward more one- and two-family construction is a reduction in the density of current multi-family construction as compared to those in existence. The average net residential density* of all multi-family units in existence in 1940 was 159 persons per acre, while that of new construction of this type in 1947-48 was only 76 persons per acre. In other words, the average density of new multi-family residential construction is less than half that characteristic of all existing dwellings of this type. The increasing proportion of one- and two-family construction coupled with the drastic reduction in population density of the new multi-family construction results in a substantial decrease in overall densities. This, together with the anticipated decrease in family size, constitutes the basis for estimating that 40% more land will be needed in residential use to accommodate the 9% increase in population expected from 1950 to 1970.

Taking into account the existing density pattern in each borough, and the opportunities for new development in vacant areas and redevelopment in

*Land within the property line only.



SPORADIC DEVELOPMENT RESULTS ALONG FRONTS ZONED IN EXCESS OF BUSINESS REQUIREMENTS

Property owners hoping for future substantial commercial development permit cheap temporary uses to blight major highway frontage.

the older areas, patterns were worked out to accommodate the expected population with a comfortable margin. These patterns are reflected in the proposed residential zoning regulations as applied by districts in the proposed new zoning maps.

THE RETAIL PATTERN

Special studies were carried out to analyze the present trends in retailing throughout the five boroughs; including what relation active and profitable use had to do with existing zoning and what might be done to improve the zoning regulations to stimulate economic retail establishments. Several outstanding points resulted in important recommendations incorporated in the Report and proposed Resolution.

The present zoning laws provide enough land for retail business to serve over 17,000,000 people, although the City's population is not expected to exceed about 8,500,000. In effect, the 1916 Zoning Resolution permits a retail store development throughout much of the City characteristic of the pattern found in midtown Manhattan. This unrealistic planning has meant that the amount of land set aside for business in many areas of the City is many times the amount used or needed.

A total of 25,325 acres were zoned as Business Districts and only 10,743 acres, a mere 42 per cent of this total, were being used for that purpose in 1948. This means that while 3.40 acres per 1,000

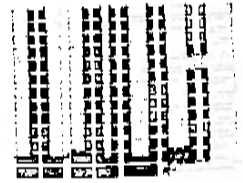
ZONING EXCESS FRONTAGE FOR BUSINESS OFTEN RESULTS IN STERILIZED LAND



There are many more miles of streets zoned for commerce than the population can ever support.



SHOPPING LOCATIONS VS. ZONING

STRIP COMMERCIAL ZONING MAY SERVE THE NEEDS OF MANHATTAN



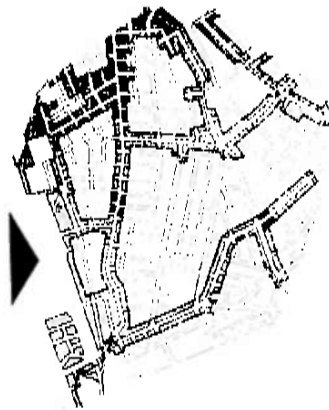
LEGEND
 Commercial Zoning 
 Concentrated Shopping Locations 

But

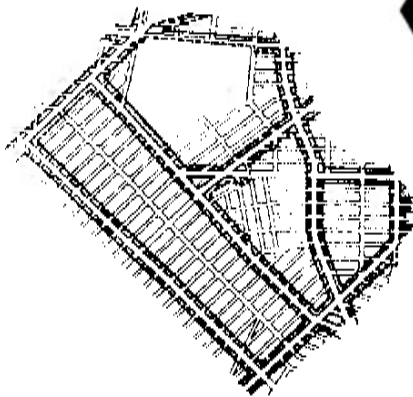
IS EXCESSIVE ELSEWHERE IN RESIDENTIAL NEIGHBORHOODS



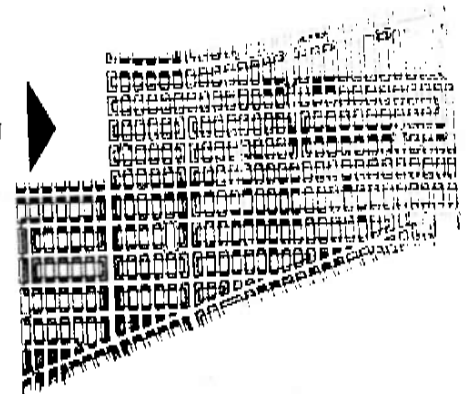
IN QUEENS



IN RICHMOND



IN THE BRONX



IN BROOKLYN

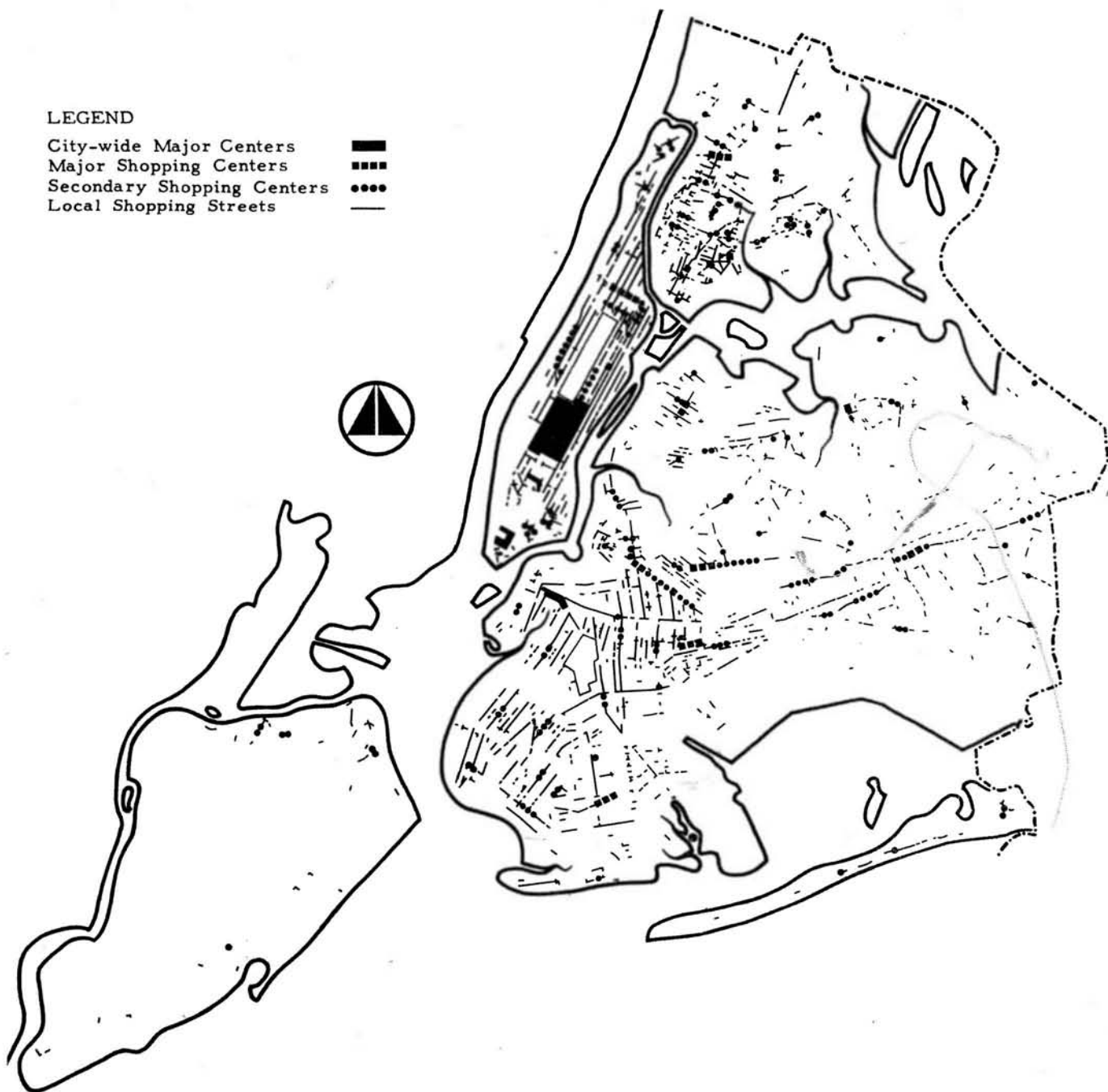
people were provided in Business Districts, 1.44 acres per 1,000 people are actually the prevailing use figures. Furthermore, the amount of retail frontage used in relation to population shows little likelihood of increasing.

In many cases this overzoning for business has led to the blighting of frontages and adjoining districts. Frontage on major streets is held vacant for many years in expectation of a business use which never has materialized and in all probability will

SHOPPING LOCATIONS

LEGEND

- City-wide Major Centers
- Major Shopping Centers
- Secondary Shopping Centers
- Local Shopping Streets



never develop. In older areas of the City, such by-passed frontage either stands vacant or is utilized for cheaper purposes. As a result the deterioration of the surrounding residential area is hastened. In addition to blighting areas, overzoning is blamed by specialists for actually increasing the number of

retail failures, since it encourages scattered shops in inconvenient locations.

Types of Retail Activity

Aside from the central retail and commercial areas of Manhattan and downtown Brooklyn, there

are three types of retail development which were carefully studied for rezoning.

The 14 major shopping areas, each equivalent to a retail shopping area of a small city. Examples are the Jamaica and Flushing centers in Queens, Fordham Road in the Bronx, Flatbush Avenue near Church Avenue in Brooklyn, and 125th Street between Eighth and Lenox Avenues in Manhattan. These centers are huge and do an ever increasing volume of business. Some have as many as three department stores, and practically any consumer item is available. Pedestrian and automobile congestion on a Saturday almost equals that of midtown Manhattan.

Local commercial centers, which are becoming the primary outlet points for modern retailing, vary in size but are generally less than five blocks in length with more than 100 stores of all types. In almost all cases there is a variety store and a representation of chain clothing stores. Occasionally there is also a chain jewelry, furniture or radio and appliance store as well as independents in all these fields and in many others. Characteristic locations are: 72nd Street and Broadway in Manhattan, Jerome Avenue from East 208th Street to Gun Hill Road in the Bronx, 86th Street from Fourth Avenue to Fort Hamilton Parkway in Brooklyn, and 103rd Street and Roosevelt Avenue in Queens. There are almost 100 of these centers.

Local shopping streets are the most widespread of all the areas of commercial or retail use. These uses are largely confined to the first floor and serve the everyday needs of the population residing within walking distance. They vary in size and character from five to ten stores on a street corner to long ribbons of store frontage running several miles in length. These stores serve the retail and personal service needs of the surrounding residential neighborhood. Fortunately the activities involved generate little if any nuisance to adjacent residences.

The basic studies also considered the central Business Districts of Manhattan and Brooklyn. Retailing is only one of the many functions of these areas.

All four types of Retail Districts are important in serving the public. The aim of rezoning will be to serve the needs peculiar to each type of shopping activity, to minimize infringement upon residential

areas by these activities, to protect and stabilize existing shopping locations to the benefit of the City and the merchant, and to provide a measure of adaptability to the needs of the automobile. The zoning proposals for these purposes are discussed elsewhere in this Report.

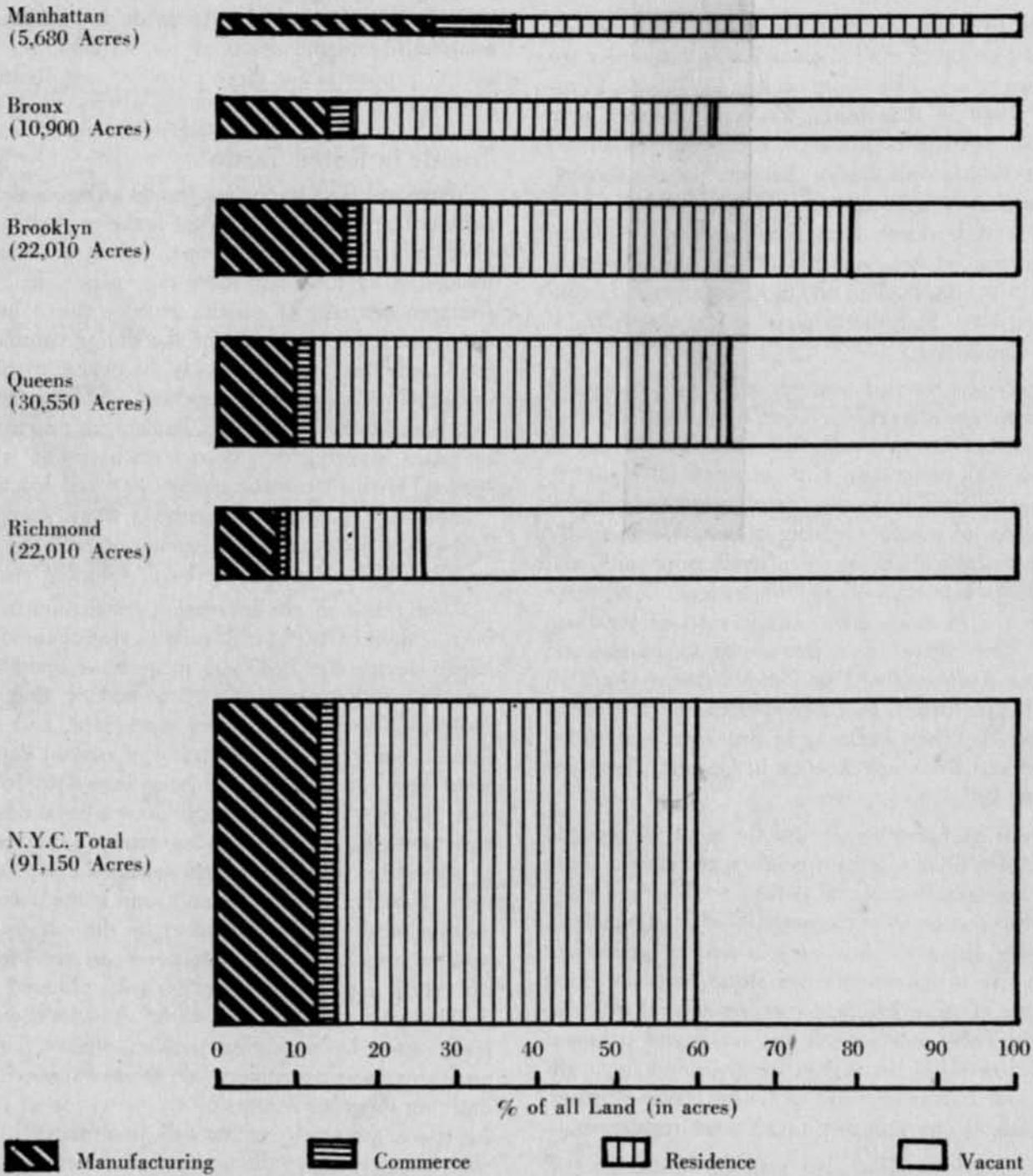
Trends in Retail Trade

There are four important trends affecting the location of retail activities. First is the concentration of retail business into fewer and larger stores, pioneered by the chain store enterprises. In 1946 fourteen per cent of all the grocery stores in the City handled 62 per cent of the dollar volume of food trade. Second is the newly discovered mobility of retail activities. Retailers are no longer going into the real estate business, but are, in practically all cases, entering into short term leases for their space. Third, a dramatic change in retail locations is underway. Sales in the outlying retail shopping centers are growing at the expense of both the central Retail District and the local shopping streets.

As a result of the increasing congestion in the central Retail District in Manhattan the chain stores began during the 1930's to move their operations into the outlying major and secondary shopping centers. This move was very successful, and such inroads were made on the trade of central department stores that they have been forced to follow suit. Today it is possible to purchase a great deal of merchandise in these outlying centers which even as recently as ten years ago necessitated a trip downtown. Finally, the most recent trend is the overcongestion of the outlying centers by the automobile and the creation of completely new centers serving all retail needs in comprehensively planned and developed shopping centers catering to the new carriage trade by providing parking spaces. Unless measures are soon undertaken to save the existing outlying shopping centers by the provision of parking space, these new centers will, in a relatively few years, largely usurp the position of the older established areas at a great loss to both the City and many private owners.

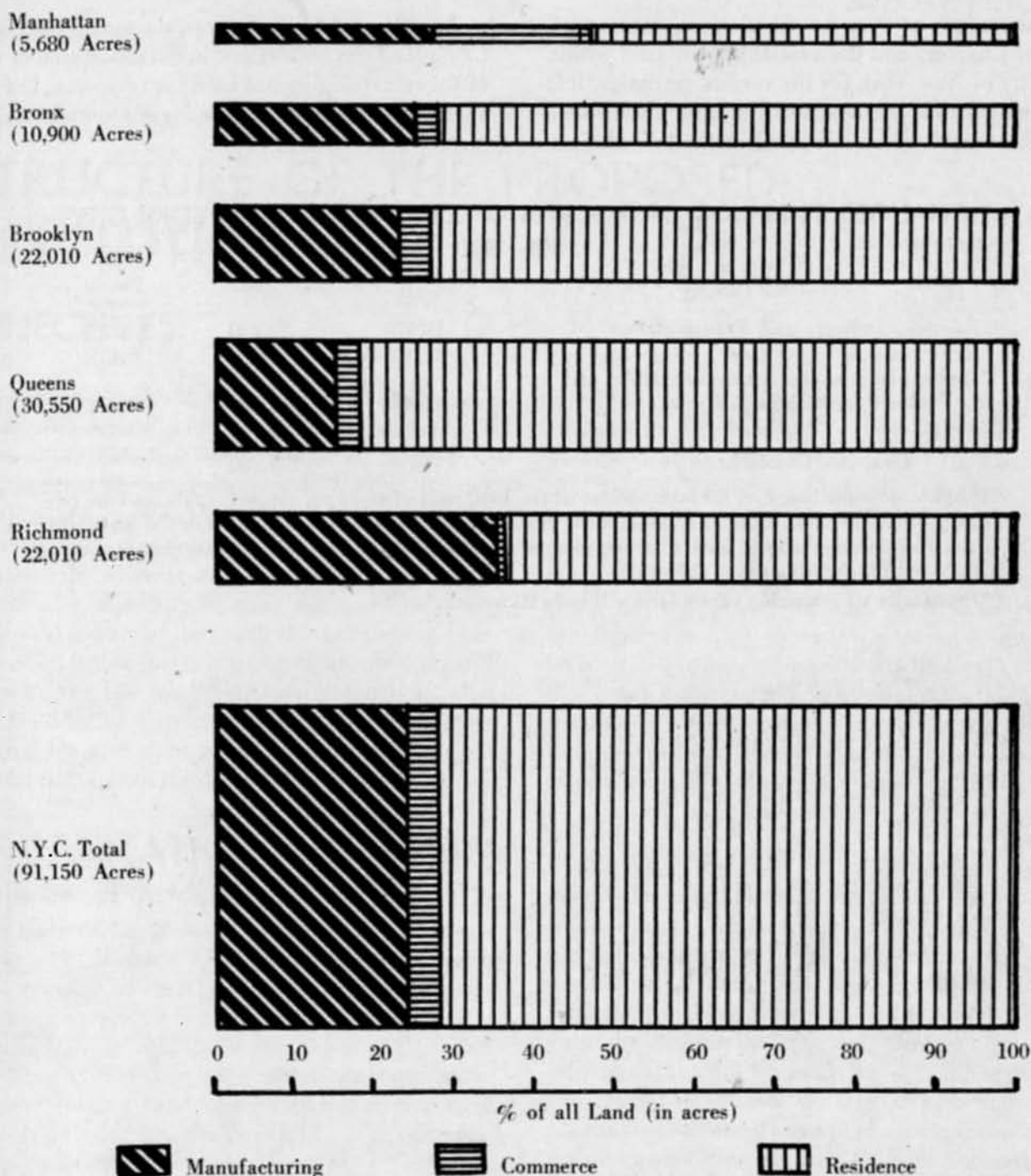
The proposals in the Plan for Rezoning, both as to the types of districts for retailing and the manner of their mapping, are designed to adapt New York's zoning to these modern trends as fully as possible at this point in the City's development.

EXISTING USE OF LAND — NEW YORK CITY, 1948



This chart portrays the per cent of total usable land within the three general use categories — Residence, Commerce, and Manufacturing — on an individual borough, as well as a city-wide, basis. Reading from top to bottom it shows too the proportion of each borough's net land compared to the total of the five boroughs. The land involved is exclusive of streets, parks, playgrounds, public buildings, cemeteries, airports, and the islands in Jamaica Bay.

ALLOCATION OF LAND BY PROPOSED ZONING



This chart portrays the per cent of total land proposed to be zoned within the three general zoning districts — Residence, Commerce, and Manufacturing. Reading from top to bottom it shows too the proportion of each borough's net land compared to the total of the five boroughs. The land involved is exclusive of streets, parks, playgrounds, public buildings, cemeteries, airports and the islands in Jamaica Bay. Zoning district combinations correspond to the text tables. Note that a total of 720 acres in the City, which is a portion of the area zoned residence retail, is included here as commercial land but is also included in the total land available for and calculated for residence as shown in the population capacity table on page 117.

ESTIMATED CHANGES IN LAND USE: 1948 to 1970

Taking into account the calculations summarized in this Chapter, and the availability of land within the City of New York for the various purposes, it is anticipated that the next two decades will witness quantitative shifts as indicated in the table below.

As indicated by the figures, the major shift in the City's land use will consist in the absorption of most of the remaining vacant land for residence, but with a significant increase in sites for economic activities.

CHANGES IN MAJOR CATEGORIES OF LAND USE IN NEW YORK CITY 1948 - 1970

Land Use Category	Acres		Percent Change
	1948	1970	
Business, Industry and Transportation	18,970	23,130	+22%
Residence	41,020	59,550	+45%
*Parks, playgrounds, cemeteries, public and private institutions	37,250	39,720	+7%
**Vacant land	36,540	11,380	-69%
Total Net Usable Land	133,780	133,780	

*Increase shown is based on the maintenance of the 1940 ratio of acres per capita for this land use category for the assumed additional population. This estimate is not intended to exclude the possibility of increasing the ratio of park and playground land but evaluation of this increase was considered to be outside the province of this study.

**Practically all remaining vacant land will be in Richmond.

STRUCTURE OF THE PROPOSED RESOLUTION

OBJECTIVES

Since New York's Zoning Resolution has become so complicated and confused, the desirable form for a new Resolution has been emphasized in the Plan for Rezoning almost as much as the content. Briefly, the form of a modern zoning law must be judged by two criteria — clarity and flexibility. First, a zoning law must be as clear and easy to use as possible. Specifically, a complete, clear cut and coherently organized picture of the applicable regulations must be available for the two types of people who will be using the law most — those interested in what may be done on a specific piece of land, and those looking for a site for a specific type of establishment. Second, both the devices chosen and the struc-

ture of the Resolution must be readily adaptable to changes in the future — new uses of land, new architectural forms, new controls which it is desirable to add. In certain situations these two objectives will of course conflict. What is important to remember is that the proposed Resolution is designed for the user, not for the rare person who reads the entire text through. A modern zoning ordinance contains so much material — particularly in as vast and complex a city as New York — that a quick understanding of the entire law is impossible in any case. However, the proposed Resolution makes a number of substantial steps forward toward the realization of the above two objectives.

ORGANIZATION AND FORM

Single Set of Districts

In place of the present three types of districts, a single set of districts — each with its own use and bulk regulations — is established, and their location is shown on a single map. In addition to being obviously simpler to use, this system brings about more coherently inter-related use, bulk, parking and loading, and other regulations for each district. In addition, the possibility of freak combinations of districts is eliminated.

District Tables

All regulations applying in each district are set forth in two sets of tables, one for use regulations and one for bulk regulations. After a potential developer has located on the map the proper district for a given site, these tables will give a complete summary of all applicable regulations. For ex-

ample, in a typical district the use tables give references to permitted use groups, to provisions permitting other uses by special permit, to accessory parking and loading and sign regulations, and to various special provisions. The bulk tables set forth most regulations directly, and the rest by cross-references. In addition to giving a complete picture and being easy to use, the tabular presentation of district regulations permits ready comparison of the regulations of the various districts. A series of special preambles is given for each group of districts, to clarify the intent of the regulations both for the developer and for legal interpretation.

Text

While tabular presentation is also used for the parking and loading requirements and for various other provisions, the text has also been organized

PLAN FOR REZONING

for maximum clarity, readability and ease of use. Whenever possible — and it usually is possible — simple English has been used. Drawings are incorporated into the text on the frequent occasions when a point can be made easier graphically. All words which are specially defined for the purposes of this Resolution are indicated by the use of italics — thus eliminating another frequent source of “sleepers.” Most important of all, the format has abandoned the old school of statutory draftsmanship, where a long series of related regulations were crammed into a single continuous sentence running up to half a page, with “provided that” every ten lines but with the verb hopelessly buried. Instead the text is broken into short sentences, often using “However,” to introduce a qualification; and, as in the recent Uniform Commercial Code, when convenient the text is broken up and indented, for maximum ease of reading. Finally, the numbering sys-

tem is open-end at all points, to provide room for amendments without resorting to expedients such as Sections 4-A to 4-F and 21-A to 21-G in the present Resolution.

Permissive Use Regulations

While in the present Resolution the residence use regulations are permissive and the other use districts prohibitory in form, the almost universal trend in other ordinances has been to extend the permissive form through the various commercial and at least some of the Manufacturing Districts. Permissive regulations make it clearer to the developer what he is able to do, and give additional protection in the more restricted districts by shifting the burden of proof to the applicant in doubtful cases. In the proposed Resolution the permissive form is carried throughout by the adoption of the system of use groups, discussed in Chapter 4.

PROPOSED TYPES OF ZONING DISTRICTS

As in all zoning ordinances, controls are established by setting up a series of districts, which are mapped to include the entire City. Each district has appropriate regulations covering permitted uses, permitted bulk, accessory parking and loading, and various special use and bulk provisions.

Basic Classification of Uses

The basic classification of uses in the proposed Resolution follows the traditional tripartite division — residence, commerce and manufacturing — with one significant modification. Since local shops for daily shopping are essentially a service for nearby residences, somewhat as schools and libraries obviously are, and since except in the lowest-density areas such uses are usually located in the ground floor of residential buildings, the proposed districts for local shopping facilities have been associated with Residence rather than the Commercial Districts. In addition, a special district permitting very light manufacturing in landscaped factories has been placed in the same group. Both of these types of districts are mapped in specified locations within residential areas.

As usual, the districts have been arranged in a progression from one-family residence to unrestricted manufacturing, generally by adding more and more objectionable groups of uses. Frequently,

several districts permit the same groups of uses but vary in permitted bulk or in some other minor respect, such as parking or signs. In the case of bulk variations, the progression moves from lower to higher bulk.

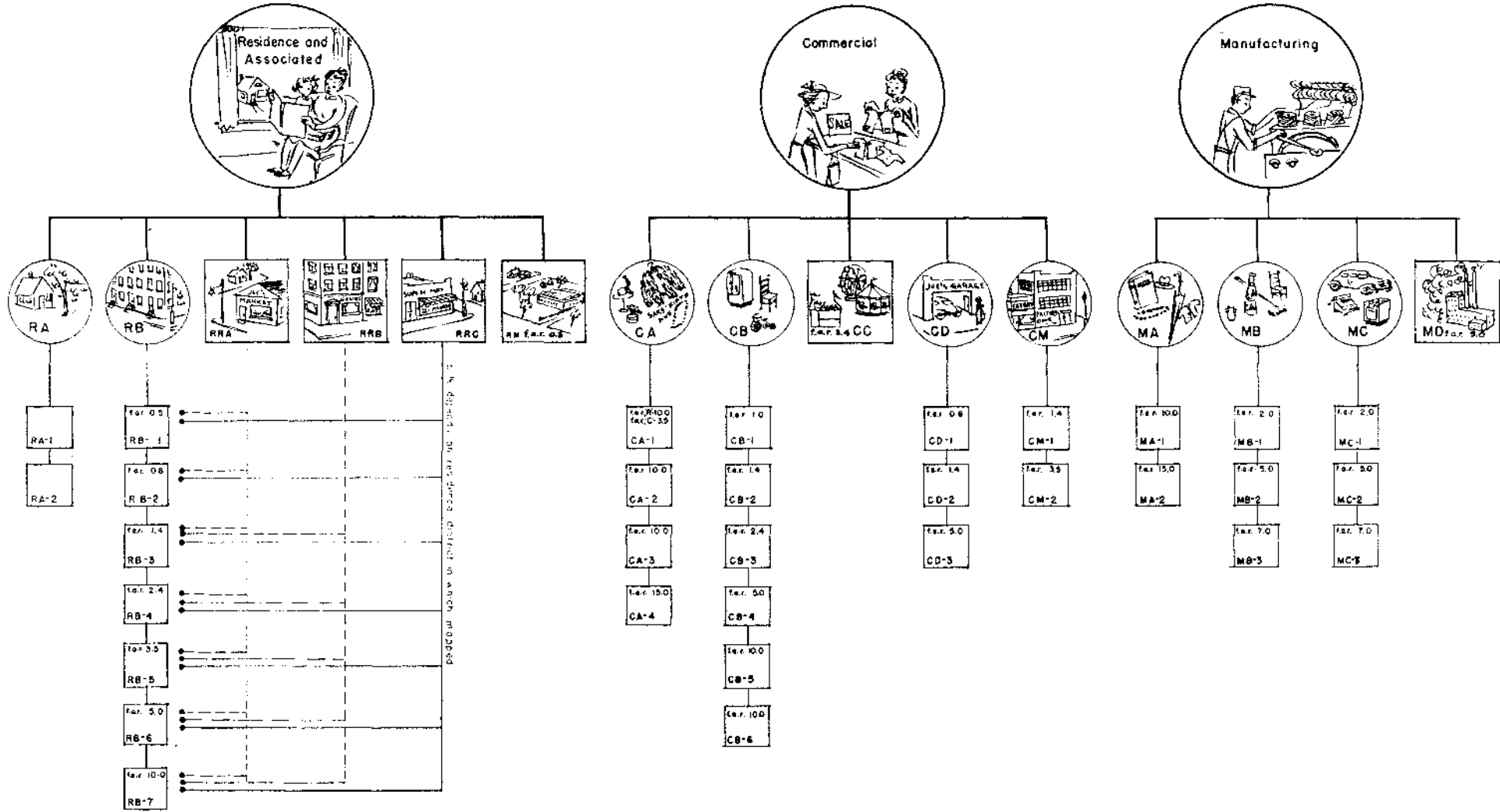
The symbols for the various districts — such as RA-1, CB-1, CB-2 and MD — express these differences. The first letter indicates the broad classification of use — residence, commercial, or manufacturing. The second letter indicates a particular combination of permitted use groups within that broad category; for example, there are five types of Commercial Districts—CA, CB, CC, CD and CM — each with its own combination of permitted use groups. Any further subsidiary distinctions, such as bulk changes, are indicated by numbers at the end; CB-1 has a lower bulk, CB-2 a higher, and so on. When a district symbol lacks a numeral — as CC or MD — there are no bulk or other variations within that combination of permitted use groups.

For Residence Retail Districts, the system is a bit different. Since these districts take on the bulk regulations from a Residence District, they are designated merely as RRA, RRB and RRC.

Chart and Analysis of Districts

How the various districts are related is graphically shown by the accompanying chart. This chart

Proposed Zoning Districts Classified by Permitted Use and Bulk



THIS CHART ILLUSTRATES THE GROUPINGS OF DISTRICTS ACCORDING TO BASIC USE CATEGORIES

PLAN FOR REZONING

illustrates the groupings of districts according to basic use categories and shows the number of bulk variations provided to meet the range of conditions found in each of the use categories.

This chart diagrams the evolution and interconnection of the districts. While there are only three major kinds of districts, there are 15 different use categories; six types of Residence and Associated Districts, five Commercial types and four Manufacturing types. And since there are variations of bulk within certain use categories, a total of 38 districts (combinations of use, bulk and other regulations) are proposed.

EVOLUTION OF REGULATIONS

The most noteworthy feature of the formulation of the proposed zoning regulations was the constant and intimate interplay between the development of the proposed zoning districts and use categories, the fitting of these districts and use categories to actual conditions in each borough, and the selection of the kinds of device and controls appropriate to each district. The work proceeded in a series of stages, each checked by IBM counts of the total land use mapped in each proposed district to make sure that the quantitative concepts developed during the first phase were being carried out. Time and again field conditions and mapping problems brought changes in the text for the proposed districts, use lists and zoning control devices.

This attention to field conditions does not imply acceptance of existing conditions for it was found that too much reliance placed on the existing pattern of City development would prevent zoning from furthering improved City living conditions. Both historical development of the City and loose mapping and phrasing of the present Resolution have contributed to the undesirable mixture of land uses in some areas, especially in the older parts of the City. Therefore greater weight was given to factors of current development, indicated trends and anticipated needs.

Floor area ratios for each district were intensively checked in the field to make sure that they were reasonably related to existing conditions and present construction forms. A sample study of one- and two-family buildings built in each borough

A review of the proposed mapping of these 38 districts by boroughs shows that within any single borough no more than 24 occur. Eleven of the 38 districts occur only on Manhattan where the high-bulk characteristics and special use-combinations, such as Fifth Avenue and the United Nations Area, have necessitated the establishment of special districts. On the other hand, the lowest bulk districts are found only in the outlying sections of the City. Some of the Commercial and Manufacturing Districts, although varying in both bulk and parking requirements, are justified primarily by the importance of providing adequate parking.

and a complete count of every other building started in the City in 1948 was made to determine current trends in building types and bulks. A study of prevalent bulks in existing stable residential areas and of all existing commercial and industrial sections was made and analyzed. The results of all these studies and surveys were taken into account in the final selection of floor area ratios for each district and in the final location of proposed district boundaries.

Another series of studies and conferences determined the need for and basis of the proposed off-street parking provisions.

As the proposed regulations were gradually translated into specific legal form, they were subjected to constant revision and refinement in the light of problems met in the field by the staff engaged in mapping the various districts. For the Residence Retail, Manufacturing and Commercial Districts, the use lists proposed for various districts were checked in the field by a count of the actual uses existing in the areas where the proposed district was to be mapped. In other cases, conditions reported from the field resulted in the development of new devices and even in new districts.

As a result the proposed Zoning Resolution has been framed not only to approach the objectives of a clear and easy-to-use Resolution, but it also may be said to be tailored to meet the specific needs of New York City, each borough and each section within each borough.

PROPOSED ZONING DEVICES

The broad objectives of the original New York City Zoning Resolution, as has already been stated, included control of use, height and area of buildings, as evidenced by the three sets of maps so named, and the provisions of the Resolution relating to the districts shown on these maps.

The use regulations were at first quite simple, being limited to Residence, Business and Unrestricted Districts. The height limitations were indirect, the height of a building at the street line being defined in terms of multiples of street widths, with additional height permitted as the result of set-backs and towers. The area limitations were partly explicit, in terms of percentage of coverage of the lot, but chiefly the indirect result of complicated yard and court requirements.

With the passage of time, many other devices were developed and introduced into the zoning ordi-

nances of other cities, and some of them have found expression in the New York City Resolution as a result of amendments.

Early in the present study it was concluded that existing zoning devices in this City and elsewhere leave much to be desired, as instruments for accomplishing the objectives which the courts have recognized as legitimate in the exercise of the zoning power. Some of these limitations have been referred to explicitly in Chapter 1 of this Report.

It was concluded, therefore, that new devices should be freely explored, both through careful review of what has been done in other cities and the origination of entirely new methods of control where necessary. A number of each are embodied in the present Plan for Rezoning, and are described in this Chapter.

FLEXIBILITY

Over and above its usefulness as far as the structure of the Resolution is concerned, flexibility is of paramount importance as a criterion in selecting zoning controls.

The traditional zoning controls have usually achieved their objectives indirectly, particularly in the bulk regulations. In order to ensure access of light and air, the regulations prescribed required yards and courts; when it was desired to set a limit on density and congestion, height regulations were invoked. Such regulations dictate the exact size, shape and location of permitted building for any given lot, on the assumption that this is the only way to accomplish the desired objectives. Similarly, in order to restrict certain nuisances, the use regulations take the form of lists of prohibited (or permitted) uses and buildings, on the assumption that

a given use will always produce the same undesirable results. In some instances, these rough classifications have turned out to be unnecessarily rigid and unfair. What is worse, these traditional use and bulk regulations are both tied to a specific stage in building and industrial technology — as if technology were static and frozen, instead of being the most dynamic thing in the world. As a result, any major change in technology makes these regulations an obsolescent nuisance; and, at best, they have to be constantly amended to deal with new building forms.

In the Plan for Rezoning, a more direct approach to the achievement of zoning objectives has been adopted, so far as is practical at the present time — primarily in the bulk regulations. In order to control total bulk and the resulting congestion, a limit



ONING DEVICES ARE REQUIRED TO CONTROL BUILD-
LARGE-SCALE PROJECTS AND TO PROVIDE AMPLE
PACES FOR TENANT USE, RECREATION AND AUTO-
PARKING.

is set on total bulk, by the floor area ratio. In order to ensure a minimum amount of open space on residential plots, the regulations require usable open space. The proposed regulations to ensure access of light and air are perhaps the best example of the direct approach. Yard regulations are restricted to their proper function, to limit building along lot lines, and the complicated court regulations are superseded. The other proposed devices merely state the required spacing between buildings and the required open areas for access of light. Specifically, the present height regulations — which are angle of light regulations — are modified, and a new device is proposed for access of light to each required window. Under these regulations, as long as light and air are provided to the extent specified, the architect is free to develop the best building or buildings for the individual site, instead of merely

LAND USE REGULATIONS

Controls of land use include all regulations over the kinds of activities which may be carried on in buildings and on premises. The basic controls permit (or prohibit) specified types of use. Supplementary controls are also imposed, regulating the maximum size of establishments, requiring enclosure of uses within buildings, restricting them to specified parts of buildings, and so on.

OBJECTIVES

The basic purpose of use controls is to assure the provision of appropriate land areas for all the activities which the community requires for its efficient functioning. More specifically, space allocated

filling a rigid envelope and then arranging the interior space somehow. These devices may require a little thought to be fully understood, but do not represent any basic departure from the emphasis on simplicity.

The advantages of these direct regulations are obvious. First, the statement of zoning controls in terms of what is ultimately desired makes it practically impossible to create a freak building which evades the intent of the regulations. Second, the unmistakable expression of the intent of the regulations helps in promoting public understanding and in administration, interpretation and legal support. Moreover, since these regulations are not tied to any particular building technology, they adopt themselves automatically to technological changes. Finally — and most important — they free the architect to develop better building forms.

In the use regulations, it was not found practical to develop this approach as fully, although potentially, direct use controls are equally useful. Nevertheless, some substantial work was done in this direction. The residential regulations, except for the well-established single-family districts, do not specify any particular building types. In certain instances, the use regulations include performance standards. However, although a series of conferences with engineering experts indicated a likelihood that the basic technical knowledge is available for control of industrial uses by measurement of nuisances, such controls were not developed because neither the staff nor the time were available to do the necessary studies.

to each activity should be appropriate in terms of the following:

Best use of land as a physical resource. Allocation of available land to the various types of use should take into account the present and potential magnitude — land area requirements — of these uses, and should seek to assign each use to land of a type which meets its physical requirements. High land, for instance, is commonly reserved for residence, whereas low land with rail freight facilities may be best suited for industrial development.

Provision for related uses. Zoning regulations must take into account the needs of inter-related

uses which complement or serve one another. Residential areas need properly located local shopping outlets and other community facilities. In commercial areas, various business services such as banks and job printing shops are needed. The same principle applies to manufacturing areas, where conveniently accessible machinery service and warehousing facilities are essential.

Limitation of danger and nuisance. For the protection of each type of use area, it is necessary to exclude or control other activities which are grossly incompatible with the predominant use. Among the most important objectionable influences are the following:

- Danger to persons or property: explosion hazard, corrosive fumes;
- Offense to persons, or danger to health: excessive smoke, dust, odor, noise, vibration or glare at night;
- Congestion of vehicular or pedestrian traffic, and inadequate vehicular parking space, resulting in danger, inconvenience and adding to transportation costs;
- Unsightliness in unsuitable places: advertising signs or junk yards in residential areas.

TESTS OF A GOOD CONTROL DEVICE

Use controls should meet five tests. First, they should be clear, simple to understand; there should be no question whether a given type of use is or is not permitted in a given area. Second, the devices must permit City-wide application; a use should not be allowed "in all X districts except in Canarsie and Riverdale." Third, they must not discriminate against one use with service or nuisance characteristics essentially similar to those of another. Fourth, they must permit reasonable groupings of uses in the light of groupings which exist and serve a purpose. Finally, the devices must be flexible, permitting change and adaptation to new unforeseen uses. Who can say what the future equivalents of the laundromat and the drive-in theatre — unforeseen by zoning use-lists of the past — will be?

Within this framework of simplicity, universal application, non-discrimination, reasonableness and flexibility, the use controls must be strong and definite enough to accomplish the five basic objectives set forth above.

BASIC USE REGULATIONS

Use-zoning Districts

The basic measure for controlling land use by zoning is to establish use-zoning districts. Under traditional practice, each district is theoretically allocated to one predominant use, together with appropriate related uses and other uses needing the same type of environment. The use districts have usually been arranged in a series which involves a progression from those uses which involve less nuisance to those which involve more. The less restrictive districts, however, generally permit the uses allowed in the more restrictive districts.

In general, the districts in the proposed Resolution represent a similar progression from more to less restrictive controls of use. However, certain exceptions to this are necessary, partly because of special conditions in New York.

Use-listings and Performance Standards

Within the framework of zoning districts there are two general methods of regulating use: listing of specific uses which shall be permitted or excluded; and designation of performance standards which shall be met by permitted uses — without specific listings. The former is the only method in common use. Whereas the present New York Zoning Resolution employs permissive listings for some districts and prohibitory listings for others, most recent ordinances have adopted the permissive form, and this has been done in the present proposals.

The second method of control deals not with uses themselves but with their attributes, especially with regard to nuisance-production. Under this scheme the regulations would be based on objective measurement of the characteristics of any use in its effect on other uses. Scoring systems would be required for such factors as noise, smoke, traffic generation and overt dangers, and standards would be established for these factors for the various districts. This approach was explored in considerable detail in connection with the present studies, and was found to have many potential advantages in the case of manufacturing and heavy industrial uses. In other use categories, the factors justifying admission or exclusion of a given use are not related to

PLAN FOR REZONING

measurable nuisances to so much as in the manufacturing categories.

Conference with scientists of leading research institutions has indicated that the problems of measuring industrial nuisance are by no means insuperable. It is to be hoped that the City Planning Commission can continue this line of exploration, looking toward use regulations which will provide a more objective basis for the control of industrial locations and will also be responsive to improvements in industrial technology.

Broad Categories of Use

In the proposed Resolution, the uses of land are grouped into three broad categories: residence, commercial and manufacturing. These correspond generally to the types of use districts in the present Resolution: Residence, Retail and Business, and

Manufacturing and Unrestricted. They also accord with practice in other zoning ordinances.

This tripartite division recognizes the differing environmental needs of the major land uses. Within this framework, and consistent with the objectives stated above, the protective measures or service facilities required for the dominant use may also serve the needs of other permitted uses. For example, the quiet of a residential neighborhood supplies the proper setting for a hospital. It is by no means true that all types of gainful activities are incompatible with residence. Provision is therefore made, in selected locations and with adequate safeguards, for special combinations of residence with uses other than the normal residential shopping and service facilities; these include office, laboratory and selected light manufacturing establishments with adequate restrictions and precautions against nuisances.

DIAGRAM SHOWING THE FLEXIBILITY AFFORDED BY THE USE GROUPING DEVICE

The blank squares mean that certain groups of uses have been omitted from certain districts for specific reasons. For example: Use Group 3 (Hotels) is not permitted either in Residential, Residence Retail A and B, or in General, Industrial or Heavy Manufacturing Districts.

USE GROUPS DISTRICTS			C A T E G O R Y																	
			Residential			Community Facilities		Retail and Commercial			Wholesale and Commercial			Hvy. Com. and Auto.	Manufacturing					
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
RESIDENCE AND ASSOCIATED	Residence	RA	■			■														
	Residence	RB	■	■		■	■													
	Residence Restricted Mfg.	RM												■						
	Residence Retail	RRA						■												
	Residence Retail	RRB	■	■		■	■	■	■											
	Residence Retail	RRC	■	■	■	■	■	■	■											
COMMERCIAL	Restricted Commercial	CA	■	■	■	■	■	■	■											
	General Commercial	CB	■	■	■	■	■	■	■	■										
	Commercial Amusement	CC	■	■	■	■	■	■	■	■	■									
	Heavy Commercial	CD	■	■	■	■	■	■	■	■	■	■								
	Commercial Manufacturing	CM	■	■	■	■	■	■	■	■	■	■	■							
MANUFACTURING	Light Manufacturing	MA																		
	General Manufacturing	MB																		
	Industrial Manufacturing	MC																		
	Heavy Manufacturing	MD																		

Uses Permitted in the Districts: the Use-group System

All land uses subject to zoning and known to exist in New York have been classified into eighteen groups of generally compatible uses. Each group contains uses which either are similar in terms of the type of activities performed; or which represent services performed for the same group of users; or which depend on similar materials, processes or means of transportation. Other factors, such as size of the operation, sometimes enter into the classification.

Studies Underlying the Use-groups

The task of developing the use groups into their final form occupied much staff time throughout the two year period of study. All known sources of use-lists were reviewed, and consideration of the lists by outside experts was secured wherever possible. The final lists were evolved in close coordination with the borough mapping process and the formulation of the zoning districts themselves.

The preliminary lists were broken into district groupings for refinement in the field. By coordinating the mapping process in each borough with the needs of that borough for special types of districts, the use-districts and lists for each were gradually evolved. During this process many different combinations were established, tested in the field and revised. Sample field studies of uses found to exist were made throughout the boroughs. The final framework therefore reflects a careful balancing of the needs as found in each borough during this process. It is definitely not a preconceived pattern forced upon the boroughs. It is "custom made," not "store bought."

SPECIAL USE REGULATIONS

The regulations based upon permitted use-groups are supplemented by further safeguards. The scope of these is noted briefly below, and their nature is more fully discussed in subsequent sections on off-street parking and loading and supplementary regulations.

Permissive or required provisions for off-street automobile storage (parking) space apply to all

zoning districts. Non-residential uses are required to provide off-street loading berths for trucks, subject to variations by district and by type of use.

Transition zoning regulations are proposed to make less sharp the change of use along the boundaries of adjoining residential and non-residential districts, in several different situations. For example, regulations are set forth limiting the types of manufacturing use permitted immediately adjacent to a Residence District, and controlling windows and signs in a manner similar to Section 7-A of the present Resolution.

The proposed regulations for existing uses which do not conform to the new requirements follow the common practice in ordinances in other cities, by restricting the expansion of, structural repairs to, or changes in non-conforming uses, and by forbidding their revival after discontinuance and destruction of the building. In addition — also in line with the trend in recent ordinances — it is proposed to require the elimination of certain objectionable industries and similar uses in certain Residence Districts, after an appropriate period of amortization.

Sign regulations cover the size, type and location of business and advertising signs.

Production and servicing of goods in various districts, and especially in Residence Retail and Commercial Districts, is regulated in terms such as number of employees per establishment, floor or lot area per establishment, and maximum horsepower of machinery used.

Complete enclosure within a building is prerequisite to the conduct of specified uses in some districts.

Location of a use within buildings is regulated in some cases, either with a view to segregating business and residential uses in mixed structures or to preserving the appearance of high grade commercial areas.

Additional provisions are included such as those in the present Resolution providing special regulations applying to uses in any district in the vicinity of schools, parks and airports.

In all districts, under specified conditions, additional uses are permitted subject to administrative approval.

BUILDING BULK CONTROLS

The terms "bulk controls" or "bulk regulations" are used here to mean those regulations which affect the *volume, shape and spacing of buildings on the land*, as distinguished from use controls described above, which regulate the activities permitted on the land and within buildings.

OBJECTIVES

The basic objectives of bulk control are:

To regulate the volume of buildings. Such regulation is necessary to limit the concentration of people and their activities and thus to limit the loads imposed on traffic, transit and service facilities. Such limitation not only can prevent excessive congestion but affords an advance measure of possible requirements for social, sanitary and utility services.

To afford access of light and air into buildings and the space surrounding them.

To provide open space for the use of residents. This refers to the provision of open space immediately outside the dwelling which is large enough in area and sufficiently uncluttered with accessory buildings, driveways, etc., so that the occupants actually have a place for outdoor recreation, both active and passive, and for gardening, clothes drying, etc.

BASIC BULK CONTROL DEVICES

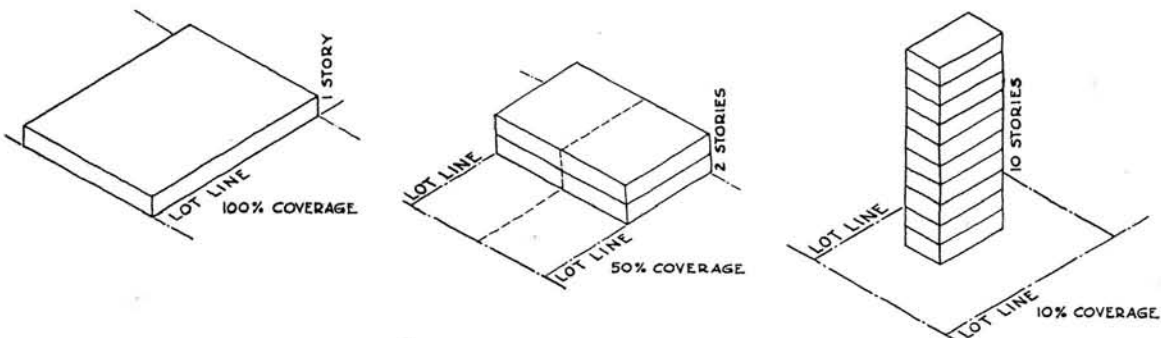
The traditional approach has been to control bulk indirectly, by setting a maximum limit on permitted height, and by requiring yards and courts of specified sizes. Such controls attempt to achieve the

desired objectives — limitation on density, sufficient light, air and open space — by prescribing only one way to reach those objectives. Experience has shown that the results of these controls are not altogether satisfactory. First, their effect is to set up a rigid building envelope. On a given piece of land they specify the exact location, size and shape for permitted building. As has often been said, under this system the zoning envelope and not the architect designs the building. Second the building forms prescribed — particularly set-backs — are uneconomical, not particularly attractive, and in fact do not achieve the best results in terms of light and open space. Third, the regulations are not only rigid, but extremely complicated.

As a matter of basic approach, in the proposed bulk controls the requirements have been set in terms of the desired objectives. Such controls will ensure the achievement of the objectives directly, and within the requirements will leave the architect free to develop the most economical and the best building forms. In part, certain customary devices which related directly to one or another of the basic objectives have been adopted. In part, new devices have been developed and existing devices modified for simplified and more direct bulk controls.

The importance of such zoning devices, permitting more flexibility of design, has been well expressed in a recent report issued by the United States Chamber of Commerce.¹

1. Zoning and Civic Development, Construction and Civic Development Department, U. S. Chamber of Commerce, Washington, D. C., January, 1950.



FLOOR AREA RATIO

Floor Area Ratio is an index figure which expresses the total permitted floor area as a multiple of the area of the lot. All examples illustrated above have a floor area ratio of 1.0.

"Recent experience with zoning administration in the light of changing methods of city building argues for additional flexibility in zoning ordinances. Too often these impose a virtual strait-jacket of regulation upon the development and use of property.

"Improved methods and procedures have made it possible to relax the rigidity of these early regulations in many ways without prejudicing their effectiveness and stability."

REGULATION OF BUILDING VOLUME: FLOOR AREA RATIO

Regulation of building volume requires a control which:

Is equally applicable to residential and non-residential structures;

Is directly applicable to the buildings and does not depend on occupancy, a variable factor;

Gives, insofar as possible, a quick, direct measure of the capacity of the permitted buildings, for the convenience of builders and of public agencies concerned with services (such as schools and sewers) affected by the capacity of buildings.

It is believed that the most suitable control for these purposes is a regulation of the permitted *floor area ratio*. The floor area ratio is an index figure which expresses the total permitted floor area as a multiple of the area of the lot. For example, with a floor area ratio of 1.0, the permitted floor area equals the lot area (though full coverage of a lot is rarely if ever permissible); with a floor area ratio of 5.0, the permitted floor area equals 5 times the lot area. A floor area ratio of 1.0 would apply to a two-story building covering 50 percent of its site, or to a five-story building covering 20 percent.

Since the control of building volume is of concern in all types of use districts, the bulk regulations for each district specify the maximum permitted floor area ratio for the district.

The floor area ratio device is used in several of the area districts (E, E-1, F, F-1, G and G-1) in the present Zoning Resolution. It becomes the major bulk control for all districts except Residence A in the proposed Resolution. This extension of the device involves no basic change in the principle or method of measurement.



OFFICE BUILDING DESIGNED FOR MAXIMUM LIGHT AND
Practical elimination of setbacks confines most of the structure
a fourth of the lot area, making it impossible for future
buildings to cut off light, view and air. 600 Fifth Avenue. Carso
Lundin, Architects.

ACCESS OF LIGHT AND AIR

To assure reasonable access of light and air to open spaces around buildings and to the windows of buildings, three devices are proposed:

A limitation on the vertical angle within which buildings may obstruct light (referred to below as the "angle of light obstruction");

A restriction on the location of walls containing legal windows in close proximity to other walls and other fixed obstructions (referred to as "area for light access");

A requirement for minimum width of yards (referred to as "yard width").

Permitted Angle of Light Obstruction

In the present Resolution, the height and set-back regulations ensure varying degrees of access of light and air into streets, and so to front windows — and also indirectly exercise some control over the total permitted bulk.

These provisions are actually angle-of-light regulations — i.e., they create an imaginary plane, rising diagonally from an angle at the center line of the street and leaning against the building, and the building is not permitted to cut into this plane. The set-backs which have become a familiar feature of New York's skyline represent an attempt to build the maximum bulk while keeping within this rigid envelope.

Rear walls are controlled by analogous provisions which are set forth in the area regulations of the present Resolution.

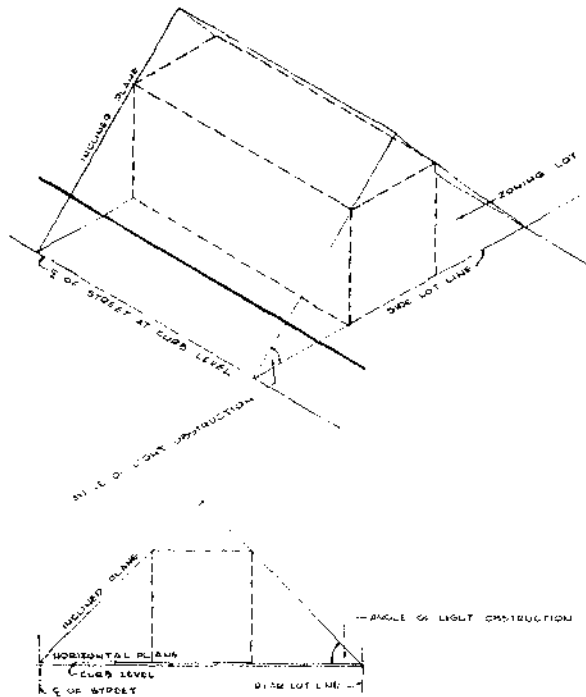
Despite their now familiar limitations, these light-angle regulations were concerned with a

genuine problem, and were a step in the right direction. Zoning regulations are needed to protect a developer against the creation of over-bulky buildings across the street or rear yard which cut off the source of light and air. And unlike the flat height regulations adopted in a great many other cities, by giving effect to a light-angle these existing regulations take into account the differences between broad and narrow streets. The whole system of regulations rests on the assumption — perfectly realistic in terms of the buildings being built in 1916 — that the only way to get light into streets and rear yards is over the top of buildings.

Quite obviously this is no longer true. While numerous buildings are being built in the molds determined by the set-back regulations, plenty of others are being built with towers illustrating the point that light may come along the side or sides of a thin tall building instead of over the top of a wide building.

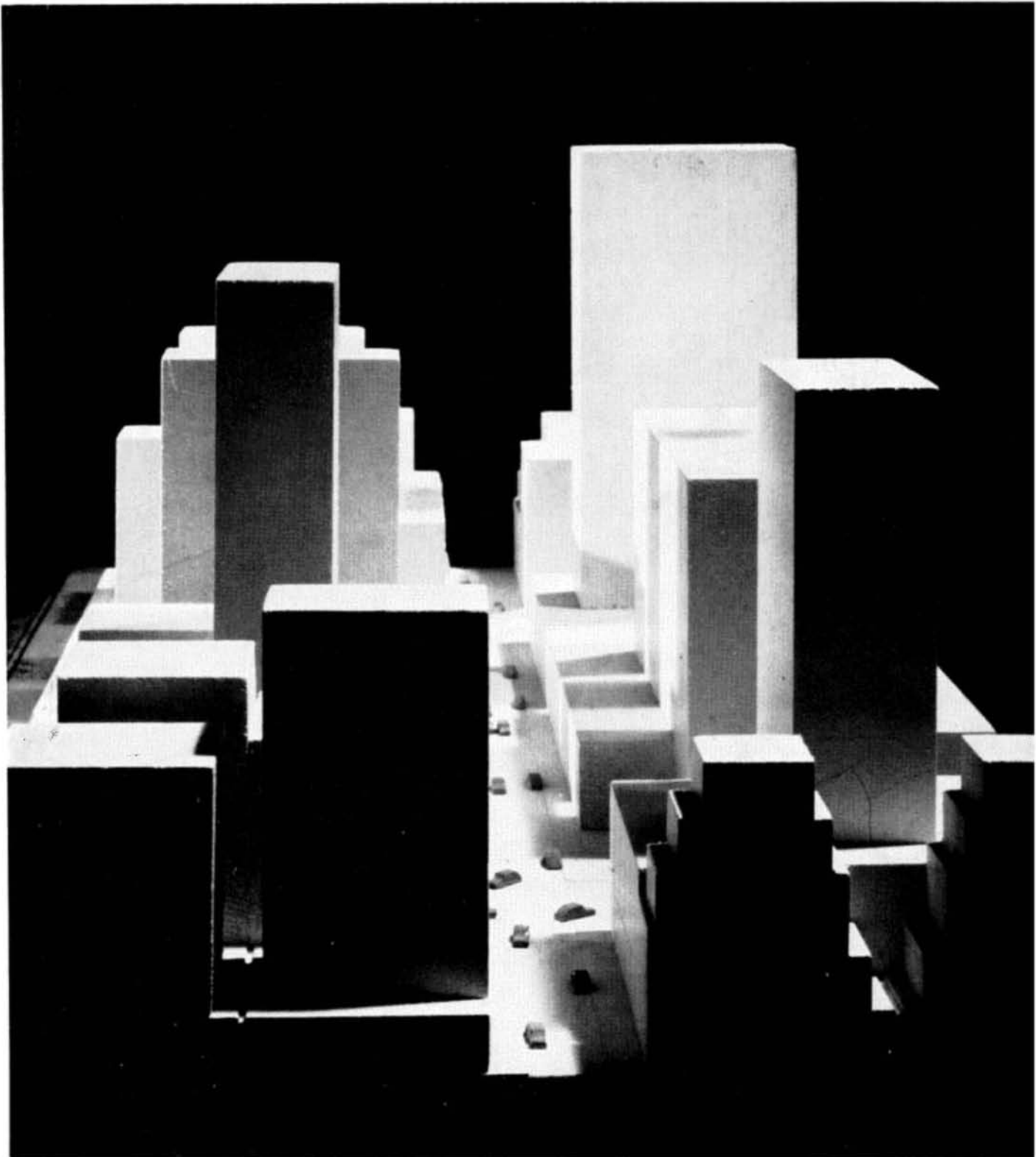
It is proposed that the existing light-angle regulations be modified to recognize and encourage this trend. Under this modified regulation, a building could in effect drop one shoulder and raise the other, or have a tower in the middle with open space on two sides. Or, as an alternative, one portion could be set back, to compensate for another portion located closer to the street. To express clearly the regulations permitting these alternative solutions, it is proposed (1) that the regulations merely state the appropriate angle of light obstruction for each district — which is at least easier to understand and apply than the present inches-back-per-foot-of-height provisions, and (2) that a developer be permitted to average the angle along the frontage. Moreover, in the proposed Resolution the floor area ratio would control the total bulk.

Under the proposed “averaging” regulations the architect will be freed to design better buildings, instead of merely filling the envelope. The buildings which may be expected under these regulations have several marked advantages over buildings with set-backs. First, they are more economic to build. Second, it will be possible to get light and ventilation into side windows. Third,



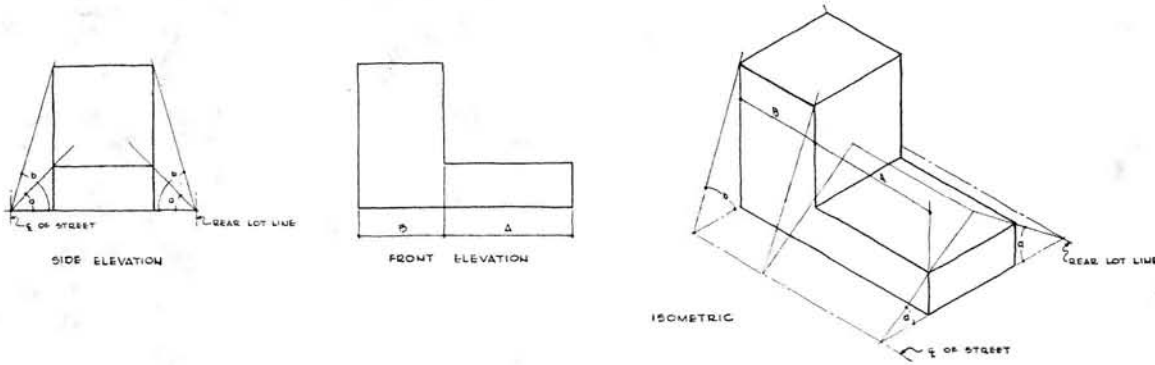
ANGLE OF LIGHT OBSTRUCTION

An acute angle at the center line of the street (or the rear lot line) between a horizontal plane at curb level and an inclined plane, rising from the center line of the street or rear lot line) and extending over the lot.



AVERAGING THE ANGLE OF LIGHT OBSTRUCTION
Model of typical high bulk development (Floor Area Ratio) showing how proposed averaging of angles of light obstruction contributes to improved light access to the street.

FOR REZONING



AVERAGING THE ANGLE OF LIGHT OBSTRUCTION

To permit flexibility in construction, the angle of light obstruction may be averaged over the width of the lot. However, the angle of light obstruction of any building, averaged or unaveraged, must be equal to or less than the maximum angle specified in the district regulations. In the above illustration, where X is the angle of light obstruction of the district,

$$\frac{\text{Frontage A} \times \text{Angle a} + \text{Frontage B} \times \text{Angle b}}{\text{Frontage A} + \text{Frontage B}} \text{ must be equal to or less than X.}$$

blocks developed under these regulations, more light will come into the street over the lower portions of buildings.

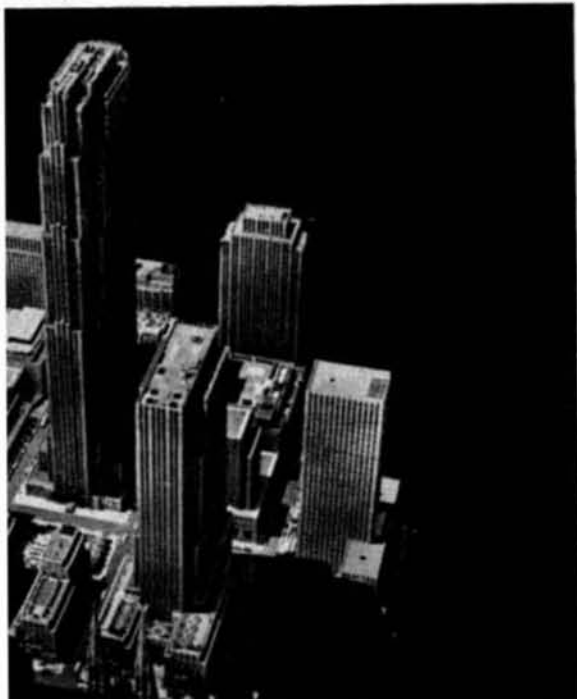
In order to provide protection against massing of bulk on very wide lots and against various freak shapes, several restrictions are proposed on the "averaging" principle. First, in each district the regulations specify a minimum angle to be allowed in averaging, in recognition of the fact that the buildings behind on the next street will be obstructed light below that angle in any event. Second, a maximum width is set over which a lower angle may be credited in averaging, in order to prevent narrow slots between buildings. Finally, limits are set on the width of frontage over which angles may be averaged and on the width of the building extending above the average permitted angle, in order to prevent massing of bulk on very wide

If there be those who set store by the amount of uniformity of cornice line encouraged by the present zoning regulations, it may be pointed out that such uniformity will be continued on the perimeters of small parks by virtue of special regulations in the new Resolution. Elsewhere the variety of treatment permitted and the architectural ingenuity encouraged by the new regulations are believed to be more than adequate recompense for any loss in cornice uniformity.

It is not intended to apply the light obstruction angle to single-family detached Residence Districts, which would be governed by yard width controls as in the present Resolution. However, in order to protect the privacy and outlook which are appropriate in the very low-density Residence Districts, it is proposed to apply a set-back regulation based on a fixed angle and applying to the front, side and rear of buildings, to all non-residential structures (such as churches and schools) and to the taller residential structures in those districts in which they are permitted.

Space for Light to Windows

In most ordinances, including the present New York Resolution, the problem of assuring light to windows is approached backwards by an attempt to regulate all possible relationships in excessively complex requirements for yards, courts, inner courts, outer courts, inner courts connected with streets, outer courts opening on inner courts, etc.;

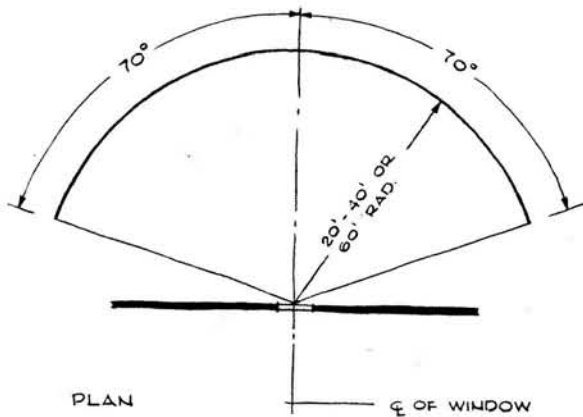


ARRANGEMENT OF COMMERCIAL BUILDINGS TO ACHIEVE OPENNESS.
Airview of Rockefeller Center.

and yet there is no assurance that all situations have been accounted for.

The statement of objectives for these proposed regulations has led to the formulation of a new and more logical device. Instead of taking innumerable wall relationships as the starting point, this takes as the starting point the window for which light must be provided, and sets up the requirements for the location and amount of unobstructed open space which must be provided for the window. For this purpose, the required open space is to be found within a specified type of wedge-shaped area determined on the building plan and site plan in relation to each required window.

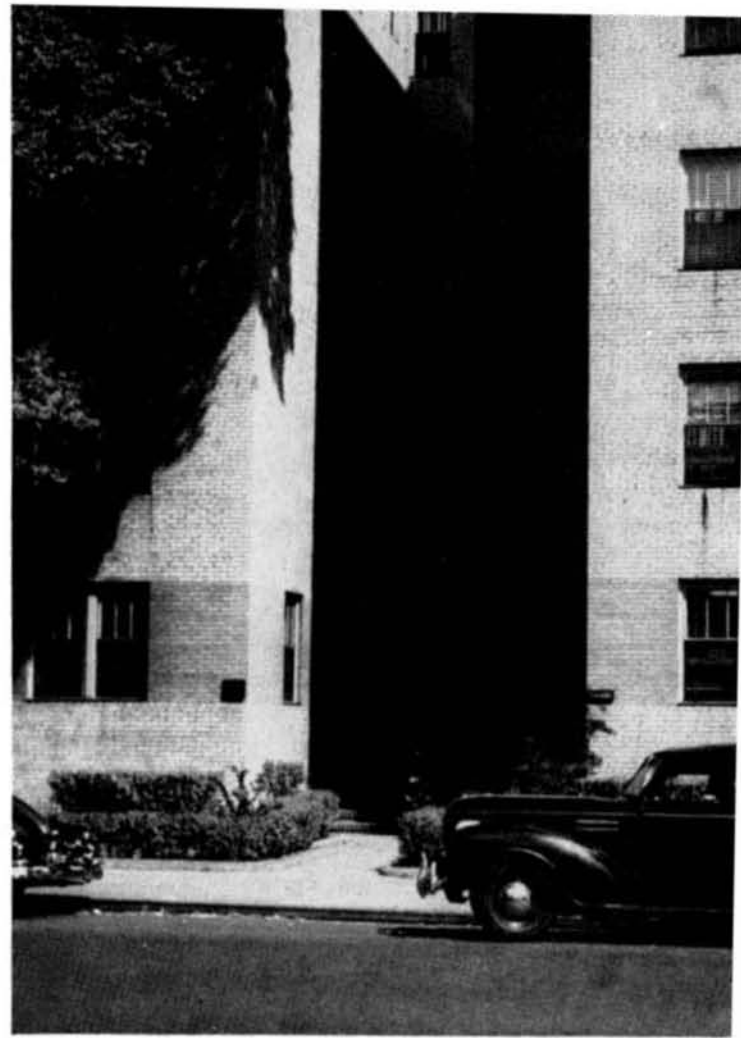
For each legally required window, the regulations for the several districts specify the amount and location of the space within this wedge which must be left unobstructed.¹ The designer may choose any alternate arrangements of building courts and walls which provide the required amounts of open space for light to the windows under construction.



AREA FOR LIGHT ACCESS

An unobstructed area outside of a legally required window, within an arc with a specified radius extending 70 degrees on each side of a line perpendicular to the building wall at the center line of such window.

1. For this purpose all space within yards which are legally required under this proposed Resolution is deemed to be unobstructed, even though it may actually be occupied by existing buildings. In many areas considerable time may elapse before rebuilding occurs with yards conforming to the requirements of this Resolution; but the above regulation is thought necessary for practical reasons, since under any other arrangement the bulk permitted in new construction might in many cases be unreasonably cut down because of buildings on adjacent lots built under different regulations.



SPACE FOR LIGHT TO WINDOWS

Deep court, possible under existing Resolution, deprives resid. windows of adequate light.

These regulations are tied to "legally required" windows generally as required by the Multiple Dwelling Law and Building Code, in order to avoid unreasonable requirements for windows of service spaces and not to discourage oversized windows.

YARD REGULATIONS

Yard requirements specifying the minimum distance between lot lines and the nearest projection of any building wall are common to all zoning ordinances. According to the present proposals, as elsewhere, the yards are intended to provide a fixed minimum amount of open space which can be considered available as permanent open space providing a basic source of light, air, view and privacy to the occupants of adjacent premises, and can be developed for use of the occupants of a given lot.

Requirements as to rear yards are proposed in all districts. As for side and front yards they are proposed only in the lower density Residence Districts where they serve to insure the open character of the district.

Defining Yard in Relation to Lot Line

In the proposed Resolution a yard is defined as that portion of the open area on a zoning lot extending open and unobstructed from the ground (or, level provided by the district regulations) to the sky along the lot line and extending horizontally from the lot line for a depth (or width) specified by the regulations for the district in which the lot is located. The regulations state that the depth or width of the yard shall be measured perpendicular to lot lines. This definition eliminates many problems in the enforcement of yard regulations. Most important of these is elimination of arbitrary requirements for meaningless lot lines on large-scale projects. Owners, developers and occupants of the adjacent property are assured of full protection through adequate yard requirements, while within large-scale developments other regulations such as building spacing control the air, light, privacy and view of the occupants. Greater freedom is permitted to the developer to take advantage of the fact that he is planning a single integrated development.

Rear Yards: Height

For all Commercial and Manufacturing Districts, it is proposed that the rear yard may start at 23 feet above curb level, and the same provision applies in high bulk Residence Retail Districts. This provision permits the full building up of the first floor for commercial purposes in practically all shopping districts.

The present Resolution requires that the rear yards in residential areas be at curb level. However, because of more stringent parking requirements the proposed Resolution would permit residential rear yards to start at six to twelve feet above curb level in all but the three lowest density districts, in order to permit parking below grade covering the whole site.

Rear Yards: Relation to Other Devices

More than any other single device, the rear yard regulations affect or are affected by the other bulk regulations. The standard requirement for a yard at the rear lot line supplements the angle of light obstruction device. The rear yard generally can be developed so as to provide the required amount

of usable open space. Alternately the rear yard, either covered or uncovered, may be used for parking. Similarly, the device for units of light access to windows is related to the existence of the rear yards, for it is within the rear yards that many of these light access units are located.

Front Yards

The provision of front yards, required in most zoning ordinances including the present New York Resolution, is primarily an amenity factor. There is no doubt that trees and lawn along the streets provide much of the special character of low density areas. Therefore the proposed Resolution follows precedent in requiring front yards of varying depth in the lower density Residence Districts. No front yard requirements occur in non-residential areas except the special district intended for light manufacturing in combination with low density Residence Districts.

Side Yards

Like front yards, side yards provide a sense of openness in low density districts. In the single-family detached Residence Districts, where there are no specific requirements for units of light access to windows, they also provide for light and air circulation. Furthermore, they are a factor in assuring privacy from adjacent structures.

The proposed Resolution requires an eight-foot side yard wherever the developer elects to provide an optional side yard. This is more than the requirements in the present Resolution: three feet in very high bulk districts and five feet in the other districts. Eight feet has been chosen because it permits driveways and is big enough so that if only one developer elects to provide a side yard it will not become littered with trash or be excessively dark. Furthermore where windows in a one- or two-story building, not legally required and therefore not subject to the provisions for units of the light access to windows, are located on one side yard there would be adequate air and a tolerable minimum amount of light.

Where such windows are located on both walls, i.e., if both developers elect to provide a side yard,

the provision of eight feet on either side of the lot line would provide a total of 16 feet in width, enough to insure a minimum of quiet and privacy.

This regulation is proposed as a method of alleviating one of the dreariest results of the present Resolution, the miles and miles of one-and two-and perhaps three-family detached structures located in medium density districts where the development is not built up to the full permitted density. Occupants of these detached structures can hear a piece of paper rattling in their neighbor's house, are constantly subjected to cooking odors from adjacent windows and indeed, if they wanted to, could shake hands between houses.

USABLE OPEN SPACE

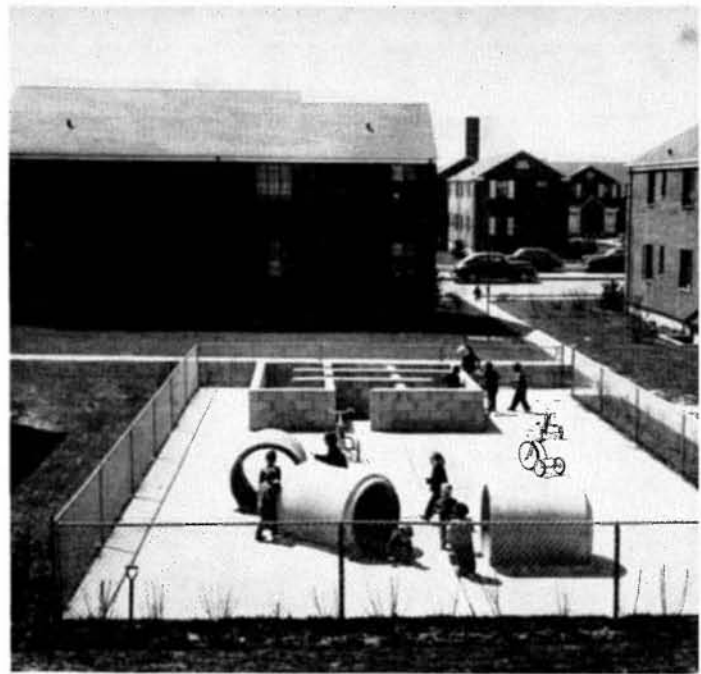
In order to provide open space outside the dwelling suitable for the use of residents for outdoor living activities, a control is necessary which can be related to the number of people using the space, and can regulate the quality of the space.

Generally, in the past, the provision of outdoor living space has been treated merely as a by-product of other controls such as yard requirements and coverage limitations. However, the advantages of a more direct control for adequate outdoor space are increasingly recognized. Sections 13(c) and 14(d) of the present New York City Resolution and several sections of the Philadelphia ordinance have controls of this general nature, and the new zoning ordinance for Rye, New York, requires open space for each dwelling in multiple dwelling districts.

Requirements and Their Basis

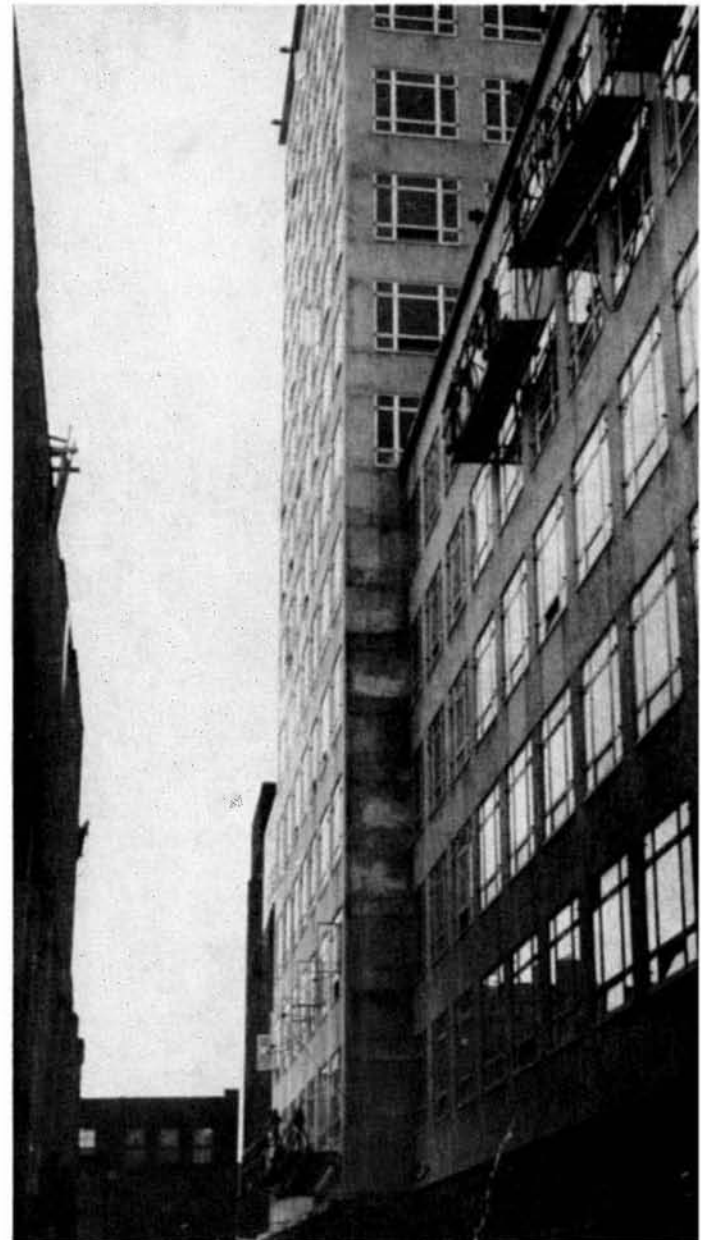
A usable open space requirement is proposed in all Residence Districts except the highest building bulk district which is applicable only to limited sections in mid-town Manhattan. In the low density Residence Districts, which characteristically should have ample open ground area, only space at, or close to, ground level is acceptable. However, in the higher density districts it is proposed that balcony and roof space can be substituted for ground level space under specified conditions.

The proposed controls specify directly the number of square feet of usable open space required



USABLE OPEN SPACE

Play spaces for small children are best located within mother's watchful eye.



OPTIONAL SIDE YARD IN COMMERCIAL BUILDING PERMITTING LIGHT AND AIR TO LOWER FLOORS.

New York City Board of Transportation Building, Brooklyn



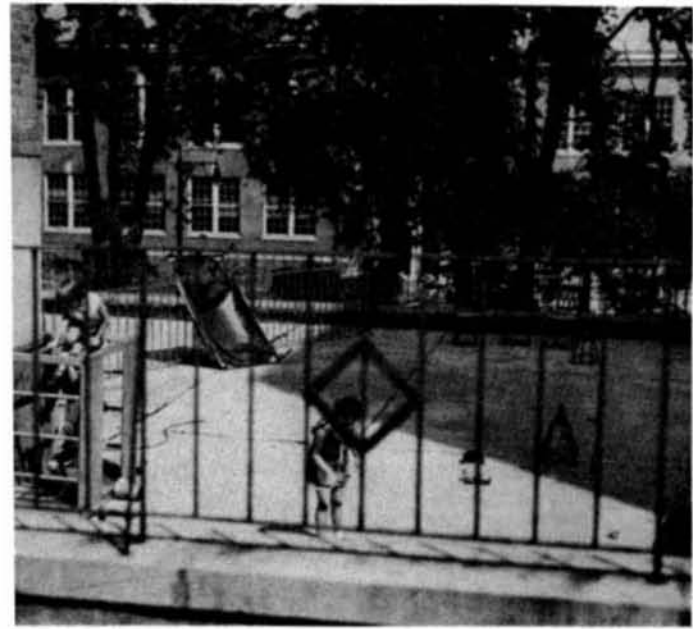
per dwelling. The requirement decreases as the floor area ratio increases, on the grounds that:

When a number of families share open space, the amount of space needed by any family at a given time can be provided to a certain extent out of the pooled space, taking advantage of differing times of use; and that

Residential amenity in outlying areas is particularly dependent on the adequacy of open space, whereas inlying high density areas characteristically have other living advantages such as nearness to transportation, cultural facilities, etc.

It is important to recognize that the proposal for usable open space is in no sense a requirement for additional parks and playgrounds. Nor is it a substitute for the normal quota of neighborhood parks and playgrounds. This requirement is intended as legal recognition of the fact more and more recognized by those responsible for setting standards for new housing that family living activities do not stop at the walls of the house but spread, and should spread, into the outdoors immediately surrounding the house.

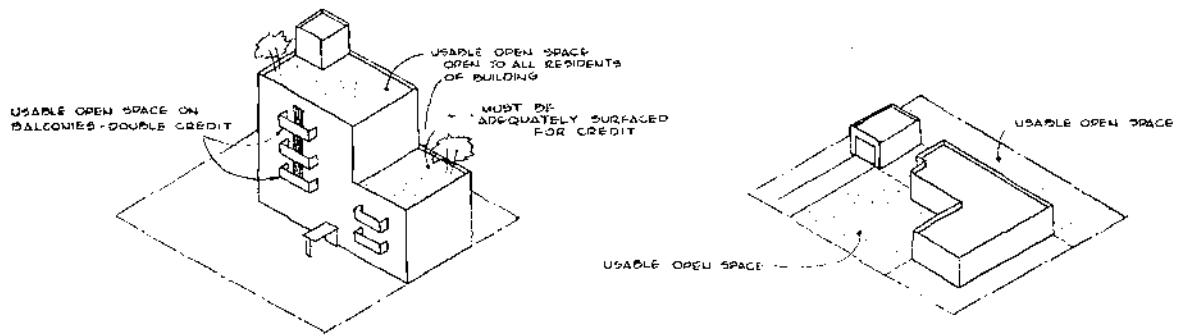
When it is recognized that such activity spaces include a place to put up the baby's playpen or a carriage for a sleeping child; space to set out chairs on a hot night; space for older persons and convalescents to get fresh air, sunshine and cool breezes; space for hanging out clothes, for raising a few flowers; it can be seen that usable open space is simply an extension of the back yard or the front stoop to families who live in all density categories; surely not an unreasonable part of an urban standard of living.



**Quality of Open Space;
Alternate Solutions**

The regulations specify that, to be considered usable, open space shall not be occupied by an accessory building, off-street parking or loading space or service driveways; shall provide access for all occupants of the building; and shall conform to certain minimum dimensions. Roof space above basement garages, developed for recreational use, and garden areas or drying yards can be considered usable open space if it conforms to the requirements for access and minimum dimensions. Under

BALCONIES AND TERRACES PROVIDE ADVANTAGEOUS SPACES FOR USABLE OPEN SPACE.
Model of apartment development at 65th Street and 2nd Avenue, New York Life Insurance Company. Skidmore, Owings & Merrill; Mayer and Whittlesey, Architects.
Usable open space on terrace over garage in Riverdale apartment provides safe play area.



USABLE OPEN SPACE

Space available for the common use of occupants which may be located on the ground, roof or balconies in specific quantities related to the number of dwelling units.

normal conditions, the required yard, if developed for usable open space, will provide the space necessary.

The usable open space device, regulated on a per dwelling unit basis, is a brake on any tendency to squeeze an excessive number of small dwelling units into a building, a tendency not regulated by the floor area ratio. In low density areas there should be no conflict between required parking and required usable open space even if both are open and on the ground.

In the higher density districts if the developments are built on the maximum practical coverage, the usable open space requirements mean that either enclosed parking space must be provided or some usable open space must be developed on roofs or balconies. It is believed that this alternative provides sufficient design flexibility and is economically reasonable, especially since the current practice in construction is to provide basement parking in high bulk districts and since the newly passed parking requirements are not severe.

Balconies and Roofs

It is recognized that balcony spaces are both expensive and controversial; some people like them while others do not. They are treated in the proposed Resolution as an alternate solution only. Where they are used, space requirements would be satisfied by a balcony half the size of the roof or

yard space required per dwelling unit, since even small balconies (the only generally practicable kind) provide more conveniently accessible space for passive use, and large balconies would be so expensive as to make the regulation meaningless.

It is also recognized that usable roofs may create management problems. It is intended that balcony or roof space need not be used under typical circumstances, and the quantitative requirements in the high density districts are so graded that they can be met in yard space at ground level with normal development schemes. Permission to develop balcony or roof space, however, gives the designer added flexibility which he may sometimes find desirable in relation to the requirements for off-street parking.

Minimum Dimensions

A chief purpose in treating open space as an affirmative requirement — rather than the residual product of interacting coverage, yard and court requirements — is to assure that the individual open spaces on any plot shall actually be of size and shape that can be used. An aggregate unobstructed area meeting the requirements but scattered in bits and pieces on various sides of a building would be meaningless. Therefore, appropriately differentiated minimum dimensions are specified for the different types of open space and are related to the number of families served.

APPLICATION OF THE BASIC DEVICES

RELATION TO USE DISTRICTS

The devices described above, with the exception of usable open space, are intended to be applied to various districts within each of the major categories — Residence, Commercial and Manufacturing. Bulk controls are closely related to the functions of a structure, so the devices employed and the exact requirements vary with the predominant use of the district. It is proposed, however, that residential bulk controls shall regulate the construction of residential buildings regardless of the district in which they are located.

RELATION TO PARKING REQUIREMENTS

The requirements for off-street parking are use regulations. However, in most of the districts where substantial amounts of off-street parking are proposed, this is apt to be open parking located on the ground. To the extent that it is so located, it has an effect on the shape and location of the building and must be considered in conjunction with bulk controls in designing the structure.

SPECIAL BULK CONTROLS

The basic bulk devices described above, designed to meet the needs of individual districts, are supplemented by special controls. Some of these, inter-related with special use regulations or dependent on special factors of location, are summarized in a subsequent section on supplementary regulations. Described immediately below are other special bulk devices, related to problems of groups of districts, particularly residence areas of low density.

Set-backs for Non-residential Buildings and Tall Apartments

Lowest density Residence Districts are characterized by primarily one- or two-family detached houses on single lots and are regulated primarily by the floor area ratio and by side, rear and front yard requirements. Within these districts, uses such as schools, hospitals, churches and other community

PROMOTING FLEXIBILITY AND ECONOMY IN CONSTRUCTION

In preparing bulk regulations, great emphasis has been given to controls which will assure the desired level of each amenity factor, and at the same time will permit flexibility of design and economy of construction. This principle goes beyond its application to any single device. Under the proposed controls, in planning any development, opportunities for flexible design and economical construction are offered by alternate combinations of the various bulk controls. The major elements whose interaction contributes to economy of construction and freedom of design are: choice of building height in relation to lot size; choice of interior or exterior parking space; and choice of location of usable open space.

In the medium and higher bulk Residence Districts, for instance, a designer may choose to build tall structures, finding room for required parking and usable open space on the ground. With lower buildings he may put the parking under the buildings to get enough usable open space at ground level; or he may provide balconies or a usable roof in order to reserve ground space for parking.

services will of course be required. Moreover, the less restrictive of the low density Residence Districts permit the construction of multi-story apartment houses if they are built within the very low floor area ratio, as a means of encouraging the type of mixed development exemplified in Fresh Meadows.

By the nature of the floor area ratio control such buildings must have the same proportional amount of open space around them. However, the regulations pertaining to the normal one- and two-story detached homes (one or perhaps two families) do not by themselves sufficiently safeguard the privacy and outlook which are appropriate in the very low density Residence Districts. Therefore it is proposed in the lower bulk residence areas to apply a set-back regulation to the taller residential structures and to the front, sides and rear of all non-resi-

dential structures, such as churches and schools, where they are permitted in Residence A-1 and Residence A-2.

Side Yard Exceptions for Existing Narrow Lots

It is obviously necessary to provide some exception from the side yard regulations to permit construction on existing narrow lots hemmed in by other buildings. However, since construction on such narrow lots is a minor part of current building operations, it is at least equally important to define the situations in a way which will prevent builders from creating additional narrow lots and thus making the basic district regulations meaningless.

In order to protect the individual who expects to build on a narrow lot but to prevent the builder from re-subdividing into narrow lots, the side yard exceptions for existing narrow lots are phrased to apply to "a tract of land which was owned individually and separately from all other tracts of land at the effective date of this amended Resolution and is still so owned."

Bulk of Residential Buildings in Non-Residential Districts

Light, air and open space needs are obviously quite different for residential use and commercial or manufacturing use. Needs of residential buildings persist whether they lie next to residential structures or among commercial or manufacturing structures.

This problem has been handled in the proposed Resolution by a requirement that for each non-residential district in which residences are permitted the residential construction shall conform to the bulk requirements of a specified Residence District. In most cases the Residence District specified has the same floor area ratio as the Commercial District in which the residential structure is to be located. In a few cases this is not true: in the very high bulk Commercial Districts where the permitted bulk of commercial buildings is greater than that of any Residence District proposed; and in some of the low bulk Commercial Districts, where the char-

acter of the residential area surrounding such districts carries a residential bulk even lower than that of the Commercial District.

Where a building may be partly devoted to residential and partly to non-residential use it is proposed that the bulk regulations controlling the residential part of the structure shall be applied to that part of the structure only and not to the non-residential part of the structure.

The handling of different bulk regulations for residences and non-residential structures in the proposed Resolution is paralleled in the present New York Resolution by different coverage requirements for residential and non-residential structures in the various area districts.

RELATION OF BULK CONTROLS TO THE MULTIPLE DWELLING LAW

In general, the proposed zoning regulations are more restrictive than the Multiple Dwelling Law and therefore there is little actual conflict. However, the Multiple Dwelling Law includes provisions relating to court sizes which, in their subject matter if not their effect, overlap the zoning regulations, and to building height which actually limits the applicability of the zoning regulations especially in the high bulk Residence Districts.

Therefore, it is recommended that the Multiple Dwelling Law be amended to replace the present system of overlapping regulations in both the Zoning Resolution and the Multiple Dwelling Law, by a well-thought-out and coherent division of authority between the two laws. Specifically, it is proposed that all regulations covering density and the height and location of exterior building walls should be included in the Zoning Resolution, and that all regulations covering conditions inside the building, including transmission of light through walls to the interior of buildings, should be included in the Multiple Dwelling Law. It is recognized that such amendment to the Multiple Dwelling Law would involve careful consideration of the effect upon the City of Buffalo and upon any other cities which may adopt or have adopted Multiple Dwelling Law provisions.

OFF-STREET PARKING

ZONING AND THE AUTOMOTIVE PROBLEM

In the 30-odd years since the original zoning ordinance was passed, the problem of automobile traffic has risen from a relatively minor matter into one of the major concerns of municipal administration. In any area, the function of a street is to permit circulation and to carry automotive and pedestrian traffic, either through the area or directly to particular locations in the area. However, many New York residential streets are often solidly packed with parked cars; and in major business centers — especially in central Manhattan — the use of streets for parking and off-street loading is threatening to choke the economic life-blood of the City. The need for drastic action is widely recognized by public agencies, property owners and the public at large. Off-street parking space is increasingly recognized as a major — in some areas as *the* major — adjunct for new business establishments. In many instances, existing buildings have been altered by the installation of off-street loading facilities. Although the cost of installing such facilities may be substantial in some cases, the resulting savings can, over a period of years, pay off this investment and insure the continuing active life of the property and the surrounding area. And yet these measures have only provided a partial solution to the traffic problem.

In recognition of this, on February 1, 1949, the Board of Estimate established the Traffic Commission to "make rules and regulations covering the conduct of vehicular and pedestrian traffic, determine the location and design of signs, signals and other devices, make recommendations as to parking meters, highway lighting devices, improvement of existing streets and location of new streets, design of parking and off-street loading facilities and other matters relating to traffic control." In its first report, published May 23, 1949, the Traffic Commission set forth its preliminary general policy on various aspects of the traffic problem, and described many steps currently being taken by the City in alleviating traffic congestion.

In the first report the Traffic Commission indicated the relationship between zoning and the over-

all traffic problem, and set forth a desire to work in close cooperation with the City Planning Commission in developing amendments to the present Zoning Resolution regarding parking and off-street loading. The Traffic Commissioner has demonstrated his willingness to cooperate in this matter by participating in a discussion of the accompanying proposals and submitting them to his staff for review.

There are several important ways in which zoning can contribute to alleviating the problems arising from automobile traffic.

Experience has shown that overdevelopment of any area will inevitably create congestion of all kinds, including automobile traffic. By regulating the use of land and the maximum building bulk, zoning can prevent both the creation of new centers of congestion, and further congestion in such existing areas.

The tremendous expansion of automobile traffic has created a need for new types of vehicular storage and loading facilities. In the words of the Traffic Commission, "We have learned by experience that no one gains and the general welfare suffers when we permit a builder to erect a structure that draws vehicular traffic and fails to adequately provide for its accommodation off street." The appropriate means of requiring such facilities under the police power is by zoning.

Great as is the need for off-street parking and loading facilities, it must be recognized that such automotive services can constitute a menace if unregulated, particularly in Residence and Restricted Commercial Districts. An abundance of curb cuts



AUTOMOTIVE CONGESTION

"We have learned by experience that no one gains and the general welfare suffers when we permit a builder to erect a structure that draws vehicular traffic and fails to adequately provide for its accommodation off street."

New York City Traffic Commission Report, May 23, 1949.

providing access to these facilities can create a danger to pedestrians and slow the movement of traffic; in addition there is the potential fire danger and the blighting effect that these uses have had in the past. For these reasons, these uses have been subjected to extensive special regulations in the present Zoning Resolution. Such regulations over the location and the design of these off-street facilities is necessarily a function of zoning.

AUTOMOBILE OWNERSHIP

The proposed regulations for permitted and especially for required off-street parking have drawn heavily on the experience of other cities as expressed in their zoning ordinances. In addition to the recent publications by the Eno Foundation and the Highway Research Board the zoning of fifteen out of the 20 largest cities in the country was analyzed.

An investigation of different patterns of car ownership in different cities is indispensable as background for the analysis of off-street parking provisions and their adaptation for use in New York City, or rather for the different parts of New York City. Representative ratios of population to vehicle registration in typical cities of over 100,000 persons in 1940 were:

- 2.77 persons per vehicle in Los Angeles
- 3.05 persons per vehicle in Dayton, Ohio and
Flint, Michigan
- 6.6 persons per vehicle in Philadelphia
- 7.15 persons per vehicle in Boston
- 8.5 persons per vehicle in New York

In New York City for 1947, the range by boroughs was as follows:

- 8.5 persons per vehicle in New York City
- 11.0 persons per vehicle in Manhattan
- 10.9 persons per vehicle in Bronx
- 10.9 persons per vehicle in Brooklyn
- 4.6 persons per vehicle in Queens
- 4.7 persons per vehicle in Richmond

Moreover, figures supplied by the Port of New York Authority, adjusted to represent the actual car ownership by boroughs, provide estimates of the per cent of families owning cars in Manhattan as 15%, Brooklyn 32%, Bronx 32%, Queens 48% and Richmond 60%. As these figures indicate, in Queens and Richmond car ownership is comparable to the situation in the smaller mid-western cities, though not quite to the situation in Los Angeles. On the other

hand, in Manhattan, the Bronx and Brooklyn, car ownership is, of course, widespread, but primarily because of the congestion much less so than in the rest of the United States. Zoning regulations for off-street parking in New York City, therefore, must deal with conditions which go from one end of the scale almost to the other.

PROVISIONS IN OTHER ORDINANCES

Keeping the New York situation in mind, the results of the Eno Foundation Survey of other ordinances indicates three significant conclusions. Of 586 cities answering a questionnaire in 1947, 70 cities had either parking or loading requirements in their zoning ordinances, and the Eno Foundation has recently indicated that in the last three years this number has reached 200 cities. Parking requirements in residential areas are usually related to the number of dwelling units, and in commercial and manufacturing areas to the amount of floor space. Of the 70 cities with parking requirements in 1947, nearly all had requirements affecting multiple dwellings. The next most frequent requirements (which were much less common) affected theatres, hotels, one-family residences and various places of public assembly. Requirements for office and manufacturing use were the least frequent. The most comprehensive requirements for off-street parking were found in the recently enacted Los Angeles and Detroit ordinances.

PARKING REGULATIONS IN NEW YORK: EXISTING AND PROPOSED

The parking provisions of the New York City Zoning Resolution — although these are among the most frequently amended sections of that law — still represent a totally different attitude to parking facilities to that found elsewhere. There were no requirements for off-street parking facilities in the Resolution until the requirements for residential developments only were added in 1950. While it is possible to build off-street parking facilities anywhere in New York City, in most of the important areas a potential developer is subject to all the delays and uncertainties of going through administrative proceedings.

In the proposed new regulations a different approach has been adopted. There is some off-street

PLAN FOR REZONING

parking required for almost all uses in all districts although in high bulk districts requirements affect only very large buildings. Accessory off-street parking facilities are widely permitted, and commercial garages and parking lots are permitted as of right in all Commercial Districts except Restricted Commercial, as well as in all Manufacturing Districts—and permitted, subject to administrative approval in Residence Retail and Restricted Commercial Districts. Two types of limitations are proposed for the protection of adjacent property from the possible unfavorable effect of such parking facilities. First, the design of such facilities is controlled by a series of detailed regulations affecting the width and location of access drives, servicing, lighting and screening and so on. Second, in order to prevent the saturation of a small area in the City with off-street parking spaces the proposed regulations limit the number of off-street parking spaces which can be provided within a single block to 500 spaces in Residence Retail Districts and 1,000 spaces in Commercial and Manufacturing Districts. However, this limitation may be waived if the Department of Traffic certifies that, in its judgment, additional spaces will not create serious traffic congestion.

Design Standards

Since the proposed design standards apply to all parking spaces, residential and non-residential, permitted or required, it is appropriate to review these first.

First, all parking areas shall be free of all obstructions.

Second, in order to minimize traffic hazards, the entrance and exits to all off-street spaces for 10 cars or more may not be located within 50 feet of any street intersection in any district, and parking areas with over 150 cars in the higher bulk districts must be located on a street 60 feet or less and over 75 feet from any intersection. This provision will effectively prohibit the location of an entrance drive to any parking facility opening onto an avenue, i.e. in the case of avenues intersected by the typical 200-foot blocks, in one of the higher bulk districts, and in these cases will keep such access drives on the side streets where the hazards to both pedestrian and vehicular traffic will be at a minimum. However, an individual home or two-

family house may have a driveway less than 50 feet from an intersection.

Third, the minimum width of access is regulated by a sliding scale.

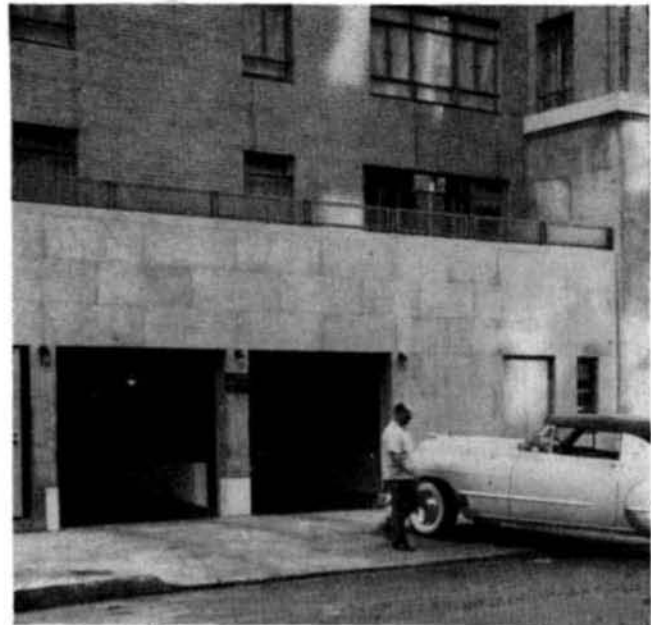
Fourth, all open off-street parking areas shall be surfaced with a dustless material. The Board of Standards and Appeals may exempt one-family detached residences from this provision on application.

Fifth, the requirement for a planting strip, four feet wide, or a solid wall, on the periphery of open parking facilities within residential areas will give some measure of protection to adjacent homes.

Sixth, open parking lots shall be lighted in such a way as not to cause a nuisance to adjacent residences.

Seventh, within Residence Districts, no structure of more than one story shall be erected and used for parking except with the approval of the Board of Standards and Appeals.

Eighth, to alleviate possible hardship and create an opportunity for groups of owners to provide pooled parking requirements, the provision is made that such pooled facilities may be provided. However, the total number of spaces in such joint facilities may not be less than the total combined requirement and the adequacy of such facilities is subject to the approval of the Department of Housing and Buildings.



OFF-STREET PARKING GARAGE IN A NEW HIGH BULK RESIDENTIAL BUILDING IN MANHATTAN.

RESIDENTIAL PARKING REGULATIONS

The permissive regulations permit three accessory parking spaces for a one-family residence and more on unusually large lots. For multiple dwellings, the regulations permit up to 2 spaces per dwelling unit, depending on the size of the buildings and the density of the districts.

The requirements are divided into regulations covering separate parking spaces for dwelling units and regulations covering pooled facilities. In each case, the requirements may be satisfied either by open or enclosed facilities; and no parking requirements apply to conversion of dwellings. For one- and two-family dwellings, 1 space per dwelling unit is the standard and the only practical requirement, and is logical in view of the fact that in such areas often 90 or 100% of the families have their own cars. When pooled off-street parking facilities are provided accessory to either one-family or two-family houses (with deed restrictions tying such facilities to such house) or to multiple dwellings, the requirements are stated as a given per cent of the dwelling units in the development, with the number varying according to the density of the district. In districts with a high density (Residence B-4 through Residence B-7), parking requirements are waived for lots under 10,000 square feet and for buildings with less than a specified number of dwelling units, since in developments on small lots in such areas it might be difficult to find room for parking facilities. Quantitative requirements are roughly comparable to those in the present Resolution. However, since there are very low bulk General Residence Districts and the mapping better differentiates appropriate bulks in outlying and inlying areas, the requirements start at 70% rather than the 50% which is tied to the present inconsistent mapping of the area zoning. In the intermediate districts, there is more gradation of density, and so of parking requirements, than under the existing Resolution. The provisions for public housing, for off-site parking and repairs and sale of gasoline, and for rental to non-occupants are the same as under the existing Resolution.

Since location of garages in rear yards and in large-scale projects is controlled under the proposed Resolution by the adoption of usable open space devices, the only additional regulations on location



PARKING SPACE AND PARKING GARAGE IN A LARGE-SCALE RESIDENTIAL DEVELOPMENT.

Fresh Meadows, Queens, a development of the New York Insurance Company. Voorhees, Walker, Foley and Smith, Architects.

of garages which are necessary are regulations that a garage may project not more than 5 feet into a required front yard, and may not project into a side yard.

Basement garages are permitted in rear yards if, in cases where it is intended to use the rear yard for meeting the requirements of usable open space, these garages do not extend more than 6 feet (or 12 feet in high bulk districts) above grade and the roofs of the garages are accessible from the residential structure, and, in cases where they do not extend the full width of the usable open space, are connected to the ground by accessible steps.

Relation to Multiple Dwelling Law

The Multiple Dwelling Law has permissive regulations regarding parking. These permit in multi-family structures a maximum of one space per dwelling. This regulation parallels the proposed zoning regulation for a maximum of one space per dwelling in the high-density areas. In the low-density areas where more than one space per dwelling is permitted, it is expected and entirely feasible that such additional space would be outside the dwelling unit. Therefore, there is no conflict with the multiple dwelling law.

Parking Provisions for Non-Residential Uses Permitted in Residential Areas

Since traffic is one of the major nuisances¹ created

1. In this Report the word nuisances is frequently used to refer to objectionable influences — such as small noises, vibration, odor, etc. — in relation to zoning and is not necessarily used in the legal sense.



REET PARKING ON THE ROOF OF A
STORE IN QUEENS.
acy and Company, Jamaica.

by non-residential service uses such as hospitals, health centers, etc., permitted to locate in residential areas, a careful study was made of the need for and feasibility of providing parking in connection with these services.

In the case of hospitals, which are inevitably large traffic generators, fairly stringent parking requirements are proposed. These requirements were based on a study of other ordinances and consultation with hospital authorities within the City. Varying according to the density of the area in which they are to be located, in all cases they are required to be sufficient to accommodate staff cars and an appropriate number of employees' cars. In addition in the low density areas they will accommodate a substantial number of visitors' cars.

No parking requirement is proposed for schools since the Board of Education takes a very strong stand as to the need for keeping moving vehicles away from school property, and a parking requirement for schools would be directly contradictory to the provision that parking spaces within 500 feet of schools are not permitted. In this particular case, the need for providing off-street parking conflicts with the problem of safety for young children and obviously the parking need must give way.

NON-RESIDENTIAL PARKING

The past two decades have witnessed an increasing awareness of the need to provide for the off-street storage of motor vehicles in connection with retail, commercial and manufacturing establishments. Within the older central parts of most cities

this process has been most difficult, because of the cost in providing facilities necessary to the continuing commercial functioning of these areas. In outlying shopping centers this problem has not been so difficult, but the lack of alacrity in facing the automotive problem has, in many cases, provided opportunities for the commercial development of remote completely undeveloped property easily accessible by automobile. In these new centers the amount of space given to parking is at least equal to and often as much as two or three times the sales floor space.

The amount of off-street parking space required in connection with new non-residential structures varies both with the size of the structure or floor area and location by district. In outlying parts of the City most structures with commercial and manufacturing uses must provide parking space approximately equal to the floor area of the structure, which requirements are reduced for districts with higher permissive bulk until in the highest bulk districts only the very largest buildings need provide parking, and the amount required is roughly equal to one full floor of such building.

Requirements

The parking requirements for New York for retail and commercial uses in the outlying areas generally approximate those required by cities which have recently revised their zoning ordinances and instituted parking requirements. In Detroit, for example, retail stores must have space for two cars plus one space for every 333 square feet above 2,000 square feet, but less than 20,000 square feet in area. For stores of over 20,000 square feet there must be a minimum of 56 spaces plus 1 for every 250 square feet above 20,000 square feet. In the case of business and commercial buildings and offices, Detroit has a requirement of 1 space for every 400 square feet, while Los Angeles has a re-



AMPLE OFF-STREET PARKING ACCESSORY
TO A NEW SHOPPING CENTER.
Fresh Meadows, Queens.

quirement of 1 for every 1,000 square feet above 7,500 square feet of floor area. These are substantially similar to the New York proposals for the medium bulk areas.

Within Residence Retail Districts in the lowest bulk Residence Districts, and in the lowest bulk General Commercial and Heavy Commercial Districts, parking is required for all retail establishments with a total floor area of 3,000 square feet or more. One car space is required for every 300 square feet of ground floor area, and, in the case of Commercial Districts, for every 1,000 square feet of space in such use not on the ground floor. The lowest parking requirement and the highest starting point apply in the highest bulk restricted Commercial and Light Manufacturing Districts. In these districts commercial and manufacturing uses with a floor area of 150,000 square feet or more must provide one space for each 2,000 square feet above 150,000 square feet but less than 300,000 square feet. In all cases, as mentioned above, this parking need not be furnished on the site, but may be located within 600 feet in the low bulk districts and 1,000 feet in the higher bulk districts. The regulations for the highest bulk districts are framed in an attempt to avoid penalizing the larger structures. No off-street parking space need be furnished for the floor area in their structure which is below the starting point. Therefore, this space is exempted from requirements in all buildings having more or less floor space than the minimum for which parking is required. A structure in the highest commercial or manufacturing bulk district in the City located on a lot of 100x150 feet, and built up to the maximum bulk, would have a total floor area of 225,000 square feet. Since there are 75,000 square feet in excess of the exempted 150,000, and the requirement for an office building is one space per 2,000 square feet above 150,000, the building would have to be provided with a minimum of 37 off-street parking spaces.

It is in the outlying areas of the City that parking provisions in the proposed Zoning Resolution can most materially aid in reduction of traffic congestion. In these areas, in most cases, land is available at a reasonable cost, and such regulations are consistent with the trend toward the voluntary provision of parking facilities in connection with most



TRUCK CONGESTION.

The use of public streets for storage of vehicles during operations interferes with the free flow of moving traffic.

retail and commercial activities. Discussion of the parking problem with retail merchants indicate that they are already, and have been for some time, very keenly aware of the importance of the provision of off-street parking facilities to their business. Automobile ownership is increasing and the tendency to shop by automobile is continually growing. If the retail locations are to continue to thrive they must adapt themselves to the needs of the automobile. The measures proposed herewith represent only a reasonable minimum which can be legally required. They do not represent the minimum which is needed in most areas of the City to serve the present needs of the various retail, commercial and manufacturing uses. In setting forth these minimums, it is hoped that developers of the various types of properties concerned will take cognizance of their off-street parking problem and provide a greater amount more consistent with their actual needs.

On the other hand, it is recognized that in the most congested areas, the problem cannot be solved by the private property owners alone. Particularly in the older built-up areas there is a need for municipal parking facilities and municipal regulation of the curb space. However, a comprehensive attack on the traffic problem involves not only municipal regulations of traffic and curb parking and the provision of off-street parking facilities, but the prevention of further aggravation of this problem in the future by the provision of vehicular storage facilities off the street within the confines of the property which is generating the traffic congestion.

OFF-STREET LOADING REGULATIONS

Since 1940, the existing New York City Resolution has required provision of off-street loading facilities for new manufacturing, department stores, hospitals and hotel buildings, with one berth required for each 25,000 square feet. The study for proposed new regulations includes the review of the types of uses to be covered, the fairness of the formula used, the adequacy of the requirements, and the practicability of the limited extension of requirements to existing buildings. Investigation of the zoning ordinances of other cities has indicated that off-street loading requirements are frequent, with requirements applying to the establishments ranging from 2,000 square feet up. A series of conferences was held with architects, engineers, building management firms and other authorities on this question. In particular, the requirements for retail buildings were reviewed with representatives of the Retail Dry Goods Association, and the requirements of hospitals with the Hospital Council. In addition,

a field study was made of some 64 buildings which have off-street loading facilities and a check was made in several sample areas of Manhattan.

Several significant conclusions emerged from this research. First, a great many buildings have adequate off-street loading facilities and where such facilities are in existence, there has been a remarkable alleviation of traffic congestion. While opinions differ among architects as to the need of the loading facilities for different types of buildings, certain minimums can be agreed upon. The proposed regulations should therefore be considered only as a minimum, and in no sense should be regarded as optimum requirements by building developers, or architects. Second, the need for loading facilities varies between low bulk and high bulk districts in the City. Third, it appeared that the requirements should be extended to include office buildings, although the quantitative requirements for such facilities in hotels and offices is markedly less than for retail and manufacturing operations. Fourth, a flat requirement for each square foot of floor space is unduly severe for the larger buildings. The number of berths required to service larger buildings decreases with increments in floor space as a result of the law of probability. For example, two berths might adequately serve a structure with 50,000 square feet and only three would be needed if the building contained 100,000 square feet. The proposed new regulations therefore include variations of requirements according to use, districts and size of buildings. A loading berth is defined as a space at least 33x12 feet, except that where there is more than one berth, the width of each may be 10 feet. For enclosed berths, the minimum height is at least 12 feet, except that for undertakers and funeral parlors, the figure is 8 feet. In order to avoid tying up traffic near crowded street corners, no permitted or required loading berth may be erected within 25 feet from the point of intersection of any two streets. Finally, to compensate for the provision of such facilities, off-street loading space is exempt from floor area to be counted in computing the floor area ratio.

While 10 years of experience has proved the value of off-street loading requirements for new



TRUCK CONGESTION.

Street in garment area completely blocked by trucks parking and loading at curb.

construction, no one expects the City's commercial areas to be completely rebuilt within the foreseeable future. If provision of off-street loading facilities must wait upon such reconstruction, the problems in most areas will remain with us. A study was therefore made involving the practicability of requiring off-street loading facilities in existing buildings.

As a result of a review of the examples of such installations in the records of the Department of Housing and Buildings, a very thorough study was made of 16 buildings in which off-street loading facilities were installed in recent years, with a sketch of each and an analysis of the cost, where possible. This study indicated that it is practical to require the installation of off-street loading facilities for existing buildings, subject to some limitations. First, only the largest buildings shall be required to install facilities, and the ratio of required berths to floor space may be less than for new structures. Second, for hotels, offices, and commercial establishments, in high bulk districts, the requirements should only apply to establishments on a lot with 75 feet of frontage on a street 60 feet or less in width, and an analogous provision is proposed for existing wholesale manufacturing and storage uses. These regulations would come into effect within five years.

The basic regulations for new construction may be reviewed briefly. Hotels and office buildings of 10,000 square feet or more for new construction and 20,000 square feet or more for existing buildings in low bulk districts shall install one loading berth in all structures up to 100,000 square feet or more. For each additional 100,000 square feet one additional berth is required. In the higher bulk districts new hotels and office buildings of 75,000 square feet would be required to furnish one berth for up to 300,000 square feet and one for each additional 300,000. Existing structures of these types would only have to install berths for floor area above 100,000 square feet.

Any retail and commercial establishment in one of the low bulk districts with 8,000 square feet of floor area in a building after the passage of this Resolution, or in an existing structure with 15,000 square feet, must provide one berth. Additional berths are required as the size of the building increases. Such an establishment in a higher bulk district with 25,000 square feet or more in the case of



OFF-STREET LOADING BERTHS SPEED OPERATIONS AND REDUCE SHIPPING COSTS

TRUCK CONGESTION.

Sidewalk storage and curb loading reduces efficiency of New York's wholesale produce market.





STREET LOADING. BERTHS REDUCE CONGESTION BY FREEING STREETS FOR MOVING TRAFFIC.

a new structure, and 40,000 square feet of floor area in an existing structure would be required to install off-street loading facilities. A new structure with 1,000,000 square feet would be required to install 7 loading berths, while an existing retail and commercial structure of this size would only have to install 4 loading berths. Wholesale, manufacturing, storage and miscellaneous establishments, as defined in the use lists in a low bulk district would have the same requirements as for retail and commercial establishments. In high bulk districts, a new structure of this type would have to provide one berth if its total floor area is 15,000 square feet or more, and an existing structure would come under these provisions if it had 30,000 square feet of floor area. A new loft building with 100,000 square feet would have to provide 3 off-street loading berths, while an existing similar structure in such districts need only provide 2 berths.

Any school of 15,000 square feet or more is required to install one loading berth. Hospitals with 10,000 square feet or more must install one loading berth to a size of 300,000 square feet; for each additional 300,000 square feet one additional berth must be added. Undertakers and funeral parlors of 5,000 square feet or more in all districts must provide one off-street berth; one additional for each additional 5,000 square feet of floor area. The regulations for schools, hospitals and undertakers are not retroactive; they apply only to new structures.

SUPPLEMENTARY REGULATIONS

While most zoning regulations are best written so as to apply district-by-district, certain conditions call for different treatment. Some regulations apply equally to several districts; others govern the conditions at the common boundary of two districts; still others apply to certain types of locations, regardless of the districts in which they lie. These types of regulations are discussed in the present section.

NON-CONFORMING USES

The Problem; Precedent From Other Cities

The original New York Zoning Resolution contains very slight restrictions on non-conforming

uses, partly because of political and legal compromise, apparently too because of a hope that, if non-conforming uses were left alone, somehow they would go away. Experience has shown that in many instances non-conforming uses do not wither on the

EXAMPLE OF INCOMPATIBLE USES. Junk yard next to residences.



vine but tend to prosper, because zoning has given them a monopoly in restricted neighborhoods. Consequently, a series of stricter regulations have become widely accepted in American zoning practice. However, the New York provision as to non-conforming uses has not been changed much. The present proposals are designed to bring the New York Resolution into line with practice elsewhere. The prevalent practice is based on the principle that, while it is necessary to go slowly in order to avoid undue hardships on existing uses, it is equally important at least to make a start on a long-run program of unscrambling existing uses. Most non-conforming uses are therefore permitted to continue, but not to expand or further to entrench themselves; and a few are subject to gradual elimination.

Proposals: Changes, Discontinuance or Enlargement

In conformance with this policy, the proposed regulations permit non-conforming uses to continue, subject to several sets of limitations.

First, in general, non-conforming uses may be changed only to conforming uses. However, it is proposed to permit changes from certain objectionable non-conforming uses to less objectionable non-conforming uses, in order to encourage gradual improvement. For example, in Residence Districts heavy commercial and amusement uses could change to local stores and offices; and in Residence Retail Districts manufacturing uses would be permitted to change to commercial establishments, and so on.

Second, if a non-conforming use ceases to exist, it shall not be renewed. Therefore if a non-conforming use is destroyed, or damaged to the extent of 50% of its value, it may not be resumed. Moreover, if a non-conforming use is discontinued for a period of one year, it shall not be renewed. In order to avoid constant legal complications from the use of the words "abandonment" and "discontinuance," it is stated that a subjective intent on the part of the owner to resume operations shall be irrelevant for the purpose of this regulation.

Third, a non-conforming use shall not be enlarged, and repairs are limited to normal maintenance, not including structural alterations. However, in order not to make residential slums in



STABLE SURROUNDED BY RESIDENCES

Four-story stable surrounded by residences, photographed as an example of the need for zoning in 1916, still exists on Thompson Street in 1950.



EXAMPLE OF INCOMPATIBLE USES.

Safety and quiet are obviously lacking for the occupants of these Manhattan dwellings.



N. Y. Daily News Photo

NON-CONFORMING USES.

Manufacturing and storage processes constitute too great a hazard to allow their continued operation in the vicinity of residential uses.

Industrial districts any worse, structural alterations in a non-conforming residence in Manufacturing B, C and D Districts are permitted, provided that the number of dwelling units is not increased. Also, a limited enlargement is permitted for existing buildings in heavy commercial and manufacturing uses where the non-conforming use is in a similar but slightly more objectionable use group. This limited enlargement is intended to permit more restrictive mapping without too much dislocation of existing use or employment.

Proposals: Elimination of Uses from Residence Districts

In most recent American zoning ordinances, especially in the big cities, provision is made for the elimination of non-conforming uses. While a few such regulations have required immediate abatement — and these have been upheld in court¹ — most ordinances wisely provide for a period of time

to permit any owner to amortize his investment. If city planning means anything, there is no reason why an owner should, after recovering his investment in property, still continue to exert objectionable influences on a neighborhood. Many cities have retroactive provisions requiring compulsory elimination of non-conformity in Residence Districts; and in most cases such provisions require elimination of both commercial and manufacturing uses in such areas.

In the proposed Resolution, periods allowed for elimination of non-conforming uses from Residence Districts range from three years in the case of signs or open land uses (such as storage yards) to thirty years for manufacturing uses housed in buildings of substantial value.

It is not proposed to require retroactive elimination of retail uses from Residence Districts.

Studies Underlying the Proposals: CM District as an Expedient

In recognition of the serious responsibility involved in tackling this problem, elaborate studies were made of existing uses of land and buildings in New York which would not conform to the proposed Resolution. Series of transparent overlays were prepared showing the proposed Residence Districts for the whole central area and representative parts of the outlying areas of the City. On these all non-conforming heavy industrial, light manufacturing and automotive service uses of such districts (as shown on the land use map described in Chapter 7) were marked in distinctive colors. The exact nature of each use was determined by check in the Sanborn Atlas plus field checks by the staff. The pattern which thus appeared was further checked against maps of industrial movement.

Several significant conclusions emerge from this analysis. First and most important, the outer areas of the City — largely developed since the first zoning — are remarkably free from non-conforming

1. State ex rel. *Dema Realty Co. v. McDonald*, 168 Louisiana 172 (1929), State ex rel. *Dema Realty Co. v. Jacoby*, 168 Louisiana 752 (1929). Also see the recent case of *Standard Oil Co. v. City of Tallahassee*, 183 Federal (2d.) 410 (5th Circuit Court of Appeals 1950), certiorari denied Nov. 27, 1950.

industrial and automotive uses. Thus the problem is primarily one of the inner areas, which were analyzed exhaustively. Second, a few areas — parts of Williamsburg, East Harlem, Webster Avenue in the Bronx — were so hopelessly peppered with non-conforming uses as to throw doubt on the reasonableness of a proposal requiring elimination of such uses. After further analysis by the mapping staff, it was decided that such areas could not be properly mapped either for residence (requiring the elimination of manufacturing uses) or for manufacturing (prohibiting further residential development). The Commercial-Manufacturing District, permitting residences, commerce, and certain types of manufacturing, was developed as a temporary expedient for these areas where the present blight and mixture of uses is so acute as to defy a cure by zoning. Third, non-conforming industrial uses were scattered about in the other inlying residential areas frequently enough to create nuisances, but not so heavily as to cast doubt on the reasonableness of their termination.

BUILDINGS NON-CONFORMING AS TO BULK

Although existing buildings of excessive size may overshadow so as to blight the smaller ones in a low-density area, there are no tenable grounds for requiring their elimination on grounds of non-conforming bulk alone. Under the proposed Resolution, such buildings would be permitted to continue in use, subject to normal repairs and structural alterations. However, no alterations would be permitted to increase the floor area ratio beyond that specified for the district, or to encroach upon existing yards or upon space for light to legally required windows in violation of the new requirements.

SIGNS

Since the need for and the appropriateness of signs varies more or less directly with zoning districts, the most important regulations of signs in the City of New York have been included in the present zoning ordinance, although elsewhere such provisions are often in a separate law. Under these regulations, passed in 1940, billboards over 500 square feet (mainly business signs) are excluded from all

use districts except Unrestricted and Manufacturing; and various other restrictions are set forth. These regulations are reasonably satisfactory, and the present proposal is primarily concerned with adapting them to a new scheme of districts, particularly to Residence Retail.

The proposals for permitted accessory signs in Residence Districts closely follow the existing Resolution, and analogous provisions in many zoning ordinances are substantially the same. In Residence Retail Districts, accessory business signs up to a limited size are permitted, and illuminated non-flashing accessory business signs as well, subject to restrictions on their height and degree of projection over the street. In Commercial A Districts, the regulations are similar but, in view of the special character of the area around Fifth Avenue in central Manhattan, the exclusion of all lighted signs is added. In the remaining Commercial Districts (except in Commercial B-6 and Commercial C) and in Manufacturing A Districts, the proposed regulations are modelled closely on restrictions for Business Districts in the present ordinance, permitting fairly large business signs. In the Commercial B-6 District, designed for Times Square, regulations permit both accessory business signs and advertising signs without restriction, and this is the distinctive mark of that district. The same regulations are in effect in the Commercial C District, designed for Coney Island and similar areas, and in Manufacturing B, C and D Districts.

Retroactive regulations limit the life of certain non-conforming signs in Residence and Residence Retail Districts.

SPECIAL REGULATIONS ALONG DISTRICT BOUNDARIES

Where a more restrictive district abuts a considerably less restrictive district, there must be some means of protecting the former from nuisances associated with the latter — but without undue hardship to uses in the less restrictive district.

Where a non-residential district meets a Residence District, special bulk limitations are proposed, with the requirements of the more restrictive district carrying across the border of the less restrictive.



DRY OPPOSITE RESIDENCES

Provisions are proposed which would protect residences located in Residence Districts along the boundaries of non-residential districts by special controls of non-residential uses and bulk near district boundaries.

Where a Residence District not normally requiring side yards abuts a Residence District with a side yard requirement, it is proposed to apply this requirement to the first-named district.

Where a Manufacturing C or D District abuts a Residence District, it is proposed to restrict the uses permitted within the first hundred feet of depth of the Manufacturing District to those permitted in Manufacturing B Districts.

Other regulations govern the location of access to parking and loading spaces, of entrances to business establishments and of signs and show windows — all in order to minimize the impact of these on adjoining residential areas.

LIMITATIONS OF BUILDING HEIGHT IN SPECIAL LOCATIONS

Regulation of Height Near Airports

Regulations limiting the construction of high buildings in the immediate vicinity of airports, for the mutual protection of both air transportation and the occupants of such buildings, have only recently been recognized as a proper function of zoning; but New York City has been a leader in this field. While the constitutionality of such provision has often been questioned, particularly because some carelessly drawn regulations have resulted in adverse court decisions, such regulations, if properly worked out, may be said to rest on the protection of public safety, always the strongest basis for police power regulations. If the constitution permits restriction of the height and size of buildings in

order to insure that the occupants of neighboring buildings should have some access to light and air, surely the constitution will permit similar limitations designed to prevent the multiplication of crashes in the vicinity of airports. While public safety is of course a paramount consideration, nevertheless it is particularly desirable to impose only such restrictions as are absolutely necessary. The proposed regulations have been worked out with representatives of the Port of New York Authority and the Civil Aeronautics Administration.

Proposed Regulations: Major Airports. Under the existing Resolution, both the set-back and the tower "privileges" are cut off for two miles around major airports. Because of the change in the proposed bulk control devices, eliminating both "privileges," as such, it has been necessary to work out a new system of airport zoning regulations. The new proposals not only come closer to meeting safety standards, but actually remove unnecessary restrictions in a considerable number of areas.

The new regulations are based on the Civil Aeronautics Administration standards. Under those standards, a series of fan-shaped areas are drawn from the end of a runway of a major airport, within which the height of structures would be limited. Somewhat less severe restrictions apply in the "turning" areas between the fans. These standards have been slightly modified in the interests of uniformity and certainty. A runway may be lengthened at any time, and so under the proposed regulations, as in the existing Resolution, the two-mile area is measured from the edge of the airport rather than the end of the runway. Moreover, the protection given is extended equally all around the edge of the airport, since direct application of the Civil Aeronautics Administration standards would impose great numbers of gradations which would be difficult to uphold legally. Moreover, with the development of the new type of landing gear which permits planes to land without regard to the wind direction, it is likely that a large-scale reorientation of runways will be carried through sometime in the not-too-distant future; yet it is of course too early to predict where such runways will be. In order to make wise provision for the future, it is prudent to impose height controls all around the airport.

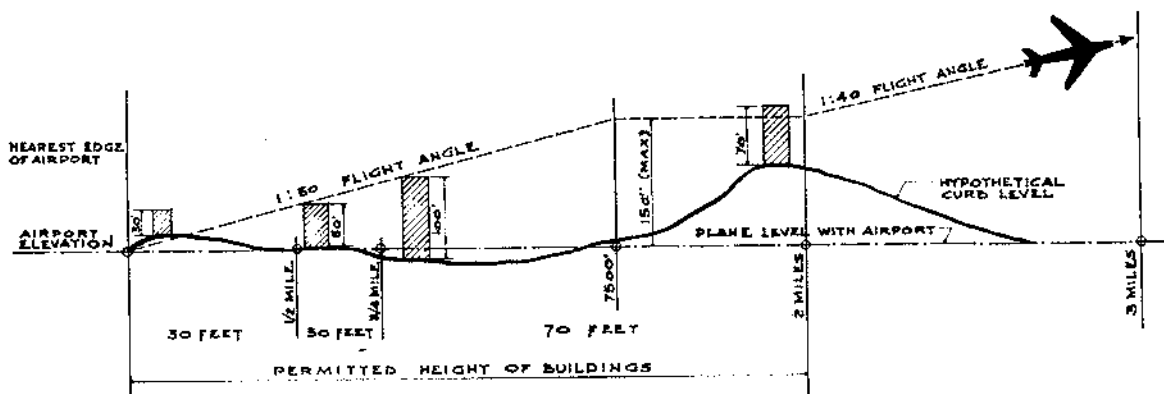
In detail, the proposed regulations use two height

control devices. Under the first, buildings are permitted 30 feet high above curb level within a half-mile of the boundaries of major airports, 50 feet high in the area between one-half and three-quarters of a mile from such boundary, and 70 feet high in the area between three-quarters and 2 miles. In effect, the last provision guarantees the right to build a 6-story apartment building anywhere except within three-quarters of a mile from the airport, but prevents the construction of 12- or 14-story buildings, by averaging the light angle or otherwise, within the two-mile radius. This protection is particularly important in the critical area near the two-mile limit in the instrument approach area to LaGuardia Field, where a hill in Woodside rises considerably above the airport level.

However, because of the variations in terrain in several industrial areas around airports, especially around Flushing, the application of the above regulations was found to be unduly restrictive. It was therefore decided to add a second height regulation. Under this provision, a building may take advantage of the relatively low terrain and rise up to an inclined plane based on an angle of 50 to 1, projected from the nearest edge of the airport for a distance of a mile and a half. Between a mile and a half and two miles, the limit would be at a

horizontal plane one hundred and fifty feet higher than the elevation of the airport at its nearest boundary.

As a result of a new Technical Standards Order issued by the Civil Aeronautics Administration in April, 1950, further refinement of the airport zoning regulations became necessary, and again this was worked out in conjunction with representatives of the Port of New York Authority and the Civil Aeronautics Administration. Because of the increase in speed of the larger new airplanes, the Civil Aeronautics Administration has decided that it is necessary to have additional protection beyond the two-mile mark, especially for instrument runways. It was felt that it would not be reasonable to provide protection by zoning beyond the three-mile mark. Accordingly, it is proposed that between two and three miles from the edge of major airports, the highest projection of any structure shall not rise above a sloping plane of 40 to 1 projected at the 2-mile mark from a horizontal plane one hundred and fifty feet above the elevation of the airport. A detailed analysis of the terrain between two and three miles indicates this regulation would not impose any hardship at any point around LaGuardia or Idlewild Airports, and it was therefore proposed that such regulation should extend all around, for



NOTE
 NO BUILDING SHALL RISE ABOVE EITHER (a) THE 30 FOOT, 50 FOOT AND 70 FOOT HEIGHT LIMITS FOR THE AREAS SPECIFIED ABOVE, OR (b) THE FLIGHT ANGLE SET FORTH ABOVE, WHICHEVER IS HIGHER.

SCALE: VERTICAL = 100 FT.
 HORIZONTAL = 1/4 MILE.

HEIGHT OF BUILDINGS AROUND MAJOR AIRPORTS

A six-story building may be built anywhere except within 3/4 of a mile from the airport, and 12- to 14-story buildings are generally restricted within a 2 mile radius. However, any building within the 2 mile radius may take advantage of relatively low terrain so long as it does not penetrate the C. A. A. glide angle of 1:50 or rise over 150 feet above the elevation of the airport at its nearest boundary.

PLAN FOR REZONING

the same reason set forth above within the two-mile border.

Private Airports. In 1949, a provision was added to the New York Zoning Resolution providing some protection for the approaches to smaller private airports. As the City Planning Commission indicated at that time, this represented an important step to insure the City's place in the progress of air transportation. Such airports are not used for instrument flying, and so there is much less need to provide protection all around their perimeter. The existing regulations therefore are limited to the fans extending out from the ends of the runway; and within these areas the Planning Commission may prescribe the conformity with the Civil Aeronautics Administration standards. However, such regulations shall not apply beyond more than one-half mile from the runway and shall not in any event prohibit the construction of a building 30 feet high.

In the proposed Resolution, the above provisions are incorporated with as little change as possible.

Regulation of Height Around Small Parks

Specific protection for small parks has been the subject of repeated controversy in New York City, centering primarily around Washington Square. Obviously, in a high density city like New York, small neighborhood parks provide rare and much desired opportunities for air, relaxation, recreation and sunshine, especially for adolescents and for mothers with small children and for the aged. So basic an element in the City's amenity and health deserves a high priority as regards the protective regulations. Since the City has developed many small parks in recent years, the need to protect this investment is particularly significant. The fate of Gramercy Park (which, of course, is a private park) is indicative of what can happen.

It is proposed that the light angle all around a park should be measured from the center line of the bounding street, to prevent an increase in bulk at

the intersection of wider streets, and that the light angle shall not be averaged for a depth of 100 feet along the frontage bordering such a park.

PROHIBITED LOCATION OF SPECIFIED USES

Automotive Uses near Schools and Parks

The existing restrictions on the location of garages and filling stations near schools, parks and hospitals have been repeatedly amended and the present wording is confused. In section 1410 of the proposed Resolution these provisions are continued, in clearer form and with a few modifications.

First, the application of the regulations to hospitals is questionable; and, since under the new Resolution hospitals will be required to provide accessory off-street parking space, it is logical to omit this provision. Second, under the proposed Resolution, extensive requirements for off-street parking raise a new problem of additional protection for school children. It is recommended that the same restrictions be continued against commercial garages and filling stations within 200 feet of, or in the same block with and within 900 feet of a school, public park or playground. It is also recommended that the same restriction be applied against accessory parking and loading facilities, except where it is impossible to design exits and entrances outside of the restricted area.

Advertising Signs Near Parks and Arterial Routes

The restriction against billboards along parkways was inserted in 1940 to protect the City's investment in such facilities. It is repeated in the present proposal, prohibiting billboards within 200 feet of an arterial highway or public park $\frac{1}{2}$ acre or more in area if such billboard is within view of such highway or park.

In addition, beyond 200 feet the size of such billboards (in square feet) may not exceed their distance from the highway or park (in linear feet).¹

1. A device modified from the famous Vermont statute which was upheld in *Kelbro v. Myrick*, 113 Vermont 64, (1943).

AUTOMOTIVE USES NEAR SCHOOLS AND PARKS.

In conformance with Section 21-A of the present Zoning Resolution it is proposed that garages and filling stations be prohibited within specified distances of schools, parks and hospitals.



REGULATION OF LARGE-SCALE DEVELOPMENTS

BIG PROJECTS: A TREND AND A PROBLEM

The trend toward large-scale development is one of the most significant changes since the adoption of the 1916 New York City Resolution. For example, over 40% of the dwelling units started in New York City in the 1947-48 period¹ were in large-scale projects of three blocks or more, and half of these were private. Most projects in New York are residential, like Stuyvesant Town and the New York City Housing Authority Projects. However, non-residential large-scale projects have been built in other cities. When large-scale redevelopment of blighted areas gets under way, it may be expected that large-scale operations will acquire increased significance in both groups. In large projects there is an opportunity for freer and better design, and open space, light and air, and sometimes usable facilities are provided which are an asset to the entire neighborhood.

While such a trend is obviously one to be encouraged, existing zoning regulations are frequently irrelevant to large-scale projects, and where control is exerted, it is often pointless and operates as a hindrance. For example, height regulations—based on the assumption of traditional blocks intersected with gridiron streets every few hundred feet—exert practically no control at all when buildings are placed in large open areas apart from streets. As a result, under the existing Zoning Resolution the zoning envelope for large-scale projects would permit huge buildings, extending from street to street, with endlessly rising set-backs and a giant tower in the center of the super-block—a wholly fantastic conception.² Similarly, yard regulations are based on development of one lot at a time, and each building is required to be on a separate lot. In large-scale developments there are no interior lot lines, and no reason to have any; as a result the developer of such a project is often forced to draw in fictitious lot lines. This is time consuming and costly. It also

1. Moreover, the period taken did not happen to include Stuyvesant Town, except for a very few dwelling units.

2. Of course for residential buildings the Multiple Dwelling Law would actually prevent the construction of any such monstrosity.

serves to discourage potential benefits to be derived from the application of the best in modern design. While Section 21-C, inserted in the Zoning Resolution of 1940, was a step in the right direction, it has not been widely used and does not by any means provide a straight solution to the problem of large-scale projects.

In selecting new zoning controls, a primary objective has been to provide regulations applicable to single-lot developments and to large-scale projects alike. The developer of large projects, as well as small, should be able to get the basic regulations controlling his development from the basic text of the Resolution.

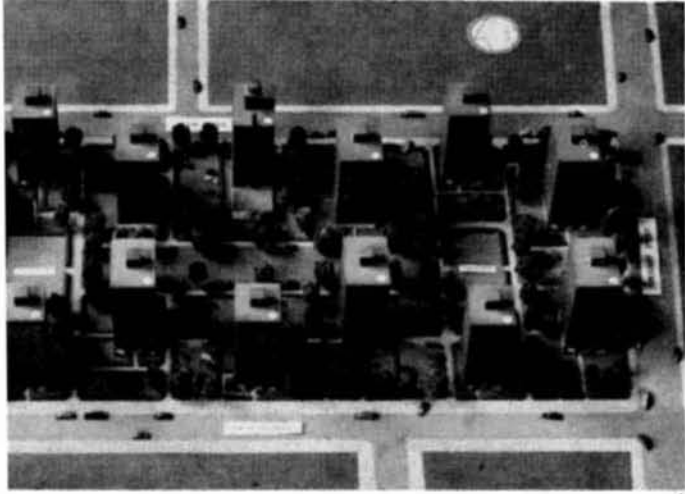
Bulk Controls

The proposed bulk control scheme—particularly floor area ratio, usable open space, units of light access—is equally applicable to both types of developers; and so are light angle and yard regulations, provided they apply only around the edges of each unit of development. However, two types of special problems deriving largely from large-scale projects require special treatment. First, large-scale construction creates several specific problems which do not arise from the development of single lots: control of density in areas where a substantial amount of streets is closed, control of the spacing of buildings within a large development, and the need for providing community services in a residential development. Such problems are more significant because of the more widespread permanent impact the large-scale project has on the



LARGE-SCALE PROJECT ENCOMPASSING MANY CITY BLOCKS PROVIDES OPPORTUNITIES FOR MORE FLEXIBLE ZONING CONTROLS.

Stuyvesant Town and Peter Cooper Village. Developments of the Metropolitan Life Insurance Company.



IN LARGE-SCALE PROJECTS SPECIAL BUILDING SPACING CONTROLS ARE NECESSARY.

Model of Queensview Cooperative, Astoria. Brown and Guenther, Architects; Ralph Eberlin, C. E., Site Engineer.

LARGE-SCALE PROJECTS COMPRISE MUCH NEW CONSTRUCTION IN OUTLYING AREAS.

This multi-block site presents different design and zoning problems from those in the traditionally developed surrounding blocks shown here. Glen Oaks Village—Queens development of Gross Morton Incorporated.



section of the City in which it is located. Second, in some instances, additional flexibility is necessary in the use regulations, particularly since projects usually involve considerable re-planning of streets and re-designing of an area.

The purpose of control by floor area ratio is not only to set for each area a maximum level of density to which other controls may apply the appropriate measure of light, air, and open space, but also to set an upper limit on resulting congestion of transportation, schools, social and recreational facilities, public utilities and services. The specific problem

of floor area ratio control in large-scale projects arises primarily because of the latter consideration.

Super-block development in a normal large-scale project makes possible many of the major advantages of such a project — greater amenity, more protection from street traffic, and so on. However, super-block development makes available for use large amounts of land which would remain in streets in a system of gridiron development. If the bulk regulations were to permit the use of all such land for building, a considerably greater congestion will result from super-block development. Since between

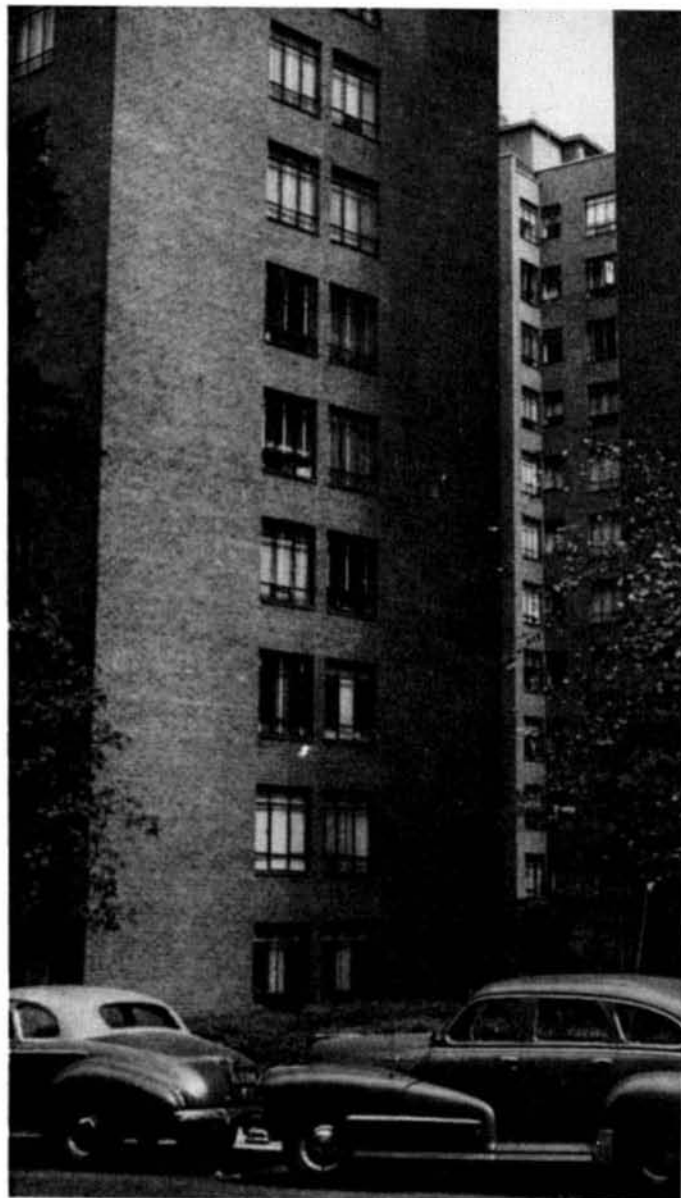
10 and 15% of the total area of a large-scale project is usually land formerly in streets, the difference in density is fairly considerable.

While it is important that a control should be added to regulate the increment of density resulting from the closing of streets in a large-scale project, it is equally important to encourage large-scale construction. It is therefore proposed that one-half of the additional land provided by the changes in street pattern should be available for building, while the rest should be reserved for additional open space. Since under the usual gridiron development two-thirds the total area of any part of the City is buildable land, and one-third is in streets, it is therefore proposed that, when any large-scale development has a net site area of more than 67% of the total area, only $\frac{1}{2}$ of each 1% over 67% may be counted in the net site to determine the permitted floor area ratio. Thus, while the regulations do provide a substantial incentive to build large-scale projects, they also provide some control over the additional increments of density resulting from large-scale development.

Spacing of Buildings

While floor area ratio and usable open space are equally applicable to small and large-scale construction, traditional space controls — based on the assumption of single-lot development—break down completely in regulating such large-scale developments. For the interior of super-blocks, what is needed is a control over spacing between building walls, without reference to lot lines. Such a control should be designed to require as much light and air between adjoining buildings in super-blocks as required for buildings along public streets and at the same time to permit maximum flexibility in site planning to take advantage of orientation, topography, and similar factors. The controls should also be as easy as possible to understand and apply, and should avoid dictating stereotyped planning.

The basic proposed large-scale development spacing regulations are an adaptation of the angle of light obstruction regulations, applied so as to produce approximately the same spacing amenities without reference to streets or lots. For one-family detached house developments, spacing devices are based on lot area per dwelling.



BUILDING SPACING CONTROLS

Special controls over the spacing of buildings in super developments are needed to insure adequate light and a occupants of interior buildings not facing on public street

Community Facilities

For large-scale operations, the plan for a whole area may be developed without room for needed community facilities. A lack of sufficiently advanced notice to the interested City Departments may leave serious inadequacy of City services, such as schools.

It is therefore proposed, for residential developments over a certain size, the developer shall be required to inform the Planning Commission, and the Planning Commission shall ascertain from the other City Agencies either (a) that sufficient facilities are already available in the area, or (b) if not, that the City Agencies shall have an opportunity to reserve sites in the appropriate areas. This provision is designed to prevent the City's being presented with a fait accompli, and is not intended to involve



**SCALE PROJECTS REQUIRE COMMUNITY
FACILITIES ON SITE.**

School in Fresh Meadows development of the New York
Insurance Company, Queens.

either a donation of land or substantial delay of authorization of the project.

While provision of this character has been proposed by the Board of Education as a special law, it will be of practical use only if the relaying of information to the City authorities may be made a condition precedent to the building permit. The provision therefore is appropriately included in the Zoning Resolution. The Planning Commission is responsible for the coordination and location of City facilities, and for Capital Budget recommenda-

tions, and the Planning Commission appears to be the appropriate agency to administer this regulation.

Use Exceptions

The development of large-scale projects generally requires a substantial reorganization of the site, including adjacent street patterns. Under the new plans the most appropriate place for shopping centers, in a large-scale residential development, may be quite different from what it was before the reorganization. Moreover, when a large area is developed as a unit, it may be desirable to permit inclusion of additional uses, subject to special controls — as for example, industrial uses in a General Manufacturing District. While such problems are normally handled by changes in the zoning map, it is possible to provide additional protection for the surrounding area if the problem is subjected to special controls by the City Planning Commission. It is therefore recommended that the Planning Commission be empowered to grant exemptions permitting additional uses in a large-scale development, subject to special controls. In such a situation, the Planning Commission may require that the exception shall last only for the life of the development; that the area affected be only a certain percentage of the area developed; and that special findings be made, such as a finding that there will be no detrimental influence affecting the neighborhood. It will also be possible to set conditions regarding yard screenings, control over smoke, dust and sound proofing.

PROPOSED ZONING DISTRICTS

The devices and controls described in the preceding Chapter are brought into play: first, through their incorporation in the proposed zoning districts described in this Chapter; and second, through the application of these districts to the terrain of the City as described in Chapter 7.

A principal objective of the Plan for Rezoning has been the simplification of the City's zoning structure. It has already been noted that the possible combinations of the present Use, Height, and Area Districts could in theory exceed 800 in number; and in actual practice no less than 184 different combinations have been identified.

Obviously a considerable reduction was possible, and every effort has been made to keep the number of proposed new districts to a minimum. However, New York City is a complicated organism and it was clear at the outset that the number of proposed districts could not be kept as low as is customary in smaller cities.

Moreover, simplification was not the only objective. Equally important was the formulation of proposals which would enable zoning to make its maximum contribution to the development of the City and fulfill the aspirations and legitimate demands of the people.

Among these were demands for more than the

usual combinations of uses in order to conform to existing conditions. Also there were reasonable requests for the protection of various parts of the City having peculiarly distinct conditions or needs, especially in the central shopping areas. For example, important distinctions exist in the uses found to be appropriate on such principal midtown thoroughfares as Fifth Avenue, Avenue of the Americas, Broadway, and Seventh Avenue.

Similarly there are obvious differences in the bulk regulations that are appropriate in the different parts of the City which have been largely ignored in the present zoning.

Reasonable demands, growing out of these conditions, and which have been repeatedly brought to the attention of the City Planning Commission in the past, have been difficult to meet heretofore because of the structure of the existing Zoning Resolution.

The number of districts proposed represents a reasonable compromise between the special and sometimes unique conditions encountered, and the objective of keeping the proposals simple.

The proposed districts embody two principal distinctions — differences in uses, and differences in bulk regulations. There are 15 use categories, resulting in 38 proposed districts which are described in this Chapter with examples indicated.

RESIDENCE DISTRICTS

BASIS OF THE DISTRICTS

Nine Residence Districts provide for the usual type of dwellings and for uses necessary to residence. Two districts (Residence A-1 and Residence A-2) limit new dwelling construction to one-family detached houses. Seven districts (Residence B-1 through Residence B-7 — also called General Resi-

dence Districts) permit all types of dwellings. Distinctions between the several General Residence Districts have no reference to building types, but are in terms of permitted floor area ratios and related bulk controls. This is in contrast to frequent residential zoning regulations, which list various building forms, thus tying the regulations to existing building practice. The proposed regulations are

PLAN FOR REZONING

intended to give freedom of design with respect to changing and improving building forms. Floor area ratios also indicate approximately the permitted levels of population density.

How the Districts Embody the Zoning Devices

Bulk Controls. Since the floor area ratio is the basic control in General Residence Districts, varying considerably from one type of area to another, its application to each district is discussed separately in later pages of this Chapter.

Rear yards of 30 feet depth are proposed for all Residence Districts in order that natural light at the rear of buildings may be (in blocks which are wholly developed under the terms of this Resolution) equal to that obtained on the street side on typical 60 foot streets. Side and front yard requirements vary among the districts.

New residence construction will be required to provide a specified amount of usable open space for each dwelling unit in all except the highest bulk district (Residence B-7).

Non-residential buildings permitted in Residence Districts must comply with residence standards as to floor area ratios, yard depths and unobstructed light angles. Moreover, to prevent multi-story structures from overshadowing adjacent lots, special setback regulations are proposed for tall buildings in the lower density districts.

Off-Street Parking and Loading. Off-street parking requirements apply to all Residence Districts — the amount of required parking decreasing as the density increases. For the low-density districts, through Residence B-3, one space per dwelling is required for one and two-family dwellings not having group parking facilities. With group parking facilities, the ratio of spaces to the number of dwellings decreases with the increase in floor area ratio, as noted in the table below. For the higher density districts, Residence B-4 through Residence B-7, no parking is required for developments on lots of less than 10,000 square feet or for developments whose total parking requirement would be less than 10 cars.

The ratio of required parking spaces to the number of dwelling units in the development is as follows:

District	Percent of Required Parking Spaces
Residence A-1 and Residence A-2	100%
Residence B-1	70%
Residence B-2	60%
Residence B-3	50%
Residence B-4	40%
Residence B-5	30%
Residence B-6 and Residence B-7	20%

Off-street parking, varying with the bulk district, is also required for non-residential uses permitted in Residence Districts except schools and churches.

Off-street loading facilities are required for certain non-residential uses.

Permitted Non-residential Uses

Proposed Residence Districts would permit two types of non-residential uses which provide incidental services for residential development:

Accessory uses, and home occupations on residential plots;

Residential service uses such as schools, libraries, churches, hospitals, community centers, etc.

The residential service uses permitted in the One-Family Detached Residence Districts (Residence A) are limited to the most essential services which by their very nature must be placed within the districts, such as schools. In the General Residence Districts (Residence B) all the appropriate common residential service uses would be permitted.

Two considerations have guided the selection of non-commercial community facilities which should be permitted in residential areas:

Inclusion of all facilities which have a neighborhood or community service aspect, with the exception of shopping.¹

Inclusion of all community facilities with environmental needs similar to those of residence, and which provide essential services such as health and education.

The present Zoning Resolution permits in Residence Districts practically all non-commercial facilities in the categories described above, and it

1. Neighborhood shopping facilities would be provided in Residence Retail Districts, mapped within Residence Districts, as described in a later section of this Chapter.

seems desirable to follow this established pattern in so far as possible. However, since some other cities have not followed this practice, since there has been some local controversy about certain types of establishments and since definitions of some uses are not simple, a thorough investigation was undertaken of community facilities which might be permitted in residential areas. This was done by analyses of other ordinances and by conference with officials of community service agencies. Along with general problems of location, the discussions included bulk regulations and off-street parking and loading controls which would be acceptable to the agencies and would also protect the residents from being overshadowed by large buildings and from nuisances of traffic.

Conferences with hospital officials have disclosed a trend in hospital policy which has direct significance for zoning. According to both the Department of Hospitals and the Hospital Council — coordinating body for all hospitals in the City — the hospital of the future will tend to be a general hospital, with divisions for special types of treatment: tuberculosis, mental disorders, and so on. This integration of services reflects the new philosophy of medicine: that the human organism is a single functioning unit, to be treated as such; and that help of some sort can be given to everyone (there are no new hospitals for "incurables"). In accordance with this view, it would seem that no distinction in zoning can or should be made as to general or other hospital facilities.

Treating the human being as a whole with due regard to all needs of patients leads also to the concept of hospitals on a community basis, with special emphasis on the following criteria:

Accessibility for the staff, patients and visitors (by public transportation and within the community served);

Freedom from negative factors such as smoke, noise and odors;

Space for grass and trees. The psychological effect of a pleasant view outside a hospital window can hardly be over-emphasized.

The criteria for hospital location being parallel to those for dwellings, and the importance of a good environment being certainly no less for the sick than for the well, it seems reasonable that zoning should admit hospitals to Residence Districts of any type.



COMMUNITY FACILITIES.

Community facilities such as this recreation center being constructed in Riverdale are essential to the home environment.

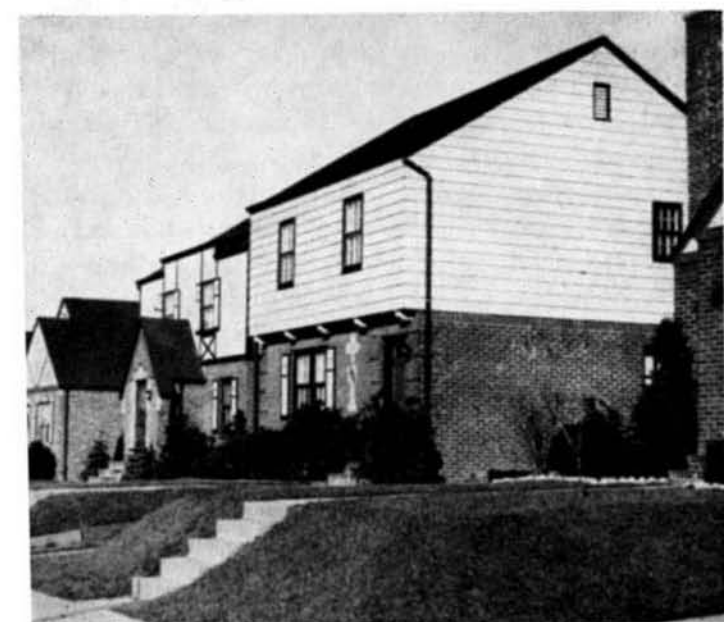
The policy of hospital authorities has its counterpart in the policies of the Board of Education and Department of Welfare in regard to the facilities for handicapped children (regardless of the nature of the child's difficulty, and therefore including so-called juvenile delinquents). Wherever possible, classes for handicapped children are combined with other classroom facilities. It is established City policy not to make distinctions between children. The Board of Education acts on the theory that children are children and that the rehabilitation of those with difficulties (they do not use the word delinquent) requires that facilities for their care be located in areas which provide ample light and air in a normal residential atmosphere. Indeed, guided by modern psychiatric practice, they stress the need for the best possible environment for children with the most difficult problems.

Similarly, a conference with a representative of the Department of Welfare indicated that it would be difficult to make any distinctions between types of institutions, because homes, boarding schools, etc., take children for different reasons. Most of the educational and many of the institutional facilities for handicapped children are public or publicly supported, and it seems undesirable that the Zoning Resolution should attempt to dictate policy contrary to the opinion of the educational authorities as to the most effective educational process. Moreover, in the light of recent legal decisions¹ it appears unlikely that permitting public and prohibiting private institutions will be upheld in court.

1. See *State v. Northwestern Preparatory School*, 228 Minnesota 363, 37 North Western (2d) 376 (1949).



PROPOSED RESIDENCE A-1 DISTRICT.
 Family detached residences typical of the proposed Residence District, Jamaica, Queens.



PROPOSED RESIDENCE A-2 and B-1 DISTRICT.
 New homes in Queens are characteristic of one-family residences in the proposed Residence A-2 and Residence B-1 Districts.

Objections to various types of community facilities in Residence Districts have stemmed from frequently unwarranted fear of disturbances and from resistance to the idea of invasion by unfamiliar uses. Such resistance, it is believed, will be modified in many cases when the factors of community welfare are fully appreciated, when the physical plant of the institutions is controlled in the interest of the neighborhood, and when the nature of such a control is understood. Effective controls are of course

imperative. In the proposed Resolution they include the requirement that non-residential facilities shall not exceed the bulk allowance of residences in the district (assuring very generous open space around institutions of any considerable size), that large buildings in low-density districts shall have special set-backs, that off-street parking and loading facilities shall be adequate to relieve residential streets of congestion, and that parking and loading areas shall be screened from view.

Comparison with Residence Districts of the Present Resolution

The present New York Zoning Resolution contains twelve area districts which are mapped in conjunction with Residence Districts; two of these are single-family detached house districts and two others (rarely mapped) are single-family row-house and two-family house districts. While various of the present districts roughly parallel those in the proposed Resolution, the scale of permitted bulks is higher in the former. High-bulk districts, moreover, have been much more widely mapped in the past than is now proposed. For example, while 33,800 acres are presently mapped in districts with floor area ratio of 5.75 and above, the proposed districts with floor area ratio of 3.5 or more have been mapped in the current study to cover less than 3,000 acres. As shown in Chapter 7, such reduction in the permitted bulk and population capacity of Residence Districts leaves ample leeway for all anticipated growth of the City.

ONE-FAMILY DETACHED RESIDENCE DISTRICTS

In both Residence A-1 and Residence A-2 Districts, residential construction is limited to one-family detached houses. The distinctive bulk control is regulation of the side yard width, although the maximum floor area ratio is also limited to 0.5 for both districts.

Residence A-1

This district is designed for areas of solid single-family development with relatively large lots and generally open character. Conforming generally to provisions of the present G District, the regulations require two side yards with a combined width of

PROPOSED ZONING DISTRICTS

twenty feet, as discussed in later paragraphs. It has been mapped only in areas of the present C District or on request of residents.

Residence A-2

This is intended for areas of single-family development where present construction is on somewhat narrower lots. It requires two side yards with a combined width of thirteen feet. It is mapped in areas of the present G-1 District. It is assumed that extensions in the future would be made only on request of residents.

Basis of Yard Requirements

Since the distinguishing features of Residence A Districts are the side yard provisions, recent land developments in the City were studied to establish standards in line with good current practice.

Tabulations were prepared for the 303 one-family detached dwellings covered by the 1948 Building Survey of the present study, showing combined width of side yards, width of lot and relation of these two factors. Lot widths varied as follows:

<i>Feet</i>	<i>Percent of Cases</i>
35 or less	8
36 to 40	44
41 to 50	25
Over 50	23

Combined width of side yards showed this distribution:

<i>Feet</i>	<i>Percent of Cases</i>
10 and under	13
11 to 15 (mostly 13, 14, 15)	42
16 to 19	12
20 and over	33

Houses with lots 36 to 40 feet wide — nine-tenths of these were 40 feet — showed a preponderance of side yards at 13, 14 and 15 feet. Very few houses with such lot width have side yards outside this range. For lots over 40 feet (most of these were between 50 and 75 feet) there is more scatter in yard width: from 15 to 30 feet, with the major concentration in the 20 to 24 foot groups.

For lots of 40 foot width — characteristic of developments under Federal Housing Administration financing — width of side yards was as follows:

<i>Feet</i>	<i>Percent of Cases</i>
Under 13	4
13	27
14	26
15 and over	43

These data indicate the following conclusions with respect to yard provisions:

That two zoning districts are justified; one based on lots around 40 feet wide, the other on lots of 50 feet and up.

That the narrower lot district, while essentially paralleling the present G-1 District, should increase the requirement for combined width of side yards from 10 to 13 feet, permitting an 8-foot driveway on one side and a minimum yard of 5 feet on the other. Very few houses in the study fell below this level, even though they might legally have done so; the need of driveways is obviously the reason.

That combined side yards of 20 feet or more are sufficiently common to warrant a district with a 20 feet minimum requirement — providing the same degree of side yard amenity as the present G District. Such requirement, however, should be freed of the provision in the G District which permits considerably narrower side yards if the lot width is less than 50 feet; and the proposed regulations are designed to eliminate this weakness.

The study cited above also supplies data for framing the regulations for yard width exceptions for narrow lots. The data show a preponderance of lots around 40 feet or 50 feet in width. Therefore, in the Residence A-1 District, with the wider side yard requirements, exceptions for narrow lots start with lots less than 50 feet, and in the Residence A-2 District, with the slightly narrower side yards requirements, exceptions for narrow lots start with lots less than 40 feet.

Present regulations call for equal division of side yards on each lot. With a 20-foot combined yard, for instance, each side yard shall be ten feet. The proposed regulations would allow a minimum side yard of five feet in both Residence A Districts, making possible a combination of five and eight foot

PLAN FOR REZONING

yards in Residence A-2 Districts and a combination of five and fifteen feet in Residence A-1 Districts. It is felt that this provision will produce open space with greater privacy for residents and will permit builders greater flexibility in planning — as for instance where the service sides of adjacent houses could face each other across a ten foot space but windows of living areas would be separated by thirty feet.

Front yards of 15 feet are required in both districts.

Spacing controls for several one-family detached residences built on one zoning lot provide increased flexibility for the designer while maintaining the protection to the residents afforded by these districts.

GENERAL RESIDENCE DISTRICTS

The seven General Residence Districts permit, subject to the basic regulation of floor area ratio, any desired combinations of dwellings, including both one-family and multi-family types.

The full range of residential service uses is also permitted in these Residence B Districts. All non-residential uses are subject to the same bulk regulations as the residential buildings, as well as to additional set-back regulations in the lowest bulk districts.

Residence B-1

This lowest density General Residence District has the same floor area ratio (0.5) as the One-Family Detached Districts. Since side yard regulations are included, this district safeguards the construction of single-family houses and yet permits construction of duplexes, garden apartments and other forms of low density housing.

Examples of garden apartments in approximately this bulk class are Oakland Gardens and Glen Oaks.

This district is mapped in much of Richmond; in the Flatlands Section and Bay Ridge in Brooklyn; in the outer part of Bayside, Little Neck, Howard Beach and St. Albans in Queens; and the Country Club Area in the Bronx.

Factors in Designing the District. The formulation of a General Residence District to be broadly mapped in the low density areas of the City is based on these premises:

That the character and essential values of a low density neighborhood depend on control of building bulk and general openness, not on specification of building types.

That it is increasingly difficult, if not already impossible, to write the residential provisions of a zoning ordinance in terms of building types, or to predict the exact combinations of building types best suited to given areas.

That modern controls will protect the occupants of every type of dwelling, at the same time being adaptable to new building forms as these may develop.

The sense of space and openness which characterizes a low density area is produced chiefly by a low floor area ratio and by open space permitting lawns, trees and inner-block vistas. This sense of space and repose is not tied to any one type of dwelling; it is being achieved in many developments using various kinds of buildings.

It is practically impossible to determine long in advance just which kinds of development will be wanted in, or appropriate for, each low density area of the City. The outer reaches of Queens illustrate the range of local choice. Some areas are being developed with row houses, some with garden apartments, others with a mixture of these and single-family detached dwellings. Diversification attracts families of different sizes and different stages in the family cycle, and may contribute much to the enrichment of community life.

A General Residence District relates the total population capacity of a low density area to a rational scheme for the City as a whole, and leaves the exact means of achieving that capacity to local choice — now or later as may be.

A further difficulty with districts based on specific types of dwellings is that of definition. Garden apartments and row houses, for example, may be identical except for tenure on an ownership or rental basis. Zoning administration has been plagued with problems of definition and interpretation arising from progress in techniques of building and design. It seems unlikely that builders will become less creative; the answer appears to lie in framing districts that will not stand in the way of building progress.

ROW HOUSE DEVELOPMENT IN RIVERDALE, SHOWING EFFECT OF LIMITATION ON LENGTH AND MINIMUM SPACING OF BUILDINGS. Robert C. Weinberg, Architect.

Protection for the Usual Types of Buildings. Special controls, highlighted below, are included in this Residence B-1 District to safeguard the character of common dwelling types.

For the one-family house, controls of the Residence A-2 District are repeated in this district so that developments of the Federal Housing Administration type can be built anywhere with adequate protection.

A minimum side yard of eight feet is required for any two- or three-family house, resulting in at least 16 feet of open space between any two such buildings.

In the row house or garden apartment development, buildings within 70 feet of the street are limited to 100 feet in length, with spacing requirements between the ends of buildings. Visual breaks and inner-block views are assured, and long dreary runs of building wall prevented.

As noted in the previous review of bulk devices, special set-backs are required for non-residential buildings and for residences over two stories high.

Anticipated Problem of Local Acceptance

One of the basic points in what many think is a flexible, foresighted revision of the present ordinance, will undoubtedly become the subject of considerable discussion in localities in Queens and Richmond, particularly. The Consultants recognize the character of many private house owners' properties and objections against inclusion of other building types. It is emphasized that the present mapping of Residence A-1, Residence A-2 and Residence B-1 has been accomplished, in the limited time, without the benefit of many detailed discussions with local groups most interested in this subject. Further restrictions can be applied to single-family areas where local sentiment favors them.

Residence B-2

This district, with a floor area ratio of 0.8, is designed primarily for the typical higher bulk row house or garden apartment. Study of the characteristic floor area ratios occurring with these forms of construction showed that they often fall as low



PROPOSED RESIDENCE B-1 DISTRICT.
A row of attached dwellings in Sunnyside, Queens, illustrating proposed regulations for the Residence B-1 District.

PROPOSED RESIDENCE B-2 DISTRICT.
Combining two- and thirteen-story buildings with ample space, a project which meets the requirements of a Residence B-2 District. Fresh Meadows, Queens.





PROPOSED RESIDENCE B-3 DISTRICT.
 Family houses in Queens typical of older areas proposed
 Residence B-3 Districts with maximum floor area ratio of 1.4.



PROPOSED RESIDENCE B-4 DISTRICT.
 Housing development representative of the proposed control
 Residence B-4 Districts most often built at 6 stories with about
 50% coverage.



as 0.4 and characteristically run closer to 0.6 than 0.8. However, the 0.8 figure allows desirable leeway for the two-family row house and for other types of two-family construction. It was also found that certain very low density multi-story apartment developments fall within this bulk class.

The district is mapped broadly in those areas where row house construction is the typical form, and specifically in the following locations: College Point, northern Jackson Heights near LaGuardia Field, Richmond Hill in Queens; Throggs Neck in the Bronx; Canarsie and the Marine Park Area in Brooklyn.

The essential difference between this district and Residence B-1 is the absence of mandatory side yard requirements here. For this reason, if optional side yards occur they are required to be eight feet wide. Thus, where a side yard occurs on one lot and not on the adjacent lot it will not be excessively small.

The lack of general side yard requirements is based on the premise that in districts with this bulk the need for privacy, quiet and pleasant outdoor space may be better met by continuous rows of attached buildings than by detached buildings which are deep in plan with narrow yards between them.

Safeguards and encouragement for well-designed detached buildings are provided by inclusion of special regulations for one-family detached houses built in groups.

Residence B-3

This district, with a floor area ratio of 1.4, is essentially a bridge between the low density and medium density areas. It is different from most of the others in that the floor area ratio is governed by the typical bulks of old row houses and two-story multiple dwellings, as well as by characteristic floor area ratios of current building types. The district is designed to provide a means whereby densities in comparatively low bulk built-up areas may be held to their present level. Some of the future building in such areas may be row houses, similar to those in the 0.8 district; some may be three-story apartment developments whose floor area ratios range closer to 1.0 than to 1.4; some may be low coverage six-story apartments; some may be combinations of these and other low density dwelling types.

PROPOSED RESIDENCE B-5 DISTRICT.
 Characteristic of a Residence B-5 District in both floor area ratio
 and location is Parkchester project of the Metropolitan Life Insurance Company.

PROPOSED ZONING DISTRICTS

The need for such a district is particularly clear in the older parts of Brooklyn and Queens, whose pattern is predominantly that of one-and two-family houses with floor area ratio in excess of 0.8. Reduction of the bulk of these areas to conform with present building practice cannot be justified, nor can destruction of their essentially low density character by spotty introduction of very high bulk apartments in schemes for redevelopment. A check of these older low density areas indicated that 1.4 is characteristic of their floor area ratios. Investigation of current building practice showed enough building of varied types with floor area ratios between 0.8 and 1.4 to justify establishment of the latter figure for this district.

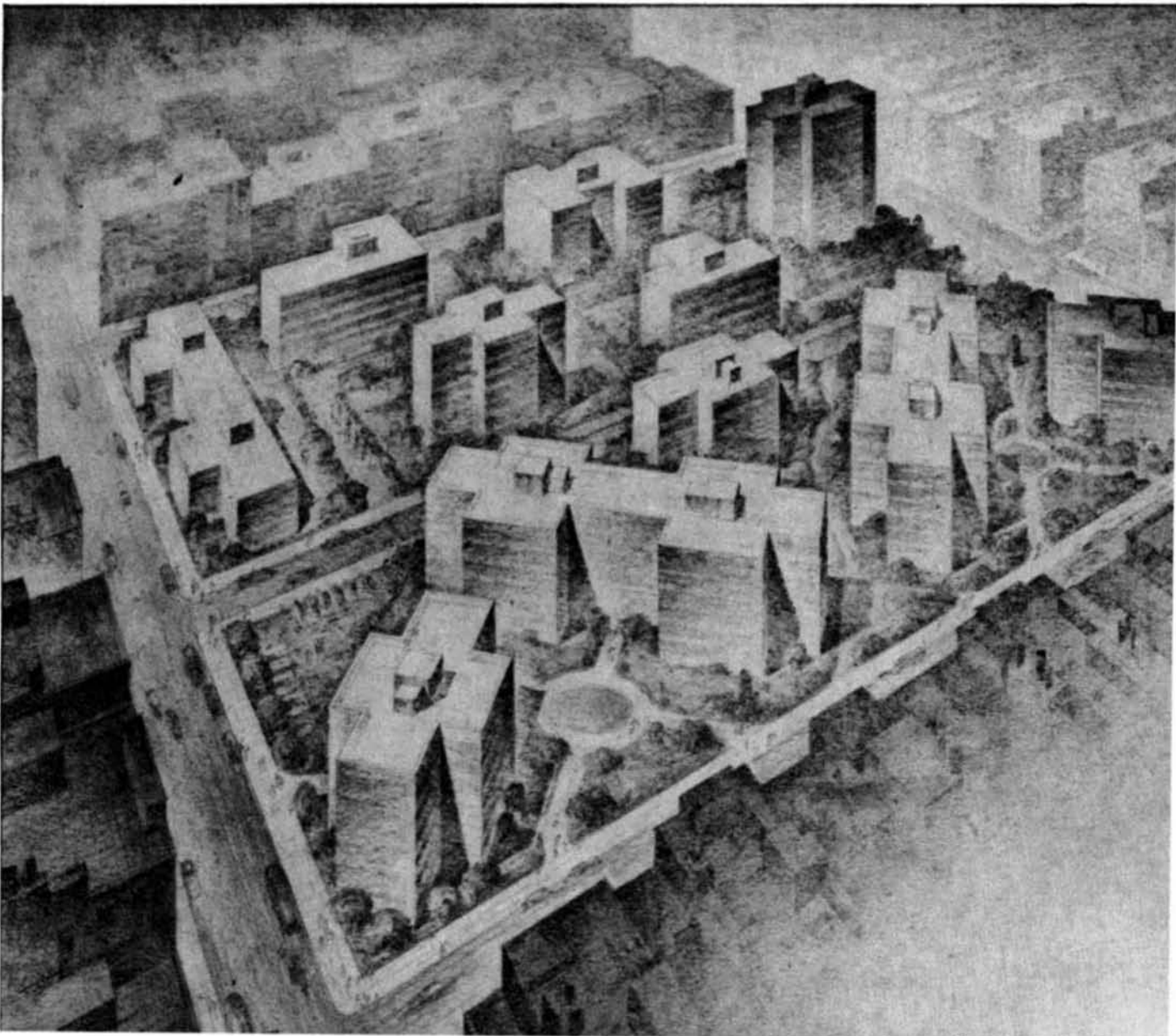
Examples of large developments in this bulk category are Marine Terrace, Rocky Hills Gardens, the New York City Housing Authority projects: Astoria, Nostrand and Queensbridge. Shorehaven has also approximately this floor area ratio.

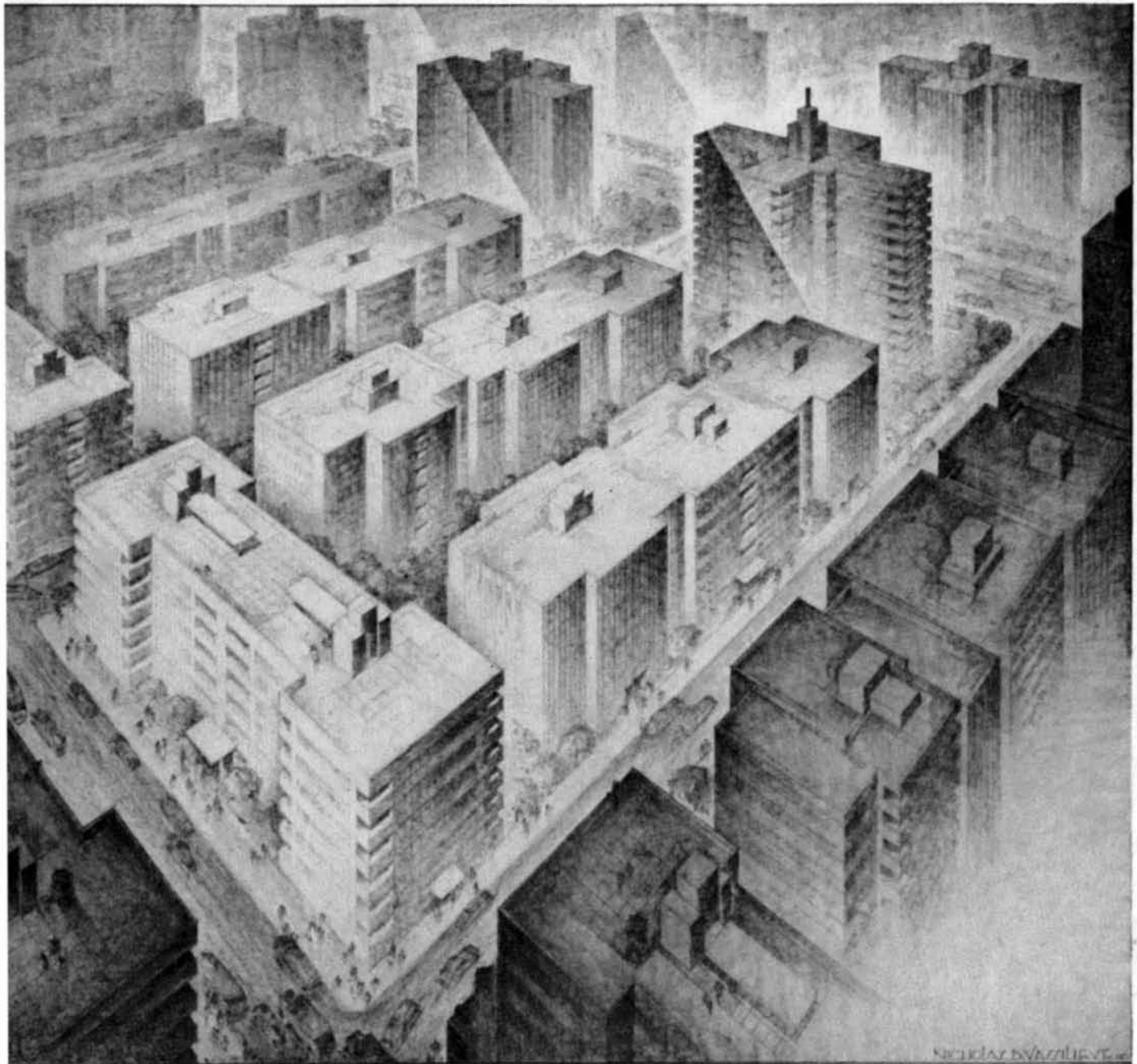
This district is mapped in Astoria and Corona in Queens; and in parts of Brooklyn such as East New York, where the present development is essentially of a one-and two-family character but at rather high coverage.

Residence B-4

This district, with a floor area ratio of 2.4, is intended for typical medium-coverage, medium density development (6 stories at 40% or 12 stories at

EXAMPLE OF MAXIMUM PERMITTED DEVELOPMENT UNDER PROPOSED RESIDENCE B-4 DISTRICT.
Floor area ratio of 2.4 produced by six-story buildings at 40% coverage or eight-story buildings at 30% cov



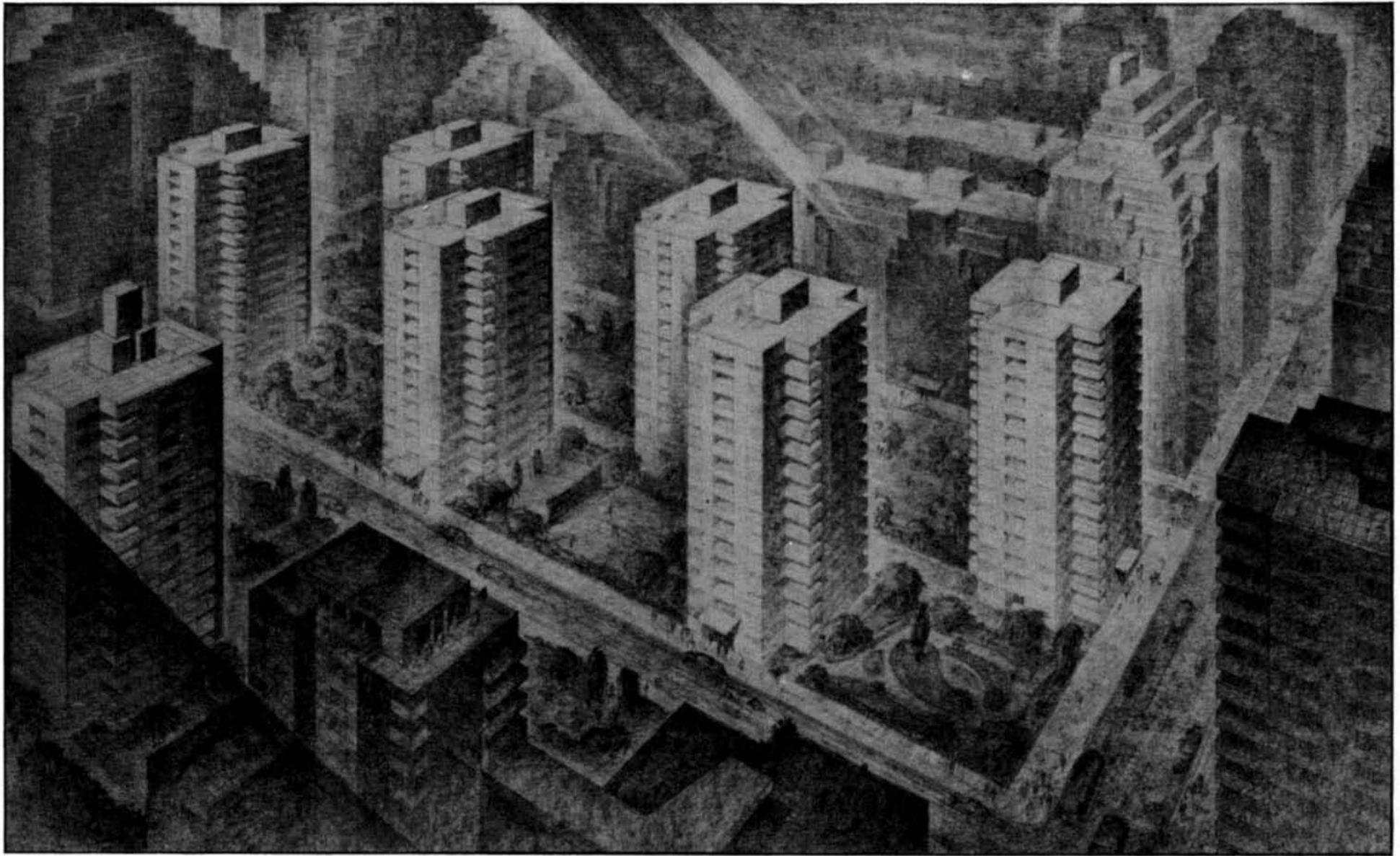


EXAMPLE OF MAXIMUM PERMITTED DEVELOPMENT UNDER PROPOSED RESIDENCE B-5 DISTRICT. Buildings of six- and twelve-stories with coverage of approximately 60% and 30% respectively achieve a floor area ratio of 3.5.

20%). It is designed to give the best possible amenity within areas which must be predominantly, if not completely, built up with multi-family dwellings.

Examples of current large-scale development which, with varying floor area ratios fall well within this district are: Thornycroft Apartments, Queens

Boulevard Gardens, New York City Housing Authority projects Melrose, Amsterdam, and Governor Smith Houses. Summary data from the Federal Housing Administration on the bulk pattern of "608" apartments indicate that the average 6-story Federal Housing Administration apartment has a floor area ratio of approximately 1.8 and falls



ALTERNATE TREATMENT OF THE RESIDENCE B-5 DISTRICT.
Fourteen-story building at 25% coverage achieves a floor area
ratio of 3.5.



PROPOSED RESIDENCE B-6 DISTRICT.

Development of 13 stories at about 35% coverage meets proposed requirements of a Residence B-6 District with unopen space for this Manhattan location, Sutton Terrace Apartments. H. I. Feldman, Architect.



also into this category. It should be noted that the examples given in this category range from 6 stories to 8 stories to 12 and even 15 story buildings with accordingly varying coverage.

This district encompasses substantial areas of multi-family development such as Williamsburg in Brooklyn, and is also mapped in limited parts of Manhattan which are farthest away from transportation facilities and which are scheduled for redevelopment, such as Corlears Hook. The district is also mapped in Long Island City in Queens; Williamsbridge and Morrisania in the Bronx; Crown Heights and outer Eastern Parkway in Brooklyn.

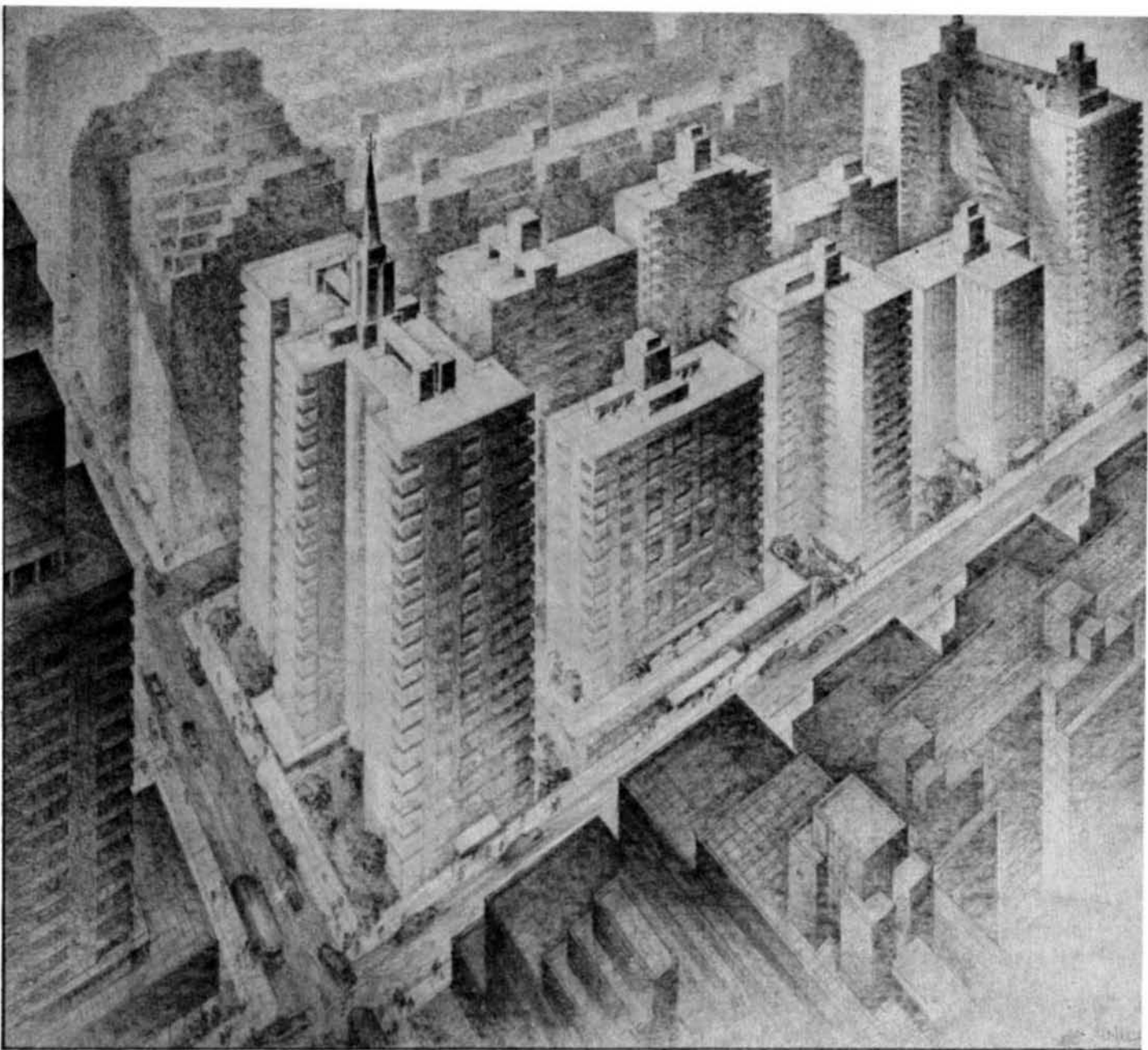
Residence B-5

This district has a floor area ratio of 3.5, approximately that of Stuyvesant Town. It is considered the highest bulk district which provides reasonable dwelling amenities, especially for families with children, and therefore the highest density district that should be generally mapped.

The population capacity provided by the floor area ratio of 3.5 is approximately the same as the average population density in Manhattan. If this district accommodated any fewer people per acre, too many families would have to live in even higher bulk districts if the estimated population is to be accommodated. At the same time, 60% coverage for

PROPOSED RESIDENCE B-7 DISTRICT.

Existing development typical in area proposed for highest bulk Residence District, Residence B-7 with maximum floor area ratio of 10. Gracie Square, Manhattan.



EXAMPLE OF MAXIMUM PERMITTED DEVELOPMENT UNDER THE PROPOSED HIGHEST BULK IN RESIDENCE DISTRICTS.

Floor area ratio of 10 obtained here with 20-story building at 50% coverage or 1 buildings at approximately 65% coverage.

the typical 6 story building seems to provide the minimum acceptable amenity for any widely mapped district. Therefore, a figure of 3.5 was selected for this district. In this case the existing pattern was sometimes disregarded since the excessively high coverages of old tenement houses have never been considered a guide to new regulations in the City.

Residence B-5 is mapped in all areas where high density apartments are necessary, except in some fully built-up and stable areas when the present higher bulk makes a proposed reduction of bulk unrealistic. It is the highest density district mapped in Queens, and also in Brooklyn with the exception of Brooklyn Heights. It is mapped in Jackson

Heights, Rego Park and Forest Hills in Queens; Tremont area west of Jerome Avenue in the Bronx; around Prospect Park in Brooklyn; Lower East Side and Harlem in Manhattan.

Residence B-6

With a floor area ratio of 5.0, this district is intended to be used in the stable high density areas such as those parts of Manhattan and the Bronx where the 3.5 district would be meaningless because of existing high bulk buildings not likely to be replaced in the near future. The bulk regulations in this district would generally require 8-or 10-story structures in the future to take advantage of the full floor area permitted.

PLAN FOR REZONING

Residence B-7

This district, with a floor area ratio of 10.0, is intended primarily for a few areas of intensive high-cost development in upper central Manhattan where the established building bulk and land values are very high.

This floor area ratio was selected to correspond approximately to the typical floor area ratios in the limited areas where this district is to be mapped.

The bulk devices employed in this district are the same as those in Residence B-4, Residence B-5 and

Residence B-6 Districts except for usable open space which is not required here. The location of the district and the nature of its occupancy is such that usable open space is not as acute a responsibility of the City and it is difficult, if not impossible, with such bulks to provide any really useful amounts of open space in connection with the dwellings.

The mapping of this district is limited entirely to areas of high income, high land values and high bulk: examples are Central Park West, Central Park South, Fifth and Park Avenues from 59th to 96th Streets, and Murray Hill, all in Manhattan.

DISTRICTS ASSOCIATED WITH RESIDENCE

RESIDENCE-RESTRICTED MANUFACTURING DISTRICT

The Residence-Restricted Manufacturing District, which is mapped in selected outlying undeveloped areas adjoining very low density Residence Districts, will permit offices and certain types of manufacturing free from offense. Many such activities no longer engender the nuisances commonly associated with manufacturing, and their location in the outlying sections of the City is consistent with present trends in industrial location. In addition to providing more desirable locations for such activities, these outlying sites can provide sources of employment closer to residence, with corresponding reduction of the load on the public transit system.

Similar in many respects to Section 3(10) of the present Resolution, the Residence-Restricted Manufacturing District regulations contain a restricted list of permitted uses, and a provision for permits for other activities concerning which it can be proved that no nuisance will affect adjacent resi-

dences. Uses permitted include medical and optical goods and watch manufacturing. The permits mentioned above would be granted to specific establishments and are not transferable. Bulk regulations proposed for manufacturing establishments provide for a very low floor area ratio of 0.3. Ample yards and landscaping are required to assure development in character with the surrounding residence. Housing within the Residence-Restricted Manufacturing District is regulated by the bulk controls of the Residence B-1 District (floor area ratio 0.5).

This Residence-Restricted Manufacturing District is mapped in areas like Flushing Airport, along the southeast border of Queens next to New York International Airport and in the lowland south of Fort Wadsworth in Richmond.

RESIDENCE RETAIL DISTRICTS

Residence Retail Districts are mapped in selected locations within Residence Districts, in order to permit retail, office and consumer service facilities which are used by the residents of the surrounding area on a day-to-day basis. As in the present Local Retail District, it is proposed to permit these retail uses on the ground floor only. Multi-story commercial uses will therefore be required to locate in Commercial B Districts where they will be less of a nuisance to residence. The overall bulk of structures in Residence Retail Districts is controlled by the bulk regulations of the Residence District within which the Residence Retail District is mapped. Accessory off-street parking will be required in Residence Retail Districts, except those mapped

PROPOSED RM DISTRICT.

With the strict controls over use, bulk and landscaping set forth for RM Districts such establishments as the Sylvania Laboratory in Queens shown above can be an asset in some residential areas.



within Residence B-6 and Residence B-7 Districts, in amounts varying with the controlling Residence District.

Since these districts serve and are a part of residential areas, they permit only uses in which the nuisances created are outweighed by the convenience of having the service nearby. Undesirable activities not permitted include:

Processing, servicing or sale of goods not expected to be consumed or used entirely in the surrounding neighborhood.

Any other activity, such as large-scale commercial amusement, causing vehicular or pedestrian congestion beyond that normal to the neighborhood.

Receipt, storage and re-delivery by dealers of heavy bulk products such as stoves, refrigerators, furniture, etc.

Creation of noise, smoke, dirt, dust, odor, or other nuisance not inherent in activities serving immediate consumer needs of residents in the surrounding neighborhood.

Parking Regulations

Off-street parking requirements are similar for all Residence Retail Districts, and can be generalized as follows:

When mapped within Residence Districts with maximum floor area ratios of 0.8 or less (Residence A-1, Residence A-2, Residence B-1, Residence B-2 and Residence-Restricted Manufacturing): retail establishments with 3,000 square feet of floor area or more shall provide one parking space per 300 square feet.

When mapped within the Residence B-3 District with floor area ratio of 1.4: retail establishments of 6,000 square feet of floor area or more shall provide one parking space per 600 square feet.

When mapped within the Residence B-4 District with floor area ratio of 2.4: retail establishments of 10,000 square feet of floor area or more shall provide one parking space per 1,000 square feet.

When mapped within the Residence B-5 District with floor area ratio of 3.5: retail establishments of 15,000 square feet of floor area



LOCAL SHOPPING STREET IN RESIDENTIAL AREA.
The proposed Residential Retail Districts are designed to the development of pleasant retail facilities at selected conveniently accessible to the residential areas they ser

or more shall provide one parking space per 1,500 square feet.

No parking space is required for retail uses when mapped within the Residence B-6 and Residence B-7 Districts.

Loading Regulations

Off-street loading requirements for Residence Retail Districts are split into two groups: for Residence Retail Districts mapped within Residence A and Residence B-1 through Residence B-4 Districts and for those mapped within Residence B-5, Residence B-6 and Residence B-7 Districts. In the first group of districts, retail uses in new buildings with 8,000 square feet or more of floor area and existing buildings with 15,000 feet or more must provide at least one loading berth. In the higher density districts, the loading regulations apply to new retail structures with 25,000 square feet or more and existing structures of 40,000 or more.

Mapping Depth

One of the major proposals of the Plan For Rezoning is the substantial increase in the depth to which Residence Retail and Commercial Districts are mapped from the street line. With the exception of Residence Retail B, Residence Retail Districts are mapped at 150 foot depth to provide space for parking and larger stores and thereby to contribute to the increased stability of these shopping locations.

PLAN FOR REZONING

Residence Retail A

This district is designed to provide space for necessary retail stores and services in the lower bulk Residence Districts.

Since, in the areas tributary to these Retail Districts, there is insufficient buying power to support stores and services not providing daily necessities, this district has the most restrictive use list of any Retail or Commercial District — permitting chiefly groceries, drug stores and other establishments which are used for daily shopping. The permitted store types are thus based on the criterion of providing necessary services, and not on the relative degree of nuisance created. Since stores in these locations depend to a large extent on automobile trade, ample off-street parking provisions are recommended. To facilitate such parking, this district is mapped to a depth of 150 feet from the street, where possible. This district is found chiefly in Staten Island and outer Queens.

Residence Retail B

Where considerable but scattered retail activity precludes rezoning for residence but would not justify the general shopping facilities of Residence Retail C, Residence Retail B is mapped to permit established uses to continue without non-conformity. However, in order to encourage concentration of future retail development in the more appropriate clusters zoned in Residence Retail C, Residence Retail B is mapped only 100 feet deep, and the maximum size of stores is limited to 2,000 square feet.

The Residence Retail B District is designed to be mapped in Residence B-4 through Residence B-7 (floor area ratios 2.4 to 10.0). It is found primarily in the following situations:

COMMERCIAL DISTRICTS

BASIS OF THE DISTRICTS

The basic purpose of Commercial Districts is to provide sufficient and appropriate space for the sale of goods and exchange of services, not limited to the needs of domestic consumers. The proposed districts are divided into four groups. 1) The Restricted and the General Commercial Districts are designed

In medium density areas where existing retail development between mapped clusters of Residence Retail C justifies continued retail zoning. Sections near the Sunset Park shopping center in Brooklyn are typical.

In high density areas where ribbon retail development predominates and Residence Retail B depth and store sizes would be appropriate, as on Amsterdam Avenue in Manhattan.

All uses permitted in Residence Retail C Districts, except hotels, are permitted in Residence Retail B Districts.

Residence Retail C

The Residence Retail C District is mapped within all Residence Districts. It is the basic district used to provide space for all types of retail functions in Residence Districts, and (in properly separated clusters) to supplement Residence Retail A in the lower density districts. In keeping with the predominant shopping habits in the medium and high density areas, more diversified types of merchandising and services should be available within walking distance of the residences they serve; and this district therefore would probably tend to draw a wider range of retail and service uses than those in Residence Retail A. Although transient hotels are the only uses in addition to those permitted in Residence Retail B, the lack of restriction on store sizes makes this district the characteristic neighborhood shopping center with supermarkets, large variety stores, appliance stores, etc.

Wherever possible, Residence Retail C is mapped to a depth of 150 feet in clusters of several blocks frontage. The purpose is to accommodate larger stores and to provide space for accessory parking. Such parking, however, is required only for Residence Retail C areas within the lower density Residence Districts.

primarily for retail and office uses. 2) The Commercial Amusement Districts are designed for large-scale amusement areas, and thus have practically no restrictions on signs. 3) The Heavy Commercial Districts are designed chiefly to provide space for a variety of automotive and miscellaneous repair services. 4) The Commercial Manufacturing Districts are designed as temporary, or interim, zoning

for areas so mixed in use with housing and manufacturing that no decision could be made at this time regarding their ultimate character.

The proposed regulations for these districts take into account several basic trends in the location and character of commercial development. First, the natural tendency of commercial activity to concentrate in relatively small areas makes for greater convenience and efficiency in the transaction of business — both for shoppers interested in buying a variety of items, and for businessmen dealing with one another. Second, retail sales in outlying commercial centers have been expanding in comparison with sales both in local shopping streets and the central commercial areas in Manhattan. Third, in the outer areas, shoppers are more likely to come by automobile and off-street parking facilities are essential. Fourth, in all areas, off-street loading facilities are necessary for certain types of buildings, in order to free the streets for movement of traffic. Fifth, experience has shown that large-scale manufacturing development, with its attendant trucking, blights commercial development.

Finally, a study of the commercial land-use pattern throughout the City indicates clearly a tendency for like uses to congregate together in locations separate from uses which are different in character. Typical concentrations include retailing, wholesaling, general office areas, and heavy commercial service and automotive service uses.

These trends, coupled with a study of commercial use and bulk characteristics throughout the City, form the basis for dividing the Commercial Districts into 16 different districts grouped under 5 general categories of use controls. There are 4 Restricted Commercial A Districts, all serving the central midtown areas of Manhattan and downtown Brooklyn. The General Commercial B Districts are divided into 6 districts, of which the first 4 are mapped in 100-odd outlying regional commercial shopping centers throughout the City, and the last 2 of which serve the needs of central Manhattan and downtown Brooklyn. The Open Commercial-Amusement C District is designed specifically to serve the needs of Coney Island. Three heavy Commercial CD Districts are mapped in many areas throughout the City where there are concentrations of repair garages and other automotive services and similar heavy commercial services. Finally, the two Commercial-



"Some builders believe that the tendency towards higher buildings with less ground coverage will continue because better rents are obtained for space with full access to light and air."—Special Committee to Study Effect of Rezoning on Assessments. July 1950
Lever House, 390 Park Avenue, exemplifies the proposals for the Commercial A-2 District. Skidmore, Owings and Merrill, Architects

Manufacturing CM Districts are mapped to a very limited extent in the mixed use areas described above.

The pattern of mapping Commercial Districts is integrated with the other controls proposed. To as large an extent as possible these districts are mapped in concentrated clusters and not permitted to spread over large stretches of frontage so as to create extended ribbon development. Concentrated commercial centers have proven to be successful, and in order to continue to hold their position should be zoned in such a way as to encourage merchants to continue to demand the space available. It was this thought as well as the desire to protect residence which motivated the differentiation between the Residence Retail and General Commercial Districts. If the advantages of the commercial locations may be maintained, the merchants, the public and the City are benefited.

Where the districts are mapped they are permitted to develop in greater depth than heretofore.



COMMERCIAL A-1 DISTRICT.
The proposed bulk regulations for commercial and residential uses in the proposed Commercial A-1 District are illustrated in the drawings of the Rockefeller Galleries and the Carlyle Hotel at Madison Avenue and 76th Street in Manhattan. City Investing Corporation.

This is particularly true of the Commercial B-1 to Commercial B-3 Districts in the outlying areas where the depth of mapping is generally 200 feet or more compared to 100 feet at present. This encourages the development of large stores in these locations and affords space for required parking. In the Commercial D Districts on the other hand the mapping is largely at 100 foot depth from the street front, to discourage large users from entering these locations and to protect adjacent residence from the possible nuisances generated by heavy commercial uses.

RESIDENCE IN COMMERCIAL DISTRICTS

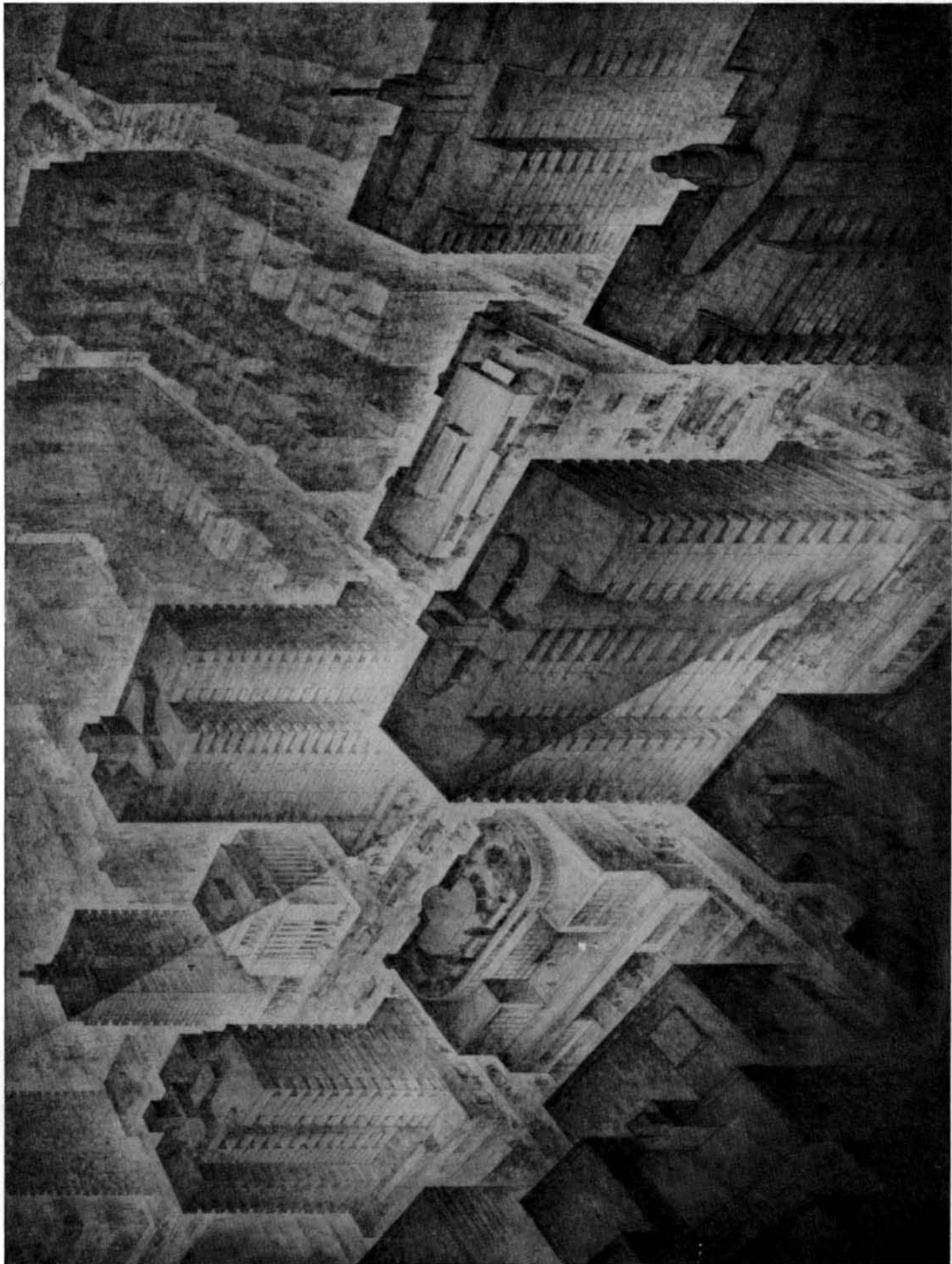
New residential construction will be permitted in any Commercial District but shall comply with regu-

lations for a specified Residence District — usually that Residence District having the same floor area ratio as the Commercial Districts involved. All hotels in Commercial Districts are required to furnish light access units in the 40-foot wedge for light category.

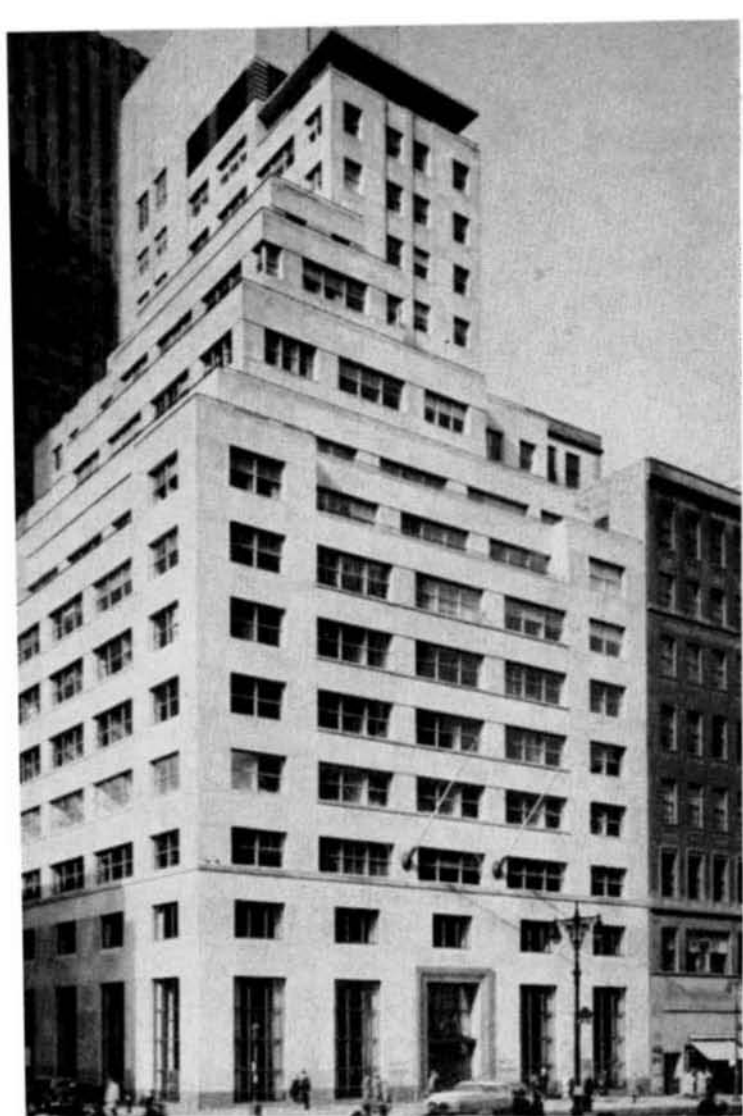
RESTRICTED COMMERCIAL DISTRICTS

These districts, differing only in permitted bulks, are designed to provide space in central Manhattan and downtown Brooklyn for office and business activities of City-wide, regional and national scope. In them are concentrated many of those nation-wide activities in which New York leads the nation — corporate management, banking, commodity and stock exchanges, insurance, advertising, stores, etc. While these activities dominate these areas, numerous auxiliary services are also found, such as small printing, photographic and photostatic services, and custom tailoring, dressmaking, millinery, and jewelry manufacturing. In view of the distinctive character of these areas, the use regulations prohibit objectionable factors, such as glaring signs, theatres, pawn shops and the various automotive services.

These districts which are quite similar to the Restricted Retail District in the present Resolution are given extra protection by means of the device termed "Facade Regulations." By this, certain permitted uses which are essential to the economic functioning of these areas are restricted from use of ground floor store frontage. They may locate on a floor above or below the ground floor or on the ground floor, but not within 50 feet from the front property line, and may have no display window facing on the street. Typical uses so regulated include bakeries, shoe repair shops, dry cleaners, public auction rooms, eating and drinking places with entertainment, and all permitted manufacturing activities. Another device giving strong protection to these districts is the prohibition of wholesale storage with the exception of samples in wholesale offices and showrooms. This does not prohibit materials storage accessory to retail and other permitted uses. The production and servicing of goods is also permitted in connection with any permitted use. However, not more than 10% of the floor area of any permitted retail or wholesale establishment may be used for such purposes and no machines of



EXAMPLE OF MAXIMUM PERMITTED DEVELOPMENT UNDER THE PROPOSED



PROPOSED COMMERCIAL A-3 DISTRICT.

The Restricted Commercial A-3 District with a maximum floor area ratio of 10 is proposed for selected locations in downtown Manhattan and Brooklyn. Characteristic of new structures in this district is the Crowell-Collier Building. Leonard Schultze and Associates, Architects.

THE FULTON STREET AREA IN DOWNTOWN BROOKLYN IS ALSO PROPOSED AS AN APPROPRIATE LOCATION FOR THE RESTRICTED COMMERCIAL (CA-3) DISTRICT.



more than $\frac{1}{2}$ horsepower may be used in such functions. It is only by such regulation that the wholesale functions may be kept from moving into these areas. In these Restricted Commercial Districts, all residence is subject to the controls of the Residence B-7 District.

Parking and Loading Requirements

Only the largest new buildings in these districts will be required to furnish parking and loading facilities. New commercial structures with 50,000 square feet of floor area in Commercial A-1 and 100,000 in other Commercial A Districts will be required to devote the equivalent of one full story to parking spaces provided they have at least 75 feet of frontage on a 60-foot street. Off-street loading berths are required for new structures with over 75,000 square feet of floor area, and for existing structures with over 100,000 square feet of floor area.

Commercial A-1 District

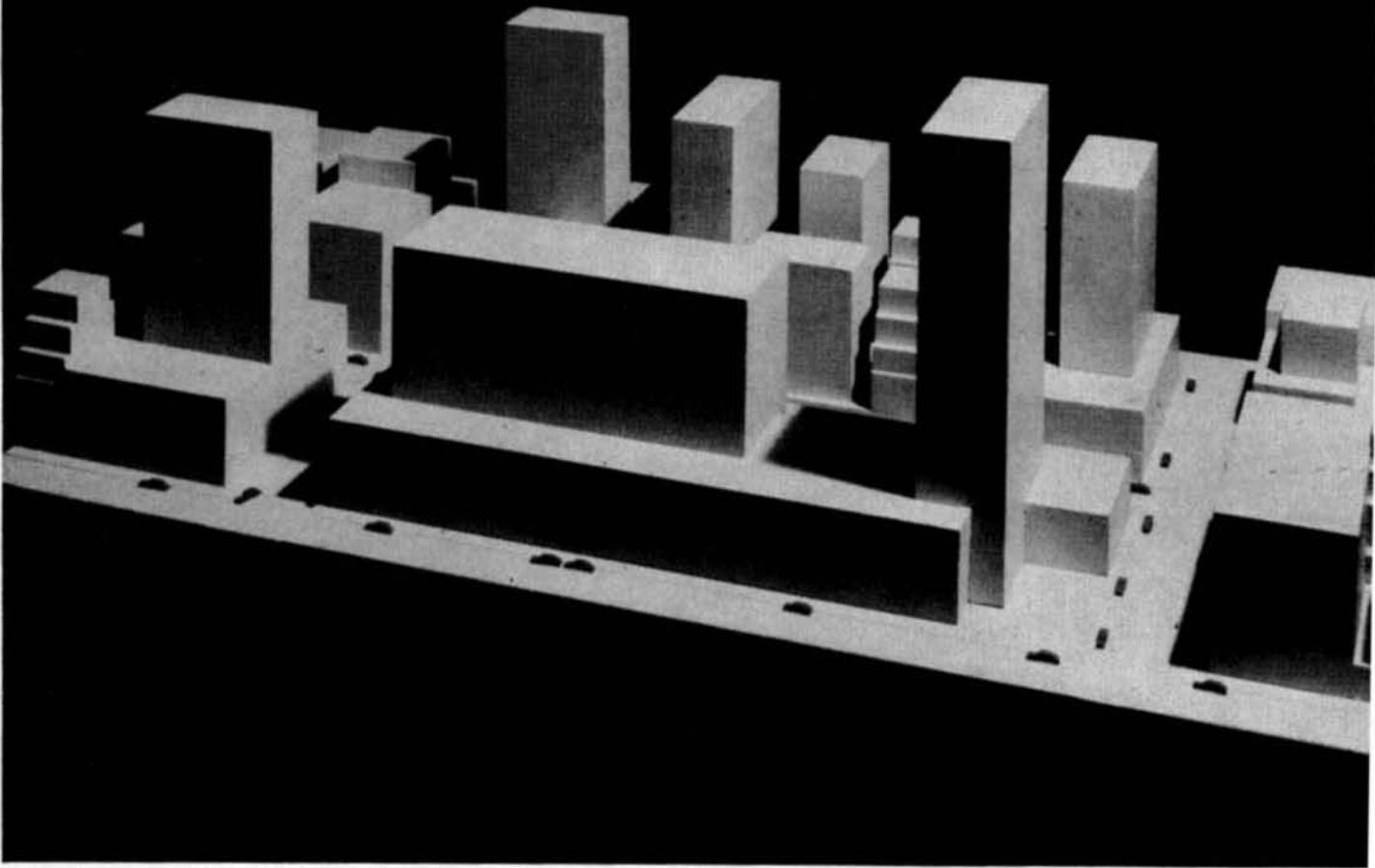
Floor Area Ratio—3.5, with the exception of residences which are subject to the controls of Residence B-7, and may therefore have a floor area ratio of 10.0.

Rear Yard—30 feet.

This district is designed to serve specifically the frontage on Madison Avenue above 60th Street. This area is predominantly residential in character, although present zoning is Restricted Retail. In order to keep large commercial uses from invading the area the floor area ratio of 3.5 is set as a maximum for new commercial construction. This permits five-story buildings at 70% coverage. Buildings of such bulk with the restrictions on commercial uses in this district should not create much nuisance, and should preserve the residential character of the area.

While there is no limit to the height to which commercial uses may go in purely commercial buildings there is a limit placed on such uses when located in residential buildings. In these cases no commercial uses are permitted above the ground floor.

This district should have a very beneficial effect on Madison Avenue and similar areas. The type of commercial use likely to take advantage of the 3.5 floor area ratio is not likely to endanger the character and quality of this area. Banks, publishing



MODEL SHOWING BLOCK DEVELOPED UNDER CONTROLS FOR EITHER PROPOSED COMMERCIAL A-3 OR B-5 DISTRICTS WITH FLOOR AREA RATIO OF 10.0.

houses and similar office uses, and art galleries are likely to take advantage of this privilege. Where such building takes place it will aid rather than harm the surrounding residential property by the ample light and air it makes available to its surroundings.

Commercial A-2 District

Floor Area Ratio—10.0 for all uses.
Rear Yard—30 feet.

In the area surrounding but not including the highest bulk commercial center there are many hotels, apartment hotels and residences mixed with some office uses. In order to protect this residence and not discourage office uses within this area, this district provides residential bulk controls for all uses. Typical locations are on Park Avenue from 46th Street to 56th Street and the area east of Park Avenue known as the United Nations approach.

Commercial A-3 District

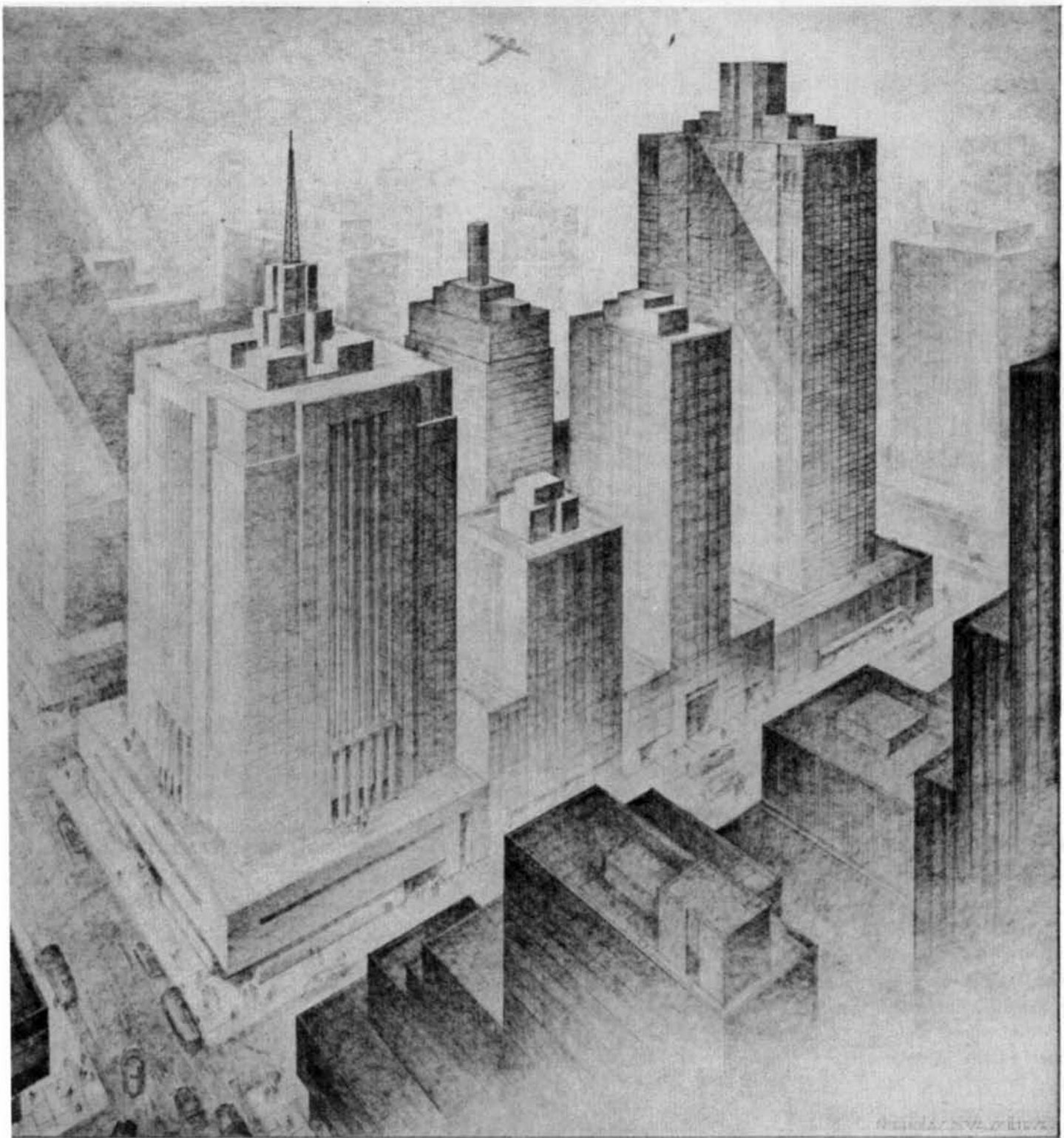
Floor Area Ratio—10.0.
Rear Yard—10 feet.

This district is mapped north of the very highest concentration of commercial bulk in midtown Manhattan and in Brooklyn in and around The Civic Center. The extension of the highly concentrated area with very high bulk is not likely to occur over a wide area, nor is it desirable to extend this type of congestion over a broader area than it affects today. With this in mind, a Commercial A-3 District with a floor area ratio of 10.0 is established.

Commercial A-4 District

Floor Area Ratio—15.0.
Rear Yard—10 feet.

This, the highest bulk Commercial District, is confined largely to areas where there is a predominance of buildings with very high bulk, such as the



BLOCK DEVELOPMENTS UNDER PROPOSED HIGHEST BULK COMMERCIAL AND MANUFACTURING DISTRICTS, CA-4 AND MA-2, WITH MAXIMUM FLOOR AREA RATIO OF 15.0.

Grand Central zone and the Wall Street area in downtown Manhattan. However, these areas are not solidly built up at the very highest bulks found therein. The maximum floor area ratio of this district is recommended as 15.0 in order to hold down

the bulk and further congestion to what may still be an economic level for the builder and owner. The mapping of this highest bulk district is confined to locations where property values and existing building bulks demand a high floor area ratio figure.

Basis For Floor Area Ratios In Central Commercial Districts

It is true that a number of the new, large commercial buildings constructed in midtown Manhattan since the end of World War II have had floor area ratios in excess of 15.0. Whether it is necessary to build beyond this figure to create an economic unit may be the subject of considerable debate between speculative builders and others. The Consultants have had numerous discussions on this subject and the consensus seems to be that the new Commercial A-4 District should have a maximum floor area ratio of 15.0.

Existing congestion clearly demonstrates the need for a reasonable maximum. Estimates of the possible total additions to commercial floor space which can be expected in the central Manhattan district indicate clearly that many times the estimated amount can still be accommodated with the proposed floor area capacity for all the Restricted and General Commercial Districts.

The approximately 9365 acres of floor area to be permitted within all the Central Commercial Districts (floor area ratios of 10 and 15) in Manhattan below 59th Street is more than the 8942 acres estimated to be currently used for commercial purposes in the entire City. Estimates of the manufacturing and loft floor space in Manhattan for 1948 indicated a total of only 4516 acres. Although no reliable estimates of existing commercial floor space are available, it is not likely that it greatly exceeds the total manufacturing space in the borough. The best indications are that the proposed zoning permits an envelope which will accommodate from 75 to 100 percent more floor space than is likely to be absorbed by 1970.

Former Mayor O'Dwyer in July, 1950, asked Chairman Jerry Finkelstein to appoint a group of prominent civic leaders and property value experts to review the Consultant's recommendations. The committee, under the chairmanship of Robert W. Dowling, spent much time on the discussion of this very point of bulk in the midtown area. A quotation from their report is inserted here for its bearing on the subject.



CURRENT HIGH BULK OFFICE CONSTRUCTION. Illustrative of current construction in the Grand Central Area proposed for Commercial A-4 is the building at 100 Park Kahn and Jacobs, Architects.

"The proponents of the suggested regulations believe that the . . . indicated limitations of the bulk of great commercial buildings will be of benefit to adjoining land and to the community generally."

"Some builders believe that the tendency towards higher tower buildings with less ground coverage will continue because better rents may be obtained for space with full access to light and air."

Some figures compiled at that time showing the bulks of typical buildings in the midtown area are given in the table on the following page.

PLAN FOR REZONING

	Existing Floor Area Ratio	Proposed Zoning District	Proposed Floor Area Ratio
855 Avenue of the Americas (30th Street)	5.0	Commercial B-5	10
Crowell-Collier Pub. Company Bldg.	11.0	Commercial A-4	15
225 Fifth Avenue	11.0	Commercial A-4	15
Rockefeller Center (entire project)	12.0	Commercial A-4 & Commercial B-5	15 & 10
McGraw Hill Building	12.0	Commercial A-3	10
New York Life Building	13.0	Commercial A-4	15
New York Furniture Exchange	13.0	Commercial B-5	10
Port of New York Authority Building	15.0	Commercial B-5	10
Tishman Building	18.0	Commercial A-4	15
Equitable Life Assurance Society Building	17.0	Commercial A-4	15
Western Union Building	18.0	Manufacturing C-3	7
505 Park Avenue (59th Street)	19.0	Commercial A-4	15
100 Park Avenue	20.0	Commercial A-4	15
Empire State Building	32.0	Commercial A-4	15

GENERAL COMMERCIAL DISTRICTS

These districts mapped in concentrated commercial locations throughout the City serve the dual purpose of providing for both wholesale and retail activities and related services. Whereas in the Restricted Commercial Districts it is important to exclude wholesale activities on any large scale with accompanying storage, the exclusion of these uses is not so important where the General Commercial District is mapped in the retail areas, simply because few wholesale or heavy commercial uses are likely to locate on the more expensive sites. There are some wholesale uses of a small extent which locate in the outlying retail shopping centers but they are of such a nature as not to constitute a nuisance in these areas. Therefore although a use distinction had been made in the early stages of mapping, between the outlying Retail Districts and the midtown Wholesale and General Commercial District, it was found possible to combine these into one use classification. The bulk distinction which varies from a floor area ratio of 1.0 in the lowest bulk outlying district to a floor ratio of 10.0 in the highest midtown General Commercial District will also serve to prevent any possible invasion of wholesale uses in the outlying areas. Many activities, retail, service and amusement which were not permitted in the Restricted Commercial District are permitted in General Commercial. The most significant additions are those of theatres and arenas, wholesale offices and showrooms with accessory storage, commercial public parking garages

and parking lots, and several additional minor manufacturing uses.

The division of the General Commercial Districts into five bulk categories was made as a result of intensive field studies of existing bulks in these locations, but with cognizance of present commercial building practices. The floor area ratio for the two central districts was set at 10.0 for the same reason as the Restricted Commercial Districts (with the exception of the very highest bulk area surrounding Grand Central Terminal and Wall Street).

In the outlying Commercial Districts the existing floor area ratios range from an average of 1.5 to a maximum of 3.0 in most cases. By studying these existing bulks from insurance atlases and field checks and grouping them by floor area ratio and parking space needs, it was found desirable to establish two low bulk districts with differing parking requirements depending largely on location. These are the Commercial B-1 at 1.0 and the Commercial B-2 at 1.4 floor area ratio. The next natural grouping easily fell within the Commercial B-3 bulk controls — a floor area ratio of 2.4 with a low parking requirement. The Commercial B-4 at 5.0 was almost completely dictated by the surrounding residential bulks. Residential bulk surrounding the Commercial Districts was taken into consideration in all cases, even though it is of less importance in outlying areas since there are few, if any, mixed residential and business structures now being built in such commercial centers.

Usually the commercial floor area ratio is equal to that permitted in the surrounding area. However, in some cases this was not possible because of the differential in the present existing structures and the parking space needs in such locations.

The study of present construction practices indicates clearly that the high floor area ratio is a thing of the past in outlying business centers. Out of 167 commercial buildings built in 1948, 154 were one-story structures.

Commercial B-1 District

- Floor area ratio—1.0
- Residential buildings—bulk regulations for Residence B-2 apply
- Rear yard—20 feet

The Commercial B-1 District is mapped in retail shopping locations in the outlying sections of the City such as Stapleton in Richmond, Fresh Meadows, Whitestone, and other centers in outlying parts of Queens. The main controls over bulk of buildings in this district are the parking regulations. The parking requirements are the greatest for any Commercial District and in larger buildings amount to a parking area equal to the floor area of the structure in retail and commercial use. However the parking controls do not control the bulk when, as is permitted, these facilities are provided off the site.

Commercial B-2 District

- Floor area ratio—1.4
- Residential buildings—for residences the bulk regulations of Residence B-3 District apply.
- Rear yard—20 feet

This district is used in shopping centers which are older and more built up, and located in areas with higher residential densities than the Commercial B-1 District. Typical locations are Hugh Grant Circle in the Bronx, Myrtle and Jamaica Avenues in Queens, and Bay Ridge at 86th Street in Brooklyn.

Although the permitted floor area ratio is only slightly higher than that for the Commercial B-1 District, the parking requirement which is again an important determinant of permitted bulk where parking is provided on the site is only half that which is required in the Commercial B-1 District.



SHOPPING CENTERS FOR THE NEW CARRIAGE TRADE
Large well-planned shopping centers in outlying sections of the City can be properly developed under the regulations of the Commercial B-1 District, which requires ample off-street parking facilities. Characteristic of these new centers is that at Fresh Meadows in Queens.



PROPOSED COMMERCIAL B-3 AND B-4 DISTRICTS.
Major outlying commercial centers with concentration of intensive bulk buildings are proposed as Commercial B-3 and B-4 Districts. Illustrative of these intensive locations are Flatbush in Brooklyn (above) and Jamaica in Queens (below).



PLAN FOR REZONING

COMMERCIAL B-1

EXAMPLE OF BUILDING WITH SUPERMARKET, STORES AND OFFICES - ACCESSORY PARKING PROVIDED.

FLOOR AREA RATIO 1.0 max. This example 1.0.8

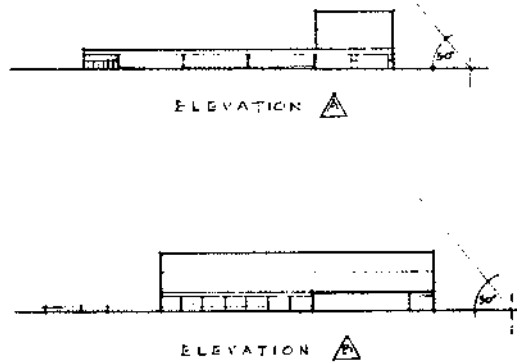
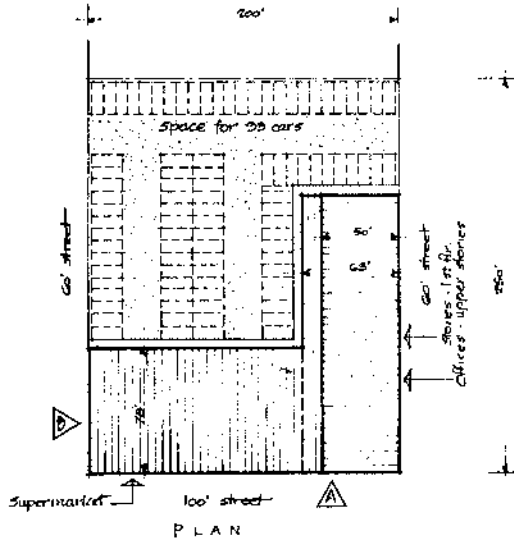
First Floor Area - Supermarket : 10,200 sq. ft.
 Stores : 17,800 " "
 Upper floors - Offices : 20,000 " "

AVERAGE ANGLE OF LIGHT OBSTRUCTION = 50°

PARKING REQUIREMENTS

One space for each 500 sq. ft. First Floor Area (Gross)
 1000 " " Upper

$21000 \div 500 = 78$ spaces
 $17800 \div 1000 = 18$ " "
 TOTAL : 96



COMMERCIAL B-2

EXAMPLE OF DEPARTMENT STORE WITH ACCESSORY PARKING

FLOOR AREA RATIO 1.4 max. This example 1.27

First Floor Area 10,200 sq. ft.
 Upper floors 20,000 " "
 Total floor area 30,200 " "

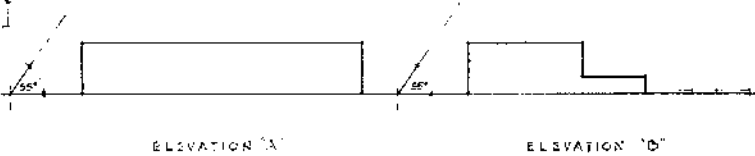
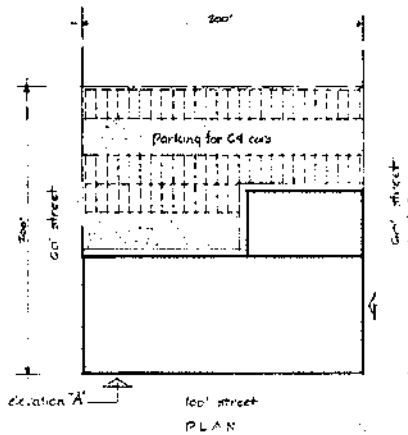
AVERAGE ANGLE OF LIGHT OBSTRUCTION = 55°

PARKING REQUIREMENTS

One space for each 500 sq. ft. First Floor Area (Gross)
 1000 " " Upper

$10200 \div 500 = 20$ spaces required for First Floor
 $20000 \div 1000 = 20$ " " Upper stories
 40 " " Entire building

COMMENT: Parking requirement is a factor affecting bulk



DIAGRAMS SHOWING ACHIEVEMENT OF ECONOMIC SHOPPING CENTER PLAN WITHIN BULK AND PARKING REGULATIONS FOR THE COMMERCIAL B-1 AND B-2 DISTRICTS.

Commercial B-3 District

Floor area ratio—2.4

Residential buildings—for residence the bulk regulations of Residence B-4 District apply.

Rear yard—20 feet

The Commercial B-3 Districts are located again in the older, built up locations. In these areas, however, the permitted bulk of structures is a more important factor than in the Commercial B-2 District. The parking requirements are not a very strong determinant of bulk in these districts, since only the very largest structures with over 10,000 square feet or more, or with 7,500 square feet on the ground floor must provide parking. The ratio of parking space to floor area is roughly the same as for the Commercial B-2 District. Typical locations are Flatbush and Church Avenues in Brooklyn, Flushing in Queens, Parkchester shopping center and Kingsbridge Road in the Bronx.

Commercial B-4 District

Floor area ratio—5.0

Residential building—for residences the bulk regulations of a Residence B-6 District apply.

Rear yard—10 feet

This district is mapped at the point of highest building bulk concentrations in the largest outlying business centers in the City, such as 149th Street and Third Avenue in the Bronx, Jamaica in Queens, and in St. George, Richmond. In addition, the district is mapped in areas where the surrounding residential bulk is equivalent to the floor area ratio permitted in this Commercial District at such locations as downtown Brooklyn, at Flatbush Avenue and Livingston Street and 125th Street from Lexington to 8th Avenues in Manhattan.

Parking requirements do not substantially affect the bulk regulations for this district, since buildings with 50,000 square feet or more are the only ones required to furnish parking facilities. Loading requirements for both new and existing buildings however are significant. New retail and commercial structures of 25,000 square feet or more and existing structures of 40,000 square feet or more are required to install loading berths. Wholesale, manufacturing and storage establishments built after the passage of this Resolution must in-



CENTRAL AMUSEMENT DISTRICT.

Large outdoor-advertising displays at the scale four Times Square are confined to the Commercial B-6 Di

stall berths for structures of 15,000 square feet or more, while those in existence at the time of passage which are over 30,000 square feet in area, must install loading berths.

Commercial B-5 District

Floor area ratio—10.0

Residential buildings—for residences, the bulk regulations of Residence B-7 apply.

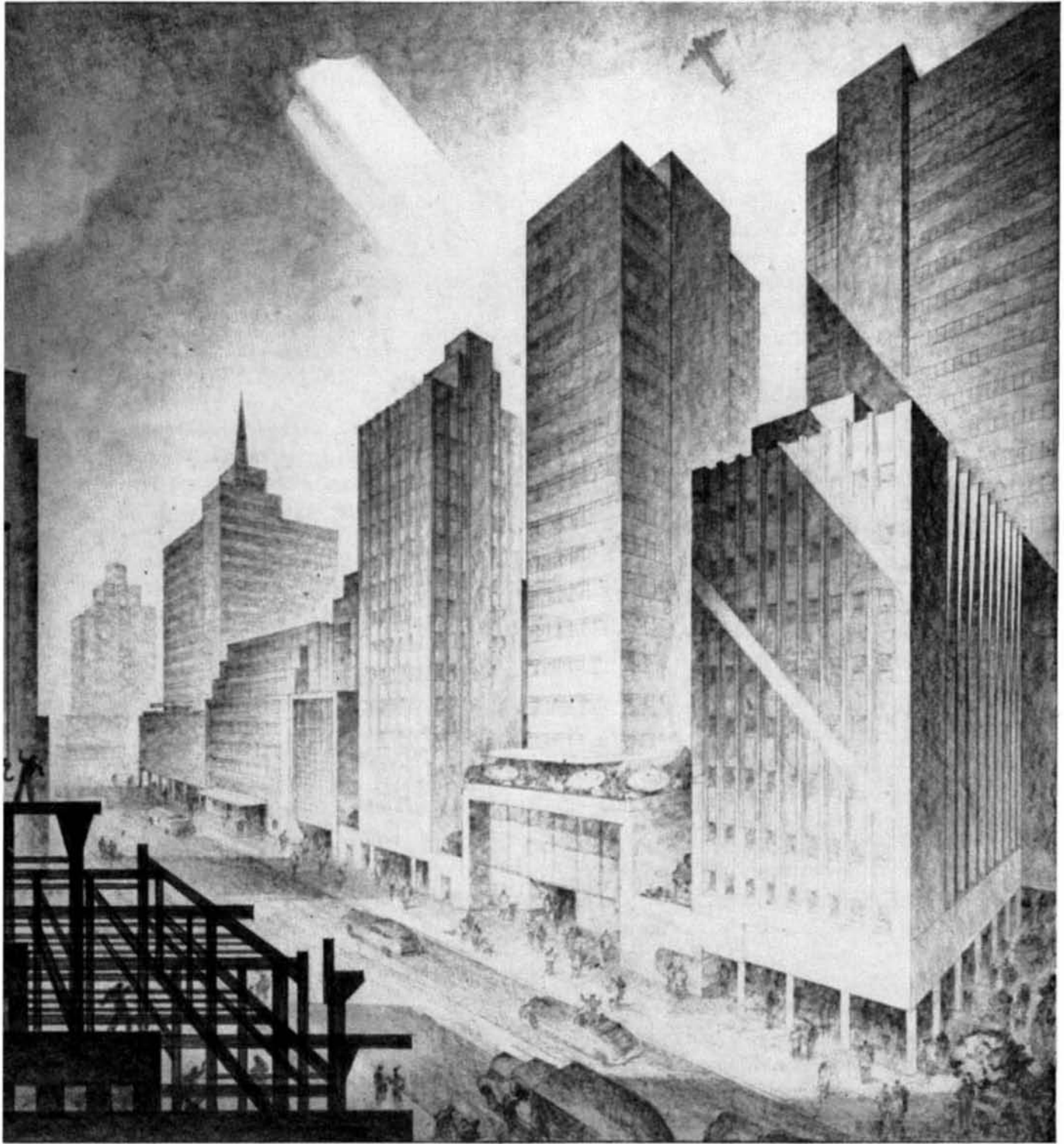
Rear yard—10 feet

The Commercial B-5 District is a Central Commercial District mapped only in downtown and midtown Manhattan in areas surrounding the Restricted Commercial Districts where more general commercial and wholesaling activities take place.

Parking is only required for the very largest buildings with 100,000 square feet of floor area or more and therefore does not affect the bulk regulations to any extent. Loading requirements for this district, however, are significant since they start with retail and commercial buildings of 25,000 square feet and wholesale and manufacturing and storage establishments of 15,000 square feet or more in the case of new buildings. Existing retail and commercial structures of 40,000 square feet of floor area or more and wholesale manufacturing and storage buildings of 30,000 square feet or more are subject to the retroactive loading provisions.

Commercial B-6 District

The Commercial B-6 District differs from the Commercial B-5 District only in the regulations



FRONT DEVELOPED UNDER PROPOSED REGULATIONS FOR EITHER
COMMERCIAL A-3 OR B-5 DISTRICTS WITH FLOOR AREA RATIOS OF 10.

covering signs. The Commercial B-6 District is designed expressly for the area in and around Times Square in Manhattan, and the sign regulations therefore permit more outdoor advertising signs than in any other Commercial District with the exception of Commercial C which has similar sign regulations.

COMMERCIAL C DISTRICT

This Open Commercial Amusement District has bulk and use regulations identical to the Commercial B-4 District, with the exception that outdoor amusements such as those found in Coney Island are permitted. Such uses as roller coasters, merry-go-rounds, and shooting galleries are permitted in the Commercial C District which is mapped in Coney Island and other commercial amusement park areas in the City.

HEAVY COMMERCIAL DISTRICTS

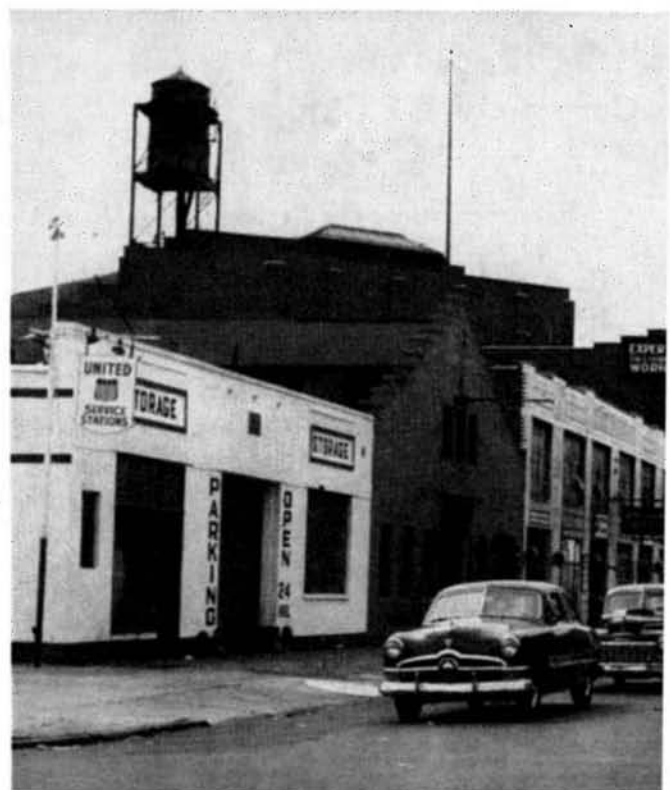
In addition to retail stores and personal services, a number of automotive and other equipment repair and maintenance services as well as miscellaneous home furnishings and clothing cleaning and repair services are necessary in locations convenient to residential areas. Many of these services involve some degree of nuisance, and the districts provided for them are therefore called Heavy Commercial Districts.

In the outlying areas of the City the heavy commercial uses tend to occur in clusters along major traffic arteries. This is particularly true of the automotive services, such as used car sales lots. In this type of location the uses occur at a very low building bulk. Only a small portion of the lot is covered by the structure in these instances. In the inlying built up areas of the City these uses occur at a slightly higher bulk and coverage along heavy traffic streets, and in other cases in blocks immediately adjacent to retail commercial centers. These uses are particularly prevalent along streets where the property has been blighted by an elevated structure and residential uses have tended to vacate because of the noise and dirt.

Typical uses permitted in the Heavy Commercial Districts are automobile and trailer sales lots, building material yards of limited size, contractors' offices, auto repair garages (with the exception of body repair), laundries and dry cleaning establish-

ments, furniture and similar storage warehouses, and surrounding cemeteries in many cases, monument works and sales establishments. These are all uses closely related to needs of the consumer and therefore serve a purpose in the vicinity of residential areas. However, manufacturing and, of course, the Coney Island type amusement are prohibited in these districts. Otherwise, all uses permitted in Residence Retail and other Commercial Districts discussed above are permitted.

In order to limit the nuisances created by the permitted uses, certain restrictions and mapping practices are proposed. First, to prevent very large establishments from coming into these districts, they are seldom mapped to a depth of over 100 feet. Where they abut Residence Districts a solid wall of fire resistant material must be constructed along such boundaries. Second, a limitation is placed on the amount of production and servicing of goods which can take place in establishments in these districts. Not more than 10% of the floor area in any permitted retail or wholesale establishment may be used for production and servicing accessory to such uses, and not more than 15 persons may be engaged in such production and servicing in any establishment. Machines used for production and servicing are limited to a capacity of 3 horsepower. Third, all activities which could possibly create nuisance to the surrounding residence must be conducted within completely enclosed buildings. Finally, no heavy commercial use is permitted in the



HEAVY COMMERCIAL DISTRICTS.

Such activities as auto and other equipment, repair and maintenance services, as well as miscellaneous home furnishings and clothing, cleaning and repair services must be located in areas convenient to the residential areas they serve.

PLAN FOR REZONING

same structure with residences, although the ground floor of residences in these districts may be used for retail and commercial purposes permitted in other districts discussed above.

Parking and loading requirements for these districts, particularly in outlying areas, are stringent, since the predominant uses generate a great deal of automobile and truck traffic.

Commercial D-1 District

Floor area ratio—0.8

Residential buildings — for residences, the bulk regulations of Residence B-1 District apply.

Rear yard—20 feet

This district with the lowest permitted bulk of all Heavy Commercial Districts is mapped along highways and major traffic arteries in the outlying sections of the City. Typical locations include Coney Island Avenue in Brooklyn, Boston Road from Baychester Avenue to Hutchinson Street in the Bronx, Northern Boulevard east of Flushing in Queens, and Forest Avenue from Lochman Avenue to Decker Street in Richmond.

The parking regulations for the Commercial D-1 District are quite stringent. The regulations are identical to the Commercial B-1 District where establishments of over 3,000 square feet must provide 1 parking space for each 300 square feet of floor area on the ground floor and one for each 1,000 square feet of floor area not on the ground floor. In addition, there is a provision proposed that in any event not less than 20% of the area of any lot in the Commercial D-1 District must be devoted to off-street parking purposes.

Commercial D-2 District

Floor area ratio—1.4

Residential buildings — for residence, the bulk regulations for Residence B-3 District apply.

Rear yard—20 feet

Since this district is mapped in more built up medium-density areas the bulk permitted is greater than in Commercial D-1. With the exception of the parking requirements the regulations for the two districts are the same. Since the Commercial D-2 District is not generally mapped along highways where vacant land is readily available at low cost, it is not possible to provide as much parking in

many cases as in Commercial D-1. Twenty percent of the lot area must be devoted to parking and uses with 3,000 square feet of floor area or more must provide one off-street parking space for each 600 square feet of floor area on the ground floor, and for each 1,000 on all other floors.

Commercial D-3 District

Floor area ratio—5.0

Residential buildings — for residences, the bulk regulations of Residence B-6 District apply.

Rear yard—10 feet

This district has a very high floor area ratio considering the type of heavy commercial uses permitted and its proximity in location to residence. It is designed specifically for the areas of Manhattan and Brooklyn built up to a floor area ratio of 5.0 or more where there are concentrations of large storage garages, furniture warehouses and the like. Typical locations include the areas adjacent to the approaches to the Washington and Queensborough Bridges in Manhattan. Parking and loading requirements are less than for any other Heavy Commercial District. One parking space is required for every 1,500 square feet above 50,000. Loading requirements apply to smaller buildings. New structures of over 15,000 and existing buildings with over 30,000 square feet must install at least one loading berth.

COMMERCIAL-MANUFACTURING DISTRICTS

There are a few areas in the City where the pattern of manufacturing and residence uses has become so confused and inextricably intermingled over the years that other means than zoning will have to be employed to determine their ultimate functions. In some cases the removal of a physical structure, such as an elevated, might be sufficient to change the pattern of use. In others nothing less drastic than redevelopment and rebuilding of an area for either residence or manufacturing will straighten out the present confused land use pattern. When either change has taken place it will be possible to rezone these areas into one of the more clearly defined districts. The proposed zoning then, is of an interim or temporary nature. The Commercial-Manufacturing Districts should only be used

PROPOSED ZONING DISTRICTS

for these selected areas, and at such time when they no longer require such special recognition these districts should be dropped from the Resolution.

There are two general categories of areas appropriate for Commercial-Manufacturing Districts. First, there are the streets with elevated structures in the older low bulk areas of Brooklyn which cut directly through residential areas. Heavy commercial and certain light manufacturing uses have crept into this frontage over the years. Particularly, a prevalence of small clothing manufacturing shops were frequently found at scattered locations along such frontage. For these areas the Commercial M-1 District with a floor area ratio of 1.4 is appropriate. To a somewhat less extent this condition exists in Queens where the manufacturing uses are not necessarily in the garment category. The other areas for Commercial-Manufacturing Districts are in the blighted sections of parts of East Harlem in Manhattan, and between Third and Park Avenues from Claremont to East Tremont Avenue in the Bronx. Here the higher floor area ratio of 3.5 selected for the Commercial M-2 District is appropriate. The conditions arising from a combination of manufacturing and residential use at such a bulk are much more dangerous than in the Commercial M-1 District, but a close study of the residential and manufacturing bulks in these areas clearly demonstrated that no lower bulk is possible. Of the two Commercial-Manufacturing Districts this is the less desirable, and should be the first to be dropped from the Resolution when the ultimate use in these areas has been clearly determined.

The Commercial-Manufacturing Districts permit all uses found in the Commercial D Districts plus the manufacturing activities — largely clothing, novelty and printing — permitted in the Manufacturing A District described below. In addition the restricted manufacturing uses permitted in Residence-Restricted Manufacturing Districts, such as

MANUFACTURING DISTRICTS BASIS OF THE DISTRICTS

Proposals for the Manufacturing Districts are based on two major premises. First, zoning should reserve for manufacturing activities sufficient space with the appropriate physical characteristics, trans-

portation and medical goods and equipment manufacturing, are permitted. As a measure of protection to residence these uses are only permitted in completely enclosed buildings, and in no case may these manufacturing uses take place in the same structure with residence. Permitted retail and wholesale establishments may only devote 10% of their floor area to production and servicing of materials.

Commercial M-1 District

Floor area ratio—1.4

Residential buildings—for residence the bulk regulations for Residence B-3 District apply

Rear yard—20 feet

Parking Requirements—Same as for Commercial D-2 District. A minimum of 20% of the lot area must be devoted to parking, and one space per 600 square feet of floor area on the ground floor and 1000 on other floors must be provided for structures with over 3,000 square feet of floor area.

Loading Requirements—New buildings with over 8,000 square feet and existing structures of over 15,000 square feet of floor area in retail, wholesale, or manufacturing use must provide at least one loading berth.

Commercial M-2 District

Floor area ratio—3.5

Residential buildings—for residences the bulk regulations for Residence B-5 District apply.

Rear yard—10 feet

Parking requirements—one space per 2,000 square feet of floor area for structures with over 10,000 square feet or more.

Loading requirements—Same as for Commercial M-1. New Buildings with over 8,000 square feet and existing structures of over 15,000 square feet of floor area in retail, wholesale, or manufacturing use must provide at least one loading berth.

portation and utility facilities, and should encourage mutually beneficial relationships of uses, in order to protect and stimulate the manufacturing base essential to the City's economic welfare. Second, nuisance-producing establishments should be



NUISANCE IN MANUFACTURING DISTRICTS.

In order to keep new residences from areas inappropriate for living and to preserve industrial land for its proper purposes, it is proposed that new residential construction be prohibited in Manufacturing B, C and D Districts.

parking are needed and feasible. Second, the sections of the Bronx, Queens and Brooklyn on the waterfront or rail rights-of-way, but removed from the most congested areas. These are not adequately served by rapid transit and therefore require some parking. Finally, there are the central downtown Brooklyn and Manhattan sections where bulk has been high and parking difficult to provide. By combining the bulk ratios in this fashion the number of use districts has been kept to a minimum. Also, by having similar bulk districts for Manufacturing B and C, the possibility of Manufacturing B uses seeking locations in Manufacturing C Districts because of freer bulk regulations is minimized. If this possibility had not been minimized the Manufacturing C uses might have difficulty in finding sufficient choice of locations.

segregated according to the character and degree of the nuisance, in order to subject as few people as possible to the most objectionable influences and to protect adjacent Commercial and Residence Districts.

Based on these premises, four manufacturing use district categories are proposed. Manufacturing A permits garment and related light manufacturing. Manufacturing B permits an additional broad list of general manufacturing operations. Uses added for Manufacturing C include all heavy industrial categories with the exception of the more noxious and dangerous industries, which are permitted only in the Manufacturing D District.

These four categories of manufacturing use regulations have been combined with necessary bulk regulations to produce these nine proposed Manufacturing Districts:

District	Floor Area Ratio	Parking Ratio
Manufacturing A-1	10.0	Low
Manufacturing A-2	15.0	Low
Manufacturing B-1	2.0	High
Manufacturing B-2	5.0	Medium
Manufacturing B-3	7.0	Low
Manufacturing C-1	2.0	High
Manufacturing C-2	5.0	Medium
Manufacturing C-3	7.0	Low
Manufacturing D	5.0	High

The variations in floor area and the parking differentials are necessary because of the three general types of locations occupied by each use category. These are, first, the outlying one-story plants on low coverage where large amounts of

As a matter of fact there is little new manufacturing construction at high floor area ratios. Most new building in all areas is being done at 1.0 or below. A sample study of 2080 properties in various Manufacturing B locations in the City showed that at least 80% of the existing structures have floor area ratios of less than 2.0 and half the properties were developed at 1.0 or less.

A requirement of off-street loading facilities, based on floor area, is proposed in all Manufacturing Districts. Off-street parking, related to building floor area, is required for the larger structures in all districts.

Sign regulations for these districts are not as restrictive as in most Commercial Districts.

Where a Manufacturing District abuts a Residence District, it is proposed that transitional controls (with additional bulk and use regulations) shall apply to the abutting manufacturing uses, in order to minimize the nuisance impact on adjoining residences.

RESTRICTION OF NEW RESIDENCES FROM MANUFACTURING DISTRICTS

It is proposed that future residential construction be prohibited in Manufacturing B, C and D Districts. This regulation, widely adopted in other cities, is designed both to keep new residences from an area inappropriate for living, and to preserve existing good industrial land for its proper purposes, essential to the City's economic development.

PROPOSED ZONING DISTRICTS

Residence is not prohibited in Manufacturing A Districts which cover only the high bulk light manufacturing areas of midtown Manhattan, where there is little or no tendency for residence to locate. This assures a sufficient contrast between the uses permitted in districts permitting residence such as CD and CM Districts and those prohibiting residence to minimize legal questions.

The Consultants' proposal to prohibit residences in manufacturing areas is based on considerations such as these:

Protecting manufacturing land against encroachment by residence will help conserve the City's economic base.

Prohibition of new residence in such areas leads to gradual elimination of exposure of any homes to dangerous and obnoxious influences.

Separation of residence and manufacturing uses permits better provision for services and more suitable environment to each.

LIGHT MANUFACTURING DISTRICTS Manufacturing A-1 and A-2

These Light Manufacturing Districts, with proposed floor area ratios of 10.0 and 15.0 respectively, are designed specifically for use in the garment manufacturing areas of midtown Manhattan. The distinction in bulk is primarily an effort to confine the highest bulk to as restricted an area as possible. Any measurement of congestion in either of these districts would show that any additional building space in the area would only make an already intolerable situation slightly more uneconomic and less susceptible to improvement by traffic regulation. In addition to clothing manufacture, the use regulations permit a limited number of other non-nuisance manufacturing processes including novelties and printing. However, open amusement uses are obviously inappropriate, and both the heavy commercial and the more objectionable manufacturing uses are also excluded.

The strict use limitations, with exclusion of all manufacturing processes involving any degree of nuisance, are based on several considerations. If objectionable manufacturing processes were permitted, they would be a serious annoyance both to the huge labor force working in the area, and to those in the intensive central commercial area im-

mediately to the east. Moreover, manufacture of bulkier products would introduce additional congestion, with a different type of trucking, into the area. Since New York's largest basic industry is firmly established in this section, it is important to protect it against any such encroachment.

The parking and loading regulations in these districts apply only to the very large buildings; 100,000 square feet of floor area in Manufacturing A-1 Districts, and 150,000 for Manufacturing A-2 Districts. The parking ratio to floor space is twice as great for manufacturing uses than it is for storage establishments, but in no case is the requirement greater than the equivalent of one full story devoted to parking use. Parking requirements are waived for all structures which do not have at least 75 feet of frontage on a street 60 feet or less in width. Off-street loading berths are required for new structures with over 15,000 square feet of floor area, and existing structures of 30,000 square feet of floor area which have at least 50 feet of street frontage.

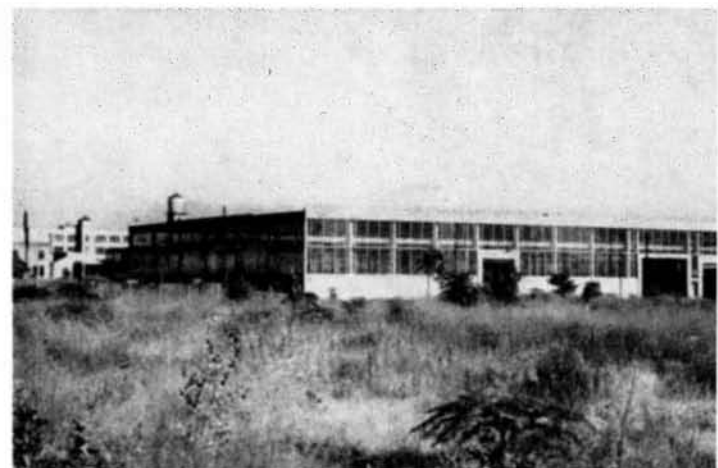
GENERAL MANUFACTURING DISTRICTS

Manufacturing B-1, B-2 and B-3

The General Manufacturing B-1, Manufacturing B-2 and Manufacturing B-3 Districts with floor area ratios of 2.0, 5.0 and 7.0 respectively, are designed to provide for the majority of the City's manufacturing employment outside the garment trades. A broad list of manufacturing activities is therefore permitted. However, since in many areas manufacturing is carried on in close proximity to residence, the heavier industries which would be harmful to residence are excluded. New residential construction will not be permitted in these districts.

LOFTS GIVE WAY TO ONE-STORY CONSTRUCTION.

The most desired type of manufacturing space today is in one-story buildings with low land coverage, as illustrated by this new factory in Long Island City.





MANUFACTURING D DISTRICT.

Manufactured industry is confined to the MD District, illustrated by the uses as that in the vicinity of Newtown Creek above.

Typical manufacturing uses permitted in Manufacturing B Districts include: textiles, small metal products, leather, paper and plastic products, and electrical appliances. Required parking regulations vary for each of the Manufacturing B District bulks. In Manufacturing B-1 Districts an establishment with 5,000 square feet of floor area or more must provide one space per 1,000 square feet. In Manufacturing B-2 Districts the starting point is raised to 10,000 and the ratio reduced to one space per 2,000. In Manufacturing B-3 Districts only structures with 50,000 square feet qualify, and they need only provide one space per 1,000 above 50,000 square feet. Manufacturing B Districts usually are located on or near truck highway routes, and have rail facilities in some cases.

INDUSTRIAL MANUFACTURING DISTRICTS

Manufacturing C-1, C-2 and C-3

These districts, with floor area ratios of 2.0, 5.0, and 7.0 respectively are controlled by bulk,

parking and loading regulations identical to their counterparts in the Manufacturing B Districts. The uses permitted, however, comprise a long list which in effect includes all other types of industry not permitted in Manufacturing B, with the exception of those involving noxious influences and dangers which are confined to locations in Manufacturing D Districts. Most heavy industry is therefore permitted in Manufacturing C. Typical of these uses are: machinery, building materials, leather tanning, glass manufacture, rubber products, structural steel and stone products. Most Manufacturing C Districts are mapped in locations with access to water and rail transportation. New residence construction is excluded from all Manufacturing C Districts.

HEAVY INDUSTRIAL-MANUFACTURING DISTRICT

This is the only district which permits all uses including the most obnoxious and dangerous industries, but not including residences. Only one bulk category with a floor area ratio of 5.0 was established because bulk is an unimportant consideration in this district which is primarily mapped in out of the way sections of the City, either well surrounded by other Manufacturing Districts or separated by natural barriers from residence. Typical uses confined to this district include: manufacture of chemicals, petroleum products, paint, rubber, glue, soap and fertilizers. Livestock yards and the storage of explosives are also confined to the Manufacturing D District, subject to the appropriate City and State regulations and laws such as Building Codes, Fire Department regulations, Labor Laws, etc. Parking and loading regulations are identical with those for the Manufacturing B-1 and Manufacturing C-1 Districts.

ADMINISTRATIVE PROVISIONS

In general, the proposed administrative provisions follow the existing pattern of zoning administration in New York City. This system is working reasonably well, and no advantage would be gained by adopting a different system. A few important modifications, however, are required partly because of weaknesses indicated in past experience and partly because of the structure of the proposed Resolution. This Chapter explains such modifications and discusses briefly the operation of the standard administrative provisions.

INTERPRETATION

Many of the interpretative clauses are standard in zoning ordinances, such as those covering the relationship between the ordinance and other regulations applicable to the same subject matter. However, adoption of a wholly permissive Resolution requires a mechanism to classify additional uses which, though similar to those which have been listed, are omitted — either because specific listing was felt unnecessary or because they may simply have been overlooked, or because of their development after passage of the Resolution. Some added uses may be important enough to warrant the formal procedure of amending the text of the Resolution, but usually it will be simply a matter of interpreting the use groups. A more informal procedure is therefore appropriate. For this purpose a mechanism is set forth by which the Planning Commission may make additions of other similar uses to the use groups. Such a procedure is, of course, limited to uses not already listed in other use groups. It is further required that the new uses shall conform to the basic characteristics of the use

group, and shall not adversely affect the character of any of the districts in which such group is permitted.

ENFORCEMENT

A zoning ordinance is enforced by four means: a building permit, a certificate of occupancy, inspection by the building department, and legal proceedings. In the present instance, as with all zoning ordinances, conformity to zoning is a prerequisite for the issuance of both building permits and certificates of occupancy. Since the prerequisites for issuance for these two permits are set forth at length in the Administrative Code, no provision is made in the Zoning Resolution. The proposed procedures for inspection and criminal proceedings follow in general the provisions of the existing Zoning Resolution.

AMENDMENT

Before the adoption of the New York City Charter in 1938, all changes in the Zoning Resolution and in the zoning maps were handled directly by the Board of Estimate. When the City Planning Commission was established under the Charter, its functions were defined to include a larger role than the usual advisory position of such an agency. Under the Charter, amendments of the zoning text and maps are taken up first by the City Planning Commission; and, if passed by the Commission, such amendments go into effect after 30 days, unless rejected or modified by the Board of Estimate. Moreover, under the present system proceedings to amend either the text or the maps may be initiated either by the Planning Commission or by petition

PLAN FOR REZONING

submitted to the Commission. It is further provided in the existing law that, if objections to a zoning change are made by 20% of the owners in, immediately adjacent to, or directly opposite the area of the change, the change may go into effect only if approved by a unanimous vote of the Board of Estimate. The Commission has prescribed a series of rules for notice, hearings, and so on.

In broad outline the Charter procedure has met with general acceptance, with a few exceptions. No good reason appears, therefore, to change the basic system. The proposed Resolution continues the existing division between proceedings initiated by the Commission and those initiated by petition. However, several relatively minor changes are proposed in the method for notice and hearing. While notice in the City Record may satisfy legal requirements for constructive notice, it is not seriously argued that this constitutes an efficient method for notifying those affected that a zoning change is under consideration. It is therefore proposed that the Commission should adopt the system — now required in proceedings where private parties have initiated petitions — of placing posters along the streets in the area affected. While it is recognized that this may constitute quite a big task, nevertheless provisions for real notice are an essential part of democratic procedure well worth the bother. On the other hand, it is not thought wise to subject the Commission's staff to the burden of finding the names of all registered owners and sending them notice by registered mail.

It is also proposed that, in proceedings initiated by the Commission, the Commission should, to the extent practical, send notice of proposed changes to the appropriate local organs of information and places of assembly in the area affected, such as the local newspaper, post office, community center, railroad station; and to interested groups and organizations. At least in the outlying parts of the City, this should represent a substantial improvement.

As for proceedings initiated by petition, the present system, providing notice both by posting and by registered mail as well as in the City Record, is considerably more adequate. It is proposed to permit all residents of an area to initiate such petitions, since all who live in an area are equally affected by undesirable conditions which zoning needs to con-

trol. The Charter procedure limits the time for filing such proceedings to the month of April; and this provision has placed undue burden on the staff of the Planning Commission during the Spring months. It is therefore recommended that filing of such petitions should be permitted throughout the year.

The existing clause requiring unanimous vote by the Board of Estimate for any zoning change protested by 20% of the owners in or near the area affected was inserted to facilitate adoption of the original Zoning Resolution. For a time analogous provisions, permitting various uses in certain areas by consent of affected or nearby property owners, were also tried all over the country. It is now generally agreed that all such provisions have worked very badly. In addition to opening the way to neighborhood bickering, obstructive tactics, and even bribery, such provisions run counter to the basic principle of zoning as a legislative act in the interests of public health, safety and welfare. Out of thirty-two zoning ordinances examined, only eleven contained 20% protest clauses; they have been omitted in most recent ordinances. New York City experience has further shown how unreliable and haphazard the system of private veto has become. The 20% may, in fact, be only a single owner. Moreover, inclusion of various adjacent and opposite properties makes it possible for a single owner — who may never have seen the area — to block a change which is considered desirable by every one in the area, by experts in the Planning Commission, and by all but one of the City's principal legislative representatives in the Board of Estimate. It is therefore recommended that the Charter be amended to eliminate the 20% protest clause entirely.

One additional change is recommended in the procedure for amending the Resolution. It is universally admitted that spot zoning is one of the major faults of zoning. By spot zoning is meant the relaxation of zoning restrictions (by a map change) for a small area, usually as the result of political pressure and favoritism. Under the existing New York Resolution, both use and bulk controls have been so loose that the problem has not been as serious as in other cities, but it is not realistic to expect this situation to continue. Under a Zoning Resolution with more effective controls, constant political

pressure may be expected for amendments of the zoning map to permit more intensive use and bulk for a particular lot. In order to provide a proper and definitive answer to such requests, two limitations are proposed on small map changes.

First, no amendment shall be adopted for an area of 10,000 square feet or less — usually a single lot — except in two situations: to adjust the boundary of an adjoining district, and to establish a small local shopping center. The latter provision is deemed essential, for there is no reason to require such shopping centers to be larger than is absolutely necessary in residential areas.

Second, no amendment shall be adopted to increase the permitted bulk for an area of two blocks or less in Residence B Districts, again except for specific situations where such change might be appropriate. For example, such small change might be appropriate to adjust an existing boundary, or to increase permitted bulk where essential for some community facility.

VARIANCES

Since no zoning ordinance can possibly fit every conceivable situation created by topography, street layout and land subdivision, such ordinances must contain provisions to modify the requirements in specific situations. The phrase used in the original New York Resolution, "Practical difficulty and unnecessary hardship," has been widely accepted all over the country; and under New York law its meaning is now well settled. Under this standard, variances may be granted only when the application of regulations creates hardship in the development of a parcel of land because of conditions which are peculiar to that site and not prevalent in the surrounding area. No changes are recommended in the proposed Resolution.

SPECIAL PERMITS

In addition to provisions for variance of the literal terms of a Zoning Resolution to deal with individual hardships, zoning ordinances usually include provisions for permitting additional uses in certain districts, subject to administrative supervision. Such provisions apply to uses whose appropriateness in certain areas may depend either upon the site chosen or upon the method of construction and operation.

The parking provisions of the proposed Resolution permit garages and parking lots as of right in considerably more districts than in the present Resolution, and thus the provisions for special permits for garages and parking lots become considerably less important. However, the proposed Resolution provides for special permits in several types of situations. Where the location of such uses has no particular relevance to major problems of city planning, it is appropriate to permit permits to be granted by the Board of Standards and Appeals. However, in a few instances, primarily involving uses with a large traffic-generating capacity, it is proposed that permits should be granted by the City Planning Commission, since such uses will affect the plan of the City over a considerable area. In most instances, the grant of a permit is conditioned upon specified findings.

Special Permits by the Board of Standards and Appeals

The provisions for permits by the Board of Standards and Appeals fall into three categories.

First, provisions in Sections 7 (a) and 7 (c) of the present Resolution, permitting minor extensions of existing buildings and uses, are continued. Section 7 (b) which is duplicated by the amended version of 7 (c) is omitted. The provisions affecting termination of non-conforming industrial uses and buildings non-conforming as to bulk are essentially similar.

Second, the Board is authorized to permit uses and bulks not permitted under the provisions of various sections of the Resolution. These provisions apply to transition regulations and to height regulations around airports, as in the present Resolution, and are applied to the regulations over off-street parking and off-street loading. No showing of hardship is required in these cases.

Third, in several districts, the Board is empowered to permit certain additional uses subject to such terms and regulations as may be appropriate to protect the surrounding area. These provisions are generally analogous to those in Section 7 of the existing Resolution, but with important modifications. Under those provisions, necessary utilities — fire and police stations, railroad passenger stations,

PLAN FOR REZONING

electric substations, telephone exchanges and water pumping stations — may be permitted in Residence Districts and Residence-Restricted Manufacturing Districts, where they are not permitted as of right; and radio towers may be permitted in Residence B, Residence-Restricted Manufacturing and Residence Retail Districts. In Residence Retail C Districts, theatres, tourist cabins and filling stations may be permitted in an appropriate area. Commercial parking garages and commercial parking lots are permitted in Residence Retail and Commercial A Districts. The provision on theatres was inserted after a detailed study of the areas where Residence Retail mapping was appropriate, since it appeared that large numbers of theatres are presently located in such areas. In addition, filling stations are also permitted in Commercial B-1, B-2, B-3 and Commercial C Districts. Finally, trailer camps may be permitted in Commercial D, Commercial M and Manufacturing A Districts.

Special Permits by the City Planning Commission

The various provisions inserted in the Zoning Resolution in the last few years for administrative supervision of certain uses by the City Planning Commission are consolidated in the proposed Resolution into a single section. The existing provisions for review of large parking facilities, bus stations, drive-in theatres, and airports are continued, except heliports and airports may not be permitted in Residence Districts, and the districts in which

drive-in theatres may be permitted are adjusted to the new Resolution. Auditoriums and stadiums are added to the list subject to approval by the Planning Commission.

REGULATIONS FOR LARGE-SCALE DEVELOPMENTS

The importance of certain special provisions for large-scale developments has been discussed in Chapter 4. Several provisions discussed in that Section — use exceptions, modification of bulk controls, and checking on needs for schools and other essential community facilities—are included in the administrative section.

SEPARABILITY CLAUSE

Since in zoning, challenges on constitutional grounds are most often made — and upheld — against the application of ordinances to particular parcels of land, rather than on the regulations as a whole, the separability clause presents a special problem. Under the proposed clause, if any section of the text should be declared invalid in toto, the legislative intent is declared that the effect of such decision shall be limited to that clause. Under a separate and more important provision, if the application of any section of the ordinance to any parcel of land or building is declared invalid, the legislative intent is declared that the effect of such decision shall be limited to that particular parcel of land or particular building.

DRAWING THE NEW ZONING MAPS

The provisions of the Zoning Resolution are without effect until the districts have been precisely defined on a map. Only thus can the requirements of the various types of districts be translated into controls affecting the use of land and buildings and property and the construction of new structures.

The preparation of the zoning map involves more than an arbitrary drawing of district lines. The districts as mapped and the restrictions and regulations which they impose must be a reasonable exercise of the police power as defined by the courts under the terms of the enabling legislation.

The impact of the mapping of zoning districts is moreover of great significance from a city planning

point of view. The zoning map is the tangible expression of the outlook for the future development of the City. It lacks provision for public improvements and services which are features of a comprehensive city plan, except as existing streets and parks, etc., may appear incidentally on it. But in a very real sense it is an important element of the city plan, for it reflects and to a large degree determines the nature of the private property development which all other elements of the plan are intended to serve.

Hence it is important to realize in drawing a zoning map that not only the development of property within each district is involved, but the future structure of the whole City is influenced.

GENERAL OBJECTIVES

Ideally, zoning districts should include areas of homogeneous use, where a certain set of controls is uniformly applicable from the point of view of the value of the property directly involved and the health and welfare of the community in general. In practice, the isolation of such homogeneous districts is not always feasible, since through the years prior to zoning and those in which an increasingly obsolete law directed the development of the City, incompatible uses have intermingled in many instances to an extent which makes an attempt at orderly sorting out all but impossible. In such cases the problem is reduced to one of finding what could well be termed the common denominator of a

specific area and subjecting it to controls which best answer, on the whole, its immediate and future needs as well as those of the larger community of which it is a part.

A suitable inter-relationship between the mapping of specific areas and the control of the area by zoning district regulations is only possible if the regulations are drafted with due consideration of existing field conditions. This correlation was achieved in the Plan for Rezoning through constant field testing of the controls as they were being drafted: by their application to typical areas, and by their modification in the light of this application.

PLAN FOR REZONING

To help determine where districts should be mapped, a thorough study was made of existing land uses and of recent building trends. Additional governing considerations were derived from the studies of future residential, commercial and industrial space requirements; and land to meet these requirements was set aside in areas most suitable for each purpose. Also, wherever incompatibility of uses within an area threatened the health and welfare of the community and the stability of property values, an attempt was made to discourage, and in some cases even to prohibit, the continuation of existing practices. In some instances new features, such as newly built or planned highways and parks, have influenced the mapping substantially. Whenever possible, an attempt was made to map Residence Districts in a way which would enable them to be part of communities, rather than permit them to become isolated pockets surrounded by non-residential uses.

Each district was mapped in such a way as to insure that various necessary service facilities will be easily accessible to it. Thus the location and amount of residence retail frontage was based on the residential area and population it was to serve. Similarly, Heavy Commercial Districts were generally located with reference to the residence and commercial areas they serve.

The mapping operation involved not only an entirely new set of districts but the complication inherent in reducing New York City's zoning regulations from the present 3-map system to a single map system. This required close attention to the question of building bulks coincidentally with the determination of uses. Under the intensive development present in New York, with its rapid transitions in bulk, use, and land value, careful examination of land use materials available and field checks had to be made before the mapping operation could be carried on by the staff with assurance.

PROCEDURE

The staff concerned with mapping was organized into five teams for assignment to the five boroughs. This was necessary because of the vast extent of Greater New York which is really "five cities in one." It was also desirable because of the wide variety of conditions and substantial differences encountered in the various boroughs. The several teams were thus enabled to make intensive field observations and studies in their respective boroughs, and to accommodate the mapping to the conditions there encountered.

Care was taken, through constant staff interchanges between the borough teams and the headquarters staff, to insure a consistent approach to the problems encountered, and to keep the regulations realistic in the light of conditions actually encountered in the field.

Certain basic studies were made prior to the mapping of each borough. The most important of these was the preparation of a series of overlay maps collecting in a readily visible manner com-

parable information about every piece of property in the City. These are described in the following paragraphs.

Generalized Land Use Maps

For zoning purposes, it was important to determine the predominant land use over large areas. For this purpose an overlay was first prepared on the original 600' scale land use maps on which small variations in land use were disregarded. On this map residential areas were further broken down by prevailing bulk of buildings.

These 35 sectional overlays were then reduced in scale to show each entire borough on one sheet to enable the staff to visualize clearly the major land use patterns in each borough.

Determination of Stabilized Areas

Obviously in an almost fully built-up city such as New York there is not as much flexibility in projecting a desirable land-use pattern as there would be if the City contained large amounts of undeveloped

land. Changes in recently developed areas are not likely, and the same is true as well in many areas where building investments are particularly heavy including railroads and stations, libraries and museums, armories, etc. Moreover, various municipal features such as parks, parkways, schools and others were deemed to be of a permanent character. A map was prepared, where all areas not considered likely to change in the next twenty years were shown according to their characteristic use and bulk.

Determination of Building Trends

With the help of the Sanborn Insurance Atlas, overlays on the 600-foot scale land use maps were prepared showing the development which has taken place in the last twenty years in the Bronx, Brooklyn, Queens and Richmond. For Manhattan, due to the fact that the major part of its development occurred prior to 1930, a special set of overlays was prepared showing the building trends between 1910 and 1930, as well as those from 1930 to date. These overlays were especially helpful in insuring that the mapping of the proposed zoning districts would not, in general, run counter to discernible trends.

Determination of Land Values

Maps were prepared showing the assessed value of all land in the five boroughs. These maps showed the extent to which land values were based on zoning as well as on actual use. They also helped insure that the proposed mapping would take into consideration effect of rezoning upon the City's prime source of revenue.

Determination of Retail Frontage

In view of the fact that considerable reduction in frontage zoned for business was contemplated, a detailed study of existing retail and related uses was made with the help of data collected in the New York Journal-American Sales Control Manual. Field surveys of all such frontage which included a listing of the uses found in many major commercial centers were made by the staff. Maps were prepared showing all block fronts where at least 30 per cent of the frontage was found to be in retail and related consumer service uses. On the

basis of these maps of existing retail use and results of other studies of retail activities, standards and rules for the mapping of retail frontage were established. With this background the retail frontages were mapped in quantities sufficient to serve surrounding residential populations and yet provide reasonable choices of location for merchants.

Existing Building Bulks in Proposed Commercial and Manufacturing Districts

In order to insure that the proposed maximum building bulk regulations in Commercial and Manufacturing Districts were realistic in the light of existing conditions, a special study of these areas was made. In each case computations from the Sanborn Insurance Atlas were made of the average and maximum bulk prevailing in the district.

Special Studies

In addition, special studies were made of conditions which were deemed important to the development of a particular borough, but which had no general application. For example, in Manhattan special studies were made of the bulks of the buildings in the area south of 59th Street and of manufacturing locations by type of manufacturing. In Richmond special studies covered land in tax liens and the patterns of land ownership in areas still vacant and undeveloped.

The studies and maps mentioned in the paragraphs above, together with a large volume of notes, constitute the documentation of the mapping operation. While the mapping was in progress, the staff sought the views of various civic and real estate groups, of municipal departments and of the various special purpose public authorities. Many of their suggestions and criticisms were incorporated in the proposed maps, which does not imply, however, that the proposals of the Consultants have the endorsement of such groups.

It should be strongly emphasized that within the limitations of time and staff (five field teams of two or three members each) this constitutes the best job of mapping the 36,000 City blocks which could have been done. Further discussion with local groups and borough officials as well as detailed public hearings must precede final adoption of the proposed zoning maps.

EXISTING LAND USE AND FUTURE NEEDS

EXISTING LAND USE

Grouped according to the basic zoning classifications, residence, commerce, and manufacturing, the existing use of land in the city as a whole and in each of the five boroughs exclusive of streets and of areas devoted to parks, playgrounds, cemeteries, airports, and other similar large institutional uses, is as follows:

EXISTING LAND USE IN NEW YORK CITY 1948

Land Actually in Use: i. e. Exclusive of Streets, Large Parks, Playgrounds, Cemeteries, Airports, and Other Similar Large Reservations of Land

	Manufacturing ^a	Commerce ^b	Residence ^c
New York City	11,680	1,930	41,020
Manhattan	1,540	560	3,240
Bronx	1,490	340	4,870
Brooklyn	3,650	420	13,380
Queens	3,200	520	15,830
Richmond	1,800	90	3,700

^aManufacturing includes light, general and heavy manufacturing, and services usually associated with it or located in manufacturing areas. Specifically the following land use categories designated for the 1948 study are included: warehousing, loft and light industry, automotive storage and services, industry and transportation.

^bCommerce includes all offices and stores without residence overhead.

^cResidence includes all land used for residential purposes including those buildings with stores on the ground floor.

FUTURE NEEDS AND PROPOSED ZONING

Calculations of the amounts of land needed in the future (1970) for these purposes have been presented in Chapter 2.

Lands allocated to these purposes by the proposed zoning districts have also been measured.

For the city as a whole these relationships are as follows:

It is to be noted that in the case of land for manufacturing, the needs were estimated very generously both because of the importance attached to this economic activity, and recent trends toward more extensive use of land by manufacturing plants. Because of this generous estimate, the land zoned for this purpose is only slightly greater than the estimated need.

In the case of commercial lands, the estimate of need did not greatly exceed present use, because it seems doubtful that any great amount of new land will be needed for these purposes in view of present tendencies toward concentration of commercial uses. However, in this instance, the lands proposed to be zoned for these purposes are some 50% greater than the estimated requirements. This gives considerable latitude in choice of sites.

These differences also reflect the fact that residence will be excluded generally from manufacturing areas, so that their zoning can be figured much more closely than that of commercial areas, from which residence would not be excluded.

ACRES IN PROPOSED DISTRICTS

	Manufacturing ^d	Commerce ^e	Residence ^f
Existing Use ^a	11,680	1,930	41,020
Estimated Need ^b	20,970	2,160	(not estimated)
Proposed Zoning ^c	21,855	3,265	66,750

^aFor notes relating to existing land use see footnotes for the table above.

^bFor methods of determining estimated need see Chapter 2.

^cProposed zoning categories were combined as follows to permit accurate comparison between existing use, estimated need and proposed zoning:

^dManufacturing: includes all Manufacturing and Heavy Commercial Districts.

^eCommerce: includes all Commercial Districts except Heavy Commercial and includes a partial acreage allowance for Residence Retail.

^fResidence: includes all Residence Districts, Residence-Restricted Manufacturing (since the extent to which these areas will be used for manufacturing is unknown), and Residence Retail (since residences may be built above stores).

Comparable figures have not been given for retailing, because so much present and anticipated retail store space is to be found not only within Residence Districts but actually within residence buildings. This doubling up makes it difficult to present absolute measurements. Great care has been taken, however, to assure adequate provision for the retailing function in the proposed zoning, without repeating the past mistake of grossly excessive retail frontages.

POPULATION CAPACITY OF PROPOSED RESIDENCE DISTRICTS

The quantity of land needed for residence is, of course, a function of total future population and of population densities in the various residential areas. It has therefore not been figured comparably to the other uses. It should be noted, however, that the proposed zoning contemplates more than a 50 per cent increase in land zoned for residence, and therefore, in the light of total population estimates, provides for a significant decrease in densities. It should also be noted that this land includes land for

residence retail, and for any expansion of any land used for residence services, schools, parks, etc., although existing land in these uses is excluded.

In order to effectuate a decrease in densities, population capacity, while providing for flexibility, must not be excessively above population estimates. The following table shows the comparison between the estimated population for 1970 and the capacity provided by the proposed zoning envelope.

The comparison between estimated population and the capacity afforded by the zoning envelope indicates that room is provided for almost fifty per cent more people than the estimated 1970 population. The leeway between expected population and population capacity varies between boroughs, with the greatest margin provided in those boroughs where the greatest population change is expected. While the difference between total expected population and total capacity is not excessive considering the need to reserve some of this land for recreation, education and local shopping, the zoning envelope provides space for more than six times as many persons as the expected increase in population.

COMPARISON OF POPULATION CAPACITY OF PROPOSED RESIDENTIAL DISTRICTS WITH ESTIMATED 1970 POPULATION

Borough	1) Proposed Residential Zoning (Acres)	2) Population Capacity of Zoned Area (Persons)	3) Estimated 1970 Population (Persons)	4) Column 2 as % of Column 3
Manhattan	3,080	2,091,000	1,920,000	109%
Bronx	7,935	2,294,000	1,650,000	139%
Brooklyn	16,290	3,886,000	2,960,000	131%
Queens	25,380	3,218,000	1,815,000	177%
TOTAL 4 BOROS	52,685	11,489,000	8,345,000	138%
Richmond	14,065	1,130,000	240,000	471%
NYC TOTAL	66,750	12,619,000	8,585,000	147%

MAPPING THE FIVE BOROUGHS

BOROUGH OF MANHATTAN

Rezoning for Manhattan must recognize that virtually all land areas in the Borough have been developed and that use patterns are firmly established. Some changes in use are nevertheless inevitable over the years, particularly in areas designated for slum clearance and redevelopment.

For this reason the major objectives of rezoning in Manhattan are to facilitate a gradual reordering of present undesirable mixtures of land uses and

building types; to bring use areas into proper accord with future growth prospects; and to prevent excessive bulk in future building in central commercial and manufacturing areas and in residence areas — particularly those in which normal new building is likely to take place and those old ones which will eventually be cleared and rebuilt.

Existing Zoning

Generally almost all Residence Districts permit an excessively high building bulk. Many almost

PLAN FOR REZONING

wholly residential areas, moreover, are mapped in non-residential, primarily Business, Districts. Outstanding examples are such areas as East Harlem and the Lower East Side.

Excessive bulks are also permitted in non-residential districts. Strip business zoning covers, in many instances, exclusively ground floor retail development. Local Retail, the corresponding present district, is mapped only in a few isolated spots. In addition, a few large Unrestricted Districts cover areas where the existing development would warrant a light manufacturing classification. Such areas are to be found in midtown, between 14th and 30th Streets and 5th and 7th Avenues, between 36th and 40th Streets and 7th and 10th Avenues. Also, areas such as Manhattanville, Upper East Harlem, the Dyckman Street area and the vicinity of Bellevue Hospital are predominantly residential, or closely surrounded by residential development, and are therefore improperly zoned Unrestricted.

Proposed Zoning

Residence Districts. The proposed Residence Districts reflect the fact that no future increase in population is seen for the borough. The highest bulk district, Residence B-7 (floor area ratio 10.0), is mapped only in areas where present development and land values have created a pattern of exceedingly high residential densities which can be justified in terms of special amenities or special occupancy. Also, the lowest bulk classification reasonable for the borough in view of land values and population requirements, Residence B-4 (floor area ratio 2.4), is mapped as widely as was found practical. This lowest bulk district is mapped in areas of relatively low land values, away from rapid transit facilities, and where there was some likelihood of public assistance in clearance of land for redevelopment.

The zoning proposals are adequate to accommodate the borough's potential population with a reasonable surplus for flexibility and variations in building bulk. In addition, it is expected that the residential areas mapped in Commercial Districts may continue to house some substantial proportion of the borough's population.

Residence Retail and Commercial Districts. No substantial reduction of retail frontage was found

possible due to the fact that continuous retail street frontages are a necessary complement of exceptionally high residential densities. For the same reason it was not found possible to encourage "clustering" of stores, since such a procedure would lead to burdensome package-carrying distances for large numbers of people and would increase the necessity for pedestrians to cross heavy traffic streets.

Manhattan's Commercial Districts include the highest valued land anywhere in the City. The principal areas mapped for commercial use are the downtown and midtown central commercial sections; major but less intensive sections on, and adjoining, 14th Street, on Broadway between 72nd and 110th Streets, on 125th Street and on 181st Street; and mixed commercial and residence areas with a limited amount of manufacturing, principally on the lower East Side and in East Harlem. The wide range of activities taking place within the major central areas have had a tendency to separate into various specialized locations, with the result that parts of the same district frequently seem quite dissimilar in character. Thus the Commercial B District embraces areas devoted to general retail, office use, and wholesaling; concentrated retail centers serving adjacent residence areas; and a special district with unrestricted signs (Commercial B-6) — the central theatrical and amusement district.

The highest bulks are found in the lower downtown area, in the vicinity of Grand Central Station, along 5th Avenue and along central portions of the principal side streets such as 57th, 42nd and 34th Streets.

Heavy Commercial Districts are mapped in such areas as the vicinity of the waterfront, the upper reaches of Amsterdam and 7th Avenues, the approaches to the Washington and those to the Queensborough Bridge.

Commercial-Manufacturing Districts are generally mapped in redevelopment areas, where no identifiable trends indicate clearly the type of development likely to take place in the near future, and where the present intermingling of uses would make any other decision little short of arbitrary. It is expected that, following the formulation of

redevelopment plans, or the emergence of a clearer pattern of development as a result of other operations, the zoning of these areas may need to be revised.

Manufacturing Districts. Proposed Manufacturing Districts are based on the analysis of trends in the location of manufacturing establishments since 1900. At that time the principal manufacturing concentrations were located in lower Manhattan near the East River. In 1922, the most striking shift was that towards the West Side, along the Hudson River pier area. In 1946, no diminution of activity was apparent on the West Side, while the most significant growth had taken place in the center of the midtown section, north of 14th Street between 3rd and 8th Avenues, with an extension pointing eastward and centered along 42nd Street.

The garment, millinery and graphic arts centers located in the center of the borough and on exceptionally high cost land, are mapped in a restricted high bulk light Manufacturing District. The manufacturing sections of the lower and upper downtown areas are mapped in General Manufacturing Districts. The West Side waterfront itself and the Fulton Market — Brooklyn Bridge section — are mapped in a heavy Manufacturing District. (No noxious industry is permitted anywhere on the island). Additional small Manufacturing Districts were mapped to recognize small manufacturing establishments and transportation facilities, such as the Ruppert Brewery in the East 90's, the New York Central's Manhattanville Terminal, etc.

BOROUGH OF THE BRONX

Rezoning for the Bronx must recognize that, although all lands in the borough have not been developed, use patterns in most areas have been clearly established and definite trends have been established in most of the remaining areas. In general, it may be said that the western half of the borough is not expected to change materially in the next twenty years, since it was so recently developed. However, the availability of vacant land, the construction of new parks, parkways and expressways, as well as the forthcoming reduction in water pollution in Long Island Sound, which will make boating and even swimming possible, may all contribute to the more intensive development of the borough's eastern end.

Existing Zoning

More than 80% of all land now zoned for multi-family residential use in the Bronx could be developed at almost double the bulk of most present developments. Present zoning is also equally excessive in areas where one- and two-family houses are the predominant type of development. Frontage zoned for business substantially exceeds the frontage used for such purposes. Recent rezoning by the Planning Commission has made an attempt at reducing such business frontage, especially in the proposed redevelopment area south of Crotona Park. On the other hand, present business zoning has permitted the infiltration of manufacturing and heavy commercial uses especially along Third and Jerome Avenues, Boston Post Road and White Plains Road. Unrestricted zoning generally follows existing development or includes vacant land suitable for industrial use.

Proposed Zoning

Residence Districts. The only districts restricted to detached single-family houses correspond to the present G Districts, and are all located in Riverdale. The permitted intensity of development increases with the proximity of the various areas to transportation facilities and to employment opportunities. In all recommendations made, existing development was one of the major determining influences. The highest bulk permitted anywhere in the borough is mapped in the area roughly bounded by Fordham Road, the Grand Concourse, 153rd Street and Jerome Avenue. In some instances, the proposed zoning restricts the bulk of buildings below that prevailing in the area, despite the fact that it is recognized that the full benefits of such zoning will not be felt for a number of years.

Residence Retail and Commercial Districts. In general, it was found possible to map residence retail frontage in such a way as to encourage the "clustering" of stores rather than permit their development in endless strips. Wherever the type of surrounding development allowed, sufficient land was included in residence retail areas to permit the development of adequate off-street parking facilities.

High bulk Commercial Districts include all the areas of highest commercial activity (such as Fordham Road, 149th Street, etc.) and areas surrounded

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by very high bulk residential development. Elsewhere, as well, especially in the immediate vicinity of subway stations and at important traffic intersections, a higher bulk than warranted by the expectation of commercial development was mapped in order to keep parking requirements to a reasonable minimum. It would also permit residential development, if it were to occur, in such areas to be built to a bulk corresponding to that of the surrounding neighborhood. Outlying commercial centers were assigned to lower bulk districts in conformance with existing bulk patterns and parking needs.

Heavy Commercial Districts were mapped along major traffic arteries, and in a few isolated cases, to include City transportation yards, monument works around cemeteries, drive-in movies and boat yards.

Commercial-Manufacturing Districts were mapped in some areas where incompatible uses are too intermingled to make any other decision possible. Most areas thus designated are scheduled for eventual clearance and redevelopment.

Manufacturing Districts. Heavy Manufacturing Districts are mapped in areas where such uses already exist or where rail, water or other transportation features make such areas desirable for manufacturing development. The marshy area bounded by the Hutchinson River, Givans Basin and the proposed New England Thruway, while vacant, is placed in a Manufacturing District by reason of the excellence of transportation facilities serving it and also by reason of its isolation from residential areas. General Manufacturing Districts are scattered throughout the borough to correspond to the present development pattern as well as to encourage the development of outlying centers of employment.

Noxious industry is permitted only in the Hunts Point Area, along the East River, substantially in accord with present "unrestricted" zoning.

BOROUGH OF BROOKLYN

Brooklyn has the largest population of all the boroughs, providing homes for about 36% of the City's inhabitants. It also has the largest area in use for industrial and manufacturing purposes. Many of its residents live on land presently zoned for non-

residential uses. One of the major objectives of rezoning in Brooklyn, and one of its major problems, is to make available sufficient land for industry and manufacturing and provide good residential conditions for the many people living near large manufacturing employment centers.

Other objectives of rezoning are to facilitate a gradual reordering of present undesirable mixtures of land uses and building types; to protect predominantly developed one- and two-family residential areas against the encroachment of tall apartment houses and excessive retail store frontage; and generally to bring about an improved borough pattern of land use.

Existing Zoning

Approximately one-fifth of the borough is zoned Unrestricted or Business despite the fact that the character of many of the areas therein is predominantly residential. This applies particularly in the old, well-established communities of Williamsburg, Greenpoint, Bushwick, Bedford-Stuyvesant and Brownsville. The areas where such lack of protection of residential development is in evidence are also the areas where are found Brooklyn's worst slums and blighted areas. Fifteen to twenty percent of the borough's population lives in non-residential districts.

Excessive strip business and retail zoning is also prevalent, with resulting sterilized land. Excessive business zoning is also responsible for the slow encroachment of manufacturing uses along retail streets and the consequent blighting not only of the retail streets themselves, but also of the surrounding residential areas.

No protection is offered the downtown Commercial District, where only a short stretch of Fulton Street is zoned restricted retail, while all the rest is zoned "business," thereby permitting the encroachment of heavy storage and manufacturing establishments into the area.

Spot zoning examples are numerous. Partly, they were made in answer to the demand for space for manufacturing establishments. However, many were made when the original Resolution was adopted, for the purpose of legalizing manufacturing plants in their existing location; this despite the

fact that often such plants were located in solidly residential areas.

Present residential bulk zoning throughout about 80% of the borough is excessive, since it corresponds to development with 12-story buildings on 80% coverage. Wide avenues, such as Ocean Avenue, are zoned for even higher bulks. Most sections where prevailing development is of low bulk are offered no protection whatsoever.

Proposed Zoning

Residence Districts. The two districts presently restricted to detached single-family houses are placed in a corresponding district. Areas where the predominant development consists of single family houses such as Bay Ridge and Flatbush, as well as undeveloped areas located far from transportation lines and not served by community facilities, such as New Lots and Flatlands, are mapped in lowest bulk general residence. The bulk increases with the relative proximity of the various areas to rapid transit lines and to the downtown section, always recognizing the predominant present development of each area. Most of the residential area is placed in a district permitting a maximum floor area ratio of 1.4, corresponding to predominant existing bulk. Most recent development in the more outlying areas such as Beachhaven at Brighton Beach, Arlington Village in East New York and others, whether composed of two-, three-, or six-story buildings conform to the requirements of this district. Higher densities are permitted in areas where present high bulk development is comparatively stable, in areas which afford easy access to major employment centers and in areas where the value of the land is high due to its location along a wide avenue or in close proximity to large parks.

Residence Retail and Commercial Districts. Residence Retail frontage is mapped along streets in residential areas having substantial business activity and in all areas where residential building activity justifies the expectation that an increase in population will be followed by a corresponding increase in retail activity. In some instances residence retail is proposed for frontage presently occupied in considerable proportion by light manufacturing and heavy commercial uses, but where the presence of such uses is having an adverse effect on the character of the shopping street. It is hoped

that, in time, such uses can be induced to move to areas reserved for heavy commercial and manufacturing activities. Residence Retail A and C Districts are mapped to a depth of 150 feet wherever possible.

Commercial Districts. The downtown commercial area is placed in a Restricted Commercial District. Such recognized active secondary shopping centers as Sunset Park, Borough Park, Bay Ridge, etc., are placed in a General Commercial District with a bulk corresponding to the comparatively low bulk of the surrounding Residence Districts. Areas close to downtown, where only large structures would have space for required off-street parking, are placed in a Commercial District with higher bulk.

The two Amusement Districts mapped are in Coney Island and at Ebbets Field.

Heavy Commercial Districts are mapped principally where such uses occur along major trucking arteries, at important traffic intersections, adjacent to major and secondary shopping centers and in appropriate places to service residential areas.

Areas where the intermingling of uses is so hopeless as to preclude the possibility of a radical solution within the scope of zoning powers are placed in Commercial-Manufacturing Districts. This is done with the understanding that such areas will be constantly reviewed, and that a positive zoning decision will be taken when definite trends in use are discernible. In many cases, the solution will be achieved through wholesale clearance and redevelopment of such areas.

Manufacturing Districts. General and heavy manufacturing areas are found throughout the borough, and the mapping of these districts is generally in accordance with this pattern.

The amount of vacant land available in such districts may cause an increase in manufacturing activities in the more outlying areas, thus reducing the rush-hour load on the Manhattan bound rapid-transit lines.

Noxious industrial districts are mapped along Newtown Creek and parts of the New York Bay waterfront, generally following the pattern of present Unrestricted Districts. Wherever possible, the proposed manufacturing building bulks are low, in order to permit the development of much-needed off-street loading and parking facilities.

BOROUGH OF QUEENS

The major change from existing zoning in Queens is the proposed general lowering of permitted bulk for residential development throughout the borough. Most of Queens under present zoning is eligible for the kinds of apartments now going up in Manhattan. Such construction obviously will not occur all over the borough, for if it did Queens could easily absorb the entire present population of New York City.

A second important contribution of rezoning for the borough of Queens is guidance of the development of the remaining tracts of vacant land in the borough so that they are used in the best possible way from the point of view of the borough as a whole. Specifically, in recent years some of the last good industrial sites in Queens have been taken for housing developments. Typical areas affected are in Astoria (Marine Terrace), and Long Island City (Queensview, Ravenswood and Queensbridge). The proposed Zoning Resolution would set aside and protect a good proportion of the best remaining undeveloped industrial sites by placing them in Manufacturing Districts from which new residences would be excluded.

Existing Zoning

The outstanding characteristic of residential zoning in Queens is the extraordinary discrepancy between it and existing development. While one- and two-family houses predominate almost everywhere, approximately 60% of all residentially zoned land permits development with twelve-story buildings covering 80% of their lot. There are several areas restricted to one-family houses, some of which, however, include outlying undeveloped land unsuitable for residential use. The remainder of the residentially zoned land permits development equivalent to six-story buildings on 30-35% of the lot. The total number of people which could be accommodated in the Residence Districts of Queens is 30,000,000, approximately 20 times its population.

Strip business and retail zoning is prevalent, especially in the older, more inlying areas.

With the exception of such instances as the land northwest of the intersection of Horace Harding

and Queens Boulevards, in Corona, large sections of College Point and the Rockaways, the unrestricted and manufacturing zoning covers industrially developed areas or areas generally suitable for industrial development.

Proposed Zoning

Residence Districts. The fact that the most prevalent type of development in Queens is the one- and two-family house has been recognized in the mapping of the proposed districts. High bulk apartment houses are permitted only where they already exist in areas located in close proximity to rapid transit and railroad lines. Medium bulks are also proposed in such older residential areas as Steinway and other locations near rapid transit and railway passenger stations, which are close to major employment centers both in Queens and in Manhattan.

Districts permitting exclusively one-family houses were mapped only where existing zoning is similar.

Residence Retail and Commercial Districts. At present, with the exception of the major commercial centers, retail and accessory activities take place in establishments located on the ground floor. Residence Retail Districts are mapped throughout the borough where some degree of retail activity is present or may be clearly anticipated. Wherever possible, Residence Retail Districts are mapped to a depth of 150 feet, to permit the development of off-street parking facilities.

Major commercial centers, such as those in Jamaica, Flushing, Jackson Heights, etc., are mapped in a district corresponding to existing present development and parking needs.

Several Commercial-Amusement Districts are mapped in the Rockaways to include the beach and resort activities present in that section of the borough.

In addition, some small areas where the intermingling of uses is such as to preclude the possibility of a just decision at this time, are mapped in Commercial-Manufacturing Districts.

Manufacturing Districts. All existing concentrations of manufacturing establishments are recognized and protected by assignment to appropriate zoning districts. Sufficient vacant land has been in-

corporated in Manufacturing Districts to accommodate all estimated increases in manufacturing activities in the borough to 1970.

The major industrial center of the borough is along the East River — Newtown Creek waterfront. The more isolated portions of the various industrial areas are set aside for noxious industry, but in no case does such a district directly adjoin a Residence District except for special zones set aside for public utility installations.

Some of the undeveloped outlying or swampy portions of the borough are mapped in a Residence-Restricted Manufacturing District, to encourage employment in close proximity to residential areas.

BOROUGH OF RICHMOND

The vast stretches of undeveloped land in the borough of Richmond are New York City's last substantial land reserve.

The development of the borough has been held up mainly by its inaccessibility. The contemplated span over The Narrows, which will connect Richmond with Brooklyn, may have an important effect on the future development of the island but a sudden large-scale increase in the borough's total population is not likely until the dependence of its residents on employment elsewhere is ended. This is largely due to the fact that the traveling time to Manhattan for those who will continue to rely on public transportation will still be excessive. Of approximately 55,000 people in the labor force, 35,000 commute daily to Manhattan, and a few additional thousand to Brooklyn and New Jersey.

Existing Zoning

Much of the borough's existing zoning would permit a pattern of development based on six-story apartment houses covering thirty per cent of the land. Predominant recent residential development, however, has consisted of single-family houses on 50-foot lots, and of two-story garden apartments, covering approximately 25 per cent of the land.

An excessive amount of frontage is presently zoned for retail and commercial uses, which permits the indiscriminate location of stores, thereby creating a considerable amount of sterile land and interfering with the development of convenient, concentrated shopping centers. Business Districts

are generally found in 100-foot strips backed up by Residence Districts. This fact results in the frequent establishment of many manufacturing concerns in too close proximity to residences.

Unrestricted Districts are generally mapped in areas unsuitable for development, industrial or otherwise.

An additional characteristic of the present borough zoning maps is the profusion of spot-zoning map changes which were necessitated by the inapplicability of existing controls to various unforeseen land use demands in various areas.

Proposed Zoning

Any rezoning scheme for the borough of Richmond must not only recognize the errors made in the development of the other boroughs, but must also insure that low density development will be protected and that a repetition here of the City-wide pattern of ever-increasing congestion will be neither possible nor necessary.

Residence Districts. Residence Districts are mapped so as to conform more closely to existing development and to recent building trends. A number of areas presently developed with single-family homes are placed in a corresponding district. The largest portion of the borough, however, is placed in a General low bulk Residence District which would permit both single-family homes and low density garden apartments. Areas already developed to a higher density and those lying along the major traffic arteries leading to and not far from the St. George Ferry Terminal, are placed in slightly higher density districts. Certain areas of undeveloped land are placed in the Residence-Restricted Manufacturing District which would permit their immediate use for well-designed, low-density, landscaped light-manufacturing plants, the presence of which will not reduce the desirability of the area for surrounding residential uses.

Residential Retail and Commercial Districts. Wherever possible, residence retail and commercial frontage is mapped to a depth of 150 to 200 feet, to permit the development of off-street parking areas, and thus to reduce the threat of retail decentralization and of a corresponding loss of sales in the established centers. In the more outlying areas,

PLAN FOR REZONING

restricted residence retail is mapped so as to be easily accessible from all the homes in the area.

Heavy Commercial Districts are mapped along major traffic arteries as well as in conjunction with the major commercial centers. Two amusement areas are mapped at South and Midland Beaches.

Manufacturing Districts. General manufacturing is mapped in compact areas, generally along major streets or along the railroad. The large amount of

vacant land included in such districts will make unnecessary the continuation of spot zoning practices which were unavoidable in the past.

All heavy manufacturing is relegated to waterfront areas, as well as to a few portions of the highland in the south-west corner of the borough. As for noxious industry, it is proposed that it be permitted only along the west shore, in areas not suitable for any development other than industrial.

MAPS OF THE FIVE BOROUGHS OF THE CITY OF NEW YORK COMPARING:

**EXISTING LAND USE
PRESENT ZONING
PROPOSED ZONING**

The series of maps for each of the five boroughs of the City of New York presented in the following pages provides a visual comparison between land uses now in existence (Map I), zoning controls now in effect (Map II), and the new zoning districts proposed by the Consultants (Map III).

In each instance land uses and zoning districts have had to be generalized sufficiently for showing at this scale and classified in roughly comparable categories for visual comparison through common color designations (as shown more particularly by the legends on the several maps).

Manufacturing and heavy industry are shown on each map in light blue and dark blue respectively.

Commercial and business areas are shown in red.

Purely local commercial (retail) areas, including for the most part stores in residential buildings, are generally omitted both because it would be impractical to show them at this scale, and because they are, after all, incidental to the residential areas of which they are a part.

Residence is shown in a color series running from light gold through brown to black in order to distinguish bulk as well as use. The darker the color the greater the bulk, either existing or permitted.

Large parks and some semi-public open spaces are shown in gray, and vacant land in white.

These maps present, in broad perspective, the proposed new zoning regulations as compared with existing uses and existing zoning. Precise comparisons are impossible at this scale, and between such varying systems of regulations. The color patterns are, however, sufficiently comparable for showing the relation of what is proposed to what now exists. Further notes on the bases of comparison appear on the following page.

NOTES:

Residential Bulk Groupings

In Map I, existing residential areas range from detached one-family houses through four characteristic types of residential development having floor area ratios ranging from 1.3 to over 4.8.

In Map II, the translation of present zoning regulations into comparable bulk equivalents was not simple, since only a few of the zoning districts in the present Zoning Resolution have direct bulk controls. Districts limited to specific types of dwellings, such as single-family, two-family, or row houses, impose practical limitations on bulk which are reflected on the map. In other districts the maximum floor area ratio shown is that resulting from the combined Area and Height Districts in effect, as per the following table:

Height Districts	Floor Area Ratios for Area Districts			
	A	B	C	D
1½	8.4	7.8	7.5	7.2
1	7.6	7.0	6.7	6.1
¾	6.7	6.1	5.7	5.5
½	5.5	5.0	4.6	3.9

This table indicates the possible floor area ratios for interior residential lots 100 feet in depth on streets 60 feet in width without using tower privileges. Multiple Dwelling Law limitations are applied where they are more restrictive than zoning.

Where the street is 100 feet or more in width, it is possible to build residential structures having floor area ratios in excess of 10.0 in the following districts: "A" and "B" Area Districts where combined with Height Districts of Class 1 or more; and "C" Area Districts combined with Height Districts of Class 1¼ or more. Frontages where this additional bulk can be achieved are shown on Map II.

In Map III, residential bulk is regulated positively since the proposed regulations stipulate maximum floor area ratios for all Residence Districts.

Commercial and Industrial Use Groupings

As noted previously, purely local stores are generally omitted from the maps.

Precise comparison of the extent of Commercial Districts is difficult largely because of the wide range of uses permissible in the Business Districts of the existing Zoning Resolution. For this reason, only central and major commercial areas are shown in red on Maps I and II. Where warehousing and light manufacturing predominate, they are shown in purple, even though located in existing Business Districts. Many such areas have been designated as Heavy Commercial Districts in the proposed Resolution, which are included in the areas shown in red on Map III.

Industrial areas are comparable on all three maps.

"More sunlight and purer air in the buildings and spaces adjoining them, to permit the children to play off the street, have become actual necessities for the mass of people."

"It seems clear that every building should have daylight, across to outer air for ventilation . . ."

"Mr. Alfred D. Barnard of the United States Fidelity & Guarantee Company suggested that all buildings used for homes, tenements, hotels, offices and factories should have one foot of window space to every one hundred feet of cubic contents." (Report of Heights of Buildings Commission, 1913, pp. 223-226).

Quoting Henry Wright: *The Place of the Apartment in the Modern Community*, *The Architectural Record*, March 1930: "The Zoning Law should impose conditions that will absolutely eliminate the existence of any room used for living purposes which does not have an outlook at least in one direction upon space ample to assure privacy and excellent light and air."

"It (zoning) seems a major need in housing by regulating different residential uses of land and densities of buildings; the sizes of courts, side and rear yards, the relation of bulk of building to air and light, etc. etc."

THE COURTS HAVE RECOGNIZED THE NEED

The courts have repeatedly held that restrictions on the bulk of buildings in order to provide access to light and air are a proper exercise of the police power in the interests of public health. The quotations set forth below illustrate this well-established principle. Most of these decisions date from the early days of zoning; in more recent opinions there is relatively little discussion, presumably because the point is so well settled.

In *Wulfsohn v. Burden*, 241 New York 288, 150 North Eastern 120 (1925) in upholding the Mount Vernon residential zoning regulations which required 25- and 50-foot yards—thus requiring a reduction in the coverage of a proposed apartment building to about 50 per cent—the New York Court of Appeals said in 1925:

"In support of such a regulation we think the zoning authorities could assume and the courts below could have found that the orderly and advantageous development of the City of Mount Vernon and the welfare of its citizens would be promoted by a fundamental division of the city into districts devoted respectively to business and residential purposes under which its dwellers might establish homes in the latter districts where they would be free from disturbing conditions and risks and deprivation of health conditions, such as abundant light and air, ordinarily incident to congested business districts . . ."

ACCESS TO LIGHT AND AIR.

"The sordid selfishness which would insist upon getting houses upon land without regard to reasonable provisions for light and air, must be restrained if public welfare is to be preserved."

Connecticut Supreme Court, 1920.

In *Gorieb v. Fox*, 274 United States 603 (1927), permission had been granted to erect a store in a residence district subject to the provision of a front yard requirement. The petitioner challenged the Roanoke front building line ordinance which prohibited the proposed store. The United States Supreme Court, in 1927, recited various valid bases for the ordinance, including the following:

" . . . the projection of a building beyond the front lines of the adjacent dwellings cuts off light and air from them . . ."

In *Pritz v. Messer*, 112 Ohio St. 628, 149 North Eastern 30 (1925), in replying to a challenge on the exclusion of bulky apartments from certain parts of Cincinnati, the Ohio Supreme Court said in 1925:

"If a law regulating the air space which must be allowed in a tenement house has a reasonable relation to health, we cannot say that a measure (i.e. the zoning ordinance) which will save considerable districts for the city in which the air space is unblocked by massed building construction has no reasonable relation to health.

The mere fact that the economic factor looms largest in determining the choice of a residence does not mean that restrictions which give space and air, light and separation to houses will not eventually shape the kind of buildings which is done, and benefit the public health . . .

Furthermore we cannot say that the council did not look forward to a time when by the natural functioning of the law of supply and demand the tide of population would turn in the direction where light, air space and health can be secured as normal living conditions, and where by these restrictions and by public demand the builders would be compelled to build homes which would make for the maintenance rather than for the deterioration of the American family."



PLAN FOR REZONING

In *Town of Windsor v. Whitney*, 95 Connecticut 357, 111 Atlantic 354 (1920), in upholding regulations prescribing future street lines and building lines, the Connecticut Supreme Court said in 1920:

"Streets properly located and of suitable width help transportation, add to the safety of travel, furnish better protection against fire and better light and air to those who live upon the street . . . Narrow streets in congested industrial centers breed disease. Too many houses crowded upon a lot without sufficient light and air menace health. Such a neighborhood affects the morals of its people. The sordid selfishness which would insist upon getting houses upon land without regard to reasonable provisions for air and light must be restrained if the public welfare is to be preserved . . ."

In *Welch v. Swasey*, 193 Massachusetts 364, 79 North Eastern 745, affirmed, 214 United States 91 (1909), in upholding the height regulations of the early Boston ordinance, the Massachusetts Supreme Judicial Court said in 1909:

OPEN SPACE

THE NEED IS REAL

The acute need for open space in residential areas in New York City is a matter of common knowledge. The quotations set forth below, taken from statements received from a large number of civic organizations, have indicated the extent of this need and its relationship to the public health, both physical and mental.

Miss Charlotte Carr, Executive Director, Citizen's Committee on Children of New York City, Inc., March 9, 1950

Provisions for open space adjacent to all houses where children live should be included in our zoning law. Anyone conscious of the needs of children for an outdoor place to play and for young babies to have sunlight and air in park spaces deplores the limited number of children seen throughout the day in our big public parks and is depressed by the overcrowded conditions in our too few neighborhood parks.

Riding along the Franklin Roosevelt Drive it is rare to see any children in that great park space between the Drive and the East River. This park isn't empty because mothers do not want to find a place for their children but because the parks

"The erection of very high buildings in cities, especially upon narrow streets, may be carried so far as materially to exclude sunshine, light and air, and thus to affect the public health."

In *Brougher v. Board of Public Works*, 107 California Appellate 15, 290 Pacific 140 (1930), in upholding those height regulations in the San Francisco zoning ordinance which forbade the construction of a proposed ten-story hotel, the California Court of Appeals said in 1930:

"It seems well settled that a municipality may . . . regulate as to height of buildings . . . and it would seem to be nothing unreasonable or arbitrary or at variance with considerations looking to the securing of an adequate supply of sunlight and to overcome obstruction against the diffusion of the same . . ." " . . . it (the zoning ordinance) was passed for safety, public convenience, comfort, general welfare, prevention of and spread of fire, for the conservation of sunlight and air, the prevention of congestion of streets due to overcrowding, as well as for aesthetic purposes."

are not accessible to any child who cannot be taken there by an adult and brought back. The danger of the public highway precludes the use of this park by children under fourteen years of age and is dangerous for children even older because of the heavy traffic.

A study of accidents to children on New York streets will, we suspect, indicate a high proportion of these accidents might have been prevented if play space for young children could be had without crossing public highways. The families of the very rich are as badly off as those of the underprivileged where it comes to open park space near their residences.

If we are to permit the building of great new apartments without adequate usable space around the apartments, we are doing a great disfavor to children on all economic levels. Where this failure to provide open space comes with the overcrowding always greater in families of low incomes, we are asking for the increase in morbidity and delinquency that have too long been typical of New York City tenement areas. It is as important that the principle of open space around new residential structures be made a matter of law as that we have stoplights for traffic.

Miss Lillian D. Robbins, Executive Director,
Lenox Hill Neighborhood Association,
Manhattan, July 8, 1950

In our neighborhood we are particularly conscious of the need for housing, adequate open areas, and planning as was indicated in a study "Let's Unite to Better Yorkville" prepared by Herbert Jennings for the Yorkville Planning and Housing Council. Yorkville has one-sixty-fourth of the park area recommended by the National Recreation Association. (This study was made in 1949.)

In discussing the danger implied in such a situation, one of our staff members cited the case of D. K. His family occupies the ground floor apartment of a "railroad flat". The kitchen is in the rear, and one walks through four rooms to reach the living room (front) which, in this family, is used as the parents' bedroom. The children play on the front steps, and often in warm weather they attempt climbing from the stoop to their apartment window. Dennis has twice fallen in trying to do this and each time had a severe head injury. The mother is not able to watch him every moment; she is usually at work in the kitchen in the rear. There are two younger brothers who have not yet been involved in such accidents, but are nevertheless in danger.

Another problem that confronts many of our tenement neighbors is that of the mothers who live on upper floors of walk-up apartments, especially those who have pre-school age children. In order to give them needed air and sunshine, they must dress them and carry them and their carriages down the stairs. There is seldom a suitable, or any, space provided for the storage of carriages, bicycles, or other movable equipment needed for children. This situation presents problems that seem so unsurmountable that mothers frequently skip this task and the children are kept indoors and allowed to entertain themselves as they will. Mothers of large families could permit children to go downstairs alone if they could play in playgrounds adjacent to their homes where they could be watched from a window.

One of the worst effects of poor housing and inadequate recreational facilities is that many families with adolescent and younger children are

crowded together in a small apartment with no provision for privacy or for having one's friends visit. Faced with this situation, the children refuse to stay home. They "hang around" the pool parlors and bars, whence they frequently take the first steps toward becoming delinquents.

One could write volumes on the effect of bad housing and inadequate open play space on mental and physical health and safety. We believe that it is an indisputable fact that good housing and proper recreational facilities are two of the most important factors contributing to a good and constructive family and community life.

Miss Jessie Edna Crampton,
Executive Secretary, Brooklyn Juvenile
Guidance Center, Inc., January 24, 1950

The restrictions of minimum living space in apartment houses have placed children constantly under pressure. In addition to this, there is an utter lack of open space which accentuates the tensions being developed. Just because the family has a reasonably adequate income in terms of today's costs, it does not follow that they can obtain adequate housing in terms of space in which to grow and play. Many middle-income families live in 6-story apartments which have completely deprived the tenants of open space.

Builders should realize that their obligation is not only to provide sleeping and eating quarters, but also some kind of space for leisure which is a vital part of living. Children can't be expected to stay indoors. The lack of open protected areas has made it especially frustrating for the lives of young children. In turn builders should also recognize that the older tenants have similar needs. Old people must have a place in which to rest and enjoy the sun.

Any person who is working in child clinics will tell you that the emphasis these days is on the therapy of the child. One of the major means of working out his problems is to be able to find a spot where this child can go for recreation so that he can learn to develop healthy social relationships. He must be given opportunities for group play. It has been found that once you have given kids the open protected area, they will figure out for themselves what they want to play.

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It is significant to note that this lack of open space and all its resultant problems is not confined to neighborhoods of apartment houses, but equally as serious is the problem in areas of one- and two-family dwellings. It is surprising to see how restricted the children are here too because there is insufficient yard space and the little front green lawns are "outside boundaries". Children are restricted here too to the narrow strips of concrete.

When children are unable to give vent to their feelings and are constantly frustrated, the destructiveness in children reveals itself that much more readily. Children having never been given privacy, something to cherish, a place to take pride in, will destroy someone else's property without any qualms. This destructiveness is the greatest threat to property owners. Hundreds of parents have complained to the child guidance center that many difficulties arise from the fact "that there just isn't a place for those kids to go".

Mrs. Louise Simsar, Executive Secretary,
Brooklyn Council for Social Planning,
January 16, 1950

There is no doubt that the lack of open space near the home is one of the most serious problems facing New York City today because open space is a need for children, teen-agers, adults, and the aged group.

Young children must have spots in which they can freely play and exercise their energies. Young teen-agers need a "place to hang out" and to release their pent-up frustrations. Mothers need space to park their baby-carriages and allow their older children to play alone safely. Adults need space for rest and recreation. The aged group, which continues to grow larger in our population, has more time for leisure and rest, and must have outdoor space for a good part of the year when the weather is suitable. These older people are usually forced to live in one room, and desperately need outside place to rest.

It is difficult to prevent the young mother of today from becoming frustrated because of the difficulties of caring for her children in overcrowded areas. You can't expect people to remain normal and healthy if you don't provide some breathing space for them. You can't coop children

up in the house and expect them to be happy and satisfied.

The latest sociological and psychological research into what makes for a successful happy marriage has revealed that young married couples should learn to live alone and independently. Living alone means that the young mother must take care of her children by herself. She needs to have protected outdoor space where she can leave her children alone while she is performing indoor household duties.

The Brooklyn Council is currently publishing a report on the Tompkins Park Area in which they point out how important the lack of open recreational space is in contributing to juvenile and young adult delinquency. This situation is just as true for the Bedford and Williamsburg areas of Brooklyn.

Mr. Louis P. Kurtis, Executive Secretary,
Committee on Housing, Community
Service Society, January 13, 1950

Two of the basic amenities of living conditions are the admission of abundant sunlight to dwellings and the provision of open spaces where dwellers may spend leisure hours. What every home needs is the provision of enough open space in which young children can play under safe conditions close to their mothers, enough space outdoors and indoors for youths and adults to organize largely for themselves those activities in which they wish to engage close to home. Interspersed open places providing opportunity for both passive and active recreational activities for small children, youths and adults is absolutely essential.

It is frequently repeated by nurses and social workers associated with the Community Service Society that the lack of privacy and places for rest and recreation are forerunners of acute family breakdowns. The Society is continuously being made aware of the effect of bad living environment on family adjustment and mental health. Children, more than anybody else, bear the brunt of overcrowding, and are the greatest sufferers from this condition. Bad physical health, neuroses, delinquent behavior, trouble at school, are difficulties ascribable to housing conditions and environment.

Miss Helen M. Harris, Executive Director,
United Neighborhood Houses of N. Y. Inc.,
May 25, 1950

United Neighborhood Houses is greatly interested in the proposed revised Zoning Resolution which would provide for usable open spaces adjacent to new dwellings in New York City. There is need for this kind of space not only to insure decent light and air for dwellings but, in addition, to make available places close at hand where mothers may be with their babies out of doors and young children may play without encountering the hazards of the City streets.

In this highly overcrowded City of ours, with its dense traffic, parents are loath to have their children go even a block or two away from home to a playground. For many children the nearest public playground is many blocks distant and often entails crossing dangerous north and south arteries. Existing facilities are already overtaxed. The settlements would welcome any change in the zoning laws which would provide attractive places near at hand which offer repose and quiet and safe play.

Mr. Edward S. Lewis, Executive Director,
Urban League of Greater New York, Inc.,
May 29, 1950

The Urban League of Greater New York is very much concerned about the need for open space for all age groups in the Harlem area, as well as in other congested parts of New York where there is evidence of overcrowding.

In the latter part of 1948, we conducted a Program Direction Conference in which we invited outstanding experts in housing, education, recreation, and health, and representatives of civic agencies, to confer with us about the major problems of the Negro community in New York City. We have available research papers covering the facts in the above fields. Congestion and overcrowding were certainly characteristic of East, Central and West Harlem, and the Bedford-Stuyvesant and South Jamaica areas. The new public housing projects that are being constructed in these communities will displace thousands of families and the space available will still not be



OPEN SPACE.

"A better utilization of space to provide more sunshine a for young and old."

Mr. Edward S. Lewis, Executive Director,
Urban League of Greater New York.

enough to meet minimum health and decency standards.

We have been very conscious of these problems and have accordingly called their attention to the New York City community. In 1946, the Urban League conducted a housing demonstration to clean up the junk-littered lots and houses in a four-block area, 117th and 118th Streets between Lenox and Fifth Avenues. This project attracted City-wide attention and brought into sharper focus the terrible overcrowding in the area.

Any casual trip through the streets of Harlem would reveal another striking problem; namely, a lack of wholesome recreational outlets for young and old people. This issue only hits the paper when a gang murder occurs, but it is always present, and in case of a serious disturbance these idle groups are exceedingly difficult to handle. The writer has had first-hand experience in the last Harlem riot, that confirms this observation.

The League's Block Councils have worked for many months in trying to secure play streets in congested areas of East Harlem and the results have been limited. Among the social agencies, only the Y.M.C.A., Y.W.C.A., and the Salvation Army, have programs of any consequence to help the young and the aged. Here again the demand for services is far in excess of the supply.

Naturally the strains and tensions associated with a ghetto existence are bound to have their effect on the mental health of the inhabitants. The LaFargue Clinic and its distinguished founder,

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Dr. Frederic Wertham, have dramatized the mental health problems of the area, and pointed out again that the lack of recreational opportunities have their impact on the acute problems of delinquency for young people and adults.

Obviously, there is no easy solution for the problems listed. In our opinion, however, concrete steps could be taken to provide more open space for recreation. At one time, the Citizens' Planning Council had a lot of playground projects that provided for a cleaning up of vacant lots and using them for playgrounds.

A better utilization of space to provide more sunshine and air for young and old in the area will certainly involve better planning than has been characteristic of the past for the redevelopment of the Harlems and the Bedford-Stuyvesants of the future. We submit that the application of the best planning principles available to the problems listed in this letter would produce striking results and improve the morale of the people living in the areas discussed.

Mr. Albert L. Buschmann, President,
Jackson Heights Community Federation,
Queens, January 13, 1950

The three outstanding problems of Jackson Heights are: 1) overcrowding 2) transportation congestion 3) lack of open space for recreation. The parking problem and the inadequacy of educational facilities are also very important since they in themselves create more problems for the area. No matter what the problem is in Jackson Heights, there is no doubt that the cause is the high density of population living in solid blocks of 6-story apartment houses.

There is no housing problem here in the usual sense of the word. All the apartment houses are in good shape and where there are one- and two-story family dwellings, they are almost invariably in excellent condition. However, when you think of "approximately 100,000 people living in 100 square blocks", there is the important problem of overcrowding. The chief result of this overdevelopment is the lack of open space for children. This is definitely a most serious problem. If side and rear yards could be increased, this would be one way of providing space.

Mr. Daniel Carpenter, Chairman
Chelsea Association, Manhattan,
December 13, 1949

Although Manhattan public housing is at a higher density than most of the surrounding buildings in this neighborhood, the amenity of open space compensates for high density. The people living outside the project (Elliot Houses) have recognized the value of open space, and are very jealous of the project tenants. The young mothers of today feel the need of open protected areas as strongly as the need for good diets and good schools. They will push their baby carriages long distances to have the benefit of open space to park their carriages.

Mr. Albert B. Hines, Executive Director,
Madison Square Boys' Club, May 9, 1950

Available play space adjoining the home is ideal and wherever possible children should not be asked to go further than their own block to find some opportunity for recreation and play.

Mr. Peter H. Weiss, Secretary,
Parkway Community Council, Brooklyn,
January 4, 1950

This area at the present time is particularly concerned with the problem of adolescent delinquency. There have been many recent shootings, killings, robberies and auto accidents in the area. In an attempt to combat this problem, the organization has created a teen-age council which is working for more playgrounds—more open space—which is conspicuously absent from this community. The children have no place to play.

Miss Dora Tannenbaum, Chairman
Lower East Side Planning Council,
Manhattan, January 5, 1950

There are vacant lots scattered throughout the area which are used simultaneously as camping grounds and playgrounds for the children. These vacant lots, and the abandoned houses also found in the neighborhood; e.g., Delancey and Cannon Streets, lend to the delinquent behavior of the district. There is a desperate need for protected outdoor open space.

Mrs. Mildred Fisher, Secretary,
Yorkville Civic Council, Manhattan,
December 21, 1950

There is very little open usable space and play streets are greatly needed. The lack of adequate light and air comes from shallow courts, narrow side yards, and inadequate rear yards.

Mr. William Taylor, President,
Bedford-Stuyvesant Neighborhood
Council, Brooklyn, January 4, 1950

There is no usable open space for either children or adults in this area. The high density of families desperately requires recreational space.

Mr. Milton J. Goell, President,
Brownsville Neighborhood Council,
Brooklyn, January 19, 1950

Some provisions for open space have been made in the Brownsville Houses project, but the need for additional open space in other parts of the community, for parks and playgrounds is very great.

Mr. Orrin G. Judd, 1st Vice-President,
The Brooklyn Hill Association, Brooklyn,
January 6, 1950

Although Brooklyn Hill is composed chiefly of single-family dwellings with individual back yards and front yards, there is still lacking adequate open space for children and adults. Most of the children are forced to play in the streets. The Equitable Life Insurance Company has built several large apartment houses within the last five years in this area, and has provided its own open space.

THE COURTS HAVE RECOGNIZED THE NEED

The courts have repeatedly held that restrictions on the bulk of buildings by requirements for open space at ground level are a proper exercise of the police power in the interests of the public health and welfare. The quotations set forth below illustrate this well-established principle. Most of these decisions date from the early days of zoning; in more recent opinions there is relatively little discussion presumably because the point is so well settled.

In *Gorieb v. Fox*, 274 United States 603, permission was granted to erect a store in a Residence District subject to the provisions of a front yard requirement. The petitioner challenged the Roanoke front building line ordinance which prohibited the proposed store. The United States Supreme Court in 1927 recited several valid bases for the ordinance, including the following:

"It is hard to see any controlling difference between regulations which require the lot-owner to leave open areas at the sides and rear of his house and limit the extent of his use of the space above his lot and a regulation which requires him to set his building a reasonable distance back from the street (as here) . . . All rest for their justification upon the same reasons which have arisen in recent times as a result of the great increase and concentration of population in urban communities and the vast changes in the extent and complexity of the problems of modern city life."

The City Council's grounds for adopting the Ordinance were obvious since:

"Front yards afford room for lawns and trees, keep the dwellings farther from the dust, noise and fumes of the street, add to the attractiveness and comfort of a residential district, create a better home environment, and, by securing a greater distance between houses on opposite sides of the street, reduce the fire hazards."

In *R. B. Construction Co. v. Jackson*, 152 Maryland 671, 137 Atlantic 278 (1927) in upholding a side yard requirement at the end of a group of row houses, the Maryland Court of Appeals said:

"In view of the general systematic application of the provision to future building development in the environs of Baltimore City, there is certainly no element of arbitrary discrimination or unreasonable classification involved. The observance of the house construction plan adopted by the ordinance would secure and preserve to the city an extensive suburban zone in which the houses needed for its future increase of population would be separated by open spaces . . . The separation of buildings has an obvious tendency to reduce fire hazards . . ."

"There can be no question as to the additional pleasure and comfort which would be thus (i.e. by providing open space between houses) afforded to those living in the zone of houses separated by the areas for which the zoning ordinance provided . . . The separation of buildings . . . is plainly conducive to the health of the city."

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"The yard regulations would secure and preserve an extensive suburban zone in which homes . . . would be separated by open spaces enabling their occupants to enjoy improved ventilation and abundant sunlight . . . The separation of buildings has an obvious tendency to reduce fire hazards, and a freer admission of air and sunlight to the homes of the city is plainly conducive to the health of its people."

In *Brett v. Building Commissioner of Brookline*, 250 Massachusetts 73, 145 North Eastern 269, (1924), in upholding the creation of a one-family district, the Massachusetts Supreme Judicial Court in 1924 set forth the following as valid grounds for regulations under the police power:

"It may be a reasonable view that the health and general physical and mental welfare of society would be promoted by each family dwelling in a house by itself. Increase in fresh air, freedom for the play of children and of movement for adults, the opportunity to cultivate a bit of land, and the reduction in the spread of contagious diseases may be thought to be advanced by (single-family dwellings)."

In *Pritz v. Messer*, 112 Ohio St. 628, 149 North Eastern 30 (1925), in replying to a challenge on the exclusion of bulky apartments from certain

parts of Cincinnati, the Ohio Supreme Court said in 1925:

". . . Family life is promoted by the separation of families, and by their residence in districts where the open spaces, the possibility of gardening, and the freedom from the society which presses around one in a partial business and tenement district, make for health through recreation and peace of mind."

In *Bebb v. Jordan*, 111 Washington 73, 189 Pacific 553 (1920), in upholding the validity of the Seattle zoning ordinance in a contract case, the Washington Supreme Court said in 1920:

"If it be a legitimate exercise of legitimate power to prescribe fire limits and restrict the character of buildings that may be erected therein, or to require buildings to be equipped with fire escapes of a certain design, or to require buildings to comply with a prescribed street line facing a public park, or to require open space in the rear of a tenement house, then clearly it is a reasonable exercise of the same power to require that a building designed for apartment use have a court for light and air and an open space in its rear. The purpose in each instance is the same, namely, the protection of the lives, health and comfort of the people of the city."

OFF - STREET PARKING SPACE

THE NEED IS REAL

The acute need for off-street parking space in residential, business and manufacturing areas in New York City is a matter of common knowledge. The quotations set forth below, taken from statements received from a large number of civic organizations, have indicated the extent of this need in business areas, and its relationship to trends in shopping development.

Mr. Robert F. Brown, Executive Secretary, Jamaica Chamber of Commerce, Queens, October 28, 1949

The most common problem of shopkeepers in Jamaica is the lack of parking space for the cars of its shoppers. This is the one great factor in promoting or discouraging business. Not only is there a lack of parking space for the convenience

of shoppers, but the streets jammed with cars have impeded the movement of traffic terrifically on Jamaica Avenue. The stores which have provided off-street parking facilities (Gertz's Department Store — 1200 cars, Macy's roof parking — 200 cars) have found it is an asset to their business. Streets were made for the movement of traffic and not for the idle storage of cars. All kinds of stores should provide parking facilities. Of course, stores already built in highly congested areas no longer have room to provide such facilities, but where there is little development or no development at all yet, such facilities can be provided. Hempstead is only 10 minutes away where there are municipal parking lots. People prefer to shop comfortably and a good deal of the business has been going there. Wherever you find good parking facilities that's where you'll find prospering retail centers. Traffic has also been impeded by sidewalk loading.

Mr. Joseph Lubin, Executive Secretary,
Flushing Merchants Association, Queens,
October 27, 1949

Parking is the number one problem in the Flushing Area. The new Fresh Meadows project with its off-street parking facilities has attracted a great deal of business away from Main Street, Flushing. Stores like Abramson's and the Food Fair Markets have found that providing off-street parking facilities means good business. Part of the parking problem will be solved by a new municipal parking lot in back of Main Street on Roosevelt Avenue which will accommodate 1100 cars. The parking problem is further aggravated by trucks double parking on Roosevelt Avenue for loading and unloading. Moreover, a great deal of business has been lost to Manhasset, Long Island, because of the available parking space there and the lack of congestion.

Mr. Arthur D. Cole, Executive Secretary,
Steinway Street Merchants' Association,
Queens, November 16, 1949

This area does a business of 30 million dollars a year. The major problems here are created by the lack of facilities for off-street parking and loading.

At present there are parking facilities for 400 cars which takes care of just a fraction of the problem, for the Steinway Street area is the main shopping artery for the low and middle income groups in Astoria and Long Island City. In addition, this shopping center will be serving a good portion of the 30,000 new people expected to come into the area from the surrounding housing projects. The parking problem as of today is great and is increasing. The Association feels that if this problem cannot be handled satisfactorily, there will be a greater loss in business than has already been demonstrated in the past few months. Most people come to the area with cars and if they can't park, they will and do go elsewhere to shop.

It is felt that a partial solution would be to condemn two lots that have heretofore been vacant. These lots are located on 38th and 41st Streets and are adjacent to Steinway Street, and in addition to providing parking facilities, they would also provide space for off-street loading. The lack



OFF-STREET PARKING SPACE.

"The parking problem as of today is great and is in Queens Merchants' Association.

"All kinds of stores should provide parking facilities . . . you find good parking facilities that's where you'll find retail centers."

Jamaica Chamber of Commerce.

of off-street loading facilities also has created congestion and confusion.

The Association thinks it desirable for furniture stores in particular to provide parking and loading facilities as they seem to create in themselves quite a problem. (Eight large furniture stores are located in the Steinway Street area.)

Mr. Paul Baker, Chairman
Westchester Square Chamber of
Commerce, Bronx, November 16, 1949

One of the most important problems of the Westchester Square business area is the great attraction of the Parkchester shopping area which has taken away a great deal of business. Macy's and its parking facilities have drawn so much business away that for the first time in Westchester Square history this area is publicizing itself with a number of night lights.

The people who shop by car have trouble in finding parking space because even before the business day has begun, residents coming down from Westchester County have stationed their cars in this area before taking the subway. Not only are all

PLAN FOR REZONING

the side streets utilized for parking, but there are blocks where there is double and triple parking.

The loading problem is also aggravated by the congested streets.

Mr. G. A. Stamm, Executive Secretary,
Downtown Brooklyn Association,
November 8, 1949

Parking is a very serious problem in this area. Although meters are expected to be installed soon and will help this situation, off-street areas will still be needed for (1) local employees, and (2) customers who now have difficulty in finding space. Loading and unloading are a cause of congestion, but not as serious as in Manhattan.

Mr. William Nicholson,
Executive Secretary, Coney Island
Chamber of Commerce, Brooklyn,
November 18, 1949

Two problems predominate in the amusement area: the approaches are too narrow, causing auto bottlenecks; and there are not enough parking facilities to accommodate the crowds. Parking here is a seasonal problem (March 15th to September 15th) during which times the weekends and the late afternoons present the biggest problem.

Mr. George Wolpert, Executive Secretary,
Chamber of Commerce of the Rockaways,
Queens, November 11, 1949

The parking problem is very serious during the summer season. All new hotels and similar establishments should be required to provide parking space. At present most of the hotels are in zones where parking lot operation is not permitted. This is the area's most pressing problem and demands immediate solution.

Mr. Samuel Greenblatt, President,
Hub-Third Avenue Association, Bronx,
November 16, 1949

There is no question that parking is one of the chief problems here. Areas like Elton Avenue which have "No Parking" signs have chased away trade because people have no place to park their cars. Trucks have to double park in all cases, and this is the major reason for traffic congestion.

Mr. Stanley F. Meyers, Treasurer,
204th St. and Bainbridge Ave. Association,
Bronx, November 16, 1949

This area is a good shopping center for the neighborhood. There are no outstanding problems except for the parking situation. There are a number of people who come down from Westchester and use the streets of this vicinity for all-day parking. This has hampered deliveries to local stores considerably. It has created double parking at many points impeding the movement of traffic.

THE COURTS HAVE RECOGNIZED THE NEED

Although some off-street parking requirements are now included in the zoning ordinances of about 200 cities, such regulations have not been challenged in Court very often. However, the New York Court of Appeals has been quite explicit in recognizing the reservation of space for such purposes as a proper exercise of the police power.

In *Town of Islip v. Summers Coal & Lumber Co.*, 257 New York 167, 177 North Eastern 409 (1931), a case involving a front yard requirement in a business district in Islip, the Court quoted from the Regional Plan Report, Vol. VI—Buildings; Their Uses and Spaces about Them, in Regional Survey of New York and its Environs (p. 136.)

"When we come to consider the need of adequate space about stores for purposes of access and parking of vehicles we will find that what are wanted are wider streets and deeper lots rather than increased frontage. But the really important questions are the distribution of the store frontage throughout the community and the preservation of adequate open space about the business buildings . . . In many suburban store districts there is ample space in the aggregate, but . . . not properly distributed so as to give satisfactory means of access, space for loading and unloading, room for parking without interference of through traffic, and sufficient light and ventilation . . ."

Judge Pound then added:

" . . . a wise public policy may require the owners of new buildings in business districts under proper conditions to set their buildings back from the street in order to enable their business to function without congesting the streets."

PLAN FOR REZONING THE CITY OF NEW YORK



P R O P O S E D
Z O N I N G
R E S O L U T I O N

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PREAMBLE

This amended Resolution is adopted in order to protect and to promote public health, safety, morals, comfort, convenience, prosperity, and welfare. These general goals include, among others, the specific purposes set forth in the preambles to the respective districts and groups of districts.

ARTICLE 1. ENACTING CLAUSES

110. Establishment of Control Over Use and Bulk

111. CONTROL OVER USE. After the effective date of this amended Resolution, and subject to the provisions of Article 8 (*non-conforming uses**),

- a. Any new *building* or other structure, and any tract of land, may be used, and
- b. The *use* of any existing *building*, other structure or tract of land may be changed or extended, and
- c. Any existing *building* or other structure may be enlarged, reconstructed, structurally altered, converted or relocated,

for any purpose permitted or required by the regulations for the district in which such *building*, other structure or tract of land is located, and for no other purpose. Such *use*, change, extension, enlargement, reconstruction, structural alteration, conversion or relocation shall be subject to all other regulations set forth or referred to in the regulations for that district, and to any other applicable regulations of this amended Resolution. The requirements for accessory off-street parking and off-street loading facilities set forth in Articles 10 and 11 shall also apply.

112. CONTROL OVER BULK. In any district, after the effective date of this amended Resolution and subject to the provisions of Article 9 (*buildings non-conforming as to bulk*), the *bulk* of all *buildings* and other structures, existing and future, shall be in conformity with:

- a. All regulations set forth in Article 7 (basic *bulk* regulations), and
- b. All regulations set forth or referred to in the regulations for the district in which such *buildings* and other structures are located, and
- c. Any other applicable regulations of this amended Resolution.

120. Establishment of Districts and Maps

121. ESTABLISHMENT OF DISTRICTS. In order to carry out the purposes of and provisions of this amended Resolution, the City of New York is hereby divided into the following districts:

**Italicized words are defined in Article 6.*

RESIDENCE AND ASSOCIATED DISTRICTS

RA-1	One-Family Detached Residence District
RA-2	One-Family Detached Residence District
RB-1	General Residence District—FAR* 0.50
RB-2	General Residence District—FAR* 0.80
RB-3	General Residence District—FAR* 1.40
RB-4	General Residence District—FAR* 2.40
RB-5	General Residence District—FAR* 3.50
RB-6	General Residence District—FAR* 5.00
RB-7	General Residence District—FAR* 10.00
RM	Residence-Restricted-Manufacturing District
RRA	Limited-Use Residence Retail District
RRB	Limited-Size Residence Retail District
RRC	General Residence Retail District

COMMERCIAL DISTRICTS

CA-1	Restricted Commercial-Residence District: FAR* 3.50
CA-2	Restricted Commercial-Residence District: FAR* 10.00
CA-3	Restricted Commercial District: FAR* 10.00
CA-4	Restricted Commercial District: FAR* 15.00
CB-1	General Commercial District: FAR* 1.00
CB-2	General Commercial District: FAR* 1.40
CB-3	General Commercial District: FAR* 2.40
CB-4	General Commercial District: FAR* 5.00
CB-5	Central Commercial-Wholesale District: FAR* 10.00
CB-6	Central Commercial-Amusement District: FAR* 10.00
CC	Open Commercial-Amusement District: FAR* 2.40
CD-1	Heavy Commercial District: FAR* 0.80
CD-2	Heavy Commercial District: FAR* 1.40
CD-3	Heavy Commercial District: FAR* 5.00
CM-1	Commercial-Manufacturing District: FAR* 1.40
CM-2	Commercial-Manufacturing District: FAR* 3.50

MANUFACTURING DISTRICTS

MA-1	Light Manufacturing District: FAR* 10.00
MA-2	Light Manufacturing District: FAR* 15.00
MB-1	General Manufacturing District: FAR* 2.00
MB-2	General Manufacturing District: FAR* 5.00
MB-3	General Manufacturing District: FAR* 7.00
MC-1	Industrial-Manufacturing District: FAR* 2.00
MC-2	Industrial-Manufacturing District: FAR* 5.00
MC-3	Industrial-Manufacturing District: FAR* 7.00
MD	Heavy Industrial-Manufacturing District: FAR* 5.00

*FAR refers to *floor area ratio*, which is defined in section 618.

PROPOSED RESOLUTION

122. INCORPORATION OF MAPS. The location and boundaries of the districts established by this amended Resolution are shown upon the *zoning maps*, which are hereby incorporated into this amended Resolution. The said *zoning maps*, together with everything shown thereon and all amendments thereto, shall be as much a part of this amended Resolution as if fully set forth and described herein.

Italicized words are defined in Article 6.

130. When Effective

This amended Resolution shall take effect immediately after approval by the Board of Estimate, or, if no action is taken thereon by the Board of Estimate, within thirty (30) days after it has been filed with the Board of Estimate.

ARTICLE 2. RESIDENCE AND ASSOCIATED DISTRICTS

Three types of *Residence and Associated Districts* are established by this amended Resolution:

1. *Residence Districts*—RA and RB Districts
2. RM Districts
3. *Residence Retail Districts*—RRA, RRB and RRC Districts.

201. RESIDENCE DISTRICTS

The *Residence Districts* set forth below are established in order to protect and to promote public health, safety, morals, comfort, convenience, prosperity and welfare. These general goals include, among others, the following specific purposes:

1. To protect *residential* areas against fire, explosion, noxious fumes and other hazards, and thus to protect public health, safety, comfort and welfare.
2. To protect *residential* areas against offensive noise, vibration, smoke, dust, odors, heat, glare and other objectionable influences, and thus to protect public health, comfort and welfare.
3. To protect *residential* areas, so far as is possible and appropriate in each area, against the invasion of abnormal vehicular traffic, and to provide space off public *streets* for parking, and thus to protect public health, safety, comfort, convenience and welfare.
4. To protect *residential* areas against congestion, so far as is possible and appropriate in each area, by regulating the *bulk* of *buildings* in relation to the land around them, and thus to protect public health, safety, comfort and welfare.
5. To protect *residential* areas, so far as is possible and appropriate in each area, by providing for access of light and air to windows and also for privacy, by means of controls over the spacing and relative height of *buildings*

and other structures, and thus to protect public health, safety, morals, comfort and welfare.

6. To protect *residential* areas, so far as is possible and appropriate in each area, by providing for *usable open space* on the same *zoning lot* with *residential* development, and thus to protect public health, safety, morals, comfort, convenience and welfare.

7. To provide sufficient space in appropriate locations for *residential* development to meet the needs of the probable expansion in population, and thus to protect public health, safety, morals, comfort, convenience, prosperity and welfare.

8. To provide appropriate space for those services which, when located in the immediate vicinity of *residences*, increase safety and amenity for the residents and do not create objectionable influences, and thus to protect public health, safety, morals, comfort, convenience, prosperity and welfare.

9. To protect those quasi-*residential uses* which require a *residential* environment and which provide essential health and welfare services for the residents, and thus to protect public health, safety and welfare.

10. To promote the most desirable *use* of land in accordance with a well-considered plan, to promote the beneficial and appropriate development of all land, to promote stability of *residential* development, to protect the character of desirable development in each area, to conserve the value of *buildings*, to enhance the value of land, and to protect the City's tax revenues, and thus to protect public health, safety, comfort, convenience, prosperity and welfare.

It is hereby declared to be the legislative intent that the regulations of the *Residence Districts* set forth below shall be liberally construed in order to further the purposes set forth above.

PROPOSED RESOLUTION

202. RM (RESIDENCE-RESTRICTED-MANUFACTURING) DISTRICT

An RM District is established in order to protect and to promote public health, safety, morals, comfort, convenience, prosperity and welfare. These general goals include, among others, the following specific purposes:

1. To provide, in response to a growing demand therefor, sufficient space in appropriate locations for attractive modern landscaped factories which do not create any hazards, or creates noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences which would be offensive across the boundaries of the *zoning lot*, or require any heavy trucking, and which require an environment free from such influences, and thus to protect public health, safety, comfort, convenience, prosperity and welfare.
2. To provide opportunities for employment close to *residential* areas, and thus to cut travel time from home to work and the burden on the municipal transit system, and to protect public health, safety, comfort, convenience, prosperity and welfare.
3. To provide protection for *residences* located both in an RM District and in surrounding areas, and thus to protect public health, safety, comfort, convenience and welfare.
4. To promote the most desirable *use* of land in accordance with a well-considered plan, to promote the beneficial and appropriate development of all land, to promote stability of *residential* and light manufacturing development, to protect the character of desirable development in each area, to conserve the value of *buildings*, to enhance the value of land, to protect the City's tax revenues, and thus to protect public health, safety, morals, convenience, prosperity and welfare.

It is hereby declared to be the legislative intent that the regulations of an RM District shall be liberally construed in order to further the purposes set forth above.

203. RESIDENCE RETAIL DISTRICTS

The *Residence Retail Districts* set forth below are established in order to protect and to promote public health, safety, comfort, convenience, prosperity and welfare. These general goals include, among others, the following specific purposes:

1. To protect *residences*, so far as is possible in areas where the established pattern is predominantly *residential* but includes retail development on the ground floor, and thus to promote public health, safety, comfort and welfare.

Italicized words are defined in Article 6.

2. To protect both *residential* and retail development against congestion, so far as is possible and appropriate in each area, by regulating the intensity of retail development and by providing space off public *streets* for parking and loading activities associated with such development, and thus to promote public health, safety, comfort, convenience, prosperity and welfare.

3. To provide sufficient space, in appropriate locations in close proximity to *residences*, for retail development catering to most of the regular shopping needs of the occupants of such *residences*, and thus to promote public safety, convenience, prosperity and welfare.

4. To provide appropriate space, and in particular sufficient depth from a *street*, to satisfy the needs of modern retail development, including the need for off-street parking space in areas to which a large proportion of shoppers come by automobile, and thus to promote public convenience, prosperity and welfare.

5. To encourage the tendency of retail development to cluster, to the mutual advantage of both consumers and merchants, and thus to promote public convenience, prosperity and welfare.

6. To promote the most desirable *use* of land in accordance with a well-considered plan, to promote the beneficial and appropriate development of all land, to promote stability of *residential* and of retail development, to protect the character of desirable development in each area, to conserve the value of *buildings*, to enhance the value of land, to protect the City's tax revenues, and thus to promote the public health, safety, convenience, prosperity and welfare.

It is hereby declared to be the legislative intent that the regulations of the *Residence Retail Districts* set forth below shall be liberally construed in order to further the purposes set forth above.

210. RESIDENCE DISTRICTS — USE REGULATIONS

The *use* regulations applying in the several *Residence Districts* are set forth in the table on page 147, by listing of permitted use groups and by cross-reference to other applicable regulations.

220. RESIDENCE DISTRICTS — BULK REGULATIONS

The *bulk* regulations applying in the several *Residence Districts* are set forth in the table on pages 148 and 149, by specifying the appropriate figures and by cross-reference to other applicable regulations.

210. Residence Districts — Use Regulations

The *use* regulations applying in the several *Residence Districts* are set forth in the following table, by listing of permitted use groups and by cross-reference to other applicable regulations. The extent of control established over each type of *use* is defined in section 111. The regulations on *non-conforming uses* (Article 3) and the administrative provisions (Article 16) are also applicable. All italicized words are defined in Article 6.

Within each vertical column, each rectangular space containing cross-references and separated by horizontal lines indicates a different set of regulations — even though the section numbers referred to may be the same. Where the same regulations apply in a group of districts, the lines separating the districts are indicated by notches on both sides of the column, for visual convenience.

DISTRICTS	PERMITTED USES					REQUIRED ACCESSORY PARKING AND LOADING		ADDITIONAL USE REGULATIONS	DISTRICTS
	A. ALL USES LISTED IN THE FOLLOWING USE GROUPS 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	B. ADDITIONAL USES, SUBJECT TO ADMINISTRATIVE APPROVAL	C. ACCESSORY OFF-STREET PARKING SPACES	D. ACCESSORY OFF-STREET LOADING BERTHS	E. ACCESSORY SIGNS	F. ACCESSORY OFF-STREET PARKING SPACES	G. ACCESSORY OFF-STREET LOADING BERTHS	H. IN SPECIAL LOCATIONS	
RA-1	1 4	See sections 1651.10, 14 1651.20, 21 1651.30, 31 1651.11, 11 1660-1661				See sections 1012-1013 1010	For schools, see sections 1121 1124 1131 1132, 10 1140		RA-1
RA-2									RA-2
RB-1	1 2 4 5	See sections 1651.10, 14 1651.20, 22 1651.30, 31 1651.11, 11 1660-1661				See sections 1012-1013 1010	For schools and hospitals, see sections 1121 1131 1132, 10 1110	1. For <i>large-scale developments</i> , see sections 1660 1663	RB-1
RB-2									RB-2
RB-3									RB-3
RB-4									RB-4
RB-5									RB-5
RB-6									RB-6
RB-7									RB-7

The *bulk* regulations applying in the several *Residence Districts* are set forth in the following table, by specifying the appropriate figures and by cross-reference to other applicable regulations. The extent of control established over *bulk* is defined in Section 112, and the basic regulations for each *bulk* control device are set forth in Article 7. The regulations on *buildings non-conforming as to bulk* (Article 9) and the administrative provisions (Article 16) are also applicable. All italicized words are defined in Article 6.

Within each vertical column, each rectangular space containing cross-references and separated by horizontal lines indicates a different set of regulations — even though the section numbers referred to may be the same. Where the same regulations apply in a group of districts, the lines separating the districts are indicated by notches on both sides of the column, for visual convenience.

DISTRICTS	A. FLOOR AREA RATIO— MAXIMUM PERMITTED	B. FRONT YARD— REQUIRED DEPTH	REAR YARD			SIDE YARDS				ANGLE OF LIGHT OBSTRUCTION			M SET-BACKS REQUIRED	DISTRICTS
			C. REQUIRED DEPTH	D. PERMITTED HEIGHT ABOVE GROUND	E. SPECIAL REGULATIONS FOR CERTAIN LOTS	F. REQUIRED OR OPTIONAL	G. REQUIRED MINIMUM WIDTH	H. EXCEPTIONS FOR EXISTING NARROW LOTS	I. ALONG DISTRICT BOUNDARIES	FRONT AND REAR		L. SPECIAL REGULATIONS FOR CERTAIN LOTS		
										J. MAXIMUM PERMITTED	K. MINIMUM FOR AVERAGING			
RA-1	0.50	15 feet	30 feet	6 feet, see section 223.21	1. For corner lots, see section 223.22	2	1. For one, 5 feet 2. For both, 20 feet	See section 223.32	See section 1341			For corner lots, see section 224.11	For non-residential buildings, see section 225.10	RA-1
RA-2	0.50													
RB-1	0.50	1. For corner lots, see section 223.23			2 required, see section 223.31	1. For one, see section 223.3 2. For both, see section 223.3 3. For maximum length of building between see section 223.31	See section 223.33	35°		10°	1. For corner lots, see section 224.11 2. For through lots, see section 224.13	For residential buildings over 2 stories, and for non-residential buildings, see section 225.20	RB-1	
RB-2	0.80	10 feet			1. For corner lots, see section 223.22	Optional	8 feet	60°		18°	1. For corner lots, see section 224.11	For residential buildings over 3 stories, and for non-residential buildings, see section 225.30	RB-2	
RB-3	1.40	See section 223.11			2. For through lots, see section 223.23									55°
RB-4	2.40	See section 223.11			1. For corner lots, see section 223.22	Optional	8 feet	65°		20°			RB-4	
RB-5	3.50				2. For through lots, see section 223.23									67°
RB-6	5.00		3. For deep interior lots, see section 223.24	60°	30°				RB-6					
RB-7	10.00		12 feet, see section 223.21	1. For corner lots, see section 223.22	Optional	8 feet	60°	30°	1. For corner lots, see section 224.11-12 2. For through lots, see section 224.13	RB-7				
		2. For through lots, see section 223.23												
		3. For deep interior lots, see section 223.24												

220. Residence Districts — Bulk Regulations (Continued)

DISTRICTS	N. REQUIRED MINIMUM LIGHT ACCESS UNITS	O. REQUIRED MINIMUM SPACING BETWEEN BUILDINGS ON A SINGLE ZONING LOT	USABLE OPEN SPACE				T. REGULATIONS APPLYING IN SPECIAL LOCATIONS	DISTRICTS
			P. AMOUNT (SQUARE FEET) PER DWELLING UNIT	Q. FOR MINIMUM AND MAXIMUM REQUIREMENTS	R. FOR MINIMUM DIMENSION	S. FOR SUBSTITUTION OF ROOF SPACE OR BALCONY SPACE		
RA-1	For non-residential uses, see section 226.10	1. For one-family detached residences, see sections 227.10-.13 2. For non-residential buildings with one-family detached residences, see section 227.30	800				1. For height of buildings within 3 miles from a major airport, see sections 1510-1514	RA-1
RA-2		1. For one-family detached residences, see sections 227.20-.23 2. For non-residential buildings with one-family detached residences, see section 227.30	800					2. For height of buildings adjacent to a minor airport, see sections 1521-1523
RB-1	For all residential buildings, except one-family detached residences, see section 226.10	1. For one-family detached residences, see sections 227.20-.23 2. For non-residential buildings with one-family detached residences, see section 227.30 3. For other detached buildings, see section 227.40-.42	600		See section 228.21		3. For areas adjacent to small parks, see sections 1530-1532 4. For large-scale developments, see sections 1660 1662 1664	RB-1
RB-2		1. For one-family detached residences, see sections 227.20-.23 2. For non-residential buildings with one-family detached residences, see section 227.30 3. For other detached buildings, see sections 227.40-.41	400					RB-2
RB-3			200	See section 228.10				RR-3
RB-4			125	See section 228.10				RB-4
RB-5			100	See section 228.10	See section 228.22	See sections 228.31-.32		RB-5
RB-6			For detached buildings, see sections 227.40-.41	75	See section 228.10			RB-6
RB-7					See section 228.10			RR-7

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ADDITIONAL BULK REGULATIONS IN RESIDENCE DISTRICTS

In addition to the *bulk* regulations set forth in the tables in section 220, the following *bulk* regulations shall also apply in an RA and an RB District.

221. GENERAL REGULATIONS
(No additional regulations)

222. FLOOR AREA RATIO
(No additional regulations)

223. YARDS

223.10 FRONT YARDS

223.11. In An RB-3 District. In an RB-3 District, where at least one-half ($\frac{1}{2}$) of the frontage within a *block* is developed with *buildings* having ten (10) feet or more of open space between the *front lot line* and the nearest point of the *building wall*, a *front yard* of ten (10) feet shall be provided.

223.20. REAR YARDS

223.21. Level Of Rear Yards In An RB District.

In an RB District, the level of a *rear yard* shall not be higher above natural grade level (measured as the mean level along the *rear lot line*) than is permitted in the schedule immediately below.

Districts	Maximum Permitted Height Above Natural Grade Level (As Measured Above)
RB-1, RB-2, RB-3, RB-4 and RB-5	6 feet
RR-6 and RB-7	12 feet

However, when the *curb level* for a *zoning lot* and the *curb level* for another *zoning lot* (or other *zoning lots*) located across common *rear lot lines* are both higher than natural grade level (as measured above) for the *zoning lot* under consideration, the permitted height of the level of a *rear yard* for such *zoning lot* may be measured above *curb level* and shall be regulated in accordance with the above schedule. In addition, in other cases of unusual topography, the Department of Housing and Buildings may permit a similar substitution of *curb level* for natural grade level, if such substitution will not create hardship for adjoining *zoning lots*.

223.22 For Corner Lots. In an RA and an RB District, the *rear yard* for every *corner lot* shall extend unobstructed to one (1) *street* frontage, so as to provide through block ventilation. However, in an RB-7 District, the *rear yard* on a *corner lot* for a distance of seventy (70) feet from a *street line* shall be ten (10) feet.

Italicized words are defined in Article 6.

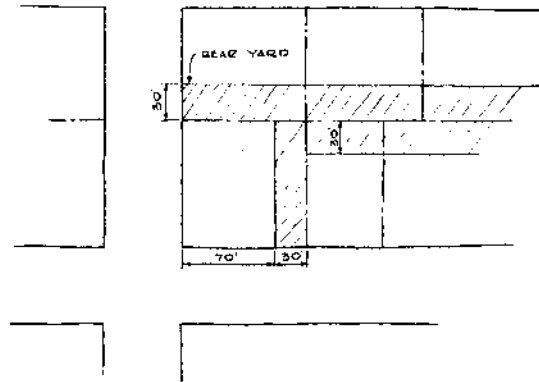


Illustration of Section 223.22 RA and RB-1-6 Districts

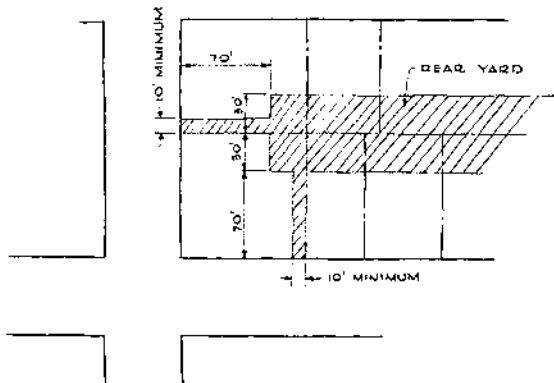


Illustration of Section 223.22 RB-7 District

223.23. For Through Lots. In an RA and an RB-1 District, no *rear yard* regulations shall apply to any *through lot*.

In an RB-2, an RB-3, an RB-4, an RB-5, an RB-6 and an RB-7 District, no *rear yard* regulations shall apply to any *through lots* which extend less than one hundred and ten (110) feet in greatest depth between the *streets* on which such *through lots* front.

In these districts, all *through lots* which extend one hundred and ten (110) feet or more in greatest depth between the *streets* on which such *through lots* front shall conform to either one or the other of the regulations set forth below.

Either—

a. Open Space Linking Adjoining Rear Yards. On such *through lots*, an open space for block ventilation (linking the *rear yards* of the adjoining *zoning lots*) shall be provided, sixty (60) feet wide and midway between the two (2) *streets*. Such open space shall be unobstructed, except as permitted in section 732.

Or—

b. Open Space Along Abutting Lot Lines. An open space for block ventilation shall be provided, thirty (30) feet wide and extending from *street* to *street* along all adjoining *lot lines*. Such open space shall be unobstructed, except as permitted in section 732.

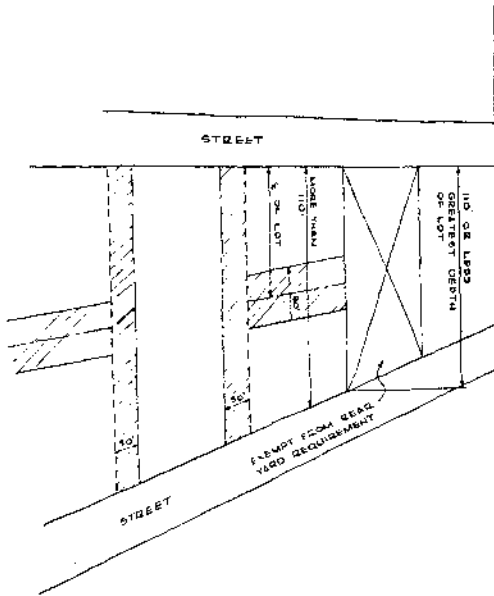


Illustration of Section 223.23

223.24. For Deep Interior Lots In An RB-4, An RB-5, An RB-6 And An RB-7 District. In an RB-4, an RB-5, an RB-6 and an RB-7 District, where any *rear lot line* of an *interior lot* is (a) one hundred and ten (110) feet or more from the front *street line* of such *lot* and (b) not equidistant from another *street* in the opposite direction, the Department of Housing and Buildings may require extension of the *rear yard* on such *interior lot* to connect with the *rear yards* on adjacent *zoning lots*, in order to achieve through block ventilation.

223.30. SIDE YARDS

223.31. In An RB-1 District. In an RB-1 District, two (2) *side yards* shall be provided on all *zoning lots*, in accordance with the regulations set forth below.

a. For One-Family Detached Residences. For all *zoning lots* developed with *one-family detached residences*, two (2) *side yards* shall be provided, with a combined width of thirteen (13) feet. No *side yard* shall be less than five (5) feet wide.

b. For All Other Zoning Lots. For all other *zoning lots*, two (2) *side yards* shall be provided, each eight (8) feet wide. However, for any *zoning lot*

developed with a *detached residential building* over sixty (60) feet in length, the width of each *side yard* shall be increased by one-half ($\frac{1}{2}$) foot for each ten (10) feet or fraction thereof by which the length of that *building* exceeds sixty (60) feet.

c. Maximum Length Of A Detached Residential Building. The maximum overall dimension of any *detached residential building*, taken parallel to a *building wall* and measured between the exterior faces of exterior walls, shall not exceed one hundred (100) feet if any portion of such *detached residential building* is within seventy (70) feet of a *street line*.

223.32. Modifications For Existing Narrow Lots In An RA-1 District. In an RA-1 District, on a tract of land less than fifty (50) feet in width, which was owned individually and separately from all other tracts of land at the effective date of this amended Resolution and is still so owned, four (4) inches shall be deducted from the required combined width of the *side yards* for each foot by which the tract is narrower than fifty (50) feet. However, in such cases no *side yard* shall be less than five (5) feet wide.

223.33. Modification For Existing Narrow Lots In An RA-2 And An RB-1 District. In an RA-2 and an RB-1 District, on a tract of land less than forty (40) feet in width, which was owned individually and separately from all other tracts of land at the effective date of this amended Resolution and is still so owned, four (4) inches shall be deducted from the required combined width of the *side yards* for each foot by which the tract is narrower than forty (40) feet. However, in such cases no *side yard* shall be less than five (5) feet wide.

223.34. Modifications For Detached Residential Buildings On Existing Narrow Lots In An RB-2 And An RB-3 District. In an RB-2 and an RB-3 District, on a tract of land less than forty (40) feet in width, which was owned individually and separately from all other tracts of land at the effective date of this amended Resolution and is still so owned, a *detached residential building* may be constructed with less than the required *side yards* only if such tract is adjacent on both sides to *zoning lots* occupied by existing *detached residential buildings*. In such cases, four (4) inches shall be deducted from the required combined width of the *side yards* for each foot by which the tract is narrower than forty (40) feet. However, in such cases no such *side yard* shall be less than three (3) feet wide.

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224. ANGLE OF LIGHT OBSTRUCTION

224.10. SPECIAL REGULATIONS FOR CORNER AND THROUGH LOTS

224.11. Rear Angle For Corner Lots. On *corner lots* in an RA and an RB District, *rear angle of light obstruction* regulations shall apply along those portions of *side lot lines* or *rear lot lines* which are seventy (70) feet or more from a *street*, but not otherwise.

224.12. Rear Angle For Corner Lots In An RB-7 District. In an RB-7 District, for all *corner lots* which front on at least one (1) *street* eighty (80) feet or more in width, the maximum permitted *rear angle of light obstruction* along all parts of *rear lot lines* which are within one hundred (100) feet of the *street* eighty (80) feet or more in width shall be seventy-six (76) degrees.

224.13. Rear Angle For Through Lots In An RB District. In an RB-1 District, no *rear angle of light obstruction* regulations shall apply to any *through lot*.

In an RB-2, an RB-3, an RB-4, an RB-5, an RB-6 and an RB-7 District, no *rear angle of light obstruction* regulations shall apply to any *through lots* which extend less than one hundred and ten (110) feet in greatest depth between the *streets* on which such *through lots* front.

In these districts, all *through lots* which extend one hundred and ten (110) feet or more in greatest depth between the *streets* on which such *through lots* front shall conform to either one or the other of the regulations set forth below.

Either—

a. Rear Angle In Open Space Linking Adjoining Rear Yards. If an open space for block ventilation sixty (60) feet wide is to be located midway between the two (2) *streets* on which such *through lots* front, in accordance with section 223.23 (*yards for through lots*), *rear angle of light obstruction* regulations (as set forth for *rear lot lines* in sections 740.10 and 741) shall apply along the center line of such open space.

Or—

b. Rear Angle In Open Space Along Adjoining Side Lot Lines. If an open space for block ventilation thirty (30) feet wide is to be located along all adjoining *lot lines*, in accordance with section 223.23 (*yards for through lots*), *rear angle of light obstruction* regulations shall apply when such *lot lines* are seventy (70) feet or more from a *street*, and also when such *lot lines* are common *rear lot lines* for the off-set portion of the *through lot* and for an adjoining *zoning lot*.

225. SET-BACK REGULATIONS

225.10. FOR NON-RESIDENTIAL BUILDINGS IN AN RA DISTRICT. In an RA District, every *building* or other structure used for any *use* (except an *accessory use*) which is listed in use group 4 or permitted under sections 1651.21 and 1651.31, shall conform to the regulations set forth below.

a. Height in Front. At any given point, the height above *curb level* of any front exterior wall of such a *building* shall not exceed the shortest distance between such wall and the center line of the *street*.

b. Height at Rear and Side. At any given point, the height above *curb level* of any rear or side exterior wall of such a *building* shall not exceed the shortest distance between such wall and the *rear lot line* or *side lot line* respectively.

225.20. FOR RESIDENTIAL BUILDINGS OVER TWO (2) STORIES HIGH AND FOR NON-RESIDENTIAL BUILDINGS IN AN RB-1 DISTRICT. In an RB-1 District, every *residential building* which has more than two (2) *stories* and an attic above natural grade level, and every *building* or other structure used for any *use* (except an *accessory use*) which is listed in use groups 4 and 5 or permitted under sections 1651.21-22 and 1651.31, shall conform to the regulations set forth below.

a. Height in Front. At any given point, the height above *curb level* of any front exterior wall of such a *building* shall not exceed the shortest distance between such wall and the center line of the *street*.

b. Height at Rear and Side. At any given point, the height above *curb level* of any rear or side exterior wall of such a *building* shall not exceed the shortest distance between such wall and the *rear lot line* or *side lot line* respectively.

225.30. FOR RESIDENTIAL BUILDINGS OVER THREE (3) STORIES HIGH AND FOR NON-RESIDENTIAL BUILDINGS IN AN RB-2 DISTRICT. In an RB-2 District, every *residential building* which has more than three (3) *stories* and an attic above natural grade level, and every *building* or other structure used for any *use* (except an *accessory use*) which is listed in use groups 4 and 5 or permitted under sections 1651.21-22 and 1651.31, shall conform to the regulations set forth below.

a. Height in Front. At any given point, the height above *curb level* of any front exterior wall of such a *building* shall not exceed one and one-half (1½) times the shortest distance between such wall and the center line of the *street*.

b. Height at Rear and Side. At any given point, the height above *curb level* of any rear or side exterior wall of such a *building* shall not exceed one and one-half (1½) times the shortest distance between such wall and the *rear lot line* or *side lot line* respectively.

Italicized words are defined in Article 6.

226. UNITS OF LIGHT ACCESS

226.10. EIGHT (8) UNITS REQUIRED IN SIXTY (60) FOOT AREA FOR LIGHT ACCESS. In an RA and an RB District, for all *legally required windows* in all *buildings* except *one-family detached residences*, at least eight (8) *units of light access*, located within the *sixty (60) foot area for light access*, shall be unobstructed, in accordance with the provisions of section 762. At least six (6) of such eight (8) *units* shall be contiguous.

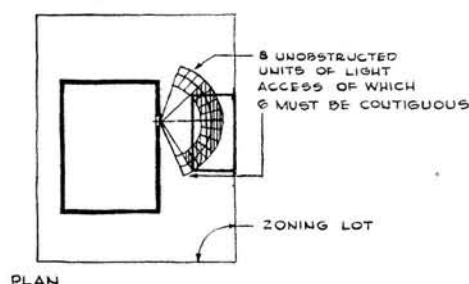


Illustration of Section 226.10

227. SPACING BETWEEN DETACHED BUILDINGS ON A SINGLE ZONING LOT.

In an RA and an RB District, the spacing and relative height of permitted *residential* and *non-residential buildings* (except *buildings accessory to residences*) which are located on a single *zoning lot* shall conform to the regulations set forth below. These spacing regulations do not affect the *yard*, *angle of light obstruction* and *set-back* regulations which are applicable along *lot lines* and *street lines*.

All open space on a *zoning lot* resulting from the application of these regulations shall be unobstructed, except as provided in section 732c. (obstructions for required *yards*).

227.10. BETWEEN TWO (2) OR MORE ONE-FAMILY DETACHED RESIDENCES IN AN RA-1 DISTRICT. In an RA-1 District, if two (2) or more *one-family detached residences* are developed on a single *zoning lot* under single ownership or control, the spacing between such *residences* shall conform to the regulations set forth below.

227.11. Minimum Distance Between Buildings. The minimum distance between the nearest points of any exterior *building* walls shall in no case be less than twenty (20) feet.

227.12. Land Assignable To Each Residence. At least five thousand (5,000) square feet of land shall be assignable exclusively to each *one-family detached residence*. The area on which such *residence* is built may be counted in satisfying this

requirement, and the remaining land shall be immediately adjacent to such *residence*. If the original *zoning lot* is subdivided, in accordance with the provisions of section 713, each new *zoning lot* shall conform to the provisions of this section.

227.13. Review By Department Of Housing and Buildings. The Department of Housing and Buildings shall determine that the character of any such development is at least equal in amenity to a series of *one-family detached residences*, each on its own *zoning lot*, in an RA-1 District.

227.20. BETWEEN TWO (2) OR MORE ONE-FAMILY DETACHED RESIDENCES IN AN RA-2, AN RB-1, AN RB-2 AND AN RB-3 DISTRICT. In an RA-2, an RB-1, an RB-2, and an RB-3 District, if two (2) or more *one-family detached residences* are developed on a single *zoning lot* under single ownership or control, the spacing between such *residences* shall conform to the regulations set forth below.

227.21. Minimum Distance Between Buildings.

The minimum distance between the nearest points of any exterior *building* walls shall in no case be less than thirteen (13) feet.

227.22. Land Assignable To Each Residence. At least four thousand (4,000) square feet of land shall be assignable exclusively to each *one-family detached residence*. The area on which such *residence* is built may be counted in satisfying this requirement, and the remaining land shall be immediately adjacent to such *residence*. If the original *zoning lot* is subdivided, in accordance with the provisions of section 713, each new *zoning lot* shall conform to the provisions of this section.

227.23. Review By Department Of Housing and Buildings. The Department of Housing and Buildings shall determine that the character of any such development is at least equal in amenity to a series of *one-family detached residences*, each on its own *zoning lot*, in an RA-2 District.

227.30. BETWEEN PERMITTED NON-RESIDENTIAL BUILDINGS AND OTHER BUILDINGS ON THE SAME LOT WITH ONE-FAMILY DETACHED RESIDENCES IN AN RA, AN RB-1, AN RB-2 AND AN RB-3 DISTRICT. In an RA, an RB-1, an RB-2, and an RB-3 District, where permitted *non-residential buildings* (except an *accessory building*) are on the same *zoning lot* with *one-family detached residences* which are subject to the provisions of sections 227.10 or 227.20, the minimum distance between the nearest points of the

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exterior *building* walls of any permitted non-residential *building* and of any other permitted *building* (except an accessory *building*) shall be equal to the height of the taller *building*, measured above natural grade level.

227.40. BETWEEN OTHER DETACHED BUILDINGS IN AN RB DISTRICT. In an RB District, if two (2) or more *detached buildings*, not subject to the provisions of sections 227.20 or 227.30 above, are developed on a single *zoning lot* under single ownership or control, the spacing between the nearest points of exterior *building* walls shall conform to the regulations set forth below.

227.41. Application Of Angle Of Light Obstruction Regulations. A line shall be located, parallel to and thirty (30) feet from the exterior surfaces of each *building* wall; and from this line the *angle of light obstruction* applicable in the district in which the *building* is located shall be applied in the opposite direction from the *building* walls, to control the height of the other *buildings* on the same *zoning lot*. The *angle of light obstruction* specified in the district regulations may be averaged in accordance with the regulations of the district in which the *building* is located, but may not be averaged over a continuous lineal distance of more than one hundred and twenty (120) feet.

For any such *detached building* with end walls less than seventy (70) feet in length, the above provisions shall not apply to any two (2) of such end walls, to be selected by the developer. However, in such cases the minimum distance between the nearest points of exterior *building* walls of any two such *detached buildings* shall be ten (10) feet.

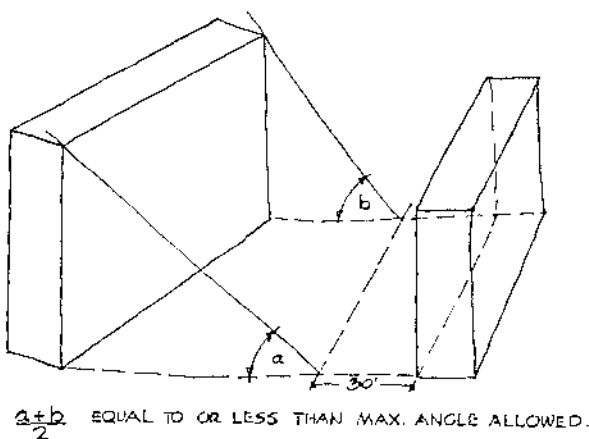


Illustration of Section 227.41

Italicized words are defined in Article 6.

227.42. Special Regulations For Detached Residential Buildings In An RB-1 District. The special regulations set forth below shall apply to *detached residential buildings* in an RB-1 District.

a. Maximum Length Of A Detached Residential Building. The maximum overall dimension of any *detached residential building*, taken parallel to a *building* wall and measured between the exterior faces of exterior walls, shall not exceed one hundred (100) feet if any portion of such *detached residential building* is within seventy (70) feet of a *street line*.

b. Space Between Ends Of Such Detached Residential Buildings. For *buildings* subject to the provisions of section 227.42(a) above, the minimum distance between the nearest points of such *buildings* shall be twenty (20) feet.

227.50. CONFORMITY WITH REQUIREMENTS FOR UNITS OF LIGHT ACCESS. Where the requirements set forth in section 227.41 above vary from the requirements of the district for *units of light access* for *legally required windows*, the more restrictive of the two requirements shall control.

228. USABLE OPEN SPACE

228.10. MINIMUM AND MAXIMUM TOTAL AMOUNTS OF REQUIRED USABLE OPEN SPACE IN AN RB-3, AN RB-4, AN RB-5, AND AN RB-6 DISTRICT. In an RB-3, an RB-4, an RB-5 and an RB-6 District, the requirements for *usable open space* set forth in the district regulations shall be subject to the modifications set forth below.

a. Minimum Usable Open Space Required On A Zoning Lot. The total *usable open space* required on a *zoning lot* in these districts shall in all cases be at least equal to the amount set forth in the schedule below as the minimum amount of required *usable open space* in relation to the *floor area* on that *zoning lot*.

b. Maximum Usable Open Space Required On A Zoning Lot. The total *usable open space* required on a *zoning lot* in such districts need in no case be more than the amount set forth in the schedule below as the maximum amount of required *usable open space* in relation to the *floor area* on that *zoning lot*.

District	Minimum Total Usable Open Space	Maximum Total Usable Open Space
RB-3	1/6 of floor area	1/3 of floor area
RB-4	1/10 of floor area	1/5 of floor area
RB-5	1/12 of floor area	1/6 of floor area
RB-6	1/14 of floor area	1/7 of floor area

228.20. MINIMUM DIMENSIONS

228.21. In An RA, An RB-1, An RB-2, And An RB-3 District. In an RA, an RB-1, an RB-2 and an RB-3 District, the minimum dimension of required *usable open space* (or any portion thereof) shall conform to the regulations set forth below.

a. Minimum Dimension Of Eighteen (18) Feet. In these districts, required *usable open space* (or any portion thereof) which is provided for a *zoning lot* with *buildings* containing less than four thousand two hundred (4,200) square feet of *floor area* shall have a minimum dimension of at least eighteen (18) feet.

b. Minimum Dimension Of Thirty (30) Feet. In these districts, required *usable open space* (or any portion thereof) which is provided for a *zoning lot* with *buildings* containing four thousand two hundred (4,200) square feet of *floor area* or more shall have a minimum dimension of at least thirty (30) feet. Moreover, required *usable open space* (or any portion thereof) which is provided for *use* in common by seven (7) *families* or more shall have a minimum dimension of thirty (30) feet.

228.22. In An RB-4, An RB-5, And An RB-6 District. In an RB-4, an RB-5, and an RB-6 District, the minimum dimension of required *usable open space* (or any portion thereof) for *residential buildings* shall be thirty (30) feet. However, for *zoning lots* in such districts less than thirty (30) feet in width, the minimum dimension shall be either the width of the *zoning lot* or eighteen (18) feet, whichever is less.

228.30. SUBSTITUTION OF ROOF SPACE AND BALCONIES FOR REQUIRED USABLE OPEN SPACE.

228.31. Substitution Of Roof Space In An RB-4, An RB-5 And An RB-6 District. In an RB-4, an RB-5 and an RB-6 District, open space on a roof may be substituted for part or all of required *usable open space*, and if so substituted each square foot of roof space shall be considered the equivalent of a square foot of *usable open space*, subject to the conditions set forth below.

a. Minimum Dimension. Such open space on a roof shall have a minimum dimension of at least fifteen (15) feet, measured from inside of parapet or railing to inside of parapet or railing, or to the exterior face of any wall or other obstruction projecting up above the roof level.

b. No Obstructions. Such open space on a roof shall be free of all obstructions, except for arbors, trellises, window boxes and other planting boxes, awnings and canopies, flagpoles, plumbing vents, recreational equipment and clothes drying equipment.

c. Design And Safety Precautions. Such open space on a roof shall be suitably surfaced, and shall be protected by a parapet or railing in accordance with safety regulations promulgated by the Department of Housing and Buildings.

d. Accessibility. Such roof space shall be accessible to the occupants of all *dwelling units* for whose *use* the space is required.

228.32. Substitution Of Balconies In An RB-4, An RB-5, And An RB-6 District. In an RB-4, an RB-5 and an RB-6 District, balconies (either singly or in tiers) may be substituted for part or all of required *usable open space*, and if so substituted each square foot of such balconies shall be counted as the equivalent of two (2) square feet of *usable open space*, subject to the conditions set forth below.

a. Minimum Dimension. Such balconies shall have a minimum dimension of four (4) feet, six (6) inches, measured between the exterior face of the *building* wall and the inside of the balcony parapet or railing.

b. No Obstructions. Such balconies shall be free of all obstructions, except arbors, trellises, window boxes and other planting boxes, awnings and canopies, recreational equipment and clothes drying equipment.

c. Safety Precautions. Such balconies shall be protected by a parapet or railing in accordance with safety regulations promulgated by the Department of Housing and Buildings.

d. Accessibility. No balcony (or part of a balcony) shall be credited as *usable open space* for a *dwelling unit* from which it is inaccessible.

For the purpose of this section, a balcony shall include a semi-enclosed space bounded on three (3) sides by exterior walls, provided that at least one-third ($\frac{1}{3}$) of the perimeter is open except for a railing or a parapet. A balcony may also include a roof, located over a portion of a *building*, which is used by the occupants of not more than three (3) *dwelling units* and which is accessible to each *dwelling unit* without passing through a public passage.

230. DISTRICTS ASSOCIATED WITH RESIDENCE DISTRICTS — USE REGULATIONS

The *use* regulations applying in the RM and the several *Residence Retail Districts* are set forth in the table on pages 156 and 157, by listing of permitted use groups and by cross-reference to other applicable regulations.

230. Districts Associated With Residence Districts — Use Regulations

The *use* regulations applying in the RM and in the several *Residence Retail Districts* are set forth in the following table, by listing of permitted use groups and by cross reference to other applicable regulations. The extent of control established over each type of *use* is defined in Section 111. The regulations on *non-conforming uses* (Article 8) and the administrative provisions (Article 16) are also applicable. All italicized words are defined in Article 6.

Within each vertical column, each rectangular space containing cross-references and separated by horizontal lines indicates a different set of regulations — even though the section numbers referred to may be the same. Where the same regulations apply in a group of districts, the lines separating the districts are indicated by notches on both sides of the column, for visual convenience.

Residence Retail Districts are mapped within *Residence Districts* and RM Districts, and derive their *bulk* regulations from those *Residence Districts* or RM Districts. RRA and RRC Districts may be mapped within all RA, RB and RM Districts. However, RRB Districts may be mapped within RB-3 through RB-7 Districts only.

DISTRICTS	PERMITTED USES						DISTRICTS
	A. ALL USES LISTED IN THE FOLLOWING USE GROUPS 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	B. ADDITIONAL USES, SUBJECT TO ADMINISTRATIVE APPROVAL	C. ACCESSORY PRODUCTION AND SERVICING OF GOODS	D. ACCESSORY OFF-STREET PARKING SPACES	E. ACCESSORY OFF-STREET LOADING BERTHS	F. ACCESSORY SIGNS	
RM	12 45 14	See sections 1651.10-.13 1651.20-.22 1651.30-.31 1651.41-.42, .44 1652, 1652.50 1660-1661				See sections 1211 1212	RM
<i>Residence Retail Districts:</i> RRA	12 45 6	See sections 1651.10-.13 1651.20, .22 1651.30, .35 1651.41-.44 1651.51 1652, 1652.10 1652.31 1652.41 1660-1661	See section 232.20	See section 1021	See sections 1110 1132.10	See sections 1221 1222	RRA
RRB	12 45 6 7 8						RRB
RRC	12 3 4 5 6 7 8	See sections 1651.10-.13 1651.20, .22 1651.30, .32-.35 1651.41-.44 1651.51 1652, 1652.10 1652.31 1652.41, .43 1660-1661					RRC

230. Districts Associated With Residence Districts — Use Regulations (Continued)

DISTRICTS	REQUIRED ACCESSORY PARKING AND LOADING		ADDITIONAL USE REGULATIONS				DISTRICTS
	G. ACCESSORY OFF-STREET PARKING SPACES	H. ACCESSORY OFF-STREET LOADING BFRTHS	I. ALL USES LISTED IN THE FOLLOWING USE GROUPS ARE NOT PERMITTED ABOVE THE GROUND FLOOR	J. SPECIAL DISTRICT REGULATIONS	K. ALONG DISTRICT BOUNDARIES	L. IN OTHER SPECIAL LOCATIONS	
RM	See sections 1022-1024 1040	See sections 1121-1124 1131 1132.10 1140		1. For <i>uses</i> required to be within enclosed <i>buildings</i> , see section 231.10 2. For landscaping regulations, see section 231.20			RM
<i>Residence Retail Districts:</i> RRA	See sections 1022-1024 1040	See sections 1121-1124 1131-1132 1140	6	For <i>uses</i> required to be within enclosed <i>buildings</i> , see section 232.10	See sections 1311 1331 1350	For automotive service <i>uses</i> near schools, parks and playgrounds, see sections 1411-1413	RRA
RRB							RRB
RRC			6, 7 and 8				RRC

**ADDITIONAL USE REGULATIONS IN
DISTRICTS ASSOCIATED WITH
RESIDENCE DISTRICTS**

In addition to the *use* regulations set forth in the table in section 230, the following *use* regulations shall also apply in an RM District and in *Residence Retail Districts*.

231. IN AN RM DISTRICT

231.10. **WITHIN ENCLOSED BUILDINGS.** In an RM District, the permitted *uses* shall, except as otherwise specifically stated in the permitted use groups, be within *completely enclosed buildings*.

231.20. **LANDSCAPING.** In an RM District, any part of a *zoning lot* not used for *buildings* or other structures, or for accessory off-street parking spaces or loading berths and access thereto, shall be landscaped with grass, trees, shrubs, ponds, or pedestrian walks. Such landscaped area shall be maintained in good condition.

Italicized words are defined in Article 6.

232. IN RESIDENCE RETAIL DISTRICTS

232.10. **WITHIN ENCLOSED BUILDINGS.** In *Residence Retail Districts*, the permitted *uses* shall, except as otherwise specifically stated in the permitted use groups, be within *completely enclosed buildings*.

232.20. **ACCESSORY PRODUCTION AND SERVICING OF GOODS.** In *Residence Retail Districts*, not more than five hundred (500) square feet of *floor area* in any establishment shall be used for production and servicing of goods, accessory to any of the permitted *uses*; and no machine with a capacity of more than one-half (1/2) horsepower shall be used for such production and servicing.

240. DISTRICTS ASSOCIATED WITH RESIDENCE DISTRICTS — BULK REGULATIONS

The *bulk* regulations applying in the RM and the several *Residence Retail Districts* are set forth in the table on page 159, by specifying the appropriate figures and by cross-reference to other applicable regulations.

240. Districts Associated With Residence Districts — Bulk Regulations

The *bulk* regulations applying in the RM and in the several *Residence Retail Districts* are set forth in the following table, by specifying the appropriate figures or regulations or by cross-reference to other applicable regulations. The extent of control established over *bulk* is defined in section 112, and the basic provisions for each *bulk* control device are set forth in Article 7. The regulations on *buildings non-conforming as to bulk* (Article 9) and the administrative provisions (Article 16) are also applicable. All italicized words are defined in Article 6.

Within each vertical column, each rectangular space containing cross-references and separated by horizontal lines indicates a different set of regulations—even though the section numbers referred to may be the same. Where the same regulations apply in a group of districts, the lines separating the districts are indicated by notches on both sides of the column, for visual convenience.

Residence Retail Districts are mapped within *Residence Districts* and RM Districts, and derive their *bulk* regulations from those *Residence Districts* or RM Districts. RRA and RRC Districts may be mapped within all RA, RB and RM Districts. However, RRB Districts may be mapped within RB-3 through RB-7 Districts only.

DISTRICT	A. FOR THE FOLLOWING TYPES OF USES:	B. FLOOR AREA RATIO— MAXIMUM PERMITTED	C. FRONT YARD— REQUIRED DEPTH	D. REAR YARD— REQUIRED DEPTH	E. SIDE YARDS— REQUIRED WIDTH	H. ANGLE OF LIGHT OBSTRUCTION, FRONT AND REAR		H. SET-BACKS REQUIRED	I. LIGHT ACCESS UNITS— MINIMUM REQUIRED	DISTRICT
						F. MAXIMUM PERMITTED	G. MINIMUM FOR AVERAGING			
RM	1. For all uses listed in use groups 1, 2, 4 and 5									RM
	2. For all uses listed in use group 14 or permitted under section 1652.50	0.30	40 feet	100 feet— see section 241.31	Two, each 100 feet in width— see section 241.31	35°	10°		See section 241.61	
<i>Residence Retail:</i> RRA, RRB and RRC	1. For all uses listed in use groups 1 and 2									<i>Residence Retail:</i> RRA, RRB and RRC
	2. For buildings containing those uses listed in use groups 3, 4, 5, 6, 7 or 8 and are permitted in the respective districts			Not required— see section 242.31	For permitted height above ground, see section 242.32	Not required— see section 242.31		Not required— see section 242.51	See section 242.61-.62	

PROPOSED RESOLUTION

ADDITIONAL BULK REGULATIONS IN DISTRICTS ASSOCIATED WITH RESIDENCE DISTRICTS

In addition to the *bulk* regulations set forth in the table in section 240, the following *bulk* regulations shall also apply in an RM District and in *Residence Retail Districts*.

241. IN AN RM DISTRICT

241.10. GENERAL REGULATIONS

(No additional regulations)

241.20. FLOOR AREA RATIO

(No additional regulations)

241.30. YARDS

241.31. *Rear And Side Yards For Non-Residential Uses In An RM District.* In an RM District, for all *zoning lots* developed with *uses* which are listed in use group 14 or permitted under section 1652.50, a *rear yard* of one hundred (100) feet, and two (2) *side yards* of one hundred (100) feet each, shall be provided. However, where a *rear lot line* or a *side lot line* of such a *zoning lot* adjoins (a) a cemetery, airport, railroad right of way, or bulkhead line (or a shoreline where no bulkhead lines have been established), or (b) another *zoning lot* occupied by a *use* which is listed in use group 14 or permitted under section 1652.50, or (c) another *zoning lot* which is located in a *Manufacturing District*, a *rear yard* or a *side yard* of forty (40) feet shall be provided.

241.40. ANGLE OF LIGHT OBSTRUCTION

(No additional regulations)

241.50. SET-BACKS

(No additional regulations)

241.60. LIGHT ACCESS UNITS

241.61. *Eight (8) Units Required In The Sixty (60) Foot Area For Light Access.* In an RM District, for all *legally required windows* in all *buildings* except *one-family detached residences*, at least eight (8) *units of light access*, located within the *sixty (60) foot area for light access*, shall be unobstructed, in accordance with the provisions of section 762. At least six (6) of such eight (8) *units* shall be contiguous.

241.70. SPACING REGULATIONS BETWEEN DETACHED BUILDINGS ON A SINGLE ZONING LOT.

(No additional regulations)

241.80. USABLE OPEN SPACE

(No additional regulations)

242. IN RESIDENCE RETAIL DISTRICTS

242.10. GENERAL REGULATIONS

242.11. *Maximum Size Of Stores In An RRB District.* In an RRB District, the *floor area* of any *retail* or other establishment listed in use groups 6, 7 or 8 shall not exceed two thousand (2,000) square feet.

242.20. FLOOR AREA RATIO

(No additional regulations)

242.30. YARDS

242.31. *No Front And Side Yard Requirements.*

In *Residence Retail Districts*, the *front yard* and *side yard* regulations of the RA or the RB District within which such *Residence Retail District* is mapped shall not apply. However, if any *side yard* is provided, its required width shall be eight (8) feet.

242.32. *Level Of Rear Yards In High Bulk Districts.* In *Residence Retail Districts* mapped within an RB-4, an RB-5, an RB-6 and an RB-7 District, the level of a *rear yard* shall be not more than twenty-three (23) feet above natural grade level. The provisions of section 223.21 for measurement of natural grade level and for substitution of *curb level* shall apply. Not more than one (1) full *story* above natural grade level (or *curb level*) shall be beneath such *rear yard*.

242.40. ANGLE OF LIGHT OBSTRUCTION

(No additional regulations)

242.50. SET-BACKS

242.51. *No Set-Back Requirements.* In an RRA and an RRC District, the set-back requirements set forth in section 225 shall not apply.

242.60. UNITS OF LIGHT ACCESS

242.61. *In Residences, And Above First Floor In Hotels And Non-Residential Buildings.* In *Residence Retail Districts*, for all *legally required windows*,

a. In all *residences* except *one-family detached residences*, and

b. Above the first floor of all *buildings* which are used for *uses* listed in use groups 3, 4 and 5, at least eight (8) *units of light access*, located within the *sixty (60) foot area for light access*, shall be unobstructed, in accordance with the provisions of section 762. At least six (6) of such eight (8) *units* shall be contiguous.

242.62. *In Basement And First Floor In Hotels And Non-Residential Buildings.* In *Residence Retail Districts*, for all *legally required windows* in the *basement* or first floor of *buildings* used for *uses* listed in use groups 3, 4, 5, 6, 7 and 8, at least eight (8) *units of light access*, located within the *forty (40) foot area for light access*, shall be unobstructed, in accordance with the provisions of section 762. At least six (6) of such eight (8) *units* shall be contiguous.

242.70. SPACING REGULATIONS BETWEEN DETACHED BUILDINGS ON A SINGLE ZONING LOT.

(No additional regulations)

242.80. USABLE OPEN SPACE

(No additional regulations)

Italicized words are defined in Article 6.

ARTICLE 3. COMMERCIAL DISTRICTS

The *Commercial Districts* set forth below are established in order to protect and promote public health, safety, comfort, convenience, prosperity and welfare. These general goals include, among others, the following specific purposes:

1. To protect commercial development, so far as is possible and appropriate in each area, against the establishment of *uses* which would create hazards, offensive noise, vibration, smoke, dust, odors, heat, glare, or other objectionable influences, or heavy trucking traffic, and thus to protect public health, safety, convenience, prosperity and welfare.
2. To protect commercial development against congestion, so far as is possible and appropriate in each area, by limiting the *bulk* of *buildings* in relation to the land around them and to one another, and thus to protect public health, safety, convenience, prosperity and welfare.
3. To provide sufficient space in appropriate locations for the transaction of all types of commercial and miscellaneous service activities in beneficial relation to one another, and thus to strengthen the economic base of the community and to protect public convenience, prosperity and welfare.
4. To provide appropriate space, and in particular sufficient depth from the *street*, to satisfy the needs of modern commercial development, including the need for off-street parking space in areas where a large pro-

portion of customers come by automobile, and thus to protect public safety, convenience, prosperity and welfare.

5. To encourage the tendency of commercial development to concentrate, to the mutual advantage of both consumers and merchants, and thus to promote public convenience, prosperity and welfare.
6. To promote the most desirable *use* of land in accordance with a well-considered plan, to promote the beneficial and appropriate development of all land, to promote stability of commercial development, to protect the character and established pattern of desirable development in each area, to conserve the value of *buildings*, to enhance the value of land, to protect the City's tax revenues, and thus to promote public health, safety, convenience, prosperity and welfare.

It is hereby declared to be the legislative intent that the regulations of the *Commercial Districts* set forth below shall be liberally construed in order to further the purposes set forth above.

310. COMMERCIAL DISTRICTS — USE REGULATIONS

The *use* regulations applying in the several *Commercial Districts* are set forth in the table on pages 162 and 163, by listing of permitted use groups and by cross-reference to other applicable regulations.

The *use regulations* applying in the several *Commercial Districts* are set forth in the following table, by listing of permitted use groups and by cross-reference to other applicable regulations. The extent of control established over each type of *use* is defined in section 111. The regulations on *non-conforming uses* (Article 8) and the administrative provisions (Article 16) are also applicable. All italicized words are defined in Article 6.

Within each vertical column, each rectangular space containing cross-references and separated by horizontal lines indicates a different set of regulations — even though the section numbers referred to may be the same. Where the same regulations apply in a group of districts, the lines separating the districts are indicated by notches on both sides of the column, for visual convenience.

DISTRICTS	PERMITTED USES						DISTRICTS	
	A. ALL USES LISTED IN THE FOLLOWING USE GROUPS 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	B. ADDITIONAL USES, SUBJECT TO ADMINISTRATIVE APPROVAL	C. ACCESSORY PRODUCTION AND SERVICING OF GOODS	D. ACCESSORY OFF-STREET PARKING SPACES	E. ACCESSORY OFF-STREET LOADING BERTHS	F. SIGNS		
CA-1	1 2 3 4 5 6 7 9	See sections 1651.10-.13 1651.30, .36 1651.41-.42, .44 1651.51 1652, 1652.10 1652.31 1652.41, .43 1660-1661				See sections 1231 1232	CA-1	
CA-2							CA-2	
CA-3							CA-3	
CA-4							CA-4	
CB-1	1 2 3 4 5 6 7 8 9 10	See sections 1651.10-.13 1651.30, .34 1651.41-.42, .41 1651.51 1652, 1652.10 1652.21 1652.31 1652.41, .43 1660-1661	See section 313	See section 1021	See sections 1110 1132.10	See sections 1241 1242	CB-1	
CB-2							CB-2	
CB-3							CB-3	
CB-4		See sections 1651.10-.13 1651.41-.42, .44 1651.51 1652, 1652.10 1652.21 1652.31 1652.41, .43 1660-1661					See section 1250	CB-4
CB-5								CB-5
CB-6								CB-6
CC	1 2 3 4 5 6 7 8 9 10 11 12	See sections 1651.10-.13 1651.30, .34 1651.41-.42, .44 1651.51 1652, 1652.10 1652.21-.23 1652.31 1652.41, .43 1660-1661					CC	
CD-1	1 2 3 4 5 6 7 8 9 10 11 13	See sections 1651.10-.13 1651.30, .37 1651.41-.42, .44 1651.51 1652, 1652.10 1652.21-.23 1652.31 1652.41, .43 1660-1661	See section 313			See sections 1241 1242	CD-1	
CD-2							CD-2	
CD-3							CD-3	
CM-1	1 2 3 4 5 6 7 8 9 10 11 13 14 15		See section 313				CM-1	
CM-2							CM-2	

310. Commercial Districts — Use Regulations (Continued)

DISTRICTS	REQUIRED ACCESSORY PARKING AND LOADING		ADDITIONAL USE REGULATIONS			DISTRICTS
	G. ACCESSORY OFF-STREET PARKING SPACES	H. ACCESSORY OFF-STREET LOADING BERTHS	I. SPECIAL DISTRICT REGULATIONS	J. ALONG DISTRICT BOUNDARIES	K. IN OTHER SPECIAL LOCATIONS	
CA-1	See sections 1022-1024 1040		See sections 311 312.30			CA-1
CA-2	See sections 1022-1024 1040	See sections 1121-1124 1131-1132 1140	See section 311		For automotive service uses near schools, parks and playgrounds, see sections 1411-1413	CA-2
CA-3						
CA-4						
CB-1						
CB-1	See sections 1022-1024 1040	See sections 1121-1124 1131-1132 1140		See sections 1311 1331 1350		CB-1
CB-2						
CB-3						
CB-4						
CB-5	See sections 1022-1024 1040	See sections 1121-1124 1131-1132 1140				CB-5
CB-6						
CC	See sections 1022-1024 1040	See sections 1121-1124 1131-1132 1140			1. For automotive service uses near schools, parks and playgrounds, see sections 1411-1413 2. For advertising signs near parks and parkways, see section 1420	CC
CD-1	See sections 1022-1025 1040	See sections 1121-1124 1131 1132.10 1140	See sections 311.10 312.20	See sections 1311 1322 1331 1350	For automotive service uses near schools, parks and playgrounds, see sections 1411-1413	CD-1
CD-2						
CD-3						
CM-1	See sections 1022-1025 1040	See sections 1121-1124 1131 1132.10 1140	See sections 311.10 312.30			CM-1
CM-2						

PROPOSED RESOLUTION

ADDITIONAL USE REGULATIONS IN COMMERCIAL DISTRICTS

In addition to the *use* regulations set forth in the table in section 310, the following *use* regulations shall also apply in *Commercial Districts*.

311. LOCATION WITHIN BUILDINGS

311.10. WITHIN ENCLOSED BUILDINGS. In a CA, a CB, a CD and a CM District, the permitted *uses* shall, except as otherwise specifically stated in the permitted use groups, be within *completely enclosed buildings*.

311.20. FAÇADE REGULATIONS. In a CA District, all *uses* marked with asterisks in the permitted use groups shall be located only as follows:

- a. On a floor above or below the ground floor, or
- b. On the ground floor, but not within fifty (50) feet from the *street line* and with no display window facing on the *street*.

312. RESTRICTIONS ON NON-RESIDENTIAL USES IN RESIDENTIAL BUILDINGS. In a CA-1, a CD and a CM District, all *buildings* containing *uses* listed in use groups 1 and 2 shall conform to the regulations set forth below:

312.10. IN A CA-1 DISTRICT. In a CA-1 District, no *uses* listed in use groups 6, 7 or 9 shall be located above the ground floor in such *buildings*.

Italicized words are defined in Article 6.

312.20. IN A CD DISTRICT. In a CD District, no *uses* listed in use group 13 shall be located in such *buildings*.

312.30. IN A CM DISTRICT. In a CM District, no *uses* listed in use groups 13, 14 and 15 shall be located in such *buildings*.

313. RESTRICTIONS ON PRODUCTION AND SERVICING OF GOODS. In *Commercial Districts*, the production and servicing of goods accessory to any permitted retail, service or wholesale establishment shall be subject to the restrictions set forth in the schedule immediately below.

District	Maximum Per Cent of Floor Area Used	Maximum Size of Machinery	Maximum Persons Employed
CA, CB & CC	10%	1/2 horsepower	—
CD	—	3 horsepower	15
CM	—	—	—

In addition, in a CD and a CM District, no accessory production and servicing of goods shall include any process listed in use groups 16, 17 or 18.

320. COMMERCIAL DISTRICTS — BULK REGULATIONS

The *bulk* regulations applying in the several *Commercial Districts* are set forth in the table on page 165, by specifying the appropriate figures and by cross-reference to other applicable regulations.

320. Commercial Districts — Bulk Regulations

The *bulk* regulations applying in the several *Commercial Districts* are set forth in the following table, by specifying the appropriate figures and by cross-reference to other applicable regulations. The extent of control established over *bulk* is defined in section 112, and the basic regulations for each *bulk* control device are set forth in Article 7. The regulations on *buildings non-conforming as to bulk* (Article 9) and the administrative provisions (Article 16) are also applicable. All italicized words are defined in Article 6.

Within each vertical column, each rectangular space containing cross-references and separated by horizontal lines indicates a different set of regulations — even though the section numbers referred to may be the same. Where the same regulations apply in a group of districts, the lines separating the districts are indicated by notches on both sides of the column, for visual convenience.

DISTRICTS	A. FLOOR AREA RATIO— MAXIMUM PERMITTED	REAR YARD				SIDE YARD		ANGLE OF LIGHT OBSTRUCTION					L. REQUIRED MINIMUM LIGHT ACCESS UNITS	M. SPECIAL BULK REGULATIONS FOR HOTELS AND COMMUNITY FACILITIES	N. ALL RESIDENCES, SCHOOLS AND HOSPITALS ARE SUBJECT TO BULK REGULATIONS OF THE FOLLOWING DISTRICTS	O. REGULATIONS APPLYING IN SPECIAL LOCATIONS	DISTRICTS				
		B. RE- QUIRED DEPTH	C. SPECIAL REGU- LATIONS	D. REGULATIONS ALONG DISTRICT BOUNDARIES	E. OPTIONAL MINIMUM WIDTH	F. REGULATIONS ALONG DISTRICT BOUNDARIES	FRONT		REAR												
							G. MAXIMUM ANGLE PERMITTED	H. MINIMUM FOR AVERAGING	I. MAXIMUM ANGLE PERMITTED	J. SPECIAL REGU- LATIONS FOR CERTAIN LOTS	K. MINIMUM FOR AVERAGING										
CA-1	3.50	30 feet	1. For height, see section 323.10				65°	20°	65°	For corner and certain interior lots, see section 324.12	20°	1. For hotels, see section 326.10	See section 321.10	RB-7	1. For height of buildings within 3 miles from a major airport, see sections 1510-1514	CA-1					
CA-2	10.00		2. For corner and certain interior lots, see section 323.22				69°	30°	69°		30°					2. For other permitted uses, see section 326.20	CA-2				
CA-3	10.00						69°	30°	78°		30°						CA-3				
CA-4	15.00						73°	35°	78°		35°						CA-4				
CB-1	1.00	20 feet	1. For height, see section 323.10	See sections 1342 1350	8 feet	See sections 1341 1350	50°	12°	50°	1. For corner lots, see section 324.11 2. For through lots, see section 324.13	12°	For all permitted uses, see section 326.10	RB-2	2. For height of buildings adjacent to a minor airport, see sections 1521-1523	CB-1						
CB-2	1.40		2. For corner lots, see section 323.21								55°				15°	55°	15°	RB-3	CB-2		
CB-3	2.40		3. For through lots, see section 323.30								60°				18°	60°	18°	RB-4	CB-3		
CB-4	5.00		1. For height, see section 323.10								67°				25°	72°	25°	1. For hotels, see section 326.10	RB-6	3. For large-scale developments, see sections 1660 1662 1664	CB-4
CB-5	10.00		2. For corner and certain interior lots, see section 323.22								69°				30°	78°	30°	2. For other permitted uses, see section 326.20	RB-7	CB-5	
CB-6	10.00										69°				30°	78°	30°		RB-7	CB-6	
CC	2.40	20 feet					60°	18°	60°		18°	For all permitted uses, see section 326.10	RB-4	CC							
CD-1	0.80						45°	10°	45°		10°				RB-1	CD-1					
CD-2	1.40						55°	15°	55°		15°				RB-3	CD-2					
CD-3	5.00	10 feet	1. For height, see section 323.10				67°	25°	72°	1. For corner lots, see section 324.11 2. For through lots, see section 324.13	25°	1. For hotels, see section 326.10 2. For other permitted uses, see section 326.20	RB-6	CD-3							
CM-1	1.40	20 feet	2. For corner lots, see section 323.21				55°	15°	55°		15°				For all permitted uses, see section 326.10	RB-3	CM-1				
CM-2	3.50	10 feet	3. For through lots, see section 323.30				60°	18°	60°		18°	1. For hotels, see section 326.10 2. For other permitted uses, see section 326.20	RB-4	CM-2							

PROPOSED RESOLUTION

ADDITIONAL BULK REGULATIONS IN COMMERCIAL DISTRICTS

In addition to the *bulk* regulations set forth in the table in section 320, the following *bulk* regulations shall also apply in *Commercial Districts*.

321. GENERAL REGULATIONS

321.10. SPECIAL REGULATIONS FOR HOTELS AND COMMUNITY FACILITIES IN A CA-1 DISTRICT. In a CA-1 District, for all *buildings* containing *uses* listed in use groups 3, 4 or 5, the *bulk* regulations of an RB-7 District shall apply.

322. FLOOR AREA RATIO (No additional regulations)

323. YARDS

323.10. LEVEL OF REAR YARDS. In *Commercial Districts*, the level of a *rear yard* shall be not more than twenty-three (23) feet above *curb level*, provided that not more than one (1) full *story* above *curb level* shall be beneath such *rear yard*.

323.20. REAR YARDS FOR CORNER LOTS

323.21. For Corner Lots In A CB-1, A CB-2, A CB-3, A CC, A CD And A CM District. In a CB-1, a CB-2, a CB-3, a CC, a CD and a CM District, in order to provide through block ventilation, the *rear yard* for every *corner lot* shall extend unobstructed to one (1) *street* frontage.

323.22. No Rear Yard Regulations On Corner Lots And Certain Interior Lots In A CA, A CB-4, A CB-5 And A CB-6 District. In a CA, a CB-4, a CB-5 and a CB-6 District, *rear yard* regulations shall not apply:

a. On Corner Lots. On *corner lots*, along any portion of a *rear lot line* or a *side lot line* located one hundred (100) feet or less from a *street* to which such *lot line* is perpendicular, or within forty-five (45) degrees of being perpendicular, and

b. On Certain Interior Lots. On *interior lots*, along any portion of a *rear lot line* or a *side lot line* located one hundred (100) feet or less from a *street* which is at right angles to (or within forty-five (45) degrees of being at right angles to) the *street* on which such *interior lot* fronts.

323.30. FOR THROUGH LOTS IN A CB-1, A CB-2, A CB-3, A CC, A CD AND A CM DISTRICT. In a CB-1, a CB-2, a CB-3, a CC, a CD and a CM District, no *rear yard* regulations shall apply to any *through lots* which extend less than one hundred and ten (110) feet in greatest depth between the *streets* on which such *through lots* front.

In these districts, all *through lots* which extend one hundred and ten (110) feet or more in greatest

depth between the *streets* on which such *through lots* front shall conform to either one or the other of the regulations set forth below:

Either—

a. Open Space Linking Adjoining Rear Yards. On such *through lots*, an open space for block ventilation (linking the *rear yards* of the adjoining *zoning lots*) shall be provided, forty (40) feet wide and midway between the two (2) *streets*. Such open space shall be unobstructed, except as permitted in section 732.

Or—

b. Open Space Along Abutting Lot Lines. An open space for block ventilation shall be provided, twenty (20) feet wide and extending from *street* to *street* along all adjoining *lot lines*. Such open space shall be unobstructed, except as permitted in section 732 (a. and c.)

324. ANGLE OF LIGHT OBSTRUCTION

324.10. SPECIAL REGULATIONS FOR CORNER AND THROUGH LOTS

324.11. Rear Angle For Corner Lots In A CB-1, A CB-2, A CB-3, A CC, A CD And A CM District. On *corner lots* in a CB-1, a CB-2, a CB-3, a CC, a CD and a CM District, *rear angle of light obstruction* regulations shall apply along those portions of a *side lot line* or a *rear lot line* which are eighty (80) feet or more from a *street*, but not otherwise.

324.12. No Rear Angle Of Light Obstruction Regulations On Corner Lots And Certain Interior Lots In A CA, A CB-4, A CB-5 And A CB-6 District. In a CA, a CB-4, a CB-5 and a CB-6 District, *rear angle of light obstruction* regulations shall not apply:

a. On Corner Lots. On *corner lots*, along any portion of a *rear lot line* or a *side lot line* located one hundred (100) feet or less from a *street* to which such *lot line* is perpendicular, or within forty-five (45) degrees of being perpendicular, and

b. On Certain Interior Lots. On *interior lots*, along any portion of a *rear lot line* or a *side lot line* located one hundred (100) feet or less from a *street* which is at right angles to (or within forty-five (45) degrees of being at right angles to) the *street* on which such *interior lot* fronts.

324.13. Rear Angle For Through Lots In A CB-1, A CB-2, A CB-3, A CC, A CD And A CM District. In a CB-1, a CB-2, a CB-3, a CC, a CD and a CM District, no *rear angle of light obstruction* regulations shall apply to any *through lots* which extend less than one hundred and ten (110) feet in greatest depth between the *streets* on which such *through lots* front.

Italicized words are defined in Article 6.

In these districts, all *through lots* which extend one hundred and ten (110) feet or more in greatest depth between the *streets* on which such *through lots* front shall conform to either one or the other of the regulations set forth below.

Either—

a. **Rear Angle In Open Space Linking Adjoining Rear Yards.** If an open space for block ventilation forty (40) feet wide is to be located midway between the two (2) *streets* on which such *through lots* front, in accordance with section 323.30 (*yards for through lots*), rear *angle of light obstruction* regulations (as set forth for rear lot lines in sections 740.10 and 741) shall apply along the center line of such open space.

Or—

b. **No Rear Angle In Open Space Along Adjoining Side Lot Lines.** If an open space for block ventilation twenty (20) feet wide is to be located along all adjoining *lot lines*, in accordance with section 323.30 (*yards for through lots*), rear *angle of light obstruction* regulations shall apply when such *lot lines* are seventy (70) feet or more from a *street*, and also when such *lot lines* are common rear lot lines for an off-set portion of the *through lot* and for an adjoining *zoning lot*.

325. SET-BACKS

(No additional regulations)

326. LIGHT ACCESS UNITS

326.10. **REQUIRED UNITS OF LIGHT ACCESS FOR LOW BULK COMMERCIAL DISTRICTS, AND FOR HOTELS IN ALL COMMERCIAL DISTRICTS.** For all *legally required windows* which are located

a. In all *buildings* (except *residences*, schools and hospitals) in a CB-1, a CB-2, a CB-3, a CC, a CD-1, a CD-2 and a CM-1 District, and

b. In all *hotels* in all *Commercial Districts*,

at least eight (8) *units of light access*, located within the *forty (40) foot area for light access*, shall be unobstructed, in accordance with the provisions of section 762. At least six (6) of such eight (8) *units* shall be contiguous.

326.20. **REQUIRED UNITS OF LIGHT ACCESS IN HIGH BULK COMMERCIAL DISTRICTS.** For all *legally required windows* in all *buildings* (except *residences*, schools, hospitals and *hotels*) in a CA, a CB-4, a CB-5, a CB-6, a CD-3, and a CM-2 District, at least (8) *units of light access*, located within the *twenty (20) foot area for light access*, shall be unobstructed, in accordance with the provisions of section 762. All eight (8) of such *units* shall be contiguous.

ARTICLE 4. MANUFACTURING DISTRICTS

The *Manufacturing Districts* set forth below are established in order to protect public health, safety, comfort, convenience, prosperity and welfare. These general goals include, among others, the following specific purposes:

1. To protect adjacent *residential* and commercial areas, and to protect the labor force in other establishments engaged in less offensive types of manufacturing and related activities, by restricting those manufacturing activities which create offensive noise, vibration, smoke, dust, odors, heat, glare and other objectionable influences to those limited areas which are appropriate therefor, and thus to protect public health, safety, comfort, convenience, prosperity and welfare.
2. To protect manufacturing and related development against congestion, so far as is possible and appropriate in each area, by limiting the *bulk* of *buildings* in relation to the land around them and to one another, and thus to protect public health, safety, convenience, prosperity and welfare.
3. To protect manufacturing and related activities against congestion, so far as is possible and appropriate in each area, by providing space off public *streets* for parking and loading activities associated with such activities, and thus to protect public health, safety, convenience, prosperity and welfare.
4. To provide sufficient space in appropriate locations for all types of manufacturing and related activities, and thus to strengthen the economic base of the com-

munity and to protect public convenience, prosperity and welfare.

5. To insure that such space will be available for *use* for manufacturing and related activities, and to protect *residences* by separating them from offensive manufacturing activities, by prohibiting the *use* of such space for new *residential* development, and thus to protect public health, safety, comfort, convenience, prosperity and welfare.

6. To promote the most desirable *use* of land in accordance with a well-considered plan, to promote the beneficial development of all land, to promote stability of manufacturing and related development, to protect the character and established pattern of desirable development in each area, to conserve the value of *buildings*, to enhance the value of land, to protect the City's tax revenues, and thus to promote public health, safety, convenience, prosperity and welfare.

It is hereby declared to be the legislative intent that the regulations of the *Manufacturing Districts* set forth below shall be liberally construed in order to further the purposes set forth above.

410. MANUFACTURING DISTRICTS — USE REGULATIONS

The *use* regulations applying in the several *Manufacturing Districts* are set forth in the table on page 169, by listing of permitted use groups and by cross-reference to other applicable regulations.

Italicized words are defined in Article 6.

410. Manufacturing Districts — Use Regulations

The *use* regulations applying in the several *Manufacturing Districts* are set forth in the following table, by listing of permitted use groups and by cross reference to other applicable regulations. The extent of control established over each type of *use* is defined in section 111. The regulation on *non-conforming uses* (Article 8) and the administrative provisions (Article 16) are also applicable. All italicized words are defined in Article 6.

Within each vertical column, each rectangular space containing cross-references and separated by horizontal lines indicates a different set of regulations — even though the section numbers referred to may be the same. Where the same regulations apply in a group of districts, the lines separating the districts are indicated by notches on both sides of the column, for visual convenience.

DISTRICTS	PERMITTED USES						REQUIRED ACCESSORY PARKING & LOADING		ADDITIONAL USE REGULATIONS			DISTRICTS
	A. ALL USES LISTED IN THE FOLLOWING USE GROUPS 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	B. ADDITIONAL USES, SUBJECT TO ADMINISTRATIVE APPROVAL	C. ACCESSORY PRODUCTION AND SERVICING OF GOODS	D. ACCESSORY OFF-STREET PARKING SPACES	E. ACCESSORY OFF-STREET LOADING BERTHS	F. SIGNS	G. ACCESSORY OFF-STREET PARKING SPACES	H. ACCESSORY OFF-STREET LOADING BERTHS	I. SPECIAL DISTRICT REGULATIONS	J. ALONG DISTRICT BOUNDARIES	K. IN OTHER SPECIAL LOCATIONS	
MA-1	1 2 3 4 5 6 7 8 9 10 14 15	See sections 1651.10-.13 1651.30-.37 1651.41-.42, .44 1651.51	See section 412			See sections 1241	See sections 1023-1025 1040	See sections 1121-1124	For uses required to be within enclosed buildings, see section 411.10	See sections 1312 1322 1331 1350	For automotive service uses near schools, parks and playgrounds, see sections 1411-1413	MA-1
MA-2		1652, 1652.10 1652.21 1652.31 1652.41-.43 1660-1661				See sections 1110 1132.10	See sections 1023-1025 1040	1131 1132.10 1140				
MB-1	4 5 6 7 8 9 10 11 13 14 15 16	See sections 1651.10-.13 1651.41, .44 1651.51 1652, 1652.10 1652.21-.23 1652.31 1652.41-.43 1660-1661		See section 1021		See section 1250	See sections 1023-1025 1040	See sections 1121-1124 1131 1132.10 1140		See sections 1312 1313 1322 1331 1350	1. For automotive service uses near schools, parks and playgrounds, see sections 1411-1413	MB-1
MB-2							See sections 1023-1025 1040	See sections 1121-1124 1131 1132.10 1140				MB-2
MB-3							See sections 1023-1025 1040	See sections 1121-1124 1131 1132.10 1140				2. For advertising signs near parks and playgrounds, see section 1420
MC-1	4 5 6 7 8 9 10 11 12 13 14 15 16 17						See sections 1023-1025 1040	See sections 1121-1124 1131 1132.10 1140		See sections 1312 1313 1321 1322 1331 1350		MC-1
MC-2							See sections 1023-1025 1040	See sections 1121-1124 1131 1132.10 1140				MC-2
MC-3							See sections 1023-1025 1040	See sections 1121-1124 1131 1132.10 1140				MC-3
MD	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	See sections 1651.10-.13 1651.41, .44 1651.51 1652, 1652.10 1652.31 1652.41-.43 1660-1661				See sections 1023-1025 1040	See sections 1121-1124 1131 1132.10 1140				MD	

PROPOSED RESOLUTION

**ADDITIONAL USE REGULATIONS IN
MANUFACTURING DISTRICTS**

In addition to the *use* regulations set forth in the table in section 410, the following *use* regulations shall also apply in *Manufacturing Districts*.

411. LOCATION WITHIN BUILDINGS

411.10. WITHIN ENCLOSED BUILDINGS. In an MA District, the permitted *uses* shall, except as otherwise specifically stated in the permitted use groups, be within *completely enclosed buildings*.

412. RESTRICTIONS ON PRODUCTION AND SERVICING OF GOODS. In an MA District, the production and servicing of goods accessory to any permitted establishment shall not include any process listed in use groups 16, 17 or 18.

**420. MANUFACTURING DISTRICTS — BULK
REGULATIONS**

The *bulk* regulations applying in the several *Manufacturing Districts* are set forth in the table on page 171, by specifying the appropriate figures and by cross-reference to other applicable regulations.

**ADDITIONAL BULK REGULATIONS IN
MANUFACTURING DISTRICTS**

In addition to the *bulk* regulations set forth in the table in section 420, the following *bulk* regulations shall also apply in *Manufacturing Districts*.

421. GENERAL REGULATIONS
(No additional regulations)

422. FLOOR AREA RATIO
(No additional regulations)

423. YARDS

423.10. LEVEL OF REAR YARD. In *Manufacturing Districts*, the level of a *rear yard* shall be not more than twenty-three (23) feet above *curb level*, provided that not more than one (1) full *story* above *curb level* shall be beneath such *rear yard*.

423.20. NO REAR YARD REGULATIONS ON CORNER LOTS AND CERTAIN INTERIOR LOTS IN MANUFACTURING DISTRICTS. In *Manufacturing Districts*, *rear yard* regulations shall not apply:

a. On Corner Lots. On *corner lots*, along any portion of a *rear lot line* or a *side lot line* located one hun-

dred (100) feet or less from a *street* to which such *lot line* is perpendicular, or within forty-five (45) degrees of being perpendicular, and

b. On Certain Interior Lots. On *interior lots*, along any portion of a *rear lot line* or a *side lot line* located one hundred (100) feet or less from a *street* which is at right angles to (or within forty-five (45) degrees of being at right angles to) the *street* on which such *interior lot* fronts.

424. ANGLE OF LIGHT OBSTRUCTION

424.10. NO REAR ANGLE OF LIGHT OBSTRUCTION REGULATIONS ON CORNER LOTS AND CERTAIN INTERIOR LOTS IN MANUFACTURING DISTRICTS. In *Manufacturing Districts* the *rear angle of light obstruction* shall not apply:

a. On Corner Lots. On *corner lots*, along any portion of a *rear lot line* or a *side lot line* located one hundred (100) feet or less from a *street* to which such *lot line* is perpendicular, or within forty-five (45) degrees of being perpendicular, and

b. On Certain Interior Lots. On *interior lots*, along any portion of a *rear lot line* or a *side lot line* one hundred (100) feet or less from a *street* which is at right angles to (or within forty-five (45) degrees of being at right angles to) the *street* on which such *interior lot* fronts.

425. SET-BACKS
(No additional regulations)

426. LIGHT ACCESS UNITS

426.10. REQUIRED UNITS OF LIGHT ACCESS FOR HOTELS IN MANUFACTURING DISTRICTS. For all *legally required windows* located in all *hotels* in MA Districts, at least eight (8) *units of light access*, located within the *forty (40) foot area for light access*, shall be unobstructed, in accordance with the provisions of section 762. At least six (6) of such eight (8) *units* shall be contiguous.

426.20. REQUIRED UNITS OF LIGHT ACCESS FOR OTHER USES IN MANUFACTURING DISTRICTS. For all *legally required windows* in all *buildings* (except *residences* where permitted, *schools*, *hospitals* and *hotels*) in *Manufacturing Districts*, at least eight (8) *units of light access*, located within the *twenty (20) foot area for light access*, shall be unobstructed, in accordance with the provisions of section 762. All eight (8) of such *units* shall be contiguous.

Italicized words are defined in Article 6.

420. Manufacturing Districts — Bulk Regulations

The *bulk* regulations applying in the several *Manufacturing Districts* are set forth in the following table, by specifying the appropriate figures and by cross-reference to other applicable regulations. The extent of control established over *bulk* is defined in section 112, and the basic regulations for each *bulk* control device are set forth in Article 7. The regulations on *buildings non-conforming as to bulk* (Article 9) and the administrative provisions (Article 16) are also applicable. All italicized words are defined in Article 6.

Within each vertical column, each rectangular space containing cross-references and separated by horizontal lines indicates a different set of regulations — even though the section numbers referred to may be the same. Where the same regulations apply in a group of districts, the lines separating the districts are indicated by notches on both sides of the column, for visual convenience.

DISTRICTS	A. FLOOR AREA RATIO— MAXIMUM PERMITTED	REAR YARD			SIDE YARD		ANGLE OF LIGHT OBSTRUCTION					L. REQUIRED MINIMUM LIGHT ACCESS UNITS	M. RESIDENCES, (WHERE PERMITTED) SCHOOLS AND HOSPITALS ARE SUBJECT TO BULK REGULATIONS OF THE FOLLOWING DISTRICTS	N. REGULATIONS APPLYING IN SPECIAL LOCATIONS	DISTRICTS						
		B. RE- QUIRED DEPTH	C. SPECIAL REGU- LATIONS	D. REGULATIONS ALONG DISTRICT BOUNDARIES	E. OPTIONAL MINIMUM WIDTH	F. REGULATIONS ALONG DISTRICT BOUNDARIES	FRONT		REAR												
							G. MAXIMUM ANGLE PERMITTED	H. MINIMUM FOR AVERAGING	I. MAXIMUM ANGLE PERMITTED	J. SPECIAL REGULA- TIONS FOR CERTAIN LOTS	K. MINIMUM FOR AVERAGING										
MA-1	10.00	10 feet	1. For height, see section 423.10	See sections 1342 1350	8 feet	See sections 1341 1350	69°	30°	78°	For corner lots and certain interior lots, see section 424.10	30°	1. For hotels, see section 426.10	RB-7	1. For height of buildings within 3 miles from a major airport, see sections 1510-1514.	MA-1						
MA-2	15.00						73°	35°	78°		35°					2. For other permitted uses, see section 426.20	RB-7	MA-2			
MB-1	2.00		2. For corner lots and certain interior lots, see section 423.20				See sections 1342 1350	8 feet	See sections 1341 1350		60°	18°	60°	For corner lots and certain interior lots, see section 424.10	18°	For other permitted uses, see section 426.20	RB-3	2. For height of buildings ad- jacent to a minor airport, see sections 1521-1523.	MB-1		
MB-2	5.00										67°	25°	72°		25°					RB-5	MB-2
MB-3	7.00										69°	30°	78°		30°					RB-6	MB-3
MC-1	2.00		3. For large-scale developments, see sections 1660 1662 1664				See sections 1342 1350	8 feet	See sections 1341 1350		60°	18°	60°	For corner lots and certain interior lots, see section 424.10	18°	For other permitted uses, see section 426.20	RB-3	3. For large-scale developments, see sections 1660 1662 1664	MC-1		
MC-2	5.00										67°	25°	72°		25°					RB-5	MC-2
MC-3	7.00										69°	30°	78°		30°					RB-6	MC-3
MD	5.00										67°	25°	72°		25°		RB-5		MD		

ARTICLE 5. CLASSIFICATION OF USES

In order to carry out the purposes and provisions of this amended Resolution, the *uses of buildings*, other structures and tracts of land in the City of New York are hereby divided into the use groups enumerated below. The provisions by which these use groups are permitted in the several districts are set forth in the tables in sections 210, 230, 310 and 410, and the chart below. The procedure for adding other similar *uses* (not listed in any of these use groups) to these use groups is set forth in section 1615.

A brief statement is inserted at the start of each use group to describe and clarify the basic characteristics of

Italicized words are defined in Article 6.

that use group. The findings required in section 1615 (for adding other similar *uses* to these use groups) incorporate these statements.

Six division headings, each describing the predominant character of the *uses* in the successive use groups, have been inserted for convenience.

The *uses* listed in the various use groups set forth below are also listed in alphabetical order in the index at the end of this amended Resolution, for the convenience of those using the Resolution. Whenever there is any difference in meaning or implication between the text of these use groups and the text of the index, the text of these use groups shall prevail.

USE GROUPS PERMITTED IN ZONING DISTRICTS

USE GROUPS DISTRICTS			C A T E G O R Y																	
			Residential			Community Facilities		Retail and Commercial				Wholesale and Commercial			Hvy. Com. and Auto.	Manufacturing				
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
RESIDENCE AND ASSOCIATED	Residence	RA																		
	Residence	RB																		
	Residence Restricted Mfg.	RM																		
	Residence Retail	RRA																		
	Residence Retail	RRB																		
	Residence Retail	RRC																		
COMMERCIAL	Restricted Commercial	CA																		
	General Commercial	CB																		
	Commercial Amusement	CC																		
	Heavy Commercial	CD																		
	Commercial Manufacturing	CM																		
MANUFACTURING	Light Manufacturing	MA																		
	General Manufacturing	MB																		
	Industrial Manufacturing	MC																		
	Heavy Manufacturing	MD																		

(DIVISION I. RESIDENTIAL USES)**501. Use Group 1**

Use group 1 includes the distinctive one-family type of residential development.

- A. The following residential uses:
One-family detached residences
- B. The following uses incidental to uses listed above:
Accessory uses
Home occupations

Use group 1 is one of the characteristic use groups for an RA District. The uses listed in use group 1 are permitted in an RA and in all subsequent districts except an MB, an MC and an MD District.

502. Use Group 2

Use group 2 includes all other types of permanent residences.

- A. The following residential uses:
Residences of all types, except one-family detached residences (and not including hotels)
- B. The following uses when they include residential accommodations:
Colleges and universities, except business colleges
Institutions for children and the aged
Philanthropic institutions
Schools, except trade schools for adults
- C. The following uses incidental to uses listed above:
Accessory uses
Home occupations

Use group 2 is one of the characteristic use groups for an RB District. The uses listed in use group 2 are permitted in an RB and in all subsequent districts except an MB, an MC and an MD District.

503. Use Group 3

Use group 3 includes hotels used by transients.

- A. The following uses:
Hotels
- B. The following uses incidental to uses listed above:
Accessory uses

The uses listed in use group 3 are permitted in an RRC and in all subsequent districts except an MB, an MC and an MD District.

(DIVISION II. COMMUNITY FACILITIES)**504. Use Group 4**

Use group 4 consists primarily of those uses which either:

- 1. Are of a community service character, and so are required in all residential areas for the convenience, safety and amenity of the residents, or

- 2. Are open uses of land providing additional amenities and not creating any objectionable influences.

- A. The following community service uses:
Churches and parish houses
Community centers
Government-operated health centers
Schools, except trade schools for adults

- B. The following open uses:
Agriculture, including nurseries and truck gardens, provided that no offensive odors or dust are created, and there is no sale of products not produced on the premises
Golf courses
Outdoor tennis courts and ice skating rinks, provided that lighting shall be directed away from all adjacent residential zoning lots
Public parks and playgrounds

- C. The following uses incidental to uses listed above:
Accessory uses

Use group 4 is one of the characteristic use groups for an RA District. The uses listed in use group 4 are permitted in an RA and in all subsequent districts.

505. Use Group 5

Use group 5 consists primarily of those community service uses which either:

- 1. Are required in residential areas, or
- 2. Provide significant public services and require a residential environment for their proper functioning.

- A. The following uses:
Clubs, except clubs the chief activity of which is a service customarily carried on as a business
Colleges and universities, except business colleges
Court houses
Hospitals and sanitariums, except animal hospitals
Institutions for children and the aged
Medical and dental offices and group medical centers, limited to the ground floor, except that in multiple dwellings such uses may be located on the second floor if (a) separate access to outside is provided, or (b) such use existed on January 1, 1948.
Libraries, museums and public art galleries
Philanthropic institutions, except buildings used exclusively for office purposes

- B. The following uses incidental to uses listed above:
Accessory uses

Use group 5 is one of the characteristic use groups for an RB District. The uses listed in use group 5 are permitted in an RB and in all subsequent districts.

PROPOSED RESOLUTION

(DIVISION III. RETAIL AND
COMMERCIAL USES)

506. Use Group 6

Use group 6 consists primarily of those *uses* which are needed for more or less daily shopping by persons residing nearby, and therefore serve an area with a smaller population than the *uses* listed in use group 7.

A. The following retail establishments:

- Book and stationery stores
- Cigar stores
- Drug stores
- Dry goods and variety stores
- Florists
- Food stores, including bakeries
- Hardware stores
- Newsstands
- Package liquor stores

B. The following service establishments, dealing directly with consumers:

- Barber shops and beauty parlors
- *Dressmaking and millinery shops
- *Dry cleaning and clothes pressing establishments, provided that no inflammable cleaning agents are used
- *Frozen food lockers
- *Laundries, hand or automatic self-service
- *Locksmiths
- *Meeting halls
- *Shoe and hat repairs
- Tailors and furriers, custom
- Watch and clock repairs

C. The following eating and drinking establishments:
Eating and drinking places, including mechanical entertainment and live entertainment by not more than one (1) person.

D. Offices, business, professional and governmental

E. The following miscellaneous *uses*:

- *Electric sub-stations (including transformers, switches and auxiliary apparatus) serving a distribution area
- Fire and police stations
- Post offices
- Railroad passenger stations
- *Telephone exchanges
- *Water and sewer pumping stations serving a local area

F. The following *uses* incidental to *uses* listed above:
Accessory uses

G. Other similar *uses*

Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

Use group 6 is a characteristic use group for *Residence Retail Districts*. The *uses* listed in use group 6 are permitted in an RRA and in all subsequent districts.

*In a CA District, all *uses* marked with an asterisk are permitted only if such *uses* are located elsewhere than on the *street* frontage of the ground floor. See section 311.20.

Italicized words are defined in Article 6.

507. Use Group 7

Use group 7 consists primarily of those *uses* which:

1. Are needed for occasional shopping or to provide occasional services for persons residing nearby, and therefore serve an area with a larger population than the *uses* listed in use group 6, and
2. Do not involve the storage of furniture, refrigerators and other large bulky furnishings, and
3. Are also appropriate in restricted central Commercial Districts

A. The following retail establishments:

- Art galleries, antique shops and art shops
- Artists' supply stores
- Clothing and clothing accessory shops
- Electrical and household appliance stores— with storage of household stoves, refrigerators, deep freezers and air conditioning units, and washing, drying and ironing machines restricted to floor samples only
- Gift shops
- Jewelry and art metal craft shops
- Leather goods and luggage shops
- Medical and orthopedic appliance stores
- Music, radio and television stores—with storage of pianos restricted to floor samples only, and with no loudspeakers broadcasting onto the *street*
- Optician and optometrist shops
- *Paint stores
- Photographic equipment and supply stores
- Seeds and garden supply stores
- Sewing machine stores, selling household machines only
- Shoe stores
- Sporting and athletic goods stores
- Stamp and coin stores
- Toy stores
- Typewriter stores
- Wallpaper stores

B. The following service establishments, dealing directly with consumers:

- Banks
- Interior decorating shops
- *Photographic developing and printing establishments
- Photographic studios
- Picture framing stores
- Telegraph offices
- Travel bureaus
- *Typewriter repair shops

C. The following *uses* incidental to *uses* listed above:
Accessory uses

D. Other similar *uses*

Other similar *uses*, as determined in accordance with the procedure set forth in section 1615.

The *uses* listed in use group 7 are permitted in an RRB District and in all subsequent districts.

*In a CA District, all *uses* marked with an asterisk are permitted only if such *uses* are located elsewhere than on the *street* frontage of the ground floor. See section 311.20.

508. Use Group 8

Use group 8 consists primarily of those *uses* which:

1. Are needed for occasional shopping or to provide occasional services for persons residing nearby, and therefore serve an area with a larger population than the *uses* listed in use group 6, and
2. Do not involve the storage of furniture, refrigerators or other large bulky furnishings, and
3. Are not appropriate in restricted central Commercial Districts

A. The following retail establishments:

- Auto supply stores
- Bicycle shops
- Pet shops
- Plumbing, heating and ventilating equipment showrooms with storage of floor samples only

B. The following service establishments, dealing directly with consumers:

- Bicycle rental and repair shops
- Chiropodists and podiatrists
- Clothing and costume rental establishments
- Exterminators
- Musical instrument repair shops
- Radio and household appliance repair shops
- Taxidermists
- Umbrella repair shops
- Upholsterers

C. The following service establishments:

- Undertakers and funeral parlors

D. The following amusement establishments:

- Billiard parlors and pool halls
- Bowling alleys and table tennis, with not more than five thousand (5,000) square feet of *floor area* per establishment

E. The following *uses* incidental to *uses* listed above:
Accessory uses

F. Other similar *uses*

- Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

The *uses* listed in use group 8 are permitted in an RRB District and in all subsequent districts except a CA District.

509. Use Group 9

Use group 9 consists primarily of those retail *uses* which either:

1. Are used for occasional shopping by persons residing at a considerable distance, and therefore serve an area ranging from several square miles to the whole metropolitan area or more, or
2. Involve the storage of furniture, refrigerators and other large bulky furnishings, or
3. Provide services or process materials which are incidental to listed commercial activities.

A. The following retail establishments:

- Automobile, motorcycle and boat salesrooms, with no repair services
- Department stores

Electrical and household appliance stores

Furniture stores

Office and business machine stores

Piano stores

B. The following consumer, professional and commercial service establishments:

- *Blueprinting and photostating establishments
- *Business schools and colleges
- *Physical culture and health services, including gymnasiums, reducing salons, masseurs and public baths
- *Public auction rooms
- Public utility collection offices
- Radio and television broadcasting studios and transmitting towers
- *Wedding chapels and banquet halls
- *Trade and other similar schools, not involving any danger of fire or explosion nor of offensive noise, vibration, smoke, dust, odors, glare, heat or other objectionable influences

C. The following wholesale establishments:

- Photographic developing and printing establishments
- Wholesale offices and showrooms, with storage limited to samples

D. The following eating and drinking establishments:

- *Eating and drinking places, with entertainment

E. Manufacturing, limited to the following processes and products:

- *Art needle work
- *Clothing, custom manufacturing and alterations, for retail only
- *Jewelry manufacturing (from precious metals) and repair
- *Printing, commercial, provided that not more than twenty-five hundred (2500) square feet of *floor area* per establishment shall be used for production
- *Watch making

F. The following miscellaneous *uses*:

- *Medical and dental laboratories for research and testing, not involving any danger of fire or explosion nor of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences

G. The following *uses* incidental to *uses* listed above:
Accessory uses

H. Other similar *uses*

- Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

The *uses* listed in use group 9 are permitted in a CA District and in all subsequent districts.

*In a CA District, all *uses* marked with an asterisk are permitted *only* if such *uses* are located elsewhere than on the *street* frontage of the ground floor. See section 311.20.

PROPOSED RESOLUTION

(DIVISION IV. WHOLESALE AND COMMERCIAL AMUSEMENT USES)

510. Use Group 10

Use group 10 consists primarily of those *uses* which either:

1. Include wholesale activities and necessary accessory storage, but without including warehouses, or
2. Provide amusements, and activities incidental thereto, within *completely enclosed buildings*.
 - A. The following consumers' service establishments:
Pawn shops and loan offices
 - B. The following amusement establishments:
Arenas and auditoriums, with a capacity of less than five thousand (5,000) seats
Public dance halls
Skating rinks, indoor
Theatres
Trade expositions
 - C. The following wholesale establishments:
Wholesale offices and showrooms, with accessory storage of goods used in or produced by manufacturing activities listed in use groups 9, 10, 14 and 15, provided that not more than five thousand (5,000) square feet of *floor area* per establishment shall be used for such storage
 - D. The following automotive service establishments:
Commercial parking garages, with a capacity of less than five hundred (500) off-street parking spaces, subject to the provisions set forth for accessory off-street parking spaces in sections 1031 (size), 1032 (design), 1035.10 (maximum amount of parking spaces on a *block*) and 1411-1413 (automotive service *uses* near schools, parks and playgrounds).
Commercial parking lots, with a capacity of less than five hundred (500) off-street parking spaces, subject to the provisions set forth for accessory off-street parking spaces in sections 1031 (size), 1032 (design), 1035.10 (maximum amount of parking space on a *block*) and 1411-1413 (automotive service *uses* near schools, parks and playgrounds).
 - E. Manufacturing, limited to the following processes and products:
Motion picture producing
Printing, commercial, provided that not more than five thousand (5,000) square feet of *floor area* per establishment shall be used for production
Scenery construction
 - F. The following miscellaneous *uses*:
Prisons
Studios—music, dancing and theatrical
 - G. The following *uses* incidental to *uses* listed above:
Accessory uses

H. Other similar *uses*

Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

The *uses* listed in use group 10 are permitted in a CB District and in all subsequent districts.

511. Use Group 11

Use group 11 includes those open amusement *uses* which may be located apart from a commercial amusement park.

- A. The following amusement establishments, open or enclosed:
Beaches and swimming pools, with accessory bath-houses and locker rooms
Bowling alleys and table tennis
Circuses, carnivals and fairs of a temporary nature
Driving ranges and miniature golf courses
Eating and drinking places, with entertainment
Race tracks
Rental and storage of boats
Sale of live bait for fishing
Stadiums with a capacity of less than five thousand (5,000) seats
- B. The following *uses* incidental to *uses* listed above:
Accessory uses
- C. Other similar *uses*
Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

Use group 11 is one of the characteristic use groups of a CC District. The *uses* listed in use group 11 are permitted in a CC, a CD, a CM and an MB District and all subsequent districts.

512. Use Group 12

Use group 12 includes those amusements which are appropriate in a commercial amusement park.

- A. The following amusement establishments, whether open or enclosed:
Ferris wheels, roller coasters, whips, parachute jumps, merry-go-rounds and other similar open midway attractions
Freak shows, wax museums, dodgem scooters, and other similar semi-enclosed or enclosed midway attractions
Open booths with games of skill or chance, including shooting galleries
Penny arcades
- B. The following *uses* incidental to *uses* listed above:
Accessory uses
- C. Other similar *uses*
Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

Use group 12 is one of the characteristic use groups of a CC District. The *uses* listed in use group 12 are permitted in a CC, an MC and an MD District.

Italicized words are defined in Article 6.

**(DIVISION V. HEAVY COMMERCIAL AND
AUTOMOTIVE SERVICE USES)**

513. Use Group 13

Use group 13 consists primarily of those *uses* which:

1. Provide services either for consumers living in surrounding *residential* areas, or for commerce and industry, and
2. Involve a limited amount of offensive noise, vibration, smoke, dust, odor, heat, glare or other objectionable influences.
 - A. The following *residential uses*:
 - Tourist cabins and motels
 - B. Retailing, limited to the following:
 - Automobile, motorcycle and trailer sales, open or enclosed
 - Boat sales, open or enclosed
 - Building materials (lumber, heating and roofing, etc.), open or enclosed, with not more than five thousand (5,000) square feet of ground area per establishment
 - Fuel, ice, oil, coal and wood, open or enclosed, with not more than five thousand (5,000) square feet of ground area per establishment
 - Machinery rental and sales
 - Poultry and rabbit killing, for retail sale on the same *zoning lot only*
 - C. The following service establishments:
 - Animal hospitals and kennels
 - Blacksmith shops
 - Boats, less than one hundred (100) feet in length, custom building and repair
 - Carpentry, including custom woodworking and custom furniture-making
 - Carpet and rug cleaning
 - Dry cleaning and dyeing
 - Electrical, glazing, heating, painting, paper-hanging, plumbing, roofing and ventilating contractors
 - Household and office equipment and machinery repairs
 - Laundries
 - Linen, towel and diaper supply services
 - Mirror silvering and glass cutting
 - Monument works, open or enclosed
 - Packing and crating
 - Riding academies
 - Sign painting
 - Silver plating and repair, custom only
 - Soldering and welding shops
 - Tool, die and pattern making, and other similar small machine shops
 - Trade and other similar schools
 - Trucking terminals and motor freight stations, with not more than ten thousand (10,000) square feet of ground area per establishment
 - D. The following automotive service establishments:
 - Auto, truck and motorcycle repairs, except body repairs
 - Auto laundries
 - Commercial and public utility vehicle storage, open or enclosed
 - Dead storage of motor vehicles
 - Filling stations, open or enclosed
 - Tire vulcanizing shops
 - E. Manufacturing, limited to the following processes and products:
 - Advertising displays
 - Awnings, venetian blinds and window shades
 - Brushes and brooms
 - Meat products, smoking and curing, provided that no objectionable fumes and odors are emitted
 - F. Storage, limited to the following establishments and products:
 - Alcoholic beverages, packaged, bottled and barrel goods
 - Furniture and household goods
 - Ice storage houses, with not more than five (5) tons capacity
 - Warehouses for (a) department and other retail stores, or (b) products of manufacturing activities listed in use groups 9, 10, 14, 15 and 16
 - G. The following miscellaneous *uses*, open or enclosed:
 - Agriculture, including sale of products not produced on the premises
 - Airports, for private passenger planes only
 - Animal pounds
 - Crematoriums, human only
 - Incinerators, non-accessory, provided that no objectionable fumes and odors are emitted
 - Public sewage disposal plants
 - Public transit yards
 - H. The following *uses* incidental to *uses* listed above:
 - Accessory uses*
 - I. Other similar *uses*
 - Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

Use group 13 is the characteristic use group for a CD District. The *uses* listed in use group 13 are permitted in a CD, a CM, and an MB District and all subsequent districts.

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(DIVISION VI. MANUFACTURING USES)

514. Use Group 14

Use group 14 includes those office, laboratory and manufacturing *uses* which, when subject to adequate controls over *bulk* and landscaping, are appropriate in certain locations in low-density *residential* areas, provided that:

1. Such *uses* do not create any danger to health and safety in the surrounding areas, and
2. Such *uses* do not create any offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences, and
3. Whatever merchandise is received and shipped has a high value in relation to its size and weight, so that very little trucking traffic will be generated.

- A. Offices, business, professional and governmental
- B. Laboratories, research, experimental and testing
- C. Light non-nuisance manufacturing, limited to the following processes and products:

Art needle work, hand weaving and tapestries

Books, hand binding and tooling

Jewelry, manufacture, from precious metals

Medical, dental and drafting instruments

Motion picture producing

Optical goods and equipment, watches, clocks, and other similar precision instruments

- D. The following *uses* incidental to *uses* listed above:
Accessory uses

Use group 14 is the characteristic use group for an RM District. The *uses* listed in use group 14 are permitted in an RM, a CM, an MA District and all subsequent districts.

515. Use Group 15

Use group 15 consists primarily of those manufacturing and storage *uses* which:

1. Do not create any danger to health and safety in the surrounding areas, and
2. Do not create any substantial amount of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences, and
3. Require a location which will be served by the City-wide mass transit system, and which is adjacent to the central commercial area, and
4. Normally require a large amount of motor vehicle and hand trucking for transportation of their raw materials and finished products.

Italicized words are defined in Article 6.

- A. The following wholesale establishments:

Wholesale offices and showrooms, with accessory storage of goods used in or produced by manufacturing activities listed in use groups 9, 10, 13, 14 and 15

- B. Manufacturing, limited to the following processes and products:

Clothing and other textile products, manufacturing of, from textiles, leather and other materials— but not including manufacturing of textiles, shoes, hat bodies or hosiery

Fur goods, not including tanning or dyeing

Leather goods, not including luggage or machine belting

Novelty products from the following previously prepared materials: bone, canvas, cork, feathers, felt, fur, glass, hair, horn, paper, plastics and shells

Printing and newspaper publishing, including engraving and photo-engraving

Umbrellas

- C. Storage, limited to the following establishments and products:

Furniture, carpets, rugs and other household goods

Package delivery service for retail establishments

Warehouses for either (a) department and other retail stores, or (b) goods used in or produced by manufacturing activities listed in use groups 9, 10, 13, 14 and 15

- D. The following *uses* incidental to *uses* listed above:
Accessory uses

- E. Other similar *uses*

Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

Use group 15 is the characteristic use group for an MA District. The *uses* listed in use group 15 are permitted in a CM District and all subsequent districts.

516. Use Group 16

Use group 16 consists primarily of those manufacturing and storage *uses* which:

1. Do not create any dangers to safety in the surrounding areas, but
2. Involve a limited amount of objectionable noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences, and
3. Normally require a large amount of motor vehicle trucking for transportation of their raw materials and finished products.

- A. The following retail and wholesale establishments:

Building material yards

Produce and meat markets, wholesale

B. Manufacturing, limited to the following processes and products:

Automobile, truck and trailer body repair
 Beverages, non-alcoholic
 Boat building and repair, for boats less than 100 feet in length
 Bottling works, for all beverages
 Cameras and other photographic equipment, except film
 Canvas and canvas products
 Ceramic products—such as pottery and small glazed tile
 Cosmetics and toiletries
 Electric appliances—such as lighting fixtures, irons, fans, toasters, and electric toys
 Electrical equipment assembly—such as home radio and television receivers and home movie equipment, but not including electrical machinery
 Electrical supplies, manufacturing and assembly of—such as wire and cable assembly, switches, lamps, insulation, and dry cell batteries
 Food products, processing and combining of (except meat and fish)—baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing
 Glass products, from previously manufactured glass
 Hair, felt and feather products (except washing, curing and dyeing)
 Hat bodies of fur and wool felt
 Hosiery
 Ice, dry and natural
 Ink mixing and packaging, and inked ribbons
 Leather products, including shoes and machine belting
 Luggage
 Metal finishing, plating, grinding, sharpening, polishing, cleaning, rustproofing and heat treatment
 Metal stamping and extrusion of small products—such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils
 Musical instruments
 Orthopedic and medical appliances—such as artificial limbs, braces, supports and stretchers
 Paper products, small—such as envelopes and stationery, bags, boxes, tubes, and wallpaper printing
 Perfumes and perfumed soaps, compounding only
 Pharmaceutical products, compounding only
 Plastic products—such as tableware, phonograph records, and buttons
 Poultry and rabbit packing and slaughtering
 Rubber products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing)—such as washers, gloves, footwear, bathing caps and atomizers

Silverware, plate and sterling
 Soap and detergents, packaging only
 Sporting and athletic equipment—such as balls, baskets, cues, gloves, bats, racquets and rods
 Statuary, mannequins, figurines and religious and church art goods—excluding foundry operations
 Textiles—spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread and cordage
 Tobacco curing and manufacturing, and tobacco products
 Tools and hardware—such as bolts, nuts and screws, doorknobs, drills, hand tools and cutlery, hinges, house hardware, locks, non-ferrous metal castings and plumbing appliances
 Toys
 Upholstering (bulk) including mattress manufacture, rebuilding and renovating
 Vehicles, children's—such as bicycles, scooters, wagons, and baby carriages
 Wood products—such as furniture, boxes, crates, baskets and pencils and cooperage works

C. Storage, open or enclosed, limited to the following establishments and products:

Goods used in or produced by manufacturing activities listed in use groups 16 and 17

D. The following *uses* incidental to *uses* listed above:
Accessory uses

E. Other similar *uses*

Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

Use group 16 is the characteristic use group for an MB District. The *uses* listed in use group 16 are permitted in an MB District and in all subsequent districts.

517. Use Group 17

Use group 17 consists primarily of those *uses* which:

1. Do not create any danger to safety in the surrounding areas, but
2. Create substantial amounts of offensive noise, vibration, smoke, dust, odors, heat, glare, or other objectionable influences, and
3. Normally require access to rail or water for transportation of their raw materials or finished products.

A. Manufacturing, limited to the following processes and products:

Aircraft, including parts
 Automobiles, trucks and trailers (including parts) and engine rebuilding
 Beverages, alcoholic, and breweries
 Building materials, miscellaneous—such as prefabricated houses, composition wallboards, partitions and panels

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USE GROUP 17 (continued)

Cement products, including concrete central mixing and proportioning plants

Chemicals, not involving noxious odors or danger from fire or explosives—such as adhesives, bleaching products, blueing, calcimine, dye-stuffs (except aniline dyes), essential oils, plaster of paris, salt processing and vegetable gelatin, glue and size

Clay products, structural—such as brick, fire brick, tile and pipe

Cotton ginning, and cotton wadding and linter manufacture

Food products—manufacturing of basic products from the raw state, and refining, roasting, pasteurization, and extraction of vegetable oils—including such products as casein, cereal, chocolate and cocoa products, cider and vinegar, coffee, glucose and dextrine, maple sugar, milk, butter and cheese, molasses and syrups, oleomargarine, pickles, rice, sauerkraut, oils, sugar, and yeast

Glass manufacturing and large glass products—such as structural and plate glass

Graphite and graphite products

Hair, felt and feathers, bulk processing—washing, curing and dyeing

Ink from primary raw materials (including colors and pigment)

Insecticides, fungicides, disinfectants and related industrial and household chemical compounds

Jute, hemp, sisal, and oakum products

Leather and fur tanning, curing, finishing, and dyeing

Machinery, heavy—manufacturing and repair—including electrical, construction, mining and agricultural

Machinery, miscellaneous light, and electrical equipment—such as washing machines, firearms, refrigerators, air-conditioning, and commercial motion picture equipment

Machines, business—such as typewriters, accounting machines, calculators, and card-counting equipment

Machine tools—such as metal lathes, metal presses, metal stamping machines, and woodworking machines

Meat and fish products, packing and processing of, but not including slaughtering and glue and size manufacturing

Metal alloys and foil, miscellaneous—such as solder, pewter, brass, bronze, and tin, lead and gold foil

Metal and metal products, treatment and processing—such as enameling, japanning, lacquering and galvanizing

Metal casting and foundry products, heavy, including ornamental iron work, but not including magnesium foundries

Metals, precious and rare, reduction, smelting and refining

Motor testing of internal combustion motors

Paper products, bulk—such as shipping containers and pulp goods, pressed or molded (including papier mache), carbon paper and coated paper stencils

Porcelain products—such as bathroom and kitchen equipment

Railroad equipment—such as railroad car and locomotive manufacturing

Rubber products, including tires and tubes and tire recapping

Shell grinding

Shipbuilding and ship repair yards, for ships 100 feet in length or over

Shoddy

Steel products, miscellaneous fabrication and assembly—such as steel cabinets, doors, fencing and metal furniture

Steel, structural products—such as bars, girders, rails, and wire rope

Stone processing and stone products—such as abrasives, asbestos, stone screening, stone cutting, stone works, and sand and lime products

Textile bleaching

Wax products, manufacturing from paraffin

Wood and lumber, bulk processing and woodworking—including sawmills and planing mills, excelsior, plywood and veneer, and wood-preserving treatment

Wool scouring and pulling

B. Storage, open or enclosed, limited to the following establishments and products:

- Coal and gas
- Junk and salvage, including auto wrecking establishments
- Refrigerating plants
- Scrap metal, paper and rags

C. The following miscellaneous uses:

- Railroad yards and freight stations
- Sand and gravel pits and quarries
- Stables, for horses used with commercial vehicles
- Trucking terminals and motor freight stations
- Waterfront shipping

D. The following uses incidental to uses listed above:

Accessory uses

E. Other similar uses

Other similar uses, as determined in accordance with the procedure set forth in section 1615

Use group 17 is the characteristic use group for an MC District. The uses listed in use group 17 are permitted in an MC and an MD District.

Italicized words are defined in Article 6.

513. Use Group 18

Use group 18 includes those *uses* which involve either dangers of fire or explosion, noxious nuisances, or other hazards to health and safety.

A. Manufacturing, including the following processes and products:

- Asphalt and asphalt products
- Charcoal, lampblack and fuel briquettes
- Chemicals—including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, cleaning and polishing preparations, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic rosins, pyroxylin, rayon yarn, hydrochloric, picric, and sulphuric acids and derivatives
- Coal, coke and tar products, including gas manufacturing
- Electric central station power and steam-generating plants
- Explosives, when not prohibited by other ordinances
- Fertilizers
- Film, photographic
- Flour, feed and grain, milling and processing
- Gelatin, glue and size, animal
- Incineration or reduction of garbage, offal, and dead animals
- Linoleum and oil cloth
- Magnesium foundries
- Matches

Metal and metal ores (except precious and rare metals)—reduction, refining, smelting and alloying

Paint, varnishes, and turpentine

Petroleum products, refining—such as gasoline, kerosene, naphtha, lubricating oil

Rubber (natural or synthetic), processing or manufacturing

Soaps, including fat rendering

Starch

Stock yards and slaughter houses

Wood and bones, distillation

Wood pulp and fiber, reduction and processing, including paper mill operations

B. Storage, open or enclosed, including the following establishments and products:

Dumps and slag piles

Explosives, when not prohibited by other ordinances

Grain

Manure, peat and topsoil

Petroleum and petroleum products

Goods used in or produced by manufacturing activities listed in use group 18

C. The following *uses* incidental to *uses* listed above:
Accessory uses

D. Other similar *uses*

Other similar *uses*, as determined in accordance with the procedure set forth in section 1615

Use group 18 is the characteristic use group for an MD District. The *uses* listed in use group 18 are permitted only in an MD District.

ARTICLE 6. DEFINITIONS

As used in this amended Resolution, the following words shall be interpreted and defined in accordance with the provisions set forth in this Article 6.

601. Rules Of Construction Of Language. The following general rules of construction shall apply:

- a. The particular controls the general.
- b. In case of any difference of meaning or implication between the text of this amended Resolution and the captions for each section, the text shall control.
- c. The word "shall" is always mandatory and not directory. The word "may" is permissive.
- d. Words used in the present tense include the future, unless the context clearly indicates the contrary.
- e. Words used in the singular number include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.
- f. A "*building*" or "structure" includes any part thereof. A "*building* or other structure" includes all other structures of every kind, regardless of similarity to *buildings*.
- g. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for" and "occupied for."

602. Accessory Use. An "accessory use" is either a subordinate *use* of a *building*, other structure, or tract of land, or a subordinate *building* or other structure:

- a. Whose *use* is clearly incidental to the *use* of the principal *building*, other structure or *use* of land, and
- b. Which is customary in connection with the principal *building*, other structure or *use* of land, and
- c. Which is located on the same *zoning lot* with the principal *building*, other structure or *use* of land.

An "accessory use" includes—but is not limited to—the following:

1. *Residential* accommodations for servants
2. *Residential* accommodations for caretakers, on the same *zoning lot* with any *use* listed in use groups 4 through 18.

Italicized words are defined in Article 6.

3. A children's playhouse, and a private greenhouse

4. A newsstand, candy stand, tobacco stand, and/or dining room, wholly within a *building* and with no exterior evidence thereof, which is primarily for the convenience of the occupants of a *building*.

5. A barn, shed, tool room, or other similar *building* or other structure for domestic or agricultural storage.

6. Keeping of domestic animals, but only for personal enjoyment, for household *use*, or for cultivation of the soil, and not including a commercial stable or kennel.

7. Incinerators incidental to *residences*, or to any *use* listed in use groups 3, 4 and 5.

8. Storage of merchandise normally carried in stock, on the same *zoning lot* with any retail, service or commercial *use*, unless such storage is excluded by the district regulations.

9. Storage of goods used in or produced by manufacturing activities, on the same *zoning lot* with such activities, unless such storage is excluded by the district regulations.

10. The removal for sale of sod, loam, clay, sand, gravel or stone in connection with the construction of a *building* or other structure on the same *zoning lot*, or in connection with the regrading of a *zoning lot*, but in the latter case not below the legal *street grade*.

Accessory off-street parking spaces, accessory off-street loading berths, and accessory *signs* are permitted and regulated in each district (a) by references in the tables of district regulations, and (b) by the provisions of Articles 10, 11, and 12, respectively. Such facilities for parking and loading are sometimes referred to as "accessory buildings."

Angle Of Light Obstruction. See *Light Obstruction, Angle Of* (section 623.)

Area For Light Access. See *Light Access, Sixty Foot Area For* (section 624). See *Light Access, Forty Foot Area For* (section 625). See *Light Access, Twenty Foot Area For* (section 626).

603. Basement. A "basement" is a *story* partly below *curb level* but having at least one half ($\frac{1}{2}$) of its height (measured from floor to ceiling) above *curb level*.

604. Block. A "block" is a tract of land bounded by *streets, public parks, railroad rights of way, airport boundaries, bulkhead lines (or shore lines where no bulkhead lines have been established), or a boundary line separating New York City from Westchester or Nassau Counties.*

605. Building. A "building" is any structure which:

- a. Is permanently affixed to the land, and
- b. Has one or more floors and a roof, and
- c. Is bounded by either open space or the *lot lines* of a *zoning lot*.

A "building" shall therefore not include such structures as billboards, radio towers, etc., nor structures with interior surfaces not normally accessible for human use, such as gas holders, oil tanks, water tanks, grain elevators, coal bunkers, oil cracking towers, and other similar structures.

A "building" may therefore consist, for example, of a *one-family detached residence*, a two-family house, either a row house or a series of row houses (depending on location of *lot lines*), a row of garden apartments with individual entrances, or an apartment house; of a single store or a row of stores (depending on location of *lot lines*); or of a single factory or a loft.

606. Building, Detached. A "detached building" is a *building* surrounded by open space on the same *zoning lot*.

607. Building, Non-Conforming As To Bulk. A "building non-conforming as to bulk" shall include any *building* which does not conform to the regulations of this amended Resolution prescribing the maximum *floor area ratio*, required *yards*, maximum *angle of light obstruction*, minimum required set-backs, minimum required *units of light access*, minimum required spacing between *detached buildings* on a single *zoning lot*, and minimum required *usable open space* for the district in which such *building* is located, either at the effective date of this amended Resolution or as a result of subsequent amendments which may be incorporated into this amended Resolution.

608. Bulk. "Bulk" is the term used to describe the size and mutual relationships of *buildings* and other structures, and therefore includes:

- a. The size of *buildings* and other structures, and
- b. The shape of *buildings* and other structures, and
- c. The location of exterior walls of *buildings* and other structures, in relation to *lot lines*, to the center line of *streets*, to other walls of the same *building*, and to other *buildings* or structures, and
- d. All open spaces relating to a *building* or a structure.

609. Cellar. A "cellar" is a *story* wholly or partly below *curb level* and having more than one-half ($\frac{1}{2}$) its height (measured from floor to ceiling) below *curb level*.

Commercial Districts. See *Districts, Residence and Associated, Commercial and Manufacturing* (section 614).

610. Commercial Parking Garage. A "commercial parking garage" shall include any *building* which

- a. Is used for the storage of motor vehicles, and
- b. Is not *accessory* to any other use on the same or any other *zoning lot*, and
- c. Contains space rented to the general public by the hour, day, week, month, or year.

A "commercial parking garage" may include the accessory sale of gasoline and motor oil, wholly within the *building*.

However, a "commercial parking garage" shall not include

- d. Any establishment used for automobile repairs, excepting minor repairs which are solely incidental to the storage of motor vehicles, nor
- e. Any establishment used exclusively for the storage of commercial or public utility motor vehicles, or for the dead storage of motor vehicles.

611. Commercial Parking Lot. A "commercial parking lot" shall include any tract of land which:

- a. Is used for the storage of motor vehicles, and
- b. Is not *accessory* to any other use on the same or any other *zoning lot*, and
- c. Contains space rented to the general public by the hour, day, week, month, or year.

However, a "commercial parking lot" shall not include

- d. Any establishment used for automobile repairs, excepting minor repairs which are solely incidental to the storage of motor vehicles, nor
- e. Any establishment used exclusively for the storage of commercial or public utility motor vehicles, or for dead storage of motor vehicles.

612. Completely Enclosed Building. A "completely enclosed building" is a *building* separated on all sides from the adjacent open space, or from other *buildings* or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

A *commercial parking garage*, or a *building* containing accessory off-street parking spaces, which has less than fifty per cent (50%) of its outer wall space open shall (except in a CA District), be considered a "completely enclosed building."

Corner Lot. See *Lot, Corner* (section 629).

613. Curb Level. The "curb level" for any *building* or other structure, or for any portion thereof, is the level of the curb at the center of the front of such *building*, other structure, or portion thereof. However, where a *building* or other structure faces on more than one (1)

PROPOSED RESOLUTION

street, the "curb level" is the average of the levels of the curbs at the center of the front on each *street*.

Where no curb elevation has been established, the mean level of the land immediately adjacent to the *building* or other structure, prior to any excavation or fill, shall be considered the "curb level" unless the Department of Housing and Buildings shall establish such "curb level" or its equivalent. When an open space in front of any *building*, other structure or portion thereof is above the "curb level" and also extends for a depth of five (5) feet along the entire frontage of the *zoning lot* on any *street*, the level of such open space shall be considered the "curb level," provided it is not more than three (3) feet above the level of the established curb in front of the *building*, other structure or portion thereof, measured at the center of such front.

Where *buildings* or other structures, exclusive of space used only for accessory off-street parking, occupy thirty-five per cent (35%) or less of the area of the *zoning lot*, the owner may elect to substitute for the "curb level" any legitimate grade within such *zoning lot*.

Detached Building. See *Building, Detached* (section 606).

614. Districts, Residence And Associated, Commercial And Manufacturing. "Residence and Associated Districts" include all RA, RB, RM, RRA, RRB, and RRC Districts. A "Residence District" includes all RA and RB Districts. An "RA District" includes all RA-1 and RA-2 Districts, and so on. A "Residence Retail District" includes all RRA, RRB, and RRC Districts.

A "Commercial District" includes all CA, CB, CC, CD, and CM Districts.

A "Manufacturing District" includes all MA, MB, MC and MD Districts.

615. Dwelling Unit. A "dwelling unit" is a room or a group of rooms which are designed for *residential* occupancy by a single *family* and occupied by a single *family* unit, plus not more than four (4) lodgers. There may be one (1) or more "dwelling units" within a single *building*. For the purposes of calculating the requirements for *usable open space* and accessory off-street parking spaces for rooming houses and boarding houses, each eight (8) bedrooms or fraction thereof shall be considered as one (1) "dwelling unit."

616. Family. A "family" is one (1) or more persons who live together in one (1) *dwelling unit* and maintain a common household. A "family" may consist of a single person, or of two (2) or more persons, whether or not related by blood, marriage or adoption. A "family" may also include domestic servants and gratuitous guests.

617. Floor Area. The "floor area" of a *building* or *buildings* is the sum of the gross horizontal areas of the several floors of the *building* or *buildings*, measured from the exterior faces of exterior walls or from the center line of walls separating two (2) *buildings*. In particular, the "floor area" of a *building* or *buildings* shall include:

Italicized words are defined in Article 6.

- a. *Basement space*
- b. Elevator shafts and stairwells at each floor
- c. Floor space used for mechanical equipment, with structural headroom of seven (7) feet, six (6) inches or more
- d. Penthouses
- e. Attic space (whether or not a floor has actually been laid) providing structural headroom of seven (7) feet, six (6) inches or more
- f. Interior balconies and mezzanines
- g. Enclosed porches
- h. *Accessory uses*, not including space used for accessory off-street parking

However, the "floor area" of a *building* shall not include:

- i. *Cellar space*, except that *cellar space* used for retailing shall be included for the purpose of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths
- j. Elevator and stair bulkheads, accessory water tanks and cooling towers
- k. Floor space used for mechanical equipment, with structural headroom of less than seven (7) feet, six (6) inches
- l. Attic space, whether or not a floor has actually been laid, providing structural headroom of less than seven (7) feet, six (6) inches.
- m. Uncovered steps
- n. Terraces, breezeways and open porches
- o. Accessory off-street parking spaces
- p. Accessory off-street loading berths, up to two hundred per cent (200%) of the amount required by Article 11.

618. Floor Area Ratio. The "floor area ratio" of the *building* or *buildings* on any *zoning lot* is the *floor area* of the *building* or *buildings* on that *zoning lot*, divided by the area of that *zoning lot*.

Front Lot Line. See *Lot Line, Front* (section 631).

Front Yard. See *Yard, Front* (section 652).

Forty Foot Area For Light Access. See *Light Access, Forty Foot Area For* (section 625).

Gross Site Area. See *Site Area, Gross* (section 640).

619. Home Occupation. A "home occupation" is an occupation or a profession which:

- a. Is customarily carried on in a *dwelling unit*, or in a *building* or other structure accessory to a *dwelling unit*, and
- b. Is carried on by a member of the *family* residing in the *dwelling unit*, and
- c. Is clearly incidental and secondary to the *use* of the *dwelling unit* for *residential* purposes, and
- d. Which conforms to the following additional conditions:
 1. The occupation or profession shall be carried on wholly within the principal *building*, or within a *building* or other structure accessory thereto.
 2. Not more than one person outside the *family* shall be employed in the "home occupation."

3. There shall be no exterior display, no exterior sign (except as permitted under section 1210), no exterior storage of materials, and no other exterior indication of the "home occupation" or variation from the residential character of the principal building.

4. No offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced.

In particular, a "home occupation" includes—but is not limited to—the following:

- Art studio
- Dressmaking
- Professional office of a physician, dentist, lawyer, engineer, architect or accountant, within a *dwelling unit* occupied by the same
- Teaching, with musical instruction limited to a single pupil at a time

However, a "home occupation" shall not be interpreted to include the following:

- Barber shops and beauty parlors
- Commercial stables and kennels
- Real estate offices
- Restaurants

620. Hotel. A "hotel" is a *building*, or any part of a *building*, which

- a. Contains living and sleeping accommodations for transient occupancy, and
- b. Has a common entrance or entrances

621. Householder. A "householder" is the occupant of a *dwelling unit*, and either the owner or lessee thereof.

Interior Lot. See *Lot, Interior* (section 630).

622. Large-Scale Developments. "Large-scale developments" shall include all tracts of land with an area of one hundred and sixty thousand (160,000) square feet or more, containing one (1) or more *zoning lots*, which are developed as a unit under single ownership or control.

623. Legally Required Windows. "Legally required windows" include all windows in exterior walls serving any interior space in which persons live, sleep, work or congregate, except:

- a. Windows or parts of windows, in spaces used for living and sleeping purposes, whose area is in excess of ten per cent (10%) of the area of such rooms, including alcoves adjacent thereto, (as specified in Section 30 of the Multiple Dwelling Law and in Section C-26 - 261.0 of the Administrative Code), and
- b. Windows or parts of windows in spaces not used for living and sleeping purposes, whose area is in excess of the area which would provide required ventilation without using mechanical ventilation (as specified in Section C-26 - 266.0 of the Administrative Code), and
- c. Windows in spaces used for retail, commercial, wholesale, storage, or manufacturing purposes, if sufficient mechanical ventilation is provided (as specified

in Section C-26—266.0 of the Administrative Code) for rooms without windows.

For the purposes of this definition, "rooms in which persons live, sleep, work, or congregate" shall not include water closet compartments, bathrooms, stairs, cooking compartments with less than forty-nine (49) square feet, laundry rooms, storerooms, and utility rooms.

Where two (2) or more windows are needed to satisfy the legal requirements for light and ventilation, each such window shall be considered to be a "legally required window."

In the case of continuous windows whose area exceeds the legal requirements for light and ventilation, any part or parts of such windows may be selected as "legally required windows." In such case, the center line shall be the center line of the part so selected.

624. Light Access, Sixty Foot Area For. For a *legally required window*, the "sixty (60) foot area for light access" is that area enclosed by:

- a. An arc, with a radius of sixty (60) feet, extending seventy (70) degrees on each side of a line perpendicular to the *building* wall at the center line of that window, and
- b. The exterior radii of such arc.

The radii of such arc shall be measured from the exterior face of the *building* wall at sill level at the center line of the window. For the purposes of this section, sill level shall be assumed to be two (2) feet, six (6) inches, above floor level.

625. Light Access, Forty Foot Area For. The "forty (40) foot area for light access" shall be determined in the same manner as the *sixty (60) foot area for light access*, except that the radius of the arc shall be forty (40) feet in length.

626. Light Access, Twenty Foot Area For. The "twenty (20) foot area for light access" shall be determined in the same manner as the *sixty (60) foot area for light access*, except that the radius of the arc shall be twenty (20) feet in length.

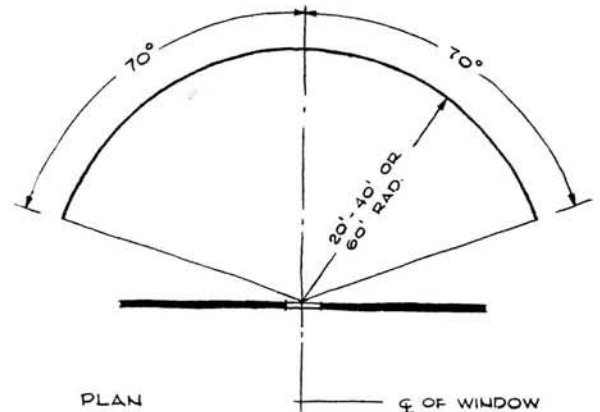
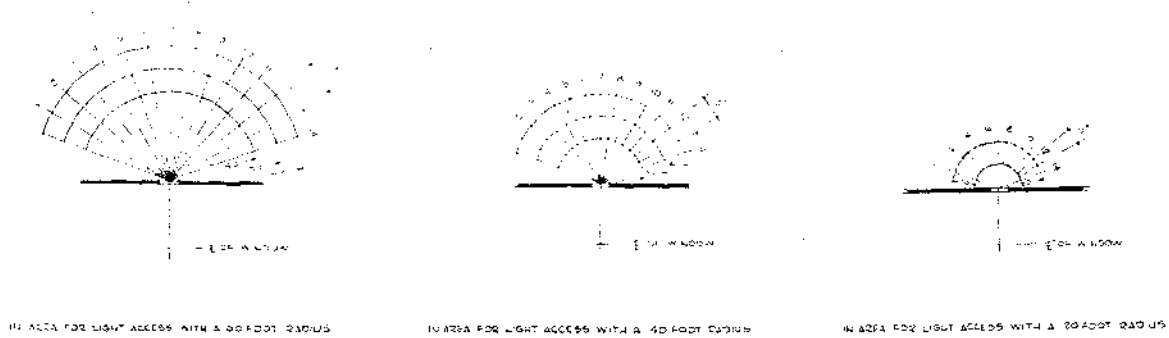


Illustration of Sections 624, 625 and 626

PROPOSED RESOLUTION



ILLUSTRATIONS OF SECTIONS 624, 625, 626, AND 627

627. Light Access, Units Of. For each respective *area for light access*, as defined above, "units of light access" are the truncated sectors formed by the intersection of:

- a. A series of radii projected from the center line of the window and dividing that *area for light access* into fourteen (14) equal sectors of ten (10) degrees each, and
- b. A series of concentric arcs centered on the center line of the window, and with radii as specified in the schedule set forth below:

Areas for Light Access	Radii of Arcs
<i>Sixty (60) foot area</i>	40, 50 and 60 feet
<i>Forty (40) foot area</i>	20, 30 and 40 feet
<i>Twenty (20) foot area</i>	10 and 20 feet

Twenty-eight (28) *units of light access* are thus available in the *sixty (60) foot area for light access* and in the *forty (40) foot area for light access*; and fourteen (14) *units of light access* are thus available in the *twenty (20) foot area for light access*.

628. Light Obstruction, Angle Of. Along the *street frontage* of any *zoning lot*, an "angle of light obstruction" is an acute angle formed at the center line of the *street* between:

- a. A horizontal plane at *curb level*, extending between the curb and the center line of the *street*, and
- b. An inclined plane, rising from the center line of the *street* at *curb level* and extending over the *zoning lot*.

Italicized words are defined in Article 6.

Along any *rear lot line*, an "angle of light obstruction" is an acute angle formed in the same manner as along the *street frontage* of a *zoning lot*, except that the *rear lot line* at *curb level* is substituted for the center line of the *street*.

629. Lot, Corner. A "corner lot" is a *zoning lot*

- a. Which adjoins the point of intersection of two (2) or more *street lines*, and
- b. In which the interior angle formed at at least one (1) point of intersection is one hundred and thirty-five (135) degrees or less.

Any *zoning lot* adjoining a curved *street* at a point where the *street line* describes an arc subtended by an angle of one hundred and thirty-five (135) degrees or less shall also be considered a "corner lot."

Any portion of a "corner lot" with frontage more than one hundred (100) feet from the intersection of the *street lines* shall be considered either a *through lot* or an *interior lot*.

A *zoning lot* which in all other respects resembles a "corner lot" but whose continuity is interrupted at the point of intersection of the *street lines* by another smaller *zoning lot* shall also be considered a "corner lot."

630. Lot, Interior. An "interior lot" is any *zoning lot* which is not a *corner lot* or a *through lot*.

631. Lot Line, Front. For an *interior lot* or *through lot*, a "front lot line" is a *street line*. On a *corner lot*, the owner or developer may elect either *street line* as the "front lot line."

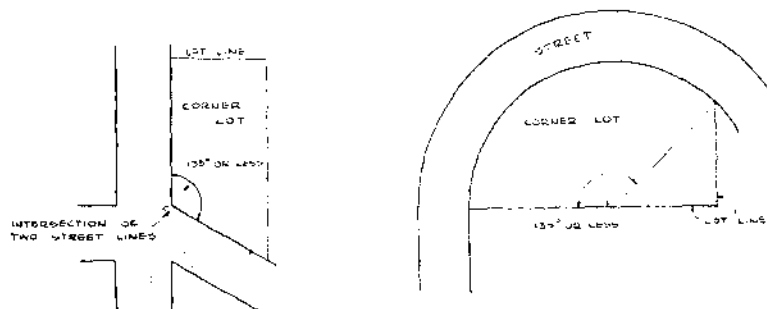


ILLUSTRATION OF SECTION 629

632. Lot Line, Rear. A "rear lot line" is any *lot line*, other than a *street line*, which is parallel to the *front lot line* or within forty-five (45) degrees of being parallel to the *front lot line*. A "rear lot line" shall also include any *lot lines* on an off-set to a *through lot* which constitute the "rear lot line" of an adjacent *zoning lot*.

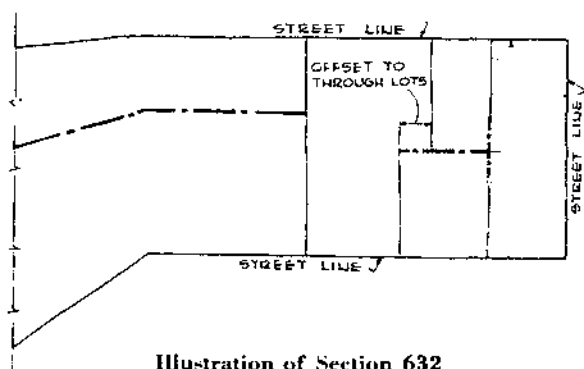


Illustration of Section 632

633. Lot Line, Side. A "side lot line" is any *lot line* which is not a *front lot line* or a *rear lot line*.

634. Lot, Through. A "through lot" is a *zoning lot*

- Which has two (2) *street lines* which are opposite each other, and which are parallel to (or within forty-five (45) degrees of being parallel to) each other, and
- Which is not a *corner lot*.

Manufacturing Districts. See *Districts, Residence and Associated, Commercial and Manufacturing* (section 614).

Net Site Area. See *Site Area, Net* (section 641).

635. Non-Conforming Use. A "non-conforming use" shall include any *use*, whether of a *building*, other structure, or a tract of land, which does not conform to the *use* regulations of this amended Resolution for the district in which such "non-conforming use" is located, either at the effective date of this amended Resolution or as a result of subsequent amendments which may be incorporated into this amended Resolution.

636. One-Family Detached Residence. A "one-family detached residence" is a *dwelling unit* which is:

- Designed for *use*, and in fact used, for *residential* purposes by a single *family* only, and
- Separated from other *buildings* by open space.

637. Public Park. A "public park" is any publicly-owned park, playground, beach, parkway or roadway within the jurisdiction and control of the Commissioner of Parks, except for parked strips or malls in a public *street*, the roadways of which are not within his jurisdiction and control.

Rear Lot Line. See *Lot Line, Rear* (section 632).

Rear Yard. See *Yard, Rear* (section 653).

Residence and Associated Districts. See *Districts, Residence and Associated, Commercial and Manufacturing* (section 614).

Residence Districts. See *Districts, Residence and Associated, Commercial and Manufacturing* (section 614).

Residence Retail Districts. See *Districts, Residence and Associated, Commercial and Manufacturing* (section 614).

638. Residence or Residential. A "residence" (or "residential") shall include a *building*, or any part of a *building*, which contains living and sleeping accommodations for permanent occupancy. "Residences" therefore include all one-family and two-family houses, multiple dwellings, boarding and rooming houses, and apartment *hotels*. However, "residences" do not include:

- Transient accommodations, as in transient *hotels*, *tourist cabins*, and *trailer camps*, and
- In a *building* containing both *residences* and other *uses*, that part of such *building* which is used for any non-residential *uses*, except *accessory uses* for *residences*.

Side Lot Line. See *Lot Line, Side* (section 633).

Side Yard. See *Yard, Side* (section 654).

639. Sign. A "sign" is any structure or part thereof, or any device attached to a structure or painted or represented on a structure, which shall display or include any letter, word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of, an announcement, direction or advertisement. A "sign" includes any "billboard," but does not include the flag, pennant or insignia of any nation or group of nations, or of any state, city or other political unit, or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement, or event. However, a "sign" shall not include a similar structure or device located within a *building*.

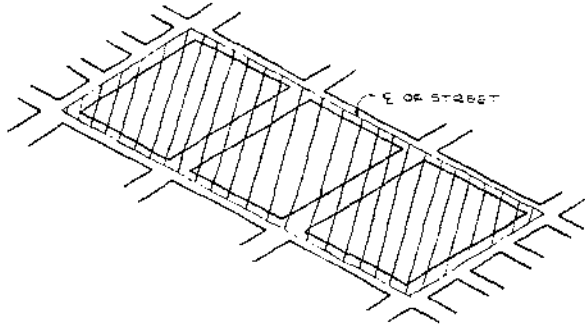
A "business sign" is a "sign" which directs attention to a business or profession conducted or to products sold upon the same *zoning lot*. A "for sale" or "to let" "sign" relating to the *zoning lot* on which it is displayed shall be deemed a "business sign."

An "advertising sign" is a "sign" which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same *zoning lot*.

An "illuminated sign" is any "sign" designed to give forth any artificial light, or designed to reflect such light deriving from any source which is intended to cause such light or reflection. A "flashing sign" is any "illuminated sign" on which the artificial light is not maintained stationary, and constant in intensity and color, at all times when in use.

PROPOSED RESOLUTION

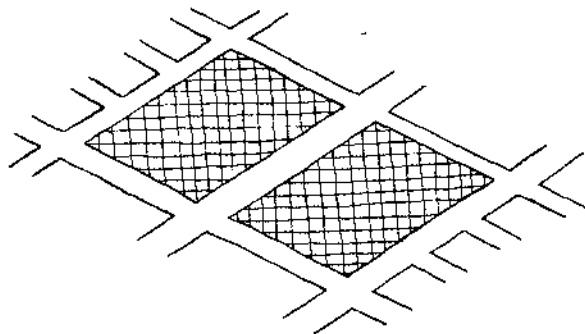
640. Site Area, Gross. The "gross site area" of any *large-scale development* shall include the *net site area* thereof, plus the area between the boundaries of all *zoning lots* located within that *development* and the center line of adjoining *streets*.



727 GROSS SITE AREA

Illustration of Section 640

641. Site Area, Net. The "net site area" of any *large-scale development* shall (subject to the provisions of section 722) include the area of all *zoning lots* within that *development*.



728 NET SITE AREA

Illustration of Section 641

Sixty Foot Area For Light Access. See *Light Access, Sixty Foot Area For* (section 624).

642. Story. A "story" is that part of a *building* between the surface of a floor (whether or not counted for purposes of computing *floor area ratio*) and the ceiling immediately above.

643. Street. A "street" is a way shown on the City map.

644. Street Line. A "street line" is a *lot line* separating a *zoning lot* from a *street*.

Italicized words are defined in Article 6.

645. Tourist Cabins. "Tourist cabins" are a group of *buildings*, including either separate cabins or a row of cabins, which

- a. Contain living and sleeping accommodations for transient occupancy, and
- b. Have individual entrances.

Through Lot. See *Lot, Through* (section 634).

646. Trailer. A "trailer" is a vehicle

- a. Used for living or sleeping purposes, and
- b. Standing on wheels or on rigid supports.

647. Trailer Camp. A "trailer camp" is a tract of land

- a. Where two (2) or more *trailers* are parked, or
- b. Which is used or held out for the purpose of supplying to the public a parking space for two (2) or more *trailers*.

Twenty Foot Area For Light Access. See *Light Access, Twenty Foot Area For* (section 626).

Units Of Light Access. See *Light Access, Units Of* (section 627).

648. Usable Open Space. "Usable open space" includes only that part of the ground area of a *residential zoning lot*:

- a. Which is devoted to outdoor recreational space, greenery, and service space for household activities (such as clothes drying) which are normally carried on outdoors, and
- b. Which conforms to the minimum dimension prescribed by sections 228.21-22 above for the appropriate district, and
- c. Which is not devoted to private roadways open to vehicular transportation, accessory off-street parking space or accessory off-street loading berths, and
- d. In which there are no structures on the ground, except as permitted by section 782 (permitted obstructions), and
- e. Which is unobstructed between the permitted level of the *rear yard* and the sky, except that not more than twenty-five per cent (25%) of the total "usable open space" provided on any *zoning lot* may be roofed, and in such case not more than fifty per cent (50%) of the perimeter of the roofed section shall be enclosed, and
- f. Which, when above grade, is structurally safe and adequately surfaced and protected and
- g. Which is accessible and available at least to all occupants of *dwelling units* for whose *use* the space is required.

649. Use. A "use" is the term employed to refer to:

- a. Any purpose for which *buildings*, other structures or land may be arranged, designed, intended, maintained, or occupied, and

b. Any occupation, business, activity or operation carried on (or intended to be carried on) in a *building* or other structure or on land, or

c. A name of a *building*, other structure or tract of land which indicates the purpose for which it is arranged, designed, intended, maintained or occupied.

650. Width Of The Street. The "width of the street" is the width specified on the City map.

651. Yard. A "yard" is that portion of the open area on a *zoning lot* extending open and unobstructed from its lowest level to the sky:

a. Along a *lot line*, and

b. From that *lot line* for a depth (or width) specified by the regulations of the district in which the *zoning lot* is located.

652. Yard, Front. A "front yard" is a *yard* extending along the full length of the *front lot line* between the *side lot lines*.

653. Yard, Rear. A "rear yard" is a *yard* extending along the full length of the *rear lot line* between the *side lot lines*.

654. Yard, Side. A "side yard" is a *yard* extending along one *side lot line* from the required *front yard* (or from the *front lot line*, if there is no required *front yard*) to the required *rear yard*.

655. Zoning Maps. "Zoning maps" are the maps incorporated into this amended Resolution as a part thereof by section 122.

656. Zoning Lot. A "zoning lot" is a single tract of land, located within a single *block*, which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control.

A "zoning lot" may be subsequently subdivided into two (2) or more "zoning lots" subject to the provisions of section 713 below. A "zoning lot" therefore may or may not coincide with a lot as shown on the official tax maps of the City of New York, or on any recorded subdivision plat or deed.

ARTICLE 7. BASIC BULK CONTROLS

The following *bulk* controls shall apply in the various districts in accordance with the provisions set forth below.

710. General Provisions

710.10 DEFINITION OF A ZONING LOT (Repeated from section 656). A "zoning lot" is a single tract of land located within a single *block*, which at the time of filing for a building permit is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control.

A "zoning lot" may be subsequently divided into two (2) or more "zoning lots," subject to the provisions of section 713 below. A "zoning lot" therefore may or may not coincide with a lot as shown on the official tax maps of the City of New York, or on any recorded subdivision plat or deed.

711. STREET FRONTAGE REQUIRED FOR EACH ZONING LOT. Each *zoning lot* shall adjoin either

- a. A *street*, or
- b. A private easement which is determined by resolution of the City Planning Commission to be adequate for purposes of access.

712. CONTINUED CONFORMITY WITH BULK REGULATIONS. On any *zoning lot*, no additional construction shall take place which would result in any non-conformity with the *bulk* regulations of the district, whether by exceeding the permitted *floor area ratio*, by encroaching upon required open spaces or other unobstructed spaces of any kind, by exceeding height limitations or otherwise.

713. SUBDIVISION OF ZONING LOTS. Any tract of land which is developed as a unit and filed as a single *zoning lot* may be subsequently divided into two (2) or

more *zoning lots* for the purpose of sale or otherwise, subject to the regulations set forth below.

713.10. SINGLE CONTROL DURING CONSTRUCTION. Single control shall be maintained on any tract filed as a single *zoning lot* until all aspects of construction affected by *bulk* regulations are completed.

713.20. ALL RESULTING ZONING LOTS MUST CONFORM TO THE BULK REGULATIONS OF DISTRICT. No *zoning lot* shall be divided into two (2) or more *zoning lots* and no portion of any *zoning lot* shall be sold, unless all *zoning lots* resulting from such division or sale shall conform to all the *bulk* regulations of the district, except as provided in sections 713.21 through 713.24.

713.21. Side Yards in an RB-1 District. In an RB-1 District, when a *zoning lot* has been divided into two (2) or more *zoning lots*, *side yard* requirements shall apply only

- a. Where *side yard* requirements applied along the *side lot line* of the original *zoning lot*, and
- b. Where *side lot lines* of the subdivided *zoning lots* separate detached *buildings*.

713.22. Rear Yard and Side Yard Regulations in an RA, an RB-1, an RB-2 and an RB-3 District. In an RA, an RB-1, an RB-2 and an RB-3 District, no *rear yard* and *side yard* regulations shall apply within a development which conforms to the spacing provisions set forth in section 227, provided that any further construction in such development shall conform to the regulations set forth in that section as if the original *zoning lot* had not been subdivided and *lot lines* drawn in for the new *zoning lots*.

Italicized words are defined in Article 6.

713.23. Accessory Off-Street Parking Requirements. If any *zoning lot* which has been developed with *uses* subject to the requirements set forth in Article 10. (accessory off-street parking spaces) is divided into two (2) or more *zoning lots*, the required accessory off-street parking facilities for each such resulting *zoning lot* shall conform to one of the following:

- a. The requirements set forth in sections 1012.10, 1013, 1022, 1023, 1024 and 1025, or
- b. The requirements for group parking facilities set forth in section 1012.20, or
- c. The requirements for joint parking facilities set forth in section 1033.30

713.24. Accessory Off-Street Loading Requirements. If any *zoning lot* which has been developed with *uses* subject to the requirements set forth in Article 11 (accessory off-street loading berths) is divided into two (2) or more *zoning lots*, the required accessory off-street loading facilities for each such *zoning lot* shall conform either to the provisions of section 1121 (for individual facilities) or with the provisions of section 1124 (for joint facilities).

713.30. ZONING LOTS SUBJECT TO PARKING AND LOADING REQUIREMENTS. Any tract of land which is located within a *block* and developed as a unit under single ownership or control with *uses* subject to the requirements set forth in Articles 10 and 11 (off-street parking and off-street loading facilities) shall be considered a single *zoning lot* for the purposes of such requirements.

720. Floor Area Ratio

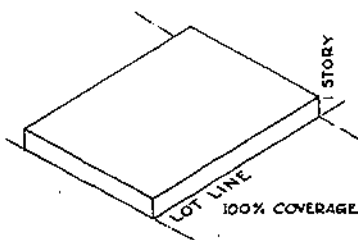
720.10. DEFINITION OF FLOOR AREA RATIO (REPEATED FROM SECTION 618). The "floor area ratio" of the *building or buildings* on any *zoning lot* is the *floor area* of the *building or buildings* on that *zoning lot* divided by the area of that *zoning lot*.

720.20. DEFINITION OF FLOOR AREA (REPEATED FROM SECTION 617). The "floor area" of a *building* or *buildings* is the sum of the gross horizontal areas of the several floors of the *building or buildings*, measured from the exterior faces of exterior walls or from the center lines of walls separating two (2) *buildings*. In particular, the "floor area" of a *building or buildings* shall include:

- a. *Basement* space
- b. Elevator shafts and stairwells at each floor
- c. Floor space used for mechanical equipment, with structural headroom of seven (7) feet six (6) inches or more.
- d. Penthouses
- e. Attic space (whether or not a floor has actually been laid) providing structural headroom of seven (7) feet six (6) inches or more.
- f. Interior balconies and mezzanines.
- g. Enclosed porches
- h. Accessory *uses*, not including space used for accessory off-street parking space.

However, the "floor area" of a *building* shall not include:

- i. *Cellar* space, except that *cellar* space used for re-tailing shall be included for the purpose of calculating the requirements for accessory off-street parking spaces and accessory off-street loading berths.
- j. Elevator and stair bulkheads, accessory water tanks and cooling towers.
- k. Floor space used for mechanical equipment, with structural headroom of less than seven (7) feet six (6) inches.
- l. Attic space, whether or not a floor has actually been laid, providing structural headroom of less than seven (7) feet, six (6) inches.
- m. Uncovered steps
- n. Terraces, breezeways, and open porches
- o. Accessory off-street parking spaces
- p. Accessory off-street loading berths, up to two hundred per cent (200%) of the amount required by Article 11.



F.A.R. = 1.00

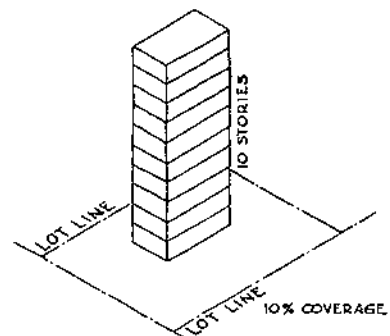
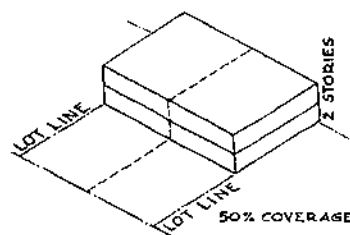


ILLUSTRATION OF SECTION 720

PROPOSED RESOLUTION

721. MAXIMUM FLOOR AREA RATIO PERMITTED. In any district the *floor area ratio* of the *building* or *buildings* on any *zoning lot* shall not exceed the maximum specified by the regulations for the district in which such *zoning lot* is located, except in accordance with the provisions of section 1662 (in *large-scale developments*).

722. CALCULATION OF FLOOR AREA RATIO IN LARGE-SCALE DEVELOPMENTS. For every one per cent (1%) by which the *net site area* of a *large-scale development* exceeds sixty-seven per cent (67%) of the *gross site area* thereof, the *net site area* shall, for the purpose of calculating *floor area ratio*, be increased above such sixty-seven per cent (67%) by not more than one half ($\frac{1}{2}$) of such one per cent (1%).

723. ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES. If any *zoning lot* is partly in one district and partly in another district with a different *floor area ratio*, the maximum *floor area* for the whole *zoning lot* shall not exceed the sum of the *floor areas* permitted on each part of the *zoning lot* under the *floor area ratio* regulations for the district in which each such part is located. However, the total *floor area* permitted may be distributed over the whole *zoning lot*, provided that not more than one hundred and fifty per cent (150%) of the maximum *floor area* permitted by the district regulations shall be located in either district.

730. Yards

731. MEASUREMENT OF DEPTH AND WIDTH. The depth and width of *yards* shall be measured perpendicular to *lot lines*.

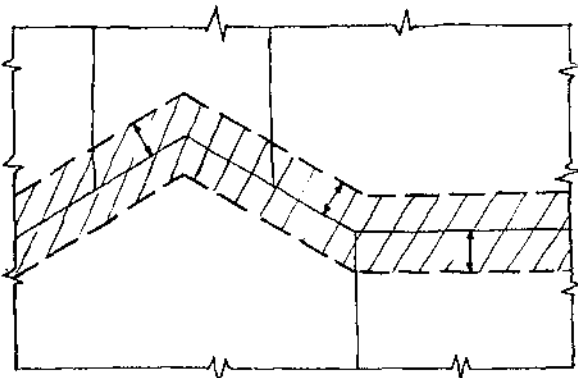


Illustration of Section 730

732. PERMITTED OBSTRUCTIONS. The following shall not be considered as obstructions when located within required *yards*.

a. In any *yards*:---

Terraces

Awnings and canopies

Steps, not exceeding six per cent (6%) of the area of the *yard*.

Italicized words are defined in Article 6.

Chimneys, not exceeding two per cent (2%) of the area of the *yard*.

Recreational and drying yard equipment

Arbors and trellises

Flag poles

Fences

Walls, not exceeding eight (8) feet in height

Open accessory off-street parking spaces

b. In any front *yards*:---

Enclosed attached off-street parking spaces, projecting not more than five (5) feet into the *yard*.

c. In any rear *yards*:---

Enclosed accessory off-street parking spaces, attached or detached.

Accessory sheds, tool rooms, or other similar *buildings* or other structures for domestic or agriculture storage, with a height not exceeding ten (10) feet above natural grade level.

Balconies, not exceeding fifteen per cent (15%) of the area of the *yard*.

Breezeways

Open porches

733. ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES.

If any *zoning lot* is partly in one district and partly in another district with different *yard* regulations, the part of such *zoning lot* within each district shall conform to the *yard* regulations of that district, except as provided in sections 1341 (*side yards* along district boundaries) and 1342 (*rear yards* along district boundaries).

740. Angle Of Light Obstruction

740.10. DEFINITION OF ANGLE OF LIGHT OBSTRUCTION (REPEATED FROM SECTION 628). Along the *street* frontage of any *zoning lot*, an "angle of light obstruction" is an acute angle formed at the center line of the *street* between:

a. A horizontal plane at *curb level*, extending between the curb and the center line of the *street*, and

b. An inclined plane, rising from the center line of the *street* at *curb level* and extending over the *zoning lot*.

Along any *rear lot line*, an "angle of light obstruction" is an acute angle formed in the same manner as along the *street* frontage of a *zoning lot*, except that the *rear lot line* at *curb level* is substituted for the center line of the *street*.

741. MAXIMUM ANGLE OF LIGHT OBSTRUCTION PERMITTED. In any district, along the *street* frontage or along the *rear lot line* of any *zoning lot*, the inclined plane which is fixed by the *angle of light obstruction* specified in the district regulations shall not be penetrated by any *building* (including its parapet, cornice, roof ridge or other solid element), or by any other structure or part thereof, except in accordance with sections 743 (averaging) and 744 (permitted obstructions) or section 1662 (in *large-scale developments*).

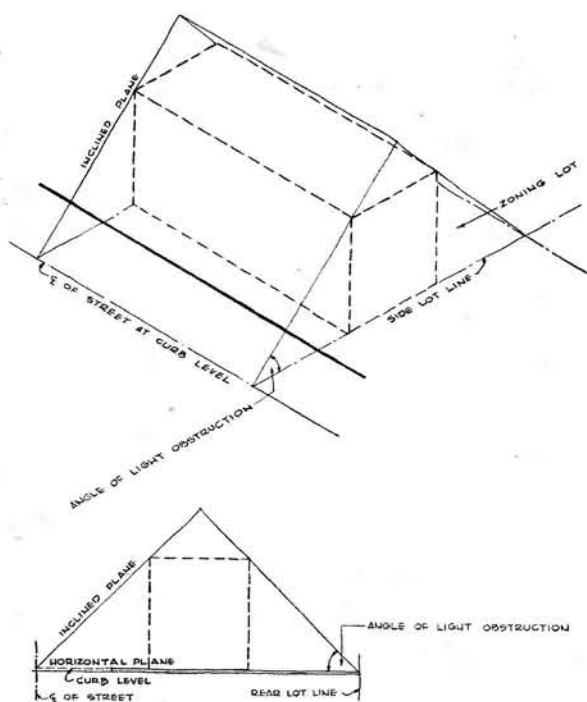


Illustration of Section 740

742. SPECIAL REGULATIONS ON MEASUREMENT FROM CENTER LINE OF STREET.

742.10. CENTER LINE OF UNUSUALLY WIDE AND UNUSUALLY NARROW STREETS. In determining the width of a street and the center line of a street with respect to a given zoning lot, all streets more than one hundred (100) feet in width shall be considered to be one hundred (100) feet in width, and the center line taken at fifty (50) feet from the front lot line of that zoning lot; and all streets less than fifty (50) feet in width shall be considered to be fifty (50) feet in width, and the center line taken at twenty-five (25) feet from the front lot line of that zoning lot.

742.20. NEAR STREET INTERSECTIONS. For one hundred (100) feet along a narrower street from the point of intersection of its street lines with the street lines of a wider street, the center line of such narrower street shall be assumed to be as far from each

street line thereof as the center line of the wider street is from its street lines. However, around small parks the provisions of section 1531 shall apply.

743. AVERAGING LIGHT ANGLES. In any district, along the street frontage or along the rear lot line of any zoning lot, the angles of light obstruction whose inclined planes pass unobstructed over each building (or other structure or part thereof) may be averaged, provided that:—

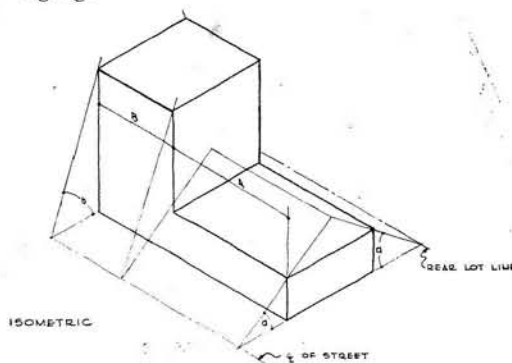
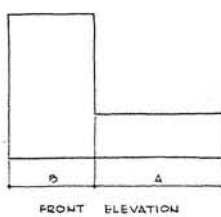
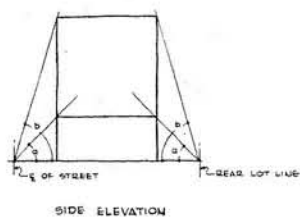
- a. The weighted average of such angles shall not exceed the angle of light obstruction specified in the district regulations, and
- b. The provisions of sections 743.11 through 743.14 and 745 are complied with, and
- c. The provisions of section 1532 (around small parks) do not apply.

Therefore, if it is desired to average angles of light obstruction on any zoning lot or any part thereof, because of differences either in the height of buildings (or other structures or parts thereof), or in their distances from the center line of a street or a rear lot line, then the angles of light obstruction (calculated subject to sections 743.11 through 743.15 below) whose inclined planes pass unobstructed over each building (or other structure or part thereof) shall conform to the provisions set forth immediately below. Each angle shall be multiplied by the width of the frontage over which that angle applies; and the sum of these products (angle times frontage), divided by the total frontage, shall not exceed the maximum angle of light obstruction specified in the regulations for the district. In mathematical terms:

$$\frac{\text{Frontage A} \times \text{Angle a} + \text{Frontage B} \times \text{Angle b}}{\text{Frontage A} + \text{Frontage B}} =$$

(OR, is less than) Maximum angle of light obstruction specified in district regulations.

743.10. SPECIAL REGULATIONS ON AVERAGING ANGLES. If it is desired to average different angles of light obstruction whose inclined planes pass unobstructed over one (1) or more different buildings (or other structures or parts thereof), the following requirements must be met as a prerequisite to averaging.



$$\frac{\text{Frontage A} \times \text{Angle a} + \text{Frontage B} \times \text{Angle b}}{\text{Frontage A} + \text{Frontage B}} =$$

(OR, is less than) Maximum angle of light obstruction specified in district regulations.

ILLUSTRATION OF SECTION 743

PROPOSED RESOLUTION

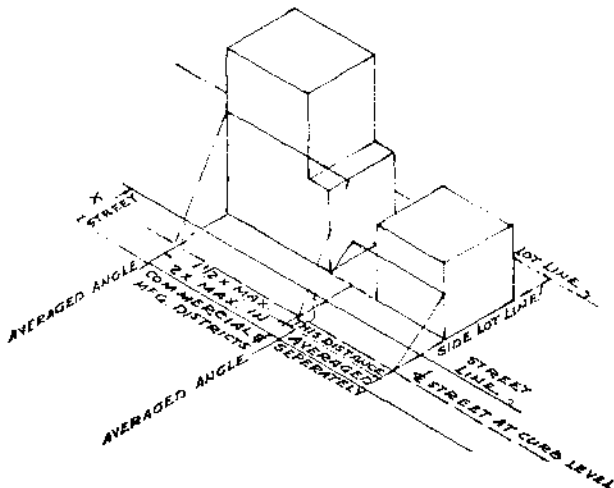


Illustration of Section 743.11

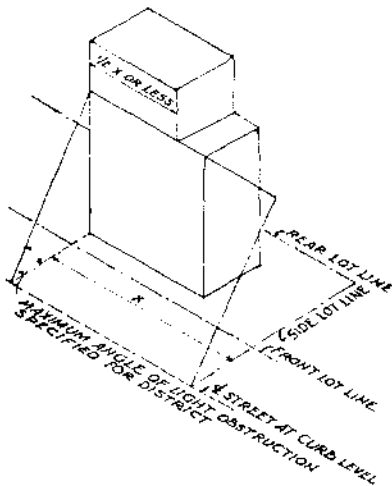


Illustration of Section 743.12

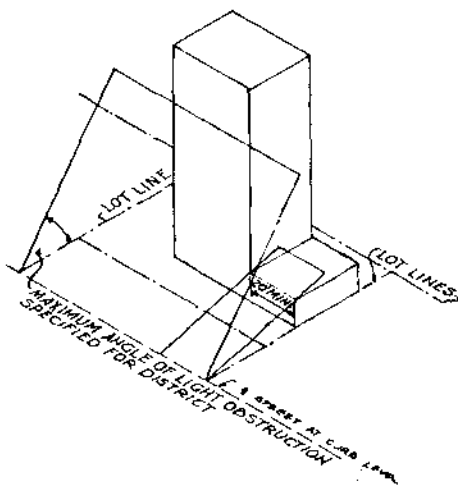


Illustration of Section 743.13

743.11 Maximum Distance for Averaging. An *angle of light obstruction* may be averaged over the width of a *zoning lot*. However, if the width of a *zoning lot* exceeds one and one-half ($1\frac{1}{2}$) times the width of the *street* in an RB District and *Residence Retail Districts*, or twice the width of the *street* in all *Commercial Districts* (except a CA-4 District) and all *Manufacturing Districts* (except an MA-2 District), the *angle of light obstruction* may be averaged only over a distance equivalent to the aforementioned multiples of the *street width*; and the angles for the frontage exceeding those multiples shall be calculated separately.

743.12 Maximum Width of Building or Buildings Projecting Above Angle Specified in District Regulations. In an RB District those parts of a *building* (or other structure or parts thereof) rising above the *angle of light obstruction* specified in the district regulations shall not exceed fifty per cent (50%) of the width of the *zoning lot*.

743.13 Minimum Width for Credit in Averaging Smaller Angle. If any *angle of light obstruction* which is less than the angle specified in the district regulations is to be averaged with a larger angle, each part of the frontage over which the smaller angle occurs shall extend for at least twenty (20) feet.

743.14 Minimum Angle Allowed for Averaging. An *angle of light obstruction* (including an angle of zero) which is less than the minimum angle permitted to be credited for averaging, as specified in the district regulations, shall be calculated for purposes of averaging as equal to the minimum angle so specified.

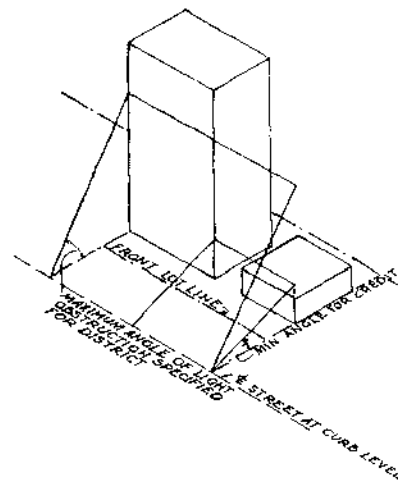


Illustration of Section 743.14

Italicized words are defined in Article 6.

744. PERMITTED OBSTRUCTIONS. The following shall not be deemed to obstruct the inclined plane which is fixed by an *angle of light obstruction*:

Elevator and stair bulkheads, roof water tanks, and cooling towers (together with their enclosures), provided that the maximum dimension parallel to the center line of a *street* shall not exceed thirty (30) feet
Chimneys and flues, not exceeding fifteen (15) feet for any one hundred (100) feet of frontage

Spires

Flagpoles

Aerials, radio and television

Wire, chain link, or other open or transparent fences
A one-story structure located in a *rear yard* when permitted by the district regulations, including any of the following:

A *basement* or first floor used for accessory off-street parking spaces for *residences*

A first floor used for retail or commercial purposes

A one-story accessory *detached building*

A wall along a *lot line*

745. ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES.

If any *zoning lot* is partly in one and partly in another district, the part of such *zoning lot* within each district shall be controlled by the *angle of light obstruction* of that district. Angles shall not be averaged across district boundaries.

750. Set-Backs

751. CONFORMITY WITH DISTRICT REGULATIONS. In an RA, an RB-1, and an RB-2 District, the front, rear, and side exterior walls of all non-residential buildings, and of all residential buildings specified in the regulations for the respective districts, shall be located at least as far from the center line of the *street*, the *rear lot line* and the *side lot line*, respectively, as is required in the district regulations set forth in section 225.

760. Units Of Light Access

760.10 DEFINITION OF SIXTY (60) FOOT AREA FOR LIGHT ACCESS (REPEATED FROM SECTION 624). For a *legally required window*, the "sixty (60) foot area for light access" is that area enclosed by:

a. An arc, with a radius of sixty (60) feet, extending seventy (70) degrees on each side of a line perpendicular to the *building wall* at the center line of that window, and

b. The exterior radii of such arc.

The radii of such arc shall be measured from the exterior face of the *building wall* at sill level at the center line of the window. For the purposes of this section, sill level shall be assumed to be two (2) feet six (6) inches above floor level.

760.20 DEFINITION OF FORTY (40) FOOT AREA FOR LIGHT ACCESS. (REPEATED FROM SECTION 625).

The "forty (40) foot area for light access" shall be determined in the same manner as the *sixty (60)*

foot area for light access, except that the radius of the arc shall be forty (40) feet in length.

760.30 DEFINITION OF TWENTY FOOT AREA FOR LIGHT ACCESS. (REPEATED FROM SECTION 626).

The "twenty (20) foot area for light access" shall be determined in the same manner as the *sixty (60) foot area for light access*, except that the radius of the arc shall be twenty (20) feet in length.

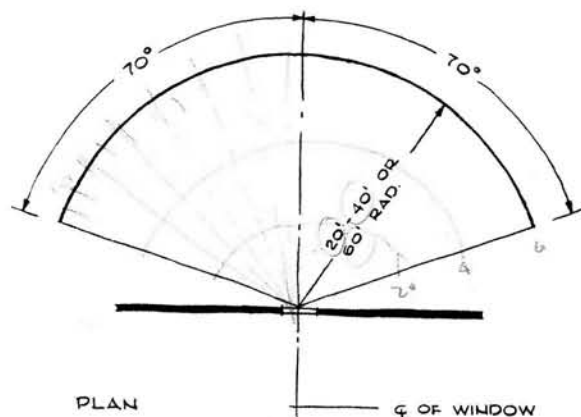


Illustration of Section 760

760.40 DEFINITION OF UNITS OF LIGHT ACCESS (REPEATED FROM SECTION 627). For each respective *area for light access* as defined above, "units of light access" are the truncated sectors formed by the intersection of

a. A series of radii projected from the center line of the window and dividing that *area for light access* into fourteen (14) equal sectors of ten (10) degrees each, and

b. A series of concentric arcs centered on the center line of the window and with radii as specified in the following schedule:

<i>Area for Light Access</i>	<i>Radii of Arcs</i>
<i>Sixty (60) Foot Area</i>	40, 50 and 60 Feet
<i>Forty (40) Foot Area</i>	20, 30, and 40 Feet
<i>Twenty (20) Foot Area</i>	10 and 20 Feet

Twenty-eight (28) *units of light access* are thus available in the *sixty (60) foot area for light access* and in the *forty (40) foot area for light access*; and fourteen (14) *units of light access* are thus available in the *twenty (20) foot area for light access*.

760.50 DEFINITION OF LEGALLY REQUIRED WINDOW (REPEATED FROM SECTION 623). "Legally required windows" include all windows in exterior walls serving any interior space in which persons live, sleep, work, or congregate, except:

a. Windows or parts of windows, in spaces used for living and sleeping purposes, whose area is in excess of ten per cent (10%) of the area of such rooms including alcoves adjacent thereto (as specified in

PROPOSED RESOLUTION

Section 30 of the Multiple Dwelling Law and Section C-26-261.0 of the Administrative Code).

b. Windows or parts of windows, in spaces not used for living and sleeping purposes, whose area is in excess of the area which would provide required ventilation without using mechanical ventilation (as specified in Section C-26-266.0 of the Administrative Code).

c. Windows in spaces used for retail, commercial, wholesale, storage, and manufacturing purposes, if sufficient mechanical ventilation is provided (as specified in Section C-26-266.0 of the Administrative Code) for rooms without windows.

For the purposes of this definition, rooms in which persons live, sleep, work or congregate shall not include watercloset compartments, bathrooms, stairs, cooking compartments with less than forty-nine (49) square feet of area, laundry rooms, storerooms, and utility rooms.

Where two (2) or more windows are needed to satisfy legal requirements for light and ventilation, each such window shall be considered to be a "legally required window."

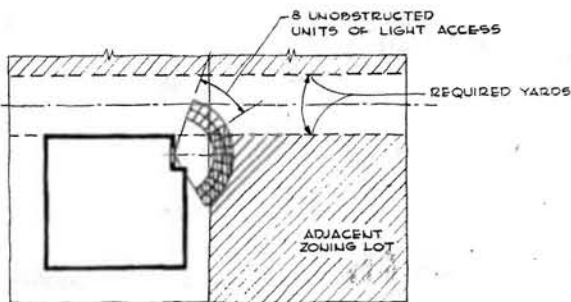
In the case of continuous windows whose area exceeds the legal requirements for light and ventilation, any part or parts of such windows may be selected as the "legally required windows." In such case the center line shall be the center line of that part of window so selected.

761. MINIMUM REQUIREMENTS FOR LIGHT ACCESS. In any district, for all *legally required windows* in all permitted *buildings* except *one-family detached residences*, unobstructed *units of light access* shall be provided. Such *units of light access* shall conform to the regulations for the respective districts as to the number and location of such *units* and to the regulations of section 762 with respect to obstructions.

762. OBSTRUCTIONS

762.10 WHERE UNITS OF LIGHT ACCESS MAY BE COUNTED. Required unobstructed *units of light access* may be counted within one or more of the following:

a. Open space located on the same *zoning lot*.



PLAU
Illustration of Section 762.10

Italicized words are defined in Article 6.

b. Space on adjoining *zoning lots* which, under the provisions of this amended Resolution, is in required *yards* for new construction.

c. A *street*, a private easement, or other permanently dedicated public or private open space.

762.20 OBSTRUCTIONS PROHIBITED BETWEEN WINDOWS AND REQUIRED UNITS OF LIGHT ACCESS. If *units of light access* are to be counted as unobstructed for any *legally required windows*, all space which

a. Is enclosed by any of the radii which enclose any of such *units*, and

b. Is between such *units* and the window shall be unobstructed except as permitted in section 762.30 below.

762.30 PERMITTED OBSTRUCTIONS. The following shall not be considered as obstructions when located within required *units of light access*, or between unobstructed *units of light access* and a *legally required window*:

Existing *buildings* or other structures on adjoining *zoning lots* which, under the provisions of this amended Resolution, are in required *yards* for new construction.

Buildings or other structures whose height above sill level of the window in question is not more than two-thirds of their distance (measured at sill level and from the center line of the window) from the exterior surface of the *building* wall.

Overhead obstructions, such as cornices, structurally permanent sunshades and balconies, which

a. If fourteen (14) feet or more above the sill level of the windows, project not more than five (5) feet from the exterior face of the *building* wall, and

b. If less than fourteen (14) feet above the sill level of the window, do not project horizontally beyond an inclined plane rising from the sill level at an angle of twenty (20) degrees from the vertical exterior face of the *building*.

Spires

Flagpoles

Aerials, radio or television

Open fire escapes

Wire, chain link, or other open fences.

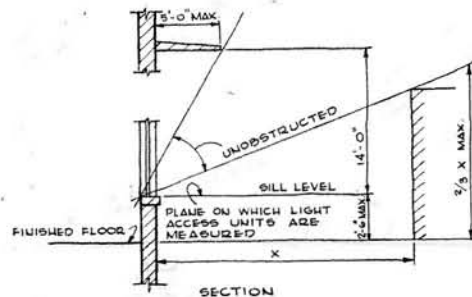


Illustration of Section 762.30

770. Spacing Regulations

771. REQUIRED MINIMUM SPACE BETWEEN BUILDINGS ON A SINGLE ZONING LOT. In an RA or an RB District, when two (2) or more *residential buildings* are developed on a single *zoning lot* under single ownership or control, the minimum distance between the exterior faces of *building walls* shall conform to the regulations set forth in section 227.

780. Usable Open Space

780.10 DEFINITION OF USABLE OPEN SPACE (REPEATED FROM SECTION 648). "Usable open space" includes only that part of the ground area of a *residential zoning lot*:

- a. Which is devoted to outdoor recreational space, greenery and service space for household activities (such as clothes drying) which are normally carried on outdoors, and
- b. Which conforms to the minimum dimension prescribed by sections 228.21-.22 above for the appropriate district, and
- c. Which is not devoted to private roadways open to vehicular transportation, accessory off-street parking space or accessory off-street loading berths, and
- d. In which there are no structures on the ground, except as permitted by section 782 below (permitted obstructions), and
- e. Which is unobstructed between the permitted level of the *rear yard* and the sky, except that not more than twenty-five per cent (25%) of the total "usable open space" provided on any *zoning lot* may be roofed, and in such case not more than fifty per cent (50%) of the perimeter of the roofed section shall be enclosed, and
- f. Which, when above grade, is structurally safe and adequately surfaced and protected, and
- g. Which is accessible and available at least to all occupants of *dwelling units* for whose *use* the space is required.

781. MINIMUM USABLE OPEN SPACE REQUIRED FOR RESIDENTIAL CONSTRUCTION. For all *residences* in an RA, an RB-1, an RB-2, an RB-3, and RB-4, an RB-5 or an RB-6 District, there shall be provided on the same *zoning lot* at least that minimum area of *usable open space* which is specified by the regulations for the respective districts, except in so far as such regulations permit the substitution of open space on a roof or of balconies, in accordance with sections 228.31-.32.

782. PERMITTED OBSTRUCTIONS. The following shall not be considered as obstructions when located in *usable open space*:

Open porches, not exceeding twenty-five per cent (25%) of the single contiguous area of *usable open space* in which they are located.

Balconies

Terraces

Breezeways, not exceeding twenty-five per cent (25%) of the single contiguous area of *usable open space* in which they are located.

Chimneys, not exceeding two per cent (2%) of the single contiguous area of *usable open space* in which they are located.

Fire escapes

Recreational and drying yard equipment.

Arbors, trellises, window boxes and other planting boxes

Flagpoles

A change of grade up to six (6) feet, but only if adequate communicating steps are provided.

783. ZONING LOTS DIVIDED BY DISTRICT BOUNDARIES. If any *zoning lot* is partly in one district and partly in another district, the minimum total *usable open space* required for such *zoning lot* shall be the sum of the *usable open space* required for each part of such *zoning lot* under the regulations for the district in which each such part is located. However, the required *usable open space* may be located anywhere on the *zoning lot*.

ARTICLE 8. NON-CONFORMING USES

801. DEFINITION OF NON-CONFORMING USE (repeated from section 635).

A "non-conforming use" shall include any *use*, whether of a *building*, other structure or a tract of land, which does not conform to the *use* regulations of this amended Resolution for the district in which such *non-conforming use* is located, either at the effective date of this amended Resolution or as a result of subsequent amendments which may be incorporated into this amended Resolution.

810. Continuation Of Use

A *non-conforming use* may be continued, except as otherwise provided in this Article 8.

820. Change Of Use

A *non-conforming use* may be changed to any conforming *use*. A *non-conforming use* shall not be changed to any other type of *non-conforming use*, except in conformity with the provisions of sections 821-824 below.

821. IN RA AND RB DISTRICTS. In an RA and an RB District, *non-conforming uses* listed in the use groups set forth in the left column immediately below may be changed to *non-conforming uses* listed in the use groups set forth in the right column opposite:

From use groups 8, 9, 12 and 13	To use groups 6 (A, B, C and D) and 7 (A and B)
---------------------------------	---

From use groups 6 (A, B, C and E) and 7	To use group 6 (D)
--	--------------------

822. IN RESIDENCE RETAIL DISTRICTS. In *Residence Retail Districts*, *non-conforming uses* listed in the use groups set forth in the left column immediately below

may be changed to *non-conforming uses* listed in the use groups set forth in the right column opposite:

From use groups 16, 17 and 18	To use groups 9 (A, B, C and F) and 14
-------------------------------	--

From use groups 13 and 15	To use group 9 (A, B, C and F)
---------------------------	-----------------------------------

823. IN A CB, A CC AND A CD DISTRICT. In a CB, CC and a CD District, *non-conforming uses* listed in the use groups set forth in the left column immediately below may be changed to *non-conforming uses* listed in the use groups set forth in the right column opposite:

From use groups 16, 17 and 18	To use groups 14 and 15
----------------------------------	----------------------------

824. SUBSEQUENT CHANGES OF USE. When *non-conforming uses* have been changed in accordance with the provisions of sections 821-823, the *use* of the *building*, other structure or tract of land shall not thereafter be changed again, except in accordance with the above regulations.

830. Discontinuance Of Use

If active and continuous operations are not carried on in a *non-conforming use* during a continuous period of one (1) year, the *building*, other structure or tract of land where such *non-conforming use* previously existed shall thereafter be occupied and used only for a conforming *use*. Intent to resume active operations shall not affect the foregoing.

840. Damage and Destruction

If a *building* or other structure containing a *non-conforming use* is damaged or destroyed by any means to the extent of fifty percent (50%) of its value, the *building* or other structure shall thereafter be occupied and used only for a conforming *use*.

Italicized words are defined in Article 6.

850. Enlargement

A *non-conforming use* shall not be enlarged or extended, except in accordance with the provisions of section 851 below.

851. PERMITTED ENLARGEMENT. When a *non-conforming use* listed in the left column in the schedule below is located in a district listed in the right column opposite, such *non-conforming use* may be enlarged to one hundred and fifty per cent (150%) of the area of land, or (if permitted by the *bulk* regulations of the district) to one hundred and fifty per cent (150%) of the *floor area* of *buildings*, presently occupied by such *non-conforming use*. However, this provision may only be used once for each *zoning lot*.

Uses Listed in Use Group	Located in Districts
14 and 15	CD
16	CM
17	MB

860. Repairs

861. NORMAL MAINTENANCE. Normal maintenance of a *building* or other structure containing a *non-conforming use* is permitted, including necessary non-structural repairs and incidental alterations not extending the *non-conforming use*.

862. STRUCTURAL CHANGES. No structural alterations shall be made in a *building* or other structure containing a *non-conforming use* except in the following situations:

- a. When required by law.
- b. In a *building* or other structure which contains a *non-conforming use* listed in the left column in the schedule in section 851 and which is located in a district listed in the right column opposite.
- c. However, in an MB, an MC or an MD District, a *building* or other structure containing *residential non-conforming uses* may be altered in any way to improve interior livability, provided that no structural alterations shall be made which would increase the number of *dwelling units* or the *bulk* of the *building*.

870. Termination of Certain Non-Conforming Uses After Amortization

The *non-conforming uses* specified in sections 871-874 may be continued for a reasonable period of amortization as set forth in the regulations below, provided that after the expiration of such period such *non-conforming uses* shall be terminated in accordance with the following provisions.

871. NON-CONFORMING USE OF LAND IN RESIDENCE AND RESIDENCE RETAIL DISTRICTS. In *Residence* and *Residence Retail Districts*, a *non-conforming use* of land may be continued for three (3) years after the effective date of this amended Resolution, or after such later date that it becomes non-conforming, provided that after the expiration of that period such *non-conforming use* shall be terminated.

872. NON-CONFORMING USE OF SIGNS AND OTHER SMALL STRUCTURES IN RESIDENCE DISTRICTS. In *Residence Districts*, a *non-conforming use* which is either a *sign*, or any *building* or other structure with an assessed valuation under five hundred dollars (\$500), may be continued for three (3) years after the effective date of this amended Resolution, or after such later date that it becomes non-conforming, provided that after the expiration of that period such *non-conforming use* shall be terminated.

873. NON-CONFORMING USE OF SIGNS IN RESIDENCE RETAIL DISTRICTS. In *Residence Retail Districts*, all non-conforming projecting and *flashing signs* may be continued for three (3) years from the effective date of this amended Resolution, or after such later date that they become non-conforming, provided that after the expiration of that period such *non-conforming use* shall be terminated.

874. NON-CONFORMING MANUFACTURING AND INDUSTRIAL USES IN RESIDENCE DISTRICTS. In *Residence Districts*, all *non-conforming uses* which (a) involve a *building* or other structure with an assessed valuation over five hundred dollars (\$500), and (b) are listed in use groups 16, 17 or 18, may be continued for thirty (30) years after the original establishment thereof, provided that after the expiration of that period such *non-conforming uses* shall be terminated. However, the provisions of this section 874 shall not require the termination of any *non-conforming use* until the following number of years after the effective date of this amended Resolution:

For Uses Listed in Use Groups	Number of Years
18	10
17	15
16	20

The Board of Standards and Appeals may modify the above requirements in accordance with the provisions of section 1651.14.

ARTICLE 9. BUILDINGS NON-CONFORMING AS TO BULK

901. DEFINITION OF BUILDINGS NON-CONFORMING AS TO BULK (repeated from section 607)

A "building non-conforming as to bulk" shall include any *building* which does not conform to the regulations of this amended Resolution prescribing the maximum *floor area ratio*, required *yards*, maximum *angle of light obstruction*, minimum required *set-backs*, minimum required *units of light access*, minimum required spacing between *detached buildings* on a single *zoning lot*, and minimum required *usable open space* for the district in which such *building* is located, either at the effective date of this amended Resolution or as a result of subsequent amendments which may be incorporated into this amended Resolution.

910. Continued Use

A *building non-conforming as to bulk* may continue to be used like any other *building*, subject to the provisions of section 922 below.

920. Alterations

921. PERMITTED ALTERATIONS. Normal maintenance, repairs and structural alterations in a *building non-conforming as to bulk* are permitted. In addition, if the *bulk* of such a *building* is in conformity with any of the *bulk* regulations of the district in which it is located, that *building* may be enlarged or extended in any way permitted by those regulations.

922. ALTERATIONS INCREASING NON-CONFORMITY. In a *building non-conforming as to bulk*, no alterations shall be made which would increase the degree of non-conformity with the *bulk* regulations of the district in which it is located, prescribing the maximum permitted *floor area ratio*, required *yards*, maximum permitted *angle of light obstruction*, minimum required *set-backs*, minimum required *units of light access*, minimum required spacing between *detached buildings* on a single *zoning lot*, and minimum required *usable open space* (as set forth in the table in section 220 for an RA, an RB-1 and an RB-2 District, and in section 228.10 for the total *floor area* on a *zoning lot* in an RB-3, an RB-4, an RB-5 and an RB-6 District)—except in conformity with the provisions set forth below.

Italicized words are defined in Article 6.

922.10. GENERAL REGULATIONS
(No additional regulations)

922.20. FLOOR AREA RATIO
(No additional regulations)

922.30. YARDS
(No additional regulations)

922.40. ANGLE OF LIGHT OBSTRUCTION

922.41. Addition To Lower Portion Of Building.
When one portion of a *building* would (if considered as a separate entity) conform to the *angle of light obstruction* regulations of the district in which that *building* is located, and yet—even after averaging *angles* in accordance with section 743—the whole *building* on the *zoning lot* is a *building non-conforming as to bulk* because of another portion which (if considered separately) would not so conform, nevertheless an addition may be built above the former portion of the *building* (or *zoning lot*). The provisions of this section are equally applicable whether such former portion of the *building* is (a) lower than the latter portion, or (b) more distant from the center line of the *street* or *rear lot line* than the latter portion. However, any addition built in accordance with the provisions of this section shall (considered separately) conform to the *angle of light obstruction* regulations of the district.

922.50. SET-BACKS
(No additional regulations)

922.60. UNITS OF LIGHT ACCESS
(No additional regulations)

922.70. SPACING BETWEEN DETACHED BUILDINGS ON A SINGLE ZONING LOT
(No additional regulations)

922.80. USABLE OPEN SPACE
(No additional regulations)

930. Modification of Provisions

The Board of Standards and Appeals may modify the above requirements in accordance with the provisions of section 1651.15.

ARTICLE 10. ACCESSORY OFF-STREET PARKING SPACES

In all districts, accessory off-street parking spaces, both permitted and required, shall conform to the provisions set forth in this Article 10, and (when near schools, parks, and playgrounds) to the provisions of sections 1412 and 1413.

1010. Permitted and Required Accessory Off-Street Parking Spaces In Residence Districts

In an RA and an RB District, the following regulations for permitted and required accessory off-street parking spaces for *residences* and for *uses* listed in use groups 4 and 5 shall apply.

1011. PERMITTED ACCESSORY SPACES. In an RA and an RB District, accessory off-street parking spaces, open or enclosed, may be provided for *residences* and for *uses* listed in use groups 4 and 5, subject to the provisions set forth below.

1011.10. MAXIMUM SPACES FOR RESIDENCES. In such districts accessory off-street parking spaces, open or enclosed, provided for *residences* shall not exceed the following limitations:

- a. For *one-family detached residences* in any district—3 spaces per *dwelling unit* on *zoning lots* of 10,000 square feet or less
- b. For all other *residential buildings* with a *floor area ratio* of less than 2.40—2 spaces per *dwelling unit*
- c. For all other *residential buildings* with a *floor area ratio* of 2.40 or more—1 space per *dwelling unit*

1011.20. ADDITIONAL REGULATIONS. All accessory off-street parking spaces provided in accordance with the provisions of section 1011 shall conform to the regulations set forth in the following sections:

Section 1031 Size of spaces

Section 1032 Design standards

Section 1033.11 Off-site facilities permitted in an RB-6 and an RB-7 District

Section 1033.20 Permitted height in an RA and an RB District

Section 1033.30 Joint facilities

Sections 1034.10-11 Rental of spaces to non-occupants

Section 1034.20 Repairs and sale of gasoline prohibited

Sections 1412-1413 Accessory parking spaces near schools, parks and playgrounds.

1012. REQUIRED ACCESSORY SPACES FOR NEW RESIDENTIAL CONSTRUCTION. In an RA and an RB District, for all *residences* constructed after the effective date of this amended Resolution, at least that number of accessory off-street parking spaces, open or enclosed, specified in the following regulations shall be provided as a condition precedent to the *use* of such *residences*.

1012.10. WHERE INDIVIDUAL PARKING FACILITIES ARE PROVIDED. In an RA, an RB-1, an RB-2 and an RB-3 District, where group parking facilities are not provided, one (1) parking space shall be provided for each *dwelling unit*.

PROPOSED RESOLUTION

1012.20. WHERE GROUP PARKING FACILITIES ARE PROVIDED. In an RA and an RB District, for all *residences* developed under single ownership and control with group parking facilities, accessory off-street parking spaces shall be provided for at least that percentage of the total *dwelling units* which is specified in the schedule set forth below. In such cases the group facilities shall be kept permanently available to each *dwelling unit*.

In Residence Districts	Percentage of Total Dwelling Units
RA-1 and A-2	100%
RB-1	70%
RB-2	60%
RB-3	50%
RB-4	40%
RB-5	30%
RB-6	20%
RB-7	20%

1012.30. ADDITIONAL REGULATIONS. All accessory off-street parking spaces provided in accordance with the provisions of this section 1012 shall conform to the regulations set forth in the following sections:

- Section 1031 Size of spaces
- Section 1032 Design standards
- Section 1033.11 and 1033.14 Off-site facilities permitted in an RB-6 and an RB-7 District
- Section 1033.20 Permitted height in RA and RB Districts
- Section 1033.30 Joint facilities permitted
- Section 1034.10-11 Rental of spaces to non-occupants
- Section 1034.20 Repairs and sale of gasoline prohibited
- Section 1036.10 Waiver of requirements when unable to conform to access regulations
- Section 1036.21 Waiver of requirements for small *zoning lots* in an RB-4, an RB-5, an RB-6 and an RB-7 District

Section 1036.22 Modification of *residence* requirements for public housing

Section 1036.42 Modification of requirements for *zoning lots* divided by district boundaries

Sections 1412-1413 Accessory parking spaces near schools, parks and playgrounds.

1013. REQUIRED ACCESSORY SPACES FOR PERMITTED NEW NON-RESIDENTIAL CONSTRUCTION. In an RA and an RB District, accessory off-street parking spaces, open or enclosed, shall be provided for all new development with those *uses* which are specified in the table on page 203 and have at least the *floor area* there specified, in accordance with the provisions of that table, as a condition precedent to the *use* of such development.

1013.10. ADDITIONAL REGULATIONS. All accessory off-street parking spaces provided in accordance with the provisions of this section 1013 shall conform to the regulations set forth in the following sections.

- Section 1031 Size of spaces
- Section 1032 Design standards
- Section 1033.11 and 1033.14 Off-site facilities permitted in an RB-6 and an RB-7 District
- Section 1033.20 Permitted height in an RA and an RB District
- Section 1033.30 Joint facilities permitted
- Section 1034.10 Rental of spaces to non-occupants
- Section 1034.20 Repairs and sale of gasoline prohibited
- Section 1036.10 Waiver of requirements when unable to conform to access regulations
- Section 1036.21 Waiver of requirements for small *zoning lots* in an RB-4, an RB-5, an RB-6 and an RB-7 District
- Section 1036.42 Modification of requirements for *zoning lots* divided by district boundaries
- Sections 1412-1413 Accessory parking spaces near schools, parks and playgrounds.

Italicized words are defined in Article 6.

**SECTION 1013 (TABLE) PARKING REQUIREMENTS FOR PLACES OF ASSEMBLY
WHEN PERMITTED IN RESIDENCE DISTRICTS
(Subject to the provisions of section 1013.10)**

USES	IN RESIDENCE DISTRICTS	FOR ALL ESTABLISHMENTS WITH A FLOOR AREA OF AT LEAST	PARKING SPACES REQUIRED FOR THE FOLLOWING AMOUNTS OF FLOOR AREA (OR FRACTION THEREOF)
Hospitals (In addition to spaces provided for ambulances)	RB-1, RB-2 and RB-3	10,000 square feet	1 per 1,000 square feet
	RB-4, RB-5, RB-6 and RB-7	10,000 square feet	1 per 1,800 square feet
Medical And Dental Offices	RB-1 and RB-2	3,000 square feet	1 per 1,000 square feet
	RB-3	6,000 square feet	1 per 1,000 square feet
	RB-4	10,000 square feet	1 per 1,500 square feet
	RB-5	15,000 square feet	1 per 1,500 square feet
Community Centers, Health Centers, Clubs, Colleges and Universities, Libraries, Museums and Art Galleries, Institutions For Children And Aged, and Philanthropic Institutions	RA, RB-1, RB-2 and RB-3	3,000 square feet	1 per 1,000 square feet
	RB-4, RB-5, RB-6 and RB-7	15,000 square feet	1 per 1,500 square feet

PROPOSED RESOLUTION

1020. Permitted and Required Accessory Off-Street Parking Spaces In An RM, A Residence Retail, A Commercial and A Manufacturing District.

In RM, *Residence Retail, Commercial and Manufacturing Districts*, the following regulations for permitted and required accessory off-street parking spaces for the uses permitted in the respective districts shall apply.

1021. PERMITTED ACCESSORY SPACES. In an RM, *Residence Retail, Commercial and Manufacturing Districts*, accessory off-street parking spaces, open or enclosed, may be provided for all permitted uses, and for all groups of such uses constructed on a single zoning lot under single ownership or control, subject to the regulations set forth in the following sections:

Section 1031 Size of spaces

Section 1032 Design standards

Sections 1033.12-13 Off-site facilities permitted in high bulk *Residence Retail* and in certain *Commercial Districts*

Section 1033.20 Permitted height in *Residence Retail Districts*

Section 1033.30 Joint facilities permitted

Section 1034.10 Rental to non-occupants

Section 1034.20 Repairs and sale of gasoline prohibited

Section 1035 Maximum amount of parking spaces permitted on a block

Sections 1411-13 Automotive service uses near schools, parks and playgrounds.

1022. REQUIRED SPACES FOR NEW RESIDENTIAL CONSTRUCTION. In an RM District, *Residence Retail Districts* (except *Residence Retail Districts* mapped within

an RB-6 and an RB-7 District), *Commercial Districts* and an MA District, all new residential construction after the effective date of this amended Resolution shall conform to the parking requirements of that district whose bulk regulations control such residential construction, under the provisions of column N in the table in section 320 and column M in the table in section 420.

1022.10 ADDITIONAL REGULATIONS. All accessory off-street parking spaces provided in accordance with the provisions of this section 1022 shall conform to the regulations set forth in the following sections.

Section 1031 Size of spaces

Section 1032 Design standards

Sections 1033.11 and 1033.14 Off-site facilities permitted in an RB-6 and an RB-7 District

Section 1033.20 Permitted height in an RA and an RB District

Section 1033.30 Joint facilities permitted

Section 1034.10-11 Rental of spaces to non-occupants

Section 1034.20 Repairs and sale of gasoline prohibited

Section 1035 Maximum number of parking spaces permitted on a block

Section 1036.10 Waiver of requirements when unable to conform to access regulations

Section 1036.21 Waiver of requirements for small zoning lots in an RB-4, an RB-5, an RB-6 and an RB-7 District

Section 1036.22 Modification of residence requirements for public housing

Italicized words are defined in Article 6.

Section 1036.31 Waiver of requirements for *blocks* with over five hundred (500) spaces

Section 1036.33 Waiver of requirements for *zoning lots* with less than seventy-five (75) feet of frontage on *side streets*

Section 1036.41-.42 Modification of requirements for *zoning lots* subject to two (2) different regulations.

Sections 1411-1413 Automotive service *uses* near schools, parks and playgrounds.

1023. REQUIRED ACCESSORY SPACES FOR NEW PLACES OF ASSEMBLY. After the effective date of this amended Resolution, in an RM district, *Residence Retail Districts* (except *Residence Retail Districts* mapped within an RB-6 and an RB-7 District), *Commercial Districts* and *Manufacturing Districts*, all new development:

a. With any of the *uses* which are specified in the table on pages 206-209 and permitted in the district, and

b. With at least as much *floor area* devoted to such *uses* on a *zoning lot* as is specified in the table below for the appropriate district.

shall provide off-street parking spaces, open or enclosed, in conformity with the regulations set forth in the table on pages 206-209, as a condition precedent to the *use* of such development. For the purpose of these requirements, a group of such *uses* constructed under single ownership or control shall be assumed to be on a single *zoning lot*, in accordance with the provisions of section 713.30 (subdivision of *zoning lots*).

1023.10. ADDITIONAL REGULATIONS. All accessory off-street parking spaces provided in accordance with the provisions of this section 1023 shall conform to the regulations set forth in the following sections.

Section 1031 Size of spaces

Section 1032 Design standards

Sections 1033.12-.14 Off-site facilities

Section 1033.20 Permitted height in *Residence Retail Districts*.

Section 1033.30 Joint facilities permitted

Section 1034.10-.11 Rental of spaces to non-occupants

Section 1034.20 Repairs and sale of gasoline prohibited

Section 1035 Maximum number of parking spaces permitted on a *block*

Section 1036.10 Waiver of requirements when unable to conform to access regulations

Section 1036.31 Waiver of requirements for *blocks* with over five hundred (500) spaces

Section 1036.32 Waiver of requirements for small *zoning lots*

Section 1036.33 Waiver of requirements for *zoning lots* with less than seventy-five (75) feet of frontage on *side streets*

Section 1036.41-.42 Modification of requirements for *zoning lots* subject to two (2) different regulations

Sections 1411-1413 Automotive service *uses* near schools, parks and playgrounds.

**SECTION 1023 (TABLE) PARKING REQUIREMENTS FOR PLACES OF ASSEMBLY
WHEN PERMITTED IN RM, RESIDENCE RETAIL, COMMERCIAL AND MANUFACTURING DISTRICTS
(Subject to the provisions of section 1023.10)**

USES	IN DISTRICTS	FOR ALL ESTABLISHMENTS WITH AT LEAST THE FOLLOWING FLOOR AREA IN SUCH USE	ONE PARKING SPACE REQUIRED FOR EACH UNIT OF FLOOR AREA, (OR FOR EACH FRACTION OF SUCH UNIT) SPECIFIED BELOW
Hospitals (in addition to spaces provided for ambulances)	RM <i>Residence Retail</i> mapped within RA, RB-1, RB-2, RB-3 and RM CB-1, CB-2, CD-1† CD-2† and CM-1† MB-1, MC-1 and MD	10,000 square feet	1 per 1,000 square feet
	<i>Residence Retail</i> mapped within RB-4 CC and CB-3 MB-2 and MC-2	10,000 square feet	1 per 1,800 square feet
	All other such districts	10,000 square feet	1 per 2,500 square feet
Medical and Dental Offices, and Group Medical Centers	All such districts	3,000 square feet	see footnote a. below

† In a CD-1, a CD-2, and a CM-1 District, not less than twenty per cent (20%) of the area of a zoning lot shall be reserved for accessory off-street parking spaces.

a. Medical and dental offices and group medical centers in RM, *Residence Retail*, *Commercial* and *Manufacturing Districts* shall conform to the parking requirements set forth in the table in section 1024 for retail, service, commercial and manufacturing uses in such districts.

SECTION 1023 (TABLE) PARKING REQUIREMENTS FOR PLACES OF ASSEMBLY
WHEN PERMITTED IN RM, RESIDENCE RETAIL, COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)
(Subject to the provisions of section 1023.10)

USES	IN DISTRICTS	FOR ALL ESTABLISHMENTS WITH AT LEAST THE FOLLOWING FLOOR AREA IN SUCH USE	ONE PARKING SPACE REQUIRED FOR EACH UNIT OF FLOOR AREA, OR GUEST ROOMS (OR FOR EACH FRACTION OF SUCH UNIT) SPECIFIED BELOW
Community Centers, Health Centers, Clubs, Colleges and Universities, Libraries, Museums, Art Galleries, Institutions for Children and the Aged, Philanthropic Institutions, and Prisons	RM <i>Residence Retail</i> mapped within RA, RB-1, RB-2, RB-3 and RM CB-1, CB-2, CD-1 CD-2 and CM-1 MB-1, MC-1 and MD	3,000 square feet	1 per 1,000 square feet
	<i>Residence Retail</i> mapped within RB-4 CC and CB-3 MB-2 and MC-2	15,000 square feet	1 per 1,500 square feet
	All other such districts	50,000 square feet	1 per 2,000 square feet
<i>Hotels, Tourist Cabins and Motels</i>	<i>Residence Retail</i> mapped within RA, RB-1, RB-2, RB-3, RB-4 and RM CB-1, CB-2, CB-3, CC, CD-1† CD-2† and CM-1†	3,000 square feet	<i>Hotels</i> —1 per 8 guest rooms <i>Tourist Cabins and Motels</i> —1 per 1 guest room
	All other such districts	10,000 square feet	see footnote b. below

† In a CD-1, a CD-2, and a CM-1 District, not less than twenty per cent (20%) of the area of a zoning lot shall be reserved for accessory off-street parking spaces.

b. *Hotels, tourist cabins and motels* when permitted in a CA, a CB-4, a CB-5, a CB-6, a CD-3, a CM-2, an MA, an MB-2, an MB-3, an MC-2, and an MC-3 District, shall conform to the parking requirements for such districts set forth in the table in section 1024 for retail, service, commercial and manufacturing uses.

SECTION 1023 (TABLE) PARKING REQUIREMENTS FOR PLACES OF ASSEMBLY
WHEN PERMITTED IN RM, RESIDENCE RETAIL, COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)
(Subject to the provisions of section 1023.10)

USES	IN DISTRICTS	FOR ALL ESTABLISHMENTS WITH AT LEAST THE FOLLOWING SEATING CAPACITY OR FLOOR AREA IN SUCH USE	ONE PARKING SPACE REQUIRED FOR EACH UNIT OF SEATING CAPACITY OR FLOOR AREA (OR FOR EACH FRACTION OF SUCH UNIT) SPECIFIED BELOW
Eating and Drinking Places	<i>Residence Retail</i> mapped within RA, RB-1, RB-2, RB-3 and RM CB-1, CB-2, CD-1† CD-2† and CM-1† MB-1, MC-1 and MD	100 seats	1 per 5 seats
	<i>Residence Retail</i> mapped within RB-4 CB-3 and CC	150 seats	1 per 10 seats
	All other such districts	10,000 square feet	see footnote b. below
Theaters and Auditoriums	<i>Residence Retail</i> mapped within RA, RB-1, RB-2, RB-3 and RM CB-1, CB-2, CD-1† CD-2† and CM-1† MB-1, MC-1 and MD	300 seats	1 per 5 seats
	<i>Residence Retail</i> mapped within RB-4 CB-3 and CC	500 seats	1 per 10 seats
	All other such districts	10,000 square feet	see footnote b. below

† In a CD-1, a CD-2, and a CM-1 District, not less than twenty per cent (20%) of the area of a zoning lot shall be reserved for accessory off-street parking spaces.

b. Eating and drinking places, theaters and auditoriums when permitted in a CA, a CB-4, a CB-5, a CB-6, a CD-3, a CM-2, an MA, an MB-2, an MB-3, an MC-2, and an MC-3 District, shall conform to the parking requirements for such districts set forth in the table in section 1024 for retail, service, commercial and manufacturing uses.

**SECTION 1023 (TABLE) PARKING REQUIREMENTS FOR PLACES OF ASSEMBLY
WHEN PERMITTED IN RM, RESIDENCE RETAIL, COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)
(Subject to the provisions of section 1023.10)**

USES	IN DISTRICTS	FOR ALL ESTABLISHMENTS WITH AT LEAST THE FOLLOWING SEATING CAPACITY* OR FLOOR AREA IN SUCH USE	ONE PARKING SPACE REQUIRED FOR EACH UNIT OF FLOOR AREA OR SEATING CAPACITY* (OR FOR EACH FRACTION OF SUCH UNIT) SPECIFIED BELOW
Indoor Skating Rinks and Dance Halls	<i>Residence Retail</i> mapped within RA, RB-1, RB-2, RB-3 and RM CB-1, CB-2, CD-1.† CD-2† and CM-1† MB-1, MC-1 and MD	10,000 square feet	1 per 100 square feet
	<i>Residence Retail</i> mapped within RB-4 CB-3 and CC	10,000 square feet	1 per 200 square feet
	All other such districts	10,000 square feet	see footnote b. below
Arenas, Stadiums and Race Tracks	All such districts	1,000 to 10,000 seats	1 per 10 seats
		over 10,000 seats	1 per 20 seats

* For stadiums and all other uses without separate seats, each twenty-two (22) inches (or fraction thereof) of seating space shall be considered one (1) seat.

† In a CD-1, a CD-2, and a CM-1 District, not less than twenty per cent (20%) of the area of a zoning lot shall be reserved for accessory off-street parking spaces.

b. Indoor skating rinks, dance halls, arenas, stadiums, and race tracks when permitted in a CA, a CB-4, a CB-5, a CB-6, a CD-3, a CM-2, an MA, an MB-2, an MB-3, an MC-2, and an MC-3 District, shall conform to the parking requirements for such districts set forth in the table in section 1024 for retail, service, commercial and manufacturing uses.

PROPOSED RESOLUTION

1024. REQUIRED ACCESSORY SPACES FOR NEW RETAIL, SERVICE, COMMERCIAL AND MANUFACTURING DEVELOPMENTS. After the effective date of this amended Resolution, in an RM District, *Residence Retail Districts* (except *Residence Retail Districts* mapped within an RB-6 and an RB-7 District), *Commercial Districts* and *Manufacturing Districts*, all new development

a. With any of the *uses* which are listed in use groups 6 (A, B, D, and F), 7, 8, 9 (A, B, C, E, F and G), 10 (A, C, E and G), 12 (A and B), 13 (B, C, D, E and H), 14, 15, (A, B and D), 16 (A, B and D), 17 (A and D), and 18 (A and C), and which are permitted in the district, and

b. With at least as much *floor area* devoted to such *uses* on a *zoning lot* as is specified in the table below for the appropriate district,

shall provide accessory off-street parking spaces, open or enclosed, in conformity with the regulations set forth in table on page 211, as a condition precedent to the *use* of such development. For the purpose of these requirements, a group of such *uses* constructed under single ownership or control shall be assumed to be on a single *zoning lot*, in accordance with the provisions of section 713.30 (subdivision of *zoning lots*).

1024.10. ADDITIONAL REGULATIONS. All accessory off-street parking spaces provided in accordance with the provisions of this section 1024 shall conform to the regulations set forth in the following sections:

Section 1031 Size of spaces

Section 1032 Design standards

Italicized words are defined in Article 6.

Sections 1033.12-.14 Off-site facilities

Section 1033.20 Permitted height in *Residence Retail Districts*

Section 1033.30 Joint facilities permitted

Section 1034.10 Rental of spaces to non-occupants

Section 1034.20 Repairs and sale of gasoline prohibited

Section 1035 Maximum number of parking spaces permitted on a *block*

Section 1036.10 Waiver of requirements when unable to conform to access regulations

Section 1036.31 Waiver of requirements for *blocks* with over five hundred (500) spaces

Section 1036.32 Waiver of requirements for small *zoning lots*

Section 1036.33 Waiver of requirements for *zoning lots* with less than seventy-five (75) feet of frontage on side *streets*

Section 1036.41 Modifications of requirements for *buildings* with two (2) or more *uses*

Section 1036.42 Modification of requirements for *zoning lots* divided by district boundaries

Sections 1411-1413 Automotive service *uses* near schools, parks and playgrounds.

SECTION 1024 (TABLE) PARKING REQUIREMENTS FOR RETAIL, SERVICE, COMMERCIAL AND MANUFACTURING USES LISTED IN USE GROUPS 6 (A, B, D, AND F), 7, 8, 9 (A, B, C, E, F AND G), 10 (A, C, E AND G), 12 (A AND R), 13 (B, C, D, E AND H), 14, 15 (A, B AND D), 16 (A, B AND D), 17 (A AND D) AND 18 (A AND C) WHEN PERMITTED IN RM, RESIDENCE RETAIL, COMMERCIAL AND MANUFACTURING DISTRICTS (Subject to the provisions of section 1024.10)

DISTRICTS	FOR ALL ESTABLISHMENTS WITH AT LEAST THE FOLLOWING TOTAL FLOOR AREA DEVOTED TO SUCH USE (SQUARE FEET)	PARKING SPACES REQUIRED FOR EACH UNIT OF FLOOR AREA (OR FRACTION THEREOF) SPECIFIED BELOW	
		FOR ALL GROUND FLOOR AREA	FOR ALL OTHER FLOOR AREA
<i>Residence Retail</i> mapped within RA, RB-1, RB-2 and RM CB-1 and CD-1†	3,000	1 for every 300 square feet	1 for every 1,000 square feet
CD-2† and CM-1†	3,000	1 for every 600 square feet	1 for every 1,000 square feet
<i>Residence Retail</i> mapped within RB-3 CB-2	6,000	1 for every 600 square feet	1 for every 1,000 square feet
<i>Residence Retail</i> mapped within RB-4 CB-3 and CC	10,000 or 7,500 on ground floor	1 for every 600 square feet	1 for every 1,500 square feet
FOR ALL FLOOR AREA			
RM MB-1, MC-1, and MD	5,000	1 for every 1,000 square feet	
<i>Residence Retail</i> mapped within RB-5	15,000	1 for every 1,500 square feet	
CM-2 MB-2 and MC-2	10,000	1 for every 2,000 square feet	
CA-1, CB-4 and CD-3 MB-3 and MC-3	50,000	1 for each 1,000 square feet which is between 50,000 and 100,000 square feet, and 1 for each 1,500 square feet which is above 100,000 square feet	
CA-2, CA-3, CB-5 and CB-6 MA-1	100,000	1 for each 1,500 square feet which is between 100,000 and 200,000 square feet, and 1 for each 3,000 square feet which is above 200,000 square feet	
CA-4 MA-2	150,000	1 for each 2,000 square feet which is between 150,000 and 300,000 square feet, and 1 for each 4,000 square feet which is above 300,000 square feet	

PROPOSED RESOLUTION

1025. REQUIRED ACCESSORY SPACES FOR NEW STORAGE USES. After the effective date of this amended Resolution, in a CD and a CM District and *Manufacturing Districts*, all new development

a. With *uses* which are listed in use groups 13 (F) and (H), 15 (C) and (D), 16 (C) and (D), 17 (B) and (D), and 18 (B) and (C) and which are permitted in the district, and

b. With at least as much *floor area* devoted to such *uses* on a *zoning lot* as is specified in the table below for the appropriate district,

shall provide accessory off-street parking spaces, open or enclosed, in conformity with the regulations set forth in the table on page 213, as a condition precedent to the *use* of such development. For the purpose of these requirements, a group of such *uses* constructed under single ownership or control shall be assumed to be on a single *zoning lot*, in accordance with the provisions of section 713.30 (subdivision of *zoning lots*).

1025.10. ADDITIONAL REQUIREMENTS. All accessory off-street parking spaces provided in accordance with the provisions of this section shall conform to the regulations set forth in the following sections:

Section 1031 Size of spaces

Italicized words are defined in Article 6.

Section 1032 Design standards

Section 1033.12-.14 Off-site facilities

Section 1033.30 Joint facilities permitted

Section 1034.10 Rental of spaces to non-occupants

Section 1035 Maximum number of parking spaces permitted on a *block*

Section 1036.10 Waiver of requirements when unable to conform to access regulations

Section 1036.31 Waiver of requirements for *blocks* with over five hundred (500) spaces

Section 1036.32 Waiver of requirements for small *zoning lots*

Section 1036.33 Waiver of requirements for *zoning lots* with less than seventy-five (75) feet of frontage on side *streets*

Section 1036.41 Modifications for *buildings* with two (2) or more *uses*

Section 1036.42 Modification of requirements for *zoning lots* divided by district boundaries

Sections 1411-1413 Automotive service *uses* near schools, parks and playgrounds.

**SECTION 1025 (TABLE) PARKING REQUIREMENTS FOR STORAGE USES LISTED IN USE GROUPS
13(F and H), 15(C and D), 16(C and D), 17(B and D), and 18(B and C)
WHEN PERMITTED IN CD, CM AND MANUFACTURING DISTRICTS
(Subject to the provisions of section 1025.10)**

DISTRICTS	FOR ALL ESTABLISHMENTS WITH AT LEAST THE FOLLOWING TOTAL FLOOR AREA DEVOTED TO SUCH USE (SQUARE FEET)	PARKING SPACES REQUIRED FOR EACH UNIT OF FLOOR AREA (OR FRACTION THEREOF) SPECIFIED BELOW
CD-1†	3,000	1 for every 600 square feet
CD-2† and CM-1†	6,000	1 for every 1,200 square feet
MB-1, MC-1 and MD	10,000	1 for every 2,000 square feet
CM-2 MB-2 and MC-2	20,000	1 for every 4,000 square feet
CD-3 MB-3 and MC-3	50,000	1 for each 2,000 square feet which is between 50,000 and 100,000 square feet, and 1 for each 3,000 square feet which is above 100,000 square feet
MA-1	100,000	1 for each 3,000 square feet which is between 100,000 and 200,000 square feet, and 1 for each 6,000 square feet which is above 200,000 square feet
MA-2	150,000	1 for each 4,000 square feet which is between 150,000 and 300,000 square feet, and 1 for each 8,000 square feet which is above 300,000 square feet

† In a CD-1, a CD-2, and a CM-1 District, in no case shall less than twenty per cent (20%) of the area of a zoning lot be reserved for accessory off-street parking spaces.

PROPOSED RESOLUTION

1030. Special Regulations Applying To Permitted and Required Accessory Off-Street Parking Spaces In The Various Districts.

All permitted and required accessory off-street parking spaces, open or enclosed, shall conform to all the regulations set forth below.

1031. SIZE OF SPACES. For all permitted or required accessory off-street parking spaces, open or enclosed, each three hundred (300) square feet of net standing and maneuvering area shall be considered one (1) space. However, if such spaces are both (a) attended, and (b) located either within *completely enclosed buildings*, within semi-enclosed buildings, or on a roof, each two hundred and fifty (250) square feet of net standing and maneuvering area shall be considered one (1) space. "Attended" off-street parking spaces shall include only those spaces where paid attendants employed by the owners or operators of such spaces are available to handle the parking and moving of automobiles at all times when the facilities are in use.

1032. DESIGN STANDARDS. All permitted and required accessory off-street parking spaces, open or enclosed, which are provided in accordance with the provisions of this Article 10 shall conform to the regulations set forth below.

1032.10. RESTRICTIONS ON OTHER USES. All area counted as off-street parking space shall be unobstructed and free of other uses, except as provided under section 1032.20 (accessory off-street loading berths).

1032.20. ACCESS

1032.21. Width of Access. For all off-street parking spaces, unobstructed access to and from a street shall be provided, with a minimum width conforming to the following schedule:

Size of Parking Area	Minimum Width of Access
24 spaces or less	one 8-foot lane
25 to 50 spaces	one 10-foot lane
51 to 300 spaces	two 10-foot lanes
For each additional 150 spaces (or fraction thereof)	one additional 10-foot lane

1032.22. Location Of Access. In all districts, the entrances and exits for all off-street parking areas with ten (10) spaces or more shall be located at least fifty (50) feet from the intersection of any street lines.

For waiver of off-street parking requirements where the provisions of this section cannot be complied with, see section 1036.10.

Italicized words are defined in Article 6.

1032.23. In High Bulk Districts. In an RB-6, an RB-7, a CA, a CB-4, a CB-5, a CB-6, a CD-3, an MA, an MB-3 and an MC-3 District, off-street parking areas with one hundred and fifty (150) spaces or more shall have entrances or exits only:

- a. On a street sixty (60) feet or less in width, and
- b. At least seventy-five (75) feet from the intersection of any street lines.

For waiver of off-street parking requirements in the above districts where the restrictions of this section cannot be complied with, see section 1036.10.

1032.30. PROTECTION OF ADJACENT AREAS

1032.31. Surfacing. All open off-street parking areas shall be surfaced with a dustless material, except as provided for *one-family detached residences* in section 1651.12.

1032.32. Screening. All open off-street parking areas with ten (10) spaces or more, which are located (either at natural grade level or on a roof) within an RA, an RB or an RM District, or within *Residence Retail, Commercial or Manufacturing Districts* but contiguous to an RA, an RB or an RM District, shall be screened from all adjoining residential zoning lots (including lots situated across a street) by either

- a. a strip four (4) feet wide, densely planted with shrubs or trees, or
- b. a solid wall or uniformly painted solid fence of fire-resistant material, with a minimum height of four (4) feet and a maximum height of eight (8) feet above finished grade (or above the roof level, if on a roof).

No signs shall be affixed to any such wall or fence. Such shrubs, trees, wall or fence shall be maintained in good condition at all times.

1033. LOCATION OF ACCESSORY SPACES. All permitted and required accessory off-street parking spaces, open or enclosed, shall be located on the same zoning lot as the use to which such spaces are accessory, except that such spaces may be provided elsewhere in accordance with the provisions set forth below.

1033.10. OFF-SITE FACILITIES

1033.11. In An RB-6 And An RB-7 District. In an RB-6 and an RB-7 District, such spaces shall be provided within a radius of one thousand (1,000) feet from that zoning lot.

1033.12. In High-Bulk Residence Retail And Low-Bulk Commercial Districts. In *Residence Retail Districts* mapped within an RB-3, an RB-4, and an RB-5 District, and in a CB-1 and a CB-2 District, such spaces shall be located within six hundred (600) feet of that *zoning lot*.

1033.13. In High-Bulk Commercial Districts and Manufacturing Districts. In a CA, a CB-3, a CB-4, a CB-5, a CB-6, a CC, a CD-3, and a CM-2, in an MA, an MB-2, an MB-3, an MC-2 and an MC-3 District, such spaces shall be located within one thousand (1,000) feet of that *zoning lot*.

1033.14 Additional Regulations For Required Facilities. When required spaces are provided off the site in accordance with the provisions of sections 1033.11-13 above, the following additional regulations shall apply:

a. Such spaces shall be in the same ownership as the *use* to which they are accessory, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such *use*, and

b. Such spaces shall conform to all regulations of the district in which they are located.

1033.20. PERMITTED HEIGHT IN RESIDENCE AND RESIDENCE RETAIL DISTRICTS. In an RA and an RB District and in *Residence Retail Districts*, such accessory off-street parking spaces shall be located either on the ground floor, below the ground floor or on the roof of the first full *story* above the ground, except as permitted by approval of the Board of Standards and Appeals in accordance with the provisions of section 1651.43.

1033.30. JOINT FACILITIES. Such accessory off-street parking spaces may be provided in facilities designed to serve jointly two (2) or more *buildings* or *zoning lots*, provided that

a. The number of spaces in such joint facilities shall not be less than that required under the provisions of this Article 10 for the total combined number of *dwelling units* or for the total combined amount of *floor space* in such *buildings* or *zoning lots*, and

b. The adequacy and lay-out of such joint facilities is subject to the approval of the Department of Housing and Buildings.

1034. RESTRICTIONS ON USE. All permitted and required accessory off-street parking spaces, open or enclosed, shall be subject to the regulations set forth below.

1034.10. FOR WHOM PROVIDED. In all districts, accessory off-street parking spaces shall be provided only for owners, occupants, employees, customers or visitors, except as provided below.

1034.11. Rental To Non-occupants Of Spaces Accessory To Residences. Where individual off-street parking spaces accessory to *residences* are provided separately for each *dwelling unit*, not more than (1) space per *dwelling unit* may be rented to non-occupants. Where group off-street parking spaces accessory to *residences* are provided, not more than twenty-five per cent (25%) of the spaces provided may be rented to non-occupants for periods of one (1) month or more. If space is thus rented to non-occupants, such spaces shall be made available to an occupant within thirty (30) days after written request therefor is made to the landlord.

1034.20. REPAIRS AND SALE OF GASOLINE PROHIBITED. In an RA, an RB and an RM District, *Residence Retail Districts* and a CA District, there shall be no sale of gasoline, motor oil or automotive accessories, and no automotive repairs.

1035. RESTRICTIONS ON NUMBER OF SPACES.

1035.10. MAXIMUM AMOUNT OF PARKING SPACES ON A BLOCK. No spaces shall be provided in *Residence Retail, Commercial or Manufacturing Districts* which would increase the total number of off-street parking spaces (including those in *commercial parking garages* and *commercial parking lots*) which have entrances or exits located (a) on either side of the *street* within the same *block* as, and (b) within five hundred (500) feet (measured along either *street line* of the *street* on which such entrances or exits open) from, the entrances to or the exits from such spaces, to more than five hundred (500) off-street parking spaces in *Residence Retail Districts*, and to more than one thousand (1,000) off-street parking spaces in *Commercial and Manufacturing Districts*—unless the Department of Traffic shall certify that the additional spaces will not, in its judgment, create serious traffic congestion on the *street* on which such entrances or exits are located.

1036. MODIFICATION AND WAIVER OF REGULATIONS

1036.10. WAIVER FOR ALL ZONING LOTS WHERE ACCESS WOULD BE FORBIDDEN. The requirements for accessory off-street parking spaces set forth in sections 1012, 1013, 1022, 1023, 1024 and 1025 shall not apply to any *zoning lot* on which there is no way to arrange such spaces with access in conformance with the provisions of sections 1032.22-23.

PROPOSED RESOLUTION

1036.20. WAIVERS IN RESIDENCE DISTRICTS

1036.21. Waiver For Small Zoning Lots In An RB-4, An RB-5, An RB-6 And An RB-7 District. In an RB-4, an RB-5, an RB-6 and an RB-7 District, the requirements for accessory off-street parking spaces set forth in section 1012 and 1013 shall not apply to any *zoning lot* which either (a) is less than ten thousand (10,000) square feet in area, or (b) is ten thousand (10,000) square feet or more in area, but will be developed for *residential* purposes with less than the number of *dwelling units* set forth in the following schedule:

In Residence Districts	Minimum Size for Required Parking
RB-4	25 <i>dwelling units</i>
RB-5	33 <i>dwelling units</i>
RB-6 and RB-7	50 <i>dwelling units</i>

1036.22. Modification Of Residential Requirements For Public Housing. For public housing developments of the New York City Housing Authority, fifty per cent (50%) of the off-street parking spaces required under section 1012 may be provided in open spaces (exclusive of required *usable open space*) which may initially be used for other purposes, provided that such space is, in the opinion of the Commissioner of Housing and Buildings, capable of being converted to use for off-street parking spaces when needed.

1036.30. WAIVERS IN RESIDENCE RETAIL, COMMERCIAL AND MANUFACTURING DISTRICTS.

1036.31. Waiver For Blocks With Over Five Hundred (500) Spaces. In *Residence Retail, Commercial and Manufacturing Districts*, when enforcement of the requirements for off-street parking spaces set forth in sections 1022, 1023, 1024, and 1025 would result in more spaces within a *block* than are permitted under the provisions of section 1035.10, such requirements shall be waived to the extent that they would increase the total number of spaces above the number permitted according to the terms of that section.

1036.32. Waiver For Small Zoning Lots. In *Residence Retail, Commercial and Manufacturing Districts*, no accessory off-street parking spaces shall be required on *zoning lots* where the requirements set forth in sections 1023, 1024 and 1025 would result in less spaces than the number set forth in the following schedule:

In Districts	Minimum Size for Required Parking
<i>Residence Retail</i>	10 Spaces
CA, CB and CC	10 Spaces
CD and CM	5 Spaces
<i>Manufacturing</i>	5 Spaces

Italicized words are defined in Article 6.

1036.33. Waiver For Zoning Lots With Less Than 75 Feet Of Frontage On Side Street In High Bulk Districts. In *Residence Retail Districts* mapped within an RB-5 District, in a CA, a CB-4, a CB-5, a CB-6, an MA, an MB-3, and an MC-3 District, the requirements for accessory off-street parking spaces set forth above shall not apply to *zoning lots* which do not have at least seventy-five (75) feet of frontage on a *street* sixty (60) feet or less in width.

1036.40. MODIFICATIONS FOR A SINGLE ZONING LOT SUBJECT TO TWO (2) DIFFERENT REGULATIONS FOR REQUIRED PARKING.

1036.41. Modifications For Buildings With Two (2) Or More Uses. Where any *building* contains two (2) or more *uses* having different parking requirements, the parking requirements for each type of *use* shall apply to the extent of that *use*, with the following modifications:

- a. Where *uses* listed in use groups 1 and 2 are combined with *uses* listed in use groups 6, 7, 8, 9, 10, 14 or 15, the total parking spaces required may be reduced by fifty percent (50%) of the lesser requirement.
- b. When *uses* subject to the parking requirements set forth in the table in section 1023 are located on the same *zoning lot* with *uses* subject to the parking requirements set forth in section 1024, the total parking spaces required may be reduced by fifty per cent (50%) of the lesser requirement.
- c. Not more than fifty per cent (50%) of the *floor area* of a *building* with manufacturing, commercial and storage *uses* may be counted as a storage *use*.

1036.42. Modification Of Zoning Lots Divided By District Boundaries. Where a *zoning lot* is located partly in one district and partly in another (or more than one other) district, the total amount of required off-street parking shall be equal to the sum of the amounts which would be required in proportion to the area of the *zoning lot* located in each district. However, the parking spaces may be located without regard to district lines, provided that such spaces shall conform to the regulations for the district in which they are located.

1040. Modification Of Provisions.

The Board of Standards and Appeals may modify the above requirements in accordance with the provisions of section 1651.41.

ARTICLE 11. ACCESSORY OFF-STREET LOADING BERTHS

The following regulations for permitted and required off-street loading berths accessory to the *uses* specified below shall apply in the several districts. When in the vicinity of schools, parks and playgrounds such berths shall be subject to the provisions of section 1412-1413.

1110. Permitted Accessory Off-Street Berths

Accessory off-street loading berths, open or enclosed, may be provided in all districts, subject to the provisions of section 1132.10.

1120. Regulations For Required Berths

1121. TABLE OF REQUIREMENTS. Accessory off-street loading berths, open or enclosed, shall be provided for the *uses* specified below in the several districts, in accordance with the regulations set forth in the table on pages 218 and 219, and with the provisions of sections 1122, 1123 and 1124 below.

SECTION 1121 (TABLE) REQUIREMENTS FOR LOADING BERTHS FOR NEW CONSTRUCTION AND FOR EXISTING BUILDINGS
 (subject to the provisions of sections 1122, 1123 and 1124)

FOR THE USES SET FORTH BELOW	WHEN PERMITTED IN THE FOLLOWING DISTRICTS			OFF-STREET LOADING BERTHS SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:			
	RESIDENCE RE-TAIL MAPPED WITHIN RESIDENCE	RM AND COMMERCIAL	MANUFACTURING	FOR NEW CONSTRUCTION		FOR EXISTING BUILDINGS (SUBJECT TO SECTION 1122)	
				SQUARE FEET OF FLOOR AREA	REQUIRED BERTHS	SQUARE FEET OF FLOOR AREA	REQUIRED BERTHS
(1.) Schools		In all districts		15,000 or more	1		None
(2.) Hospitals (in addition to spaces for ambulances)		In all districts		From 10,000 to 300,000 For each additional 300,000 or fraction thereof	1 1 additional		None
(3.) Undertakers and Funeral Parlors		In all districts		5,000 For each additional 5,000 or fraction thereof	1 1 additional		None
(4.) Uses listed in Use Groups: 3, 6(D) and 14(A) (Hotels and Offices)	(A.) In Low Bulk Districts: RA-1, RA-2, RB-1, RB-2, RB-3, RB-4, and RM			From 10,000 to 100,000 For each additional 100,000 or fraction thereof	1 1 additional	From 20,000 to 100,000 For each additional 100,000 or fraction thereof	1 1 additional
	(B.) In High Bulk Districts: RB-5, RB-6 and RB-7			From 75,000 to 300,000 For each additional 300,000 or fraction thereof	1 1 additional	From 100,000 to 300,000 For each additional 300,000 or fraction thereof	1 1 additional

SECTION 1121 (TABLE) REQUIREMENTS FOR LOADING BERTHS FOR NEW CONSTRUCTION AND FOR EXISTING BUILDINGS (Continued)
(subject to the provisions of sections 1122, 1123 and 1124)

FOR THE USES SET FORTH BELOW	WHEN PERMITTED IN THE FOLLOWING DISTRICTS			OFF-STREET LOADING BERTHS SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:					
	RESIDENCE RE-TAIL MAPPED WITHIN RESIDENCE	RM AND COMMERCIAL	MANUFACTURING	FOR NEW CONSTRUCTION		FOR EXISTING BUILDINGS (SUBJECT TO SECTION 1122)			
				SQUARE FEET OF FLOOR AREA	REQUIRED BERTHS	SQUARE FEET OF FLOOR AREA	REQUIRED BERTHS		
(5.) Uses listed in Use Groups: 6 (A, B and C) 7 (A and B) 8 (A and B) 9 (A, B, D and F) 10 (A and F) (Retail and Commercial Establishments)	(A.) In Low Bulk Districts: RA-1, RA-2, RB-1, RB-2, RB-3, RB-4, and RM			RM, CB-1, CB-2, CB-3, CC, CD-1, CD-2, CM-1, and CM-2	MB-1, MC-1, and MD	From 8,000 to 25,000 From 25,000 to 40,000 From 40,000 to 60,000 From 60,000 to 100,000 For each additional 50,000 or fraction thereof	1 2 3 4 1 additional	From 15,000 to 25,000 From 25,000 to 40,000 From 40,000 to 60,000 From 60,000 to 100,000 For each additional 50,000 or fraction thereof	1 2 3 4 1 additional
	(B.) In High Bulk Districts: RB-5, RB-6 and RB-7			CA-1, CA-2, CA-3, CA-4, CB-4, CB-5, CB-6, and CD-3	MA-1, MA-2, MB-2, MB-3, MC-2, and MC-3	From 25,000 to 40,000 From 40,000 to 100,000 From 100,000 to 250,000 From 250,000 to 400,000 For each additional 200,000 or fraction thereof	1 2 3 4 1 additional	From 40,000 to 100,000 From 100,000 to 300,000 From 300,000 to 600,000 From 600,000 to 1,000,000 For each additional 500,000 or fraction thereof	1 2 3 4 1 additional
(6.) Uses listed in Use Groups: 9 (C and E) 10 (C and E) 13 (B, C, D, E and F) 14 (B and C) 15, 16, 17 and 18 (Wholesale, Manufacturing, Storage and Miscellaneous Establishments)	(A.) In Low Bulk Districts:			RM, CB-1, CB-2, CB-3, CC, CD-1, CD-2, CM-1, and CM-2	MB-1, MC-1, and MD	Same requirements as set forth in (5) (A) above for Retail and Commercial Establishments in Low Bulk Districts.			
	(B.) In High Bulk Districts:			CA-1, CA-2, CA-3, CA-4, CB-4, CB-5, CB-6, and CD-3	MA-1, MA-2, MB-2, MB-3, MC-2, and MC-3	From 15,000 to 40,000 From 40,000 to 80,000 For each additional 80,000 or fraction thereof up to 400,000 For each additional 90,000 or fraction thereof above 400,000	1 2 1 additional 1 additional	From 30,000 to 60,000 From 60,000 to 100,000 From 100,000 to 160,000 For each additional 80,000 or fraction thereof up to 400,000 For each additional 90,000 or fraction thereof above 400,000	1 2 3 1 additional 1 additional

PROPOSED RESOLUTION

1122. REGULATIONS FOR EXISTING BUILDINGS. The requirements for off-street loading berths accessory to existing *buildings* set forth in the table in section 1121 on pages 218 and 219, shall be complied with within five (5) years after the effective date of this amended Resolution, subject to the modifications set forth below.

1122.10. BERTHS FOR EXISTING BUILDINGS WITH HOTELS, OFFICES AND RETAIL AND COMMERCIAL ESTABLISHMENTS IN HIGH BULK DISTRICTS. The requirements set forth for existing *buildings* in parts (4)(B) and (5)(B) of the table in section 1121 shall apply only to *zoning lots* with frontage of seventy-five (75) feet or more on a *street* sixty (60) feet or less in width.

1122.20. BERTHS FOR EXISTING BUILDINGS WITH WHOLESALE, MANUFACTURING, STORAGE AND MISCELLANEOUS ESTABLISHMENTS IN HIGH BULK DISTRICTS. The requirements set forth for existing *buildings* in part (6)(B) of the table in section 1121 shall apply only to *zoning lots* with at least fifty (50) feet of *street* frontage.

1123. BUILDINGS WITH COMBINED USES HAVING DIFFERENT LOADING REQUIREMENTS. In all districts, where *uses* subject to the requirements set forth in one section of the above schedule are included in the same *building* with *uses* subject to the requirements set forth in another section of the above schedule, accessory off-street loading berths shall be provided in accordance with the amount of *floor area* used for each *use*, subject to the provisions set forth below.

1123.10. BUILDINGS IN LOW BULK DISTRICTS SUBJECT TO LOADING REQUIREMENTS SET FORTH IN PARTS (4) (A), (5) (A) AND (6) (A) OF THE TABLE IN SECTION 1121.

1123.11. Berths For Buildings With Hotels And Offices Combined With Retail, Wholesale, Storage, Manufacturing And Miscellaneous Establishments. Where *uses* subject to the requirements set forth in parts (4) (A), (5) (A) and (6) (A) of the table in section 1121 are included in the same *building*, at least one (1) off-street loading berth shall be provided for all new *buildings* with a *floor area* of ten thousand (10,000) square feet or more, and for all existing *buildings* with a *floor area* of twenty thousand (20,000) square feet or more.

1123.20. BUILDINGS IN HIGH BULK DISTRICTS SUBJECT TO LOADING REQUIREMENTS SET FORTH IN PARTS (4) (B), (5) (B) AND (6) (B) OF THE TABLE IN SECTION 1121.

1123.21. Berths For Buildings With Hotels And Offices Combined With Retail, Commercial, Wholesale, Storage, Manufacturing And Miscellaneous Establishments. Where *uses* subject to the requirements set forth in part (4) (B) and *uses* subject to the requirements of parts (5)(B) and (6)(B) of the table in section 1121 are included in the same *building*, at least one (1) off-street loading berth shall be provided for all new *buildings* with a *floor area* of seventy-five thousand (75,000) square feet or more, and for all existing *buildings* with a *floor area* of one hundred thousand (100,000) square feet or more, subject to the provisions of sections 1122.10 and 1122.20 (minimum frontage for loading requirements).

1123.22. Berths For Buildings With Retail and Commercial Establishments Combined With Wholesale, Storage, Manufacturing and Miscellaneous Establishments. Where *uses* subject to the requirements set forth in part (5) (B) and *uses* subject to requirements of part (6) (B) of the table in section 1121 are included in the same *building*, at least one (1) off-street loading berth shall be provided for all new *buildings* with a *floor area* of twenty-five thousand (25,000) square feet or more, and for all existing *buildings* with a *floor area* of forty thousand (40,000) square feet or more, subject to the provisions of sections 1122.10 and 1122.20 (minimum frontage for loading requirements).

1123.30. FOR BUILDINGS SUBJECT TO LOADING REQUIREMENTS SET FORTH IN PARTS 4 AND 6 OF THE TABLE IN SECTION 1121. When *uses* subject to the requirements set forth in part 4 and *uses* subject to the requirements set forth in part 6 of the table in section 1121 are included in the same *building*, at least fifty per cent (50%) of the *floor area* of such a *building* shall be subject to the requirements set forth in part 6.

1124. JOINT LOADING BERTHS SERVING TWO (2) OR MORE BUILDINGS. Required loading berths may be provided by facilities designed to serve jointly two (2) or more *buildings* or *zoning lots*, provided that:

a. The number of berths in such joint facilities may not be less than that required for the total combined *floor area* of such *buildings* or *zoning lots* as set forth in this Article 11, and

b. The adequacy and lay-out of such joint facilities is subject to the approval of the Department of Housing and Buildings.

Italicized words are defined in Article 6.

1130. Special Regulations For Accessory Off-Street Loading Berths.

1131. SIZE OF REQUIRED BERTHS. Each required off-street loading berth shall conform to the regulations on minimum dimensions set forth below.

1131.10. MINIMUM HORIZONTAL DIMENSIONS. For a single berth, thirty-three (33) by twelve (12) feet. For more than one (1) berth, thirty-three (33) by ten (10) feet for each berth.

1131.20. VERTICAL CLEARANCE. For all enclosed berths, and for all entrances to and exits from any berth, a minimum height of at least twelve (12) feet, except that for undertakers and funeral parlors the minimum height shall be at least eight (8) feet.

1132. LOCATION.

1132.10. NEAR CORNERS. No permitted or required off-street loading berth, and no entrance or exit

thereto, shall be located less than twenty-five (25) feet from the point of intersection of any two (2) street lines.

1132.20. REQUIRED BERTHS WITHIN OFF-STREET PARKING SPACES IN RESIDENCE RETAIL DISTRICTS AND IN A CA, A CB AND A CC DISTRICT. In *Residence Retail Districts* and in a CA, a CB and a CC District, where both accessory off-street parking spaces and accessory off-street loading berths are required for a *zoning lot*, the requirement for accessory off-street loading berths may be satisfied within the area provided for accessory off-street parking spaces.

1140. Modification Of Provisions.

The Board of Standards and Appeals may modify the requirements set forth above in accordance with the provisions of section 1651.44.

ARTICLE 12. SIGNS

Signs shall be permitted in the several districts only in accordance with the regulations set forth in this Article 12.

1210. In An RA, An RB And An RM District.

In an RA, an RB and an RM District, the regulations of *signs* set forth below shall apply.

1211. PERMITTED SIGNS. The following *non-flashing non-illuminated accessory business signs* are permitted, subject to the provisions of Article 8 (*non-conforming uses*).

1211.10. NAMEPLATES. A *sign* indicating the name or address of a *building*, the name of an occupant thereof, and/or the practice of a profession therein. Such a *sign* shall not exceed one (1) square foot in area.

1211.20. "FOR SALE" AND "FOR RENT" SIGNS. A *sign* advertising a *building*, other structure or tract of land as "for sale" or "for rent," with pertinent information. Such a *sign* shall not exceed twelve (12) square feet in area. If located on vacant land, such a *sign* shall not be within fifteen (15) feet of the *street line*, nor within six (6) feet of any other *lot line*.

1211.30. CHURCH SIGNS. A church bulletin board, not exceeding twelve (12) square feet in area.

1212. ADDITIONAL REGULATIONS. The accessory *business signs* permitted above shall be subject to the additional regulations set forth below.

1212.10. ONE (1) SIGN. Not more than one (1) *sign* is permitted for each *use*, profession or person coming within the provisions of section 1211 above. On a *corner lot*, one (1) *sign* shall be permitted on each *street*.

1212.20. PROJECTION. No *sign* shall project more than twelve (12) inches across the *street line* into the *street*.

Italicized words are defined in Article 6.

1212.30. LOCATION. No *sign* may extend above the ground floor, or more than twenty (20) feet above *curb level*, whichever is less.

1220. In Residence Retail Districts.

In *Residence Retail Districts*, the regulations of *signs* set forth below shall apply.

1221. PERMITTED SIGNS. The following accessory *business signs* are permitted, subject to the provisions of section 1311 (regulations applying along district boundaries) and Article 8 (*non-conforming uses*).

1221.10. SIGNS IN AN RA, AN RB, AND AN RM DISTRICT. All *signs* permitted in an RA, an RB and an RM District.

1221.20. NON-ILLUMINATED BUSINESS SIGNS. *Non-illuminated accessory business signs*, provided that the total area of any *sign* shall not exceed one hundred and fifty (150) square feet, or fifteen per cent (15%) of the wall surface (including window and door areas) below twenty (20) feet above *curb level*, whichever is greater.

1221.30. ILLUMINATED NON-FLASHING BUSINESS SIGNS. *Illuminated accessory non-flashing business signs*, provided that the total area of any *sign* shall not exceed fifty (50) square feet.

1221.40. AWNINGS AND MARQUEES. Accessory *business signs* on awnings or marquees, as permitted by the Administrative Code.

1222. ADDITIONAL REGULATIONS. The accessory *business signs* permitted above shall be subject to the additional regulations set forth below.

1222.10. PROJECTION. No *sign* shall project more than twelve (12) inches across the *street line* into the *street*.

1222.20. LOCATION. No *sign* shall extend more than twenty (20) feet above *curb level*.

1230. In A CA District.

In a CA District, the regulations of *signs* set forth below shall apply.

1231. PERMITTED SIGNS. The following *non-flashing non-illuminated* accessory *business signs* are permitted, subject to the provisions of section 1311 (regulations applying along district boundaries).

1231.10. SIGNS IN AN RA, AN RB, AND AN RM DISTRICT. All *signs* permitted in an RA, an RB and an RM District.

1231.20. BUSINESS SIGNS. Accessory *business signs*, provided that the total area of any *sign* shall not exceed one hundred and fifty (150) square feet, or fifteen per cent (15%) of the wall surface (including window and door areas) below twenty (20) feet above *curb level*, whichever is greater.

1231.30. AWNINGS AND MARQUEES. Accessory *business signs* on awnings and marquees, as permitted by the Administrative Code.

1232. ADDITIONAL REGULATIONS. The accessory *business signs* permitted above shall be subject to the additional regulations set forth below.

1232.10. PROJECTION. No *sign* shall project more than twelve (12) inches across the *street line* into the *street*.

1232.20. LOCATION. No *sign* shall extend more than twenty (20) feet above *curb level*.

1240. In A CB-1, a CB-2, a CB-3, a CB-4, a CB-5, a CD, a CM And An MA District.

In a CB-1, a CB-2, a CB-3, a CB-4, a CB-5, a CD, a CM and an MA District, the regulations of *signs* set forth below shall apply.

1241. PERMITTED SIGNS. The following accessory *business signs* are permitted, subject to the terms of sections 1311 and 1312 (regulations applying along district boundaries).

1241.10. SIGNS IN AN RA, AN RB, AND AN RM DISTRICT, AND RESIDENCE RETAIL DISTRICTS. All *signs* permitted in an RA, an RB, and an RM District, and in *Residence Retail Districts*.

1241.20. NON-ILLUMINATED BUSINESS SIGNS. *Non-illuminated* accessory *business signs*, provided that the total area of such *signs* does not exceed five hundred (500) square feet or fifteen per cent (15%) of the wall surface (including window and door areas) below thirty (30) feet, whichever is greater.

1241.30. ILLUMINATED AND FLASHING BUSINESS SIGNS. *Illuminated* and *flashing* accessory *business signs*, provided that the area of such *signs* does not exceed three hundred (300) square feet.

1242. ADDITIONAL REGULATIONS. The accessory *business signs* permitted above shall be subject to the additional regulations set forth below.

1242.10. PROJECTION. No *sign* shall project more than eighteen (18) inches across the *street line* into the *street*.

1242.20. LOCATION. No *sign* shall extend more than thirty (30) feet above *curb level*.

1250. In A CB-6, A CC, An MB, An MC And An MD District.

In a CB-6, a CC, an MB, an MC and an MD District, accessory *business signs* and *advertising signs* of all types are permitted without restriction, except as provided in sections 1311-1313 (regulations applying along district boundaries) and in section 1420 (near highways and *public parks*).

ARTICLE 13. REGULATIONS APPLYING ALONG DISTRICT BOUNDARIES

1310. Restrictions On Business Entrances, Show Windows And Signs.

1311. WITHIN RESIDENCE RETAIL OR COMMERCIAL DISTRICTS AND NEAR THE BOUNDARY OF AN RA, AN RB, OR AN RM DISTRICT. When a *Residence Retail* or a *Commercial District* extends along a *street* (hereinafter referred to as the "non-residential street"), and the boundary line between that district and an RA, an RB, or an RM District either is

- a. Located within a *block* having frontage on such "non-residential street", or
- b. Located in the bed of another *street* which bounds such *block*, and is indicated on the *zoning maps* with a hatched line (++++++), no primary business entrances, show windows or signs shall be located along any *street* bounding such *block*, other than the "non-residential street," except in accordance with the provisions set forth below. However, where a *Residence Retail* or a *Commercial District* extends for a distance of not more than one hundred and fifty (150) feet along both *streets* from an intersection, the provisions of this section 1311 shall not apply.

Italicized words are defined in Article 6.

1311.10 PRIMARY BUSINESS ENTRANCES AND SHOW WINDOWS

1311.11. Along A Side Street, Within Twenty-five (25) Feet of the "Non-Residential Street."

Primary business entrances and show windows may be located within twenty-five (25) feet from the point of intersection of the *street lines* of (a) the "non-residential street" and (b) any other *street* bounding such *block*.

1311.12. Within the Block. Primary business entrances and show windows may also be located along a *street* other than the non-residential street, provided that such business entrances and show windows are more than forty (40) feet from any *street lines*.

1311.20. OTHER ENTRANCES.

1311.21. Secondary and Required Entrances and Windows. A service entrance, any entrance less than three (3) feet, six (6) inches in width, a window not used for display, and any exits, ventilators, fire escapes or other appurtenances may be located at any point within the *Residence Retail* or *Commercial Districts*.

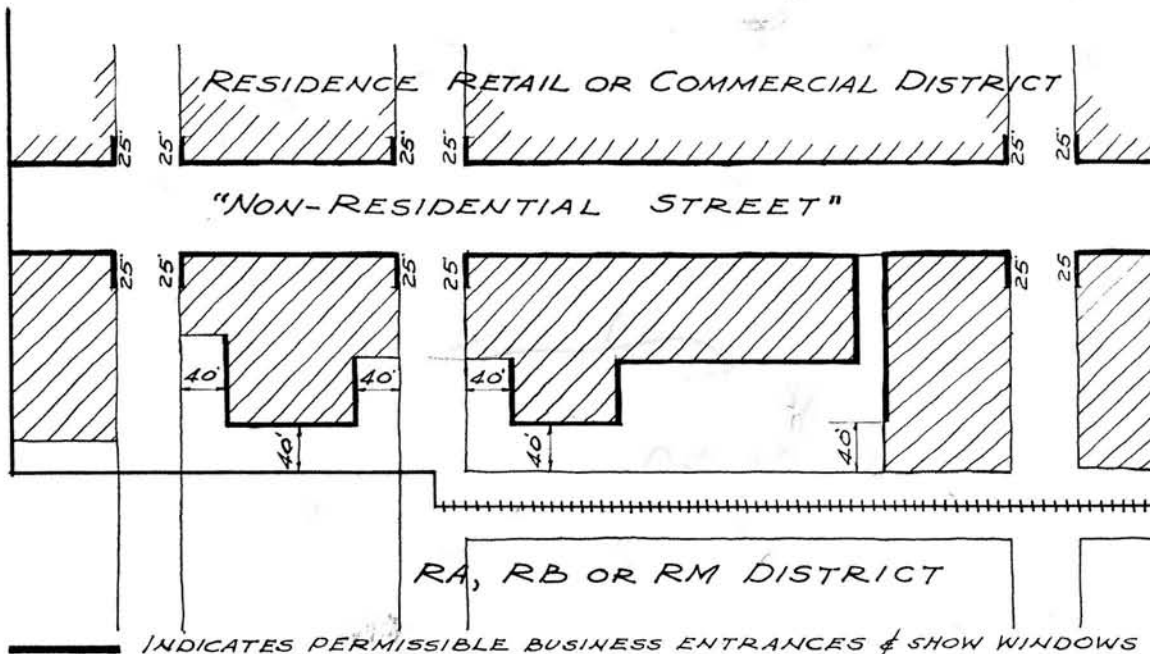


ILLUSTRATION OF SECTIONS 1311.11 AND 1311.12

1311.22. Access for Off-Street Parking and Loading. A driveway for access to accessory off-street parking spaces or accessory off-street loading berths may be located at any point within the *Residence Retail* or *Commercial District*, provided that such parking spaces shall conform to the provisions of section 1032 (design standards).

1311.30. SIGNS.

1311.31. Within Twenty-Five (25) Feet From The Non-Residential Street. Any signs permitted by the district regulations may be located within twenty-five (25) feet from the point of intersection of the *street lines* of (a) the "non-residential street" and (b) any other *street* bounding such *block*.

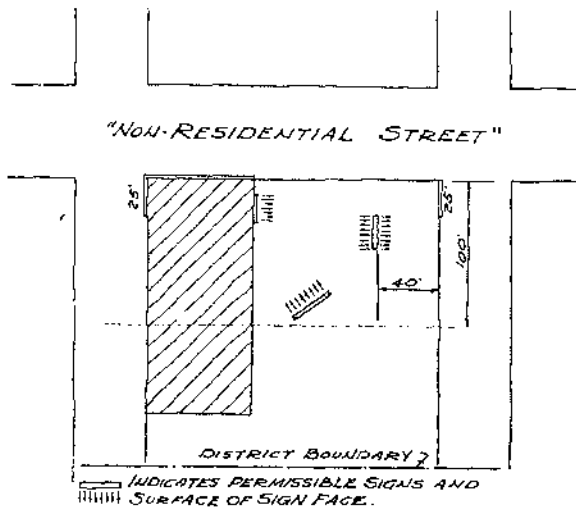


Illustration of Sections 1311.31 and 1311.32

1311.32. Signs Not Facing Toward District Boundary. Any signs permitted by the district regulations may be located within one hundred (100) feet from the *street line* of the "non-residential street," provided that such signs shall face at an angle of at least ninety (90) degrees from any boundary of an RA, an RB, or an RM District, and when located along a *street* other than the "non-residential street," such signs shall be more than forty (40) feet from any *street line* or district boundary line.

1312. WITHIN MANUFACTURING DISTRICTS AND NEAR THE BOUNDARY OF AN RA, AN RB, OR AN RM DISTRICT. When a *Manufacturing District* extends along a *street* (hereinafter referred to as the "non-residential street"), and the boundary line between that district and an RA, an RB, or an RM District is located within a *block* having frontage on such "non-residential street," no primary business entrances, show windows or signs shall be located along any *street* bounding

such *block*, other than the "non-residential street," except in accordance with the provisions set forth immediately below.

1312.10. PRIMARY BUSINESS ENTRANCES, SHOW WINDOWS AND SIGNS.

1312.11. Along A Side Street, Within Twenty-Five (25) Feet of the Non-Residential Street. Primary business entrances, show windows and signs may be located within twenty-five (25) feet from the point of intersection of the *street lines* of the "non-residential street" and any other *street* bounding such *block*.

1312.20. OTHER ENTRANCES.

1312.21. Secondary and Required Entrances and Windows. A service entrance, any entrance less than three (3) feet, six (6) inches in width, a window not used for display, and any exits, ventilators, fire escapes or other appurtenances may be located at any point within the *Manufacturing District*.

1312.22. Access for Off-Street Parking and Loading. A driveway for access to accessory off-street parking spaces or accessory off-street loading berths may be located at any point within the *Manufacturing District*, provided that such parking spaces shall conform to the provisions of section 1032 (design standards).

1313. SIGNS WITHIN AN MB, AN MC OR AN MD DISTRICT AND NEAR AN RA, AN RB, AND AN RM DISTRICT OR RESIDENCE RETAIL DISTRICTS. Within an MB, an MC, or an MD District and within one thousand (1,000) feet from the boundary of an RA, an RB or an RM or *Residence Retail Districts*, no illuminated sign of over twenty-five (25) square feet shall extend more than fifty (50) feet above *curb level*, unless all illuminated portions thereof face at an angle of at least ninety (90) degrees with any boundary line of the RA, RB, RM, or *Residence Retail District* within one thousand (1,000) feet.

1320. RESTRICTIONS ON INDUSTRIAL AND HEAVY COMMERCIAL USES.

1321. WITHIN AN MC OR AN MD DISTRICT AND ALONG THE BOUNDARY OF AN RA, AN RB, AN RM DISTRICT OR RESIDENCE RETAIL DISTRICTS. Where an MC or an MD District adjoins an RA, an RB, or an RM or *Residence Retail Districts*, no building, other structure or land located within the MC or MD District and within one hundred (100) feet of the boundary shall be used for any of the *uses* listed in use groups 17 or 18. However, *uses* listed in use groups 4 through 16 may be located within the same area, whether or not such *uses* are accessory to *uses* listed in use groups 17 and 18.

PROPOSED RESOLUTION

1322. WITHIN A CD OR A CM DISTRICT OR WITHIN MANUFACTURING DISTRICTS AND ALONG THE BOUNDARY OF AN RA, AN RB, OR AN RM DISTRICT OR RESIDENCE RETAIL DISTRICTS. Within a CD or a CM District or within *Manufacturing Districts* and adjoining a *zoning lot* in an RA, an RB, or an RM District, or a *zoning lot* with *uses* listed in use groups 1, 2, 3, 4 or 5 in *Residence Retail Districts*, any *use* listed in use groups 11, 12, 13, 14 and 15 shall have a solid wall of fire-resistant material, located on any *lot line* contiguous to such boundary, with a minimum height of six (6) feet and a maximum height of twelve (12) feet above the finished grade.

1330. Regulations For Off-Street Parking And Loading Areas.

1331. WITHIN RESIDENCE RETAIL, COMMERCIAL OR MANUFACTURING DISTRICTS AND ALONG THE BOUNDARY OF AN RA, AN RB OR AN RM DISTRICT (repeated from section 1032.32). Where permitted or required off-street parking spaces and off-street loading berths in *Residence Retail, Commercial and Manufacturing Districts* adjoin an RA, an RB, or an RM District, all off-street parking spaces with more than ten (10) spaces, either at natural grade level or on a roof, and all off-street loading berths shall be screened from all adjoining *residential zoning lots* by either

(a) a strip of land four (4) feet wide, densely planted with shrubs or trees or

(b) a solid wall or uniformly painted fence of fire-resistant material, with a minimum height of four (4) feet and a maximum height of eight (8) feet above finished grade (or above the roof level, if on a roof). No *signs* shall be affixed to any such wall or fence. Such shrubs, trees, wall or fence shall be maintained in good condition at all times.

Italicized words are defined in Article 6.

1340. Yard Regulations.

1341. SIDE YARDS WITHIN AN RB-2, AN RB-3, AN RB-4, AN RB-5, AN RB-6 AND AN RB-7 DISTRICT OR RESIDENCE RETAIL, COMMERCIAL OR MANUFACTURING DISTRICTS, AND ALONG A BOUNDARY (AT A SIDE LOT LINE) OF AN RA, AN RB-1, OR AN RM DISTRICT. Where (a) frontage in an RB-2, an RB-3, an RB-4, an RB-5, an RB-6, and an RB-7 District, or in *Residence Retail, Commercial or Manufacturing Districts*, adjoins frontage in an RA, an RB-1 or an RM District, and (b) the district boundary coincides with a *side lot line*, one *side yard* eight (8) feet in width shall be provided along the boundary and within such RB-2, RB-3, RB-4, RB-5, RB-6, RB-7, *Residence Retail, Commercial or Manufacturing Districts*.

1342. REAR YARD WITHIN A CA-3, A CA-4, A CB, A CC, A CD, A CM DISTRICT OR WITHIN MANUFACTURING DISTRICTS AND ALONG A BOUNDARY IN THE INTERIOR OF A BLOCK OF AN RA, AN RB, AN RM DISTRICT, OR RESIDENCE RETAIL DISTRICTS. When the boundary between an RA, an RB, an RM District or a *Residence Retail District* and a CA-3, a CA-4, a CB, a CC, a CD, a CM District or *Manufacturing Districts* is located in the interior of a *block*, and runs in the same general direction as the long dimension of the *block*, a *rear yard* thirty (30) feet in depth and at a height of not more than twenty-three (23) feet above *curb level* shall be provided along the boundary and within such *Commercial or Manufacturing District*.

1350. Modification Of Provisions.

The Board of Standards and Appeals may modify the above requirements in accordance with the provisions of section 1651.51.

ARTICLE 14. USE REGULATIONS APPLYING IN OTHER SPECIAL LOCATIONS

In addition to the regulations set forth in Article 13, the following *use* regulations shall also apply within special areas (designated for each regulation) the boundaries of which do not necessarily coincide with the district boundaries on the *zoning maps*.

1410. Protection Of Schools, Parks And Playgrounds.

1411. COMMERCIAL PARKING GARAGES, COMMERCIAL PARKING LOTS AND FILLING STATIONS NEAR SCHOOLS, PARKS AND PLAYGROUNDS. No vehicular entrance to or exit from a *commercial parking garage* with more than five (5) off-street parking spaces, a *commercial parking lot* with more than five (5) off-street parking spaces, or a filling station shall be located either within two hundred (200) feet from—or on either side of the same *street* between two intersecting *streets* as, and within nine hundred (900) feet (measured in a straight line) from—any entrance to or any exit from any one of the following:

- a. A public school, a school maintained by an established religious group, a school registered under regulations prescribed by the Board of Regents, or any playground accessory thereto.
- b. A *public park* or playground with an area of one-half ($\frac{1}{2}$) acre or more.

1412. ACCESSORY OFF-STREET PARKING SPACES AND LOADING BERTHS NEAR SCHOOLS, PARKS AND PLAYGROUNDS. Permitted or required accessory off-street parking areas with more than five (5) spaces, and permitted or required off-street loading berths, shall conform to the provisions of section 1411, except in the following instances:

- a. On a *zoning lot* with no access to *street* frontage unaffected by such restrictions, the provisions of section 1411 shall not apply.
- b. On a *zoning lot* with access to *street* frontage unaffected by such restrictions, if the Department of Housing and Buildings is satisfied that there is no way to design the access to the off-street parking area or off-street loading berths except by placing entrances or exits within the restricted areas, the provisions of section 1411 shall not apply.

1413. POWER OF BOARD OF STANDARDS AND APPEALS TO ORDER TERMINATION. Where a certificate of occupancy has been issued and where all other require-

ments of law, rules and regulations have been complied with, the existing *use* of such a *commercial parking garage*, *commercial parking lot*, filling station, accessory off-street parking area, or accessory off-street loading berth, may be continued unless such *use* shall have been determined, after a public hearing by the Board of Standards and Appeals, to be a hazard to life, health or the general welfare. Any public agency, department head or public institution may appeal to the Board of Standards and Appeals to terminate such existing *use*, stating the reasons therefor. In considering the termination of an existing *use*, the Board shall give due consideration to the general welfare and to the investment involved. The Board may continue or terminate said *use*, subject to such conditions as it may prescribe.

1420. Additional Advertising Sign Restrictions.

In a CB-6, a CC, an MB, an MC, and an MD District, no *advertising signs* shall hereafter be erected, placed or painted, nor shall any existing *advertising sign* be structurally altered, in the vicinity of any arterial highway or *public park* (as defined in sections 1420.10 and 1420.20 below), except in conformity with the regulations set forth below.

1420.10. LOCATION OF ADVERTISING SIGNS NEAR HIGHWAYS. An *advertising sign* may be located at a distance of at least as many linear feet from an arterial highway (which is shown as a "principal route," "parkway" or "toll crossing" on the Master Plan of Arterial Highways and Major Streets, provided such highway has been designated by the City Planning Commission as an arterial highway), as there are square feet of area on the face of such *sign*. However, in no case shall such *sign* be within two hundred (200) feet of such arterial highway.

1420.20. LOCATION OF ADVERTISING SIGNS NEAR PARKS. An *advertising sign* may be located at a distance of at least two hundred (200) feet from a *public park* with an area of one-half ($\frac{1}{2}$) acre or more.

1420.30. WAIVER FOR CERTAIN ADVERTISING SIGNS. The regulations set forth in sections 1420.10 and 1420.20 shall not apply to *advertising signs* which are not within view, at natural grade level, of such arterial highway or *public park*.

ARTICLE 15. BULK REGULATIONS APPLYING IN OTHER SPECIAL LOCATIONS

In addition to the regulations set forth in Article 13, the following *bulk* regulations shall also apply within special areas (designated for each regulation) the boundaries of which do not necessarily coincide with the district boundaries on the *zoning maps*.

1510. Height Regulations Around Major Airports.

The maximum height of *buildings* and other structures in the vicinity of any land airport (except a helicopter landing facility) designated by resolution of the City Planning Commission as a "major airport" shall conform to the regulations set forth in sections 1511-1514 below.

1511. PERMITTED HEIGHT ABOVE CURB LEVEL WITHIN TWO (2) MILES OF A MAJOR AIRPORT. Subject to section 1512 and section 1514 but notwithstanding any other section of this amended Resolution, the highest projection of all *buildings* or other structures located within two (2) miles from the nearest boundary of any "major airport" shall not exceed the height above *curb level* permitted under the following schedule:

Distance from Nearest Airport Boundary	Permitted Height Above Curb Level
Within 1/2 mile	30 feet
1/2 to 3/4 mile	50 feet
3/4 to 2 miles	70 feet

1512. ADDITIONAL PERMITTED HEIGHT WITHIN TWO (2) MILES OF A MAJOR AIRPORT. Within the area subject to the provisions of section 1511 above, a *building* or other structure may exceed the height limitations set

Italicized words are defined in Article 6.

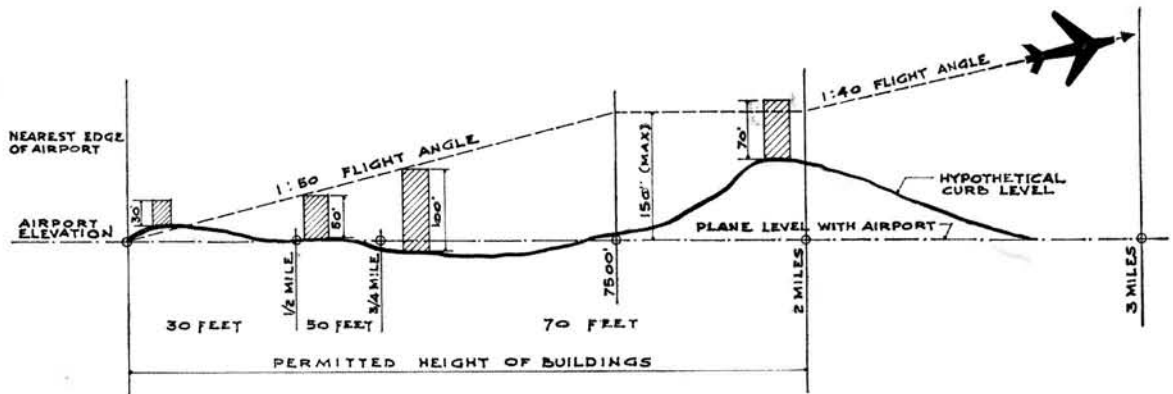
forth in that section, provided that in such cases the highest projection of a *building* or other structure shall not rise above the level specified below:

- a. A plane with the slope of 1 (vertical) to 50 (horizontal), projected from the nearest edge of that "major airport" for a distance of seven thousand five hundred (7,500) feet, and
- b. A horizontal plane, located one hundred fifty (150) feet higher than the elevation of that "major airport" at its nearest boundary, and extending between seven thousand five hundred (7,500) feet and two (2) miles from such boundary.

1513. PERMITTED HEIGHT BETWEEN TWO (2) AND THREE (3) MILES. In the area between two (2) and three (3) miles from the nearest boundary of any "major airport," the highest projection of any *building* or other structure shall not rise above a sloping plane which (a) starts from a horizontal plane located one hundred and fifty (150) feet above the elevation of the airport at its nearest boundary, and two (2) miles from such boundary, and (b) rises at a slope of 1 (vertical) to 40 (horizontal).

A map showing the approximate maximum heights to which any *building* or other structure may be built within the area subject to sections 1511-1514 is on file with the Department of City Planning, Division of Mapping and Zoning.

1514. MODIFICATION OF PROVISIONS. The Board of Standards and Appeals may modify the above requirements in accordance with the provisions of section 1651.52.



NOTE
 NO BUILDING SHALL RISE ABOVE EITHER (a) THE 30 FOOT, 50 FOOT AND 70 FOOT HEIGHT LIMITS FOR THE AREAS SPECIFIED ABOVE, OR (b) THE FLIGHT ANGLE SET FORTH ABOVE, WHICHEVER IS HIGHER.

SCALE: VERTICAL = 100 FT.
 HORIZONTAL = 1/4 MILE

ILLUSTRATION OF SECTION 1510

1520. Height Regulations Around Minor Airports

1521. DESIGNATION OF APPROACH AREAS. For all airports not subject to the provisions of sections 1511-1514, the City Planning Commission may designate "Airport Approach Areas." In designating such "Airport Approach Areas," the Commission shall specify appropriate limitations on the height of buildings in such areas, in conformity with the applicable regulations of the Civil Aeronautics Administration relating to the construction and operation of such airports, and with due consideration for the types of airplanes using such airports and the resulting need to protect the public safety.

However, such "Airport Approach Areas" shall not be extended more than one-half (1/2) mile beyond the end of any runway; and the height limitations established in such "Airport Approach Areas" shall not prohibit the construction of any building or other structure less than thirty (30) feet above the filed grade, or (if no filed grade has been established) less than thirty (30) feet above the existing natural grade level.

1522. CONFORMITY WITH HEIGHT REGULATIONS. Subject to the provisions of section 1523 but notwithstanding any other section of this amended Resolution, the highest projection of any building or other structure shall not rise above the maximum height specified in the height limitations set forth for the "Airport Approach Area."

A map showing the approximate maximum heights to which any building or other structure may be built within the area subject to the controls set forth above is on file with the Department of City Planning, Division of Mapping and Zoning.

1523. MODIFICATION OF PROVISIONS. The Board of Standards and Appeals may modify the above requirements in accordance with the provisions of section 1651.52.

1530. Height Regulations Around Small Parks.

Where zoning lots in an RA, an RB or an RM District or in Residence Retail Districts adjoin any public park with an area between one (1) and fifteen (15) acres, except any tract of land used exclusively for playground or parkway purposes, the following regulations shall apply for all zoning lots along such public park.

1531. MEASUREMENT OF ANGLE OF LIGHT OBSTRUCTION. The angle of light obstruction shall in all cases be measured from the center line of the street bordering on such public park, or from the boundary of the public park itself if there is no bordering street.

1532. NO AVERAGING OF ANGLE OF LIGHT OBSTRUCTION. The front angle of light obstruction permitted for the district may not be averaged within one hundred (100) feet from the street line or boundary of the public park.

ARTICLE 16. ADMINISTRATIVE PROVISIONS

1610. Interpretation.

In the interpretation and application of the provisions of this amended Resolution, the regulations set forth below shall govern.

1611. PROVISIONS ARE MINIMUM REQUIREMENTS. In their interpretation and application, the provisions of this amended Resolution shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare, and in particular (a) to promote the purposes set forth in the preamble to this amended Resolution and in the preambles to the respective districts and groups of districts, and (b) to provide a gradual remedy for existing conditions which are detrimental thereto. This amended Resolution shall therefore be regarded as remedial, and shall be liberally construed to further its underlying purposes.

1612. APPLICATION OF OVERLAPPING REGULATIONS. Whenever both (a) a provision of this amended Resolution, and (b) any other provision of this amended Resolution, or any provision in any other law, ordinance, resolution, rule, or regulation of any kind, contain any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher standards or requirements shall govern. All *uses* and all *bulk* permitted under the terms of this amended Resolution shall be in conformity with all other provisions of law.

1613. EXISTING PERMITS AND PRIVATE AGREEMENTS. Subject to the provisions of Articles 8 and 9, of section 1612 immediately above, and of sections 1621-1625 below, this amended Resolution is not intended to abrogate or annul:

- a. Any permits issued before the effective date of this amended Resolution, or
- b. Any easement, covenant or any other private agreement.

Italicized words are defined in Article 6.

1614. USE GROUPS. No *use* listed in any use group shall be construed to include any *use* listed in any other use group, except where the phrasing of the *use* is exactly the same.

1615. ADDITION OF OTHER SIMILAR USES TO USE GROUPS 6 THROUGH 13 AND 15 THROUGH 18. Upon application or on its own initiative, and after a public hearing preceded by notice in the City Record, the City Planning Commission may by resolution add, to the *uses* listed in any of use groups 6 through 13 and 15 through 18, any other similar *use* which conforms to the conditions set forth in the special findings required below.

As a condition precedent to the addition of any *use* to any of such use groups, the Commission shall make the special findings set forth below for the respective use group:

- a. Such *use* is not listed in any other use group. (For additions to use groups 6 through 13, and 15 through 18).
- b. Such *use* is more appropriate in the use group (and in the section thereof) to which it is added than in any other use group, or any other section of that use group. (For additions to use groups 6 through 13, and 15 through 18).
- c. Such *use* conforms to the basic characteristics of the use group to which it is added, as set forth between the heading and the list of *uses* in that use group. (For additions to use groups 6 through 13, and 15 through 18).
- d. Such *use* does not create any danger to health and safety. (For additions to use groups 6 through 13, and 15 through 17).
- e. Such *use* does not adversely affect the character of any of the districts in which the use group to which it is added is permitted. (For additions to use groups 6 through 13, and 15 and 16).

f. Such *use* is not likely to create any more traffic than the other *uses* listed in the use group to which it is added, and does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences than the minimum amount normally resulting from the other *uses* listed in the use group to which it is added. (For additions to use groups 6 through 13, and 15).

When any *use* has been added to any use group in accordance with the procedure set forth in this section, such *use* shall be deemed to be listed in the appropriate section of that use group, and shall be added thereto in the published text of this amended Resolution at the first convenient opportunity, with a notation indicating that the addition was made in accordance with this section.

1616. MEASUREMENT OF DISTANCES. Except as otherwise specifically provided, all prescribed distances shall be measured in a straight line, not necessarily coinciding with *street lines*.

1617. DISTRICT BOUNDARIES ON THE ZONING MAPS. The district boundaries on the *zoning maps* shall be interpreted in accordance with the provisions set forth below.

1617.10. An area enclosed by a district boundary line shall be in the district designated therein.

1617.20. LOCATION OF BOUNDARY LINE. The precise location of a boundary line is to be interpreted in accordance with the provisions set forth below.

1617.21. In cases where a boundary line extends in the direction of the width of the *block* and no fixtures are shown, its position shall be deemed to be located:

- (a) In the case of an RRA and an RRC District one hundred fifty (150) feet from the nearest *street* within the district.
- (b) In the case of an RRB District, one hundred (100) feet from the nearest *street* within the district.
- (c) In the case of a CB-1, a CB-2 and a CB-3 District, two hundred (200) feet from the nearest *street* within the district.
- (d) In the case of all other districts, one hundred (100) feet from the nearest *street* within the district.

1617.22. In case of parallel *streets*, a district boundary line extending in the direction of the length of the *block* shall, unless otherwise fixed, coincide with the center line of the *block*, except that when *block* widths are less than two hundred (200) feet and no fixtures are shown, the district boundary line shall be deemed to be one hundred (100) feet from the *street* to which the less restrictive designation relates.

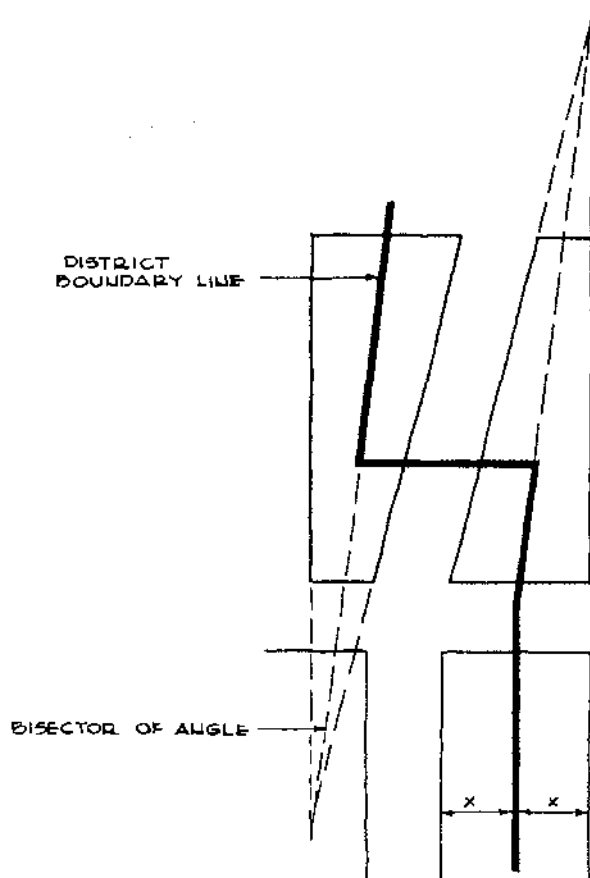


Illustration of Section 1617.23

1617.23. In case of *streets* which are not parallel, a district boundary line extending in the direction of the length of the *block* shall, unless otherwise fixed, be construed as the bisector of the angle formed by prolonging the *street lines* to an intersection.


1617.24. The following additional rules of construction shall apply:

- (a) In cases where the boundary line is shown by a fixture as being located a specific distance from a *street line*, this distance shall control.
- (b) In cases where the boundary line is given a position within a *street*, it shall be deemed to be in the center of the *street*.
- (c) In cases where a boundary line is shown having a position oblique to the *streets* bounding the *block* in which it is located, it shall (unless otherwise fixed) be deemed to be the bisector of the angle formed by the intersection of lines one hundred (100) feet from and parallel to each of said bounding *streets*, this distance being measured at right angles or normal to said *street lines*.
- (d) In cases where a boundary line is shown as adjoining a railroad, it shall (unless otherwise fixed) be deemed to coincide with the boundary line of the railroad right-of-way.

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(e) In cases of parks, cemeteries and navigable waters, the boundary shall (unless otherwise fixed) be deemed to coincide with the boundary line of the park, or the cemetery or the pierhead line, except that in cases where no pierhead line has been established the shore line shall control.

(f) Any island outside of the shore or pierhead lines shall, unless otherwise designated or determined by the City Planning Commission, be deemed to be in an RB-1 District.

1617.25. In cases where a boundary line mapped within the bed of a *street* between an RA, an RB or an RM District and *Residence Retail* or *Commercial Districts* is indicated with a hatched line (), the regulations controlling business entrances, show windows and *signs* in section 1311 shall apply.

1620. Enforcement.

1621. METHODS OF ENFORCEMENT. The provisions of this amended Resolution shall be enforced by the following methods, subject to the regulations set forth in sections 1622 through 1626 immediately below.

- a. Requirement of a building permit
- b. Requirement of a certificate of occupancy
- c. Inspection and ordering removal of violations
- d. Criminal liability
- e. Injunction.

1622. BUILDING PERMIT REQUIRED. The provisions of the Administrative Code of the City of New York shall control the issuance of building permits.

1623. CERTIFICATE OF OCCUPANCY REQUIRED. The provisions of the New York City Charter and of the Administrative Code of the City of New York shall control the issuance of certificates of occupancy.

In addition, upon written request by the owner, the Department of Housing and Buildings shall inspect any *building*, other structure or tract of land existing at the time of the passage of this amended Resolution, and shall issue a certificate of occupancy therefor, certifying (a) the *use* of the *building*, other structure, or tract of land, and (b) whether such *use* conforms to all the provisions of this amended Resolution.

1624. INSPECTION. The Department of Housing and Buildings is hereby empowered to cause any *building*, other structure or tract of land to be inspected and examined, and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of this amended Resolution. Such order may be served in the manner as provided in the Administrative Code. After any such order has been served, no work shall proceed on any *building*, other structure or tract of land covered by such order, except to correct or comply with such violation.

1625. CRIMINAL LIABILITY. A person shall be guilty of a misdemeanor in any case where

a. Any violation of any of the provisions of this amended Resolution exists in any *building*, other structure or tract of land, and

b. An order to remove any such violation has been served upon the owner, general agent, lessee or tenant of the *building*, other structure or tract of land (or any part thereof), or upon the architect, builder, contractor or any other person who commits or assists in any such violation, and

c. Such person shall fail to comply with such order within ten (10) days after the service thereof.

1626. INJUNCTION. In addition to any of the foregoing remedies, the City of New York by the Corporation Counsel may maintain an action for an injunction to restrain any violation of this amended Resolution.

1630. Amendment.

When public health, safety, morals, comfort, convenience, prosperity and welfare and good zoning practice require, the City Planning Commission may adopt a resolution to amend the provisions of this amended Resolution or the *zoning maps*, in accordance with the regulations set forth below.

1631. HEARING AND NOTICE. Before any such amendment is adopted, the Commission shall hold a public hearing thereon. Notice of such hearing shall be given in accordance with the regulations set forth below, and all persons appearing shall be given an opportunity to be heard at the hearing.

1632. PROCEEDINGS INITIATED BY COMMISSION. At any time during the year, the City Planning Commission may initiate proceedings in accordance with Section 200 of the New York City Charter, to amend the provisions of this amended Resolution or the *zoning maps*, subject to the following regulations:

1632.10. NOTICE.

1632.11. Notice By Publication. In all such proceedings, the City Planning Commission shall publish a notice of the proposed amendment in the City Record for the ten (10) days of publication of the City Record immediately prior to the hearing.

1632.12. Posters. In all such proceedings to amend the *zoning maps*, the City Planning Commission shall place identical posters announcing a public hearing on the proposed amendment (according to forms to be prescribed by the Commission), two hundred (200) feet apart along the entire length of the frontage within which the zoning district is sought to be changed, and on *streets* in the rear less than three hundred (300) feet distant therefrom.

Italicized words are defined in Article 6.

1632.13. Notices To Local Organizations. In all such proceedings to amend the *zoning maps*, the City Planning Commission may, to the extent practicable, send notices of the proposed amendment and of the public hearing to the appropriate local post office, local community center, local railroad station, and local newspaper for the area included in the proposed amendment, and to any groups and organizations which the City Planning Commission deems to be interested in said area.

1633. PROCEEDINGS INITIATED BY PETITION.

1633.10. INITIATION OF PETITIONS.

1633.11. By Taxpayers. At any time during the year, any taxpayer may submit, for consideration by the Commission, a petition in accordance with Section 201 of the New York City Charter, requesting an amendment of the provisions of this amended Resolution or the *zoning maps*.

1633.12. By Owners Or Householders. If, at any time during the year, either (a) the owners of fifty per cent (50%) or more of the land in any area, or (b) the *householders* of fifty per cent (50%) or more of the *dwelling units* in any area, shall present to the City Planning Commission a petition duly signed and acknowledged and requesting an amendment of the *zoning maps* for such area, the regulations set forth below shall apply.

1633.20. NOTICE.

1633.21. Notice By Publication. In all such proceedings, the City Planning Commission shall publish a notice of a public hearing on the proposed amendment in the City Record for the ten (10) days of publication of the City Record immediately prior to the hearing.

1633.22. Posters. The signers of the petition shall place identical posters announcing such hearing (according to forms to be prescribed by the Commission) two hundred (200) feet apart along the entire length of the frontage within which the zoning district is sought to be changed, and on *streets* in the rear less than three hundred (300) feet distant therefrom.

1633.23. By Registered Mail. The signers of the petition shall send, by registered mail with return receipt requested, notices containing information similar to that contained in the poster to all property owners in the area included in such amendment.

1632.24. Proof Of Compliance. The signers of the petition shall file with the City Planning Commission proof of compliance with the above requirements, according to forms prescribed by the Commission.

1634. LIMITATIONS ON CHANGES IN DISTRICT BOUNDARIES FOR SMALL AREAS. The regulations set forth below restricting changes in district boundaries for small areas shall apply.

1634.10. CHANGES AFFECTING A SINGLE LOT OR A FEW LOTS. No amendment of the *zoning maps* shall be adopted for any area of ten thousand (10,000) square feet or less, except in the following situations:

a. An amendment changing such areas to *Residence Retail Districts*.

b. An amendment changing such an area to the same district as an area immediately adjoining.

1634.20. CHANGES IN AN RB DISTRICT AFFECTING TWO (2) BLOCKS OR LESS. No amendment of the *zoning maps* from an RB District with a lower *bulk* to an RB District with a higher *bulk* shall be adopted for any area of two hundred and forty thousand (240,000) square feet or less, except where the area is changed to an RB District with the same or with a lower *bulk* as an RB District in an area immediately adjoining, or where the following special findings are made by the City Planning Commission after notice in the City Record and public hearing:

a. That the increase in permitted *bulk* is necessary for a *use* which is listed in use group 4 or use group 5 and which provides community services needed in the immediate vicinity, and that without such increase the proposed *use* would not be feasible, and

b. That the increase in permitted *bulk* will not cause overcrowding of the land and undue concentration of population, will not cause congestion in the *streets* and in public transit facilities, will not substantially interfere with light, air and privacy on adjoining or nearby *zoning lots*, and will not be detrimental to the neighborhood.

1640. Variances For Hardship.

The Board of Standards and Appeals shall have power to grant variances from the provisions of this amended Resolution in accordance with the provisions set forth below.

1641. PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this amended Resolution, the Board of Standards and Appeals shall have power in a specific case, after notice and public hearing, to vary any such provision in harmony with the general purpose and intent thereof, so that the public health, safety and general welfare may be secured and substantial justice done.

1642. LAPSE OF VARIANCE. After the Board of Standards and Appeals has varied the provisions of this amended Resolution, or a variance has been granted after a court has reversed or modified the action of the Board pursuant to the Administrative Code, the variance so granted shall lapse after the expiration of one (1) year, if no substantial construction has taken place in accordance with the plans for which such variance was granted, and the provisions of this amended Resolution shall thereafter govern.

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1650. Special Permits.

In addition to the use groups in the several districts, additional *uses* are permitted in the several districts by the grant of special permits, in accordance with the standards and other provisions set forth in sections 1651 and 1652.

1651. BY THE BOARD OF STANDARDS AND APPEALS. The Board of Standards and Appeals may, after public notice and hearing, grant special permits for additional *uses* in the several *districts*, in harmony with the general purpose and intent of this amended Resolution and in accordance with the provisions set forth below. Specifically the Board shall have power to permit the following:

1651.10. FOR CONTINUATION AND EXPANSION OF EXISTING USES. To permit the *uses* set forth in sections 1651.11-15 below, provided that, as a condition precedent to such *use*, the Board shall make a special finding that, if the site is within a redevelopment section as set forth in the Master Plan of Sections Containing Areas for Clearance, Redevelopment and Low-Rent Housing, the City Planning Commission has certified that the continuation or expansion of the existing *use* with a total *floor area* of more than five thousand (5,000) square feet will not interfere with approved or pending public improvements such as housing, highways, public *buildings*, and slum clearance and redevelopment programs.

1651.11. Extension Across District Boundaries. In appropriate cases and subject to appropriate conditions and safeguards, to permit the extension of an existing or proposed *building* into a more restricted district, under such conditions as will safeguard the character of the more restricted district.

1651.12. Extension On A Zoning Lot. In appropriate cases and subject to appropriate conditions and safeguards, to permit the extension of an existing *building* and the existing *use* thereof upon the *zoning lot* occupied by such *building* on July 25, 1916, and to permit the erection of an additional *building* upon a *zoning lot* occupied on July 25, 1916 by a commercial or industrial establishment, provided that such additional *building* is a part of such establishment.

1651.13. Extension of Non-Conforming Use. In appropriate cases and subject to appropriate conditions and safeguards, where a *building*, other structure or tract of land is devoted to a *non-conforming use*, to permit a new *building* or other structure, or the extension of an existing *building* or *use*, within a district or into a more restricted district, under such conditions as will safeguard the character of such district.

1651.14. Continuation Of Non-Conforming Industrial Uses. To permit, for one (1) or more terms of not more than three (3) years each, the continuation of a *non-conforming use*, the termination of which is required by the terms of section 874—provided that as a condition precedent to granting such special permits the Board shall make the special findings set forth below:

a. That the *non-conforming use* is not within nine hundred (900) feet of any school, entrance to a *public park* or playground of one-half ($\frac{1}{2}$) acre or more, hospital, health center, group medical center, institution for children and the aged, or new public or private housing development which contains more than two hundred (200) *dwelling units* and which is less than ten (10) years old.

1651.15. Buildings Non-Conforming As To Bulk. To permit alterations and additional construction which would not be permitted by the provisions of section 922—provided that a site plan shall be submitted showing the present and proposed *buildings* and other structures, and provided that, as a condition precedent to granting such permit, the Board shall make the additional special findings set forth below:

a. If a *residential building*, that the proposed increase in *floor area ratio* shall not exceed five per cent (5%) of the previously existing *floor area ratio* on that *zoning lot*, and that the total amount of *usable open space* provided on that *zoning lot* will be reduced by not more than ten per cent (10%), or (in the alternative) that a larger reduction in *usable open space* will be compensated for by an equivalent amount of *usable open space* provided within two hundred (200) feet of the *zoning lot*.

b. If the proposed alteration or additional construction in a *residential building* will result in an increase in more than fifty (50) *dwelling units*, that the Board of Education has certified that the school facilities serving the area are adequate to meet the increased school population.

c. If a *non-residential building*, that the increase in *floor area ratio* is required by normal expansion needs and for efficiency of business operations, and will not exceed ten per cent (10%) of the previously existing *floor area ratio* on that *zoning lot*; and that, if the increase in *floor area* exceeds ten thousand (10,000) square feet, the Department of Traffic has certified that the proposed increase will not generate a large volume of vehicular movements and create serious traffic congestion.

Italicized words are defined in Article 6.

1651.20. NECESSARY SERVICES WITH MINOR TRAFFIC—GENERATING CAPACITY. To permit the *uses* set forth in sections 1651.21-22 below—provided that, as a condition precedent to granting such special permits, the Board shall make a special finding that no appropriate site is available in a nearby district where such *uses* are permitted as a matter of right, and the additional special findings required under the respective sections.

1651.21 Public Utility Services. To permit electric substations (including transformers, switches and auxiliary apparatus serving a distribution area) and water pumping stations in an RA, an RB and an RM District—provided that, as a condition precedent to granting such permits the Board shall make the following additional special findings:

- a. That such facility is not located upon a local *residential street* (unless no other site is available), and is so located as to draw a minimum of vehicular traffic to and through such *streets*.
- b. That the location, design and operation of such facility will not adversely affect the character of the surrounding *residential* area.
- c. That adequate fences, barriers and other safety devices be provided, and that landscaping has either been provided or is impractical.
- d. That, for electric sub-stations generating noise which would otherwise be audible beyond the *lot lines* of the *zoning lot*, blank walls (or equivalent sound-proofing features) shall be provided along such *lot lines*.

1651.22. Radio And Television Towers. To permit radio and television towers in an RB and an RM District and in *Residence Retail Districts*, provided that as a condition precedent to granting such permits the Board shall make the following additional special findings:

- a. That, if the tower is located on the ground, the tower will be located at least as far away from the *street line* and from all *lot lines* as its height above ground; and that the tower will conform to the best standards for safety in construction.
- b. That the location, design and operation of such facility will not adversely affect the character of the surrounding *residential* area.

1651.30. FOR NECESSARY SERVICES WITH SUBSTANTIAL TRAFFIC GENERATING CAPACITY. To permit the *uses* specified in sections 1651.31-37 below in the districts and subject to the standards set forth therein—provided that a site plan shall be submitted showing location and proposed *use* of all *buildings* and other structures, distance to nearest *street* intersections, entrances and exits, off-street parking spaces, and such other information as may be required by the Board, and provided that, as a condition precedent to granting such special permits, the Board shall make the following special findings, and the

additional special findings required under the respective sections.

- a. That such facility is properly located in relation to the adopted Master Plan of Arterial Highways and Major Streets and its allied features of secondary and local *streets*, and in relation to the normal pattern of traffic and pedestrian circulation in the surrounding area; and that the Department of Traffic has certified that the proposed location will not create serious traffic congestion. Secondary and local *streets* not indicated on the Master Plan shall be certified as such by the City Planning Commission.
- b. That such facility shall be at least nine hundred (900) feet from churches and parish houses, community centers, schools (except trade schools for adults), health centers, entrances to *public parks* and playgrounds, hospitals, group medical centers, and institutions for children and the aged.
- c. That all permitted and required off-street parking spaces will conform to the regulations of the district as to minimum required spaces (as set forth in the tables in section 1023), maximum permitted spaces (in section 1035.10), and design (in section 1032).
- d. That the location and design of such facility will not adversely affect the character of the surrounding area.

1651.31. Public Utility Services. To permit fire stations, police stations, railroad passenger stations, and telephone exchanges in an RA, an RB and an RM District—provided that, as a condition precedent to granting such special permit, the Board shall make the following additional special findings:

- a. That such facility is necessary to serve the surrounding *residential* area, and that it is not possible to serve such area from a facility located in a nearby district where such *uses* are permitted as of right.
- b. That such facility is not located on a local *residential street* (unless no other site is available), and is so located as to draw a minimum of vehicular traffic to and through such *streets*.

1651.32. Tourist Cabins. To permit *tourist cabins* and motels in an RRC District—provided that, as a condition precedent to granting such special permit, the Board shall make the following additional special findings:

- a. That such facility is not located on a local *residential street*, and is so located as to draw a minimum of vehicular traffic to and through such *streets*.
- b. That at least twenty-five per cent (25%) of the area of the *zoning lot* will be devoted to accessory off-street parking spaces.
- c. That no appropriate site is available in a nearby district where such facilities are permitted as a matter of right.

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1651.33. Theatres. To permit theatres in an RRC District—provided that, as a condition precedent to the granting of such special permit, the Board shall make the following additional special findings:

- a. That the facility is needed to serve the needs of the surrounding area.
- b. That the resulting pedestrian and vehicular traffic and the signs will not harm residential and retail development in the area.
- c. That, if a residential zoning lot is immediately adjacent along a side lot line, a side yard of sufficient width to protect such zoning lot shall be provided. However, the Board shall not require a yard of more than thirty (30) feet in width.

1651.34. Filling Stations. To permit filling stations in an RRC, a CB-1, a CB-2, a CB-3 and a CC District, provided that, as a condition precedent to granting such special permit, the Board shall make the following special findings:

- a. That such facility is necessary to serve the surrounding residential, residence retail or general commercial area, and that it is not possible to serve such area from a facility located in a nearby district where such facility is permitted as a matter of right.
- b. That such facility is not located on a local residential street (unless such facility is within a planned shopping center), and is so located as to draw a minimum of vehicular traffic to and through such street.
- c. That the site shall be large enough, and exits and entrances shall be so planned that, at maximum expected operation, vehicles are not likely to block streets or sidewalks or cause traffic stoppages.
- d. That, where the facility is on a zoning lot adjoining an RA, an RB or an RM District, a solid wall of fire-resistant material shall be provided along any lot line adjoining such district, with a minimum height of six (6) feet and a maximum height of twelve (12) feet above finished grade.
- e. That the facility shall be designed and constructed so as to minimize the glare of lights toward zoning lots which are adjacent or across the street.

1651.35. Commercial Parking Garages And Commercial Parking Lots In Residence Retail Districts. To permit commercial parking garages and commercial parking lots with less than five hundred (500) off-street parking spaces in Residence Retail Districts—provided that, as a condition precedent to the granting of such special permit, the Board shall make the following additional special findings:

- a. That such facility is needed to serve the surrounding residential and residence retail area, and that it is not possible to serve such area from a facility located in a nearby district where such facility is permitted as a matter of right.
- b. That such facility is not located on a local residential street, and is so located as to draw a minimum of vehicular traffic to and through such streets.
- c. That, if such facility adjoins a residential zoning lot along a side lot line, a side yard of sufficient width to protect such zoning lot will be provided. However, the Board shall not require a yard of more than thirty (30) feet in width.
- d. That the facility will be designed and constructed so as to minimize the glare of lights toward residential zoning lots which are adjacent or across the street.

1651.36. Commercial Parking Garages And Commercial Parking Lots In A CA District. To permit a commercial parking garage or a commercial parking lot with less than five hundred (500) off-street parking spaces in a CA District, provided that the site plan submitted shall show the surrounding street pattern, including all arterial highways, major streets and secondary streets within a radius of one (1) mile, and that, as a condition precedent to the granting of such special permit, the Board shall make the following additional special findings:

- a. That such facility is needed to serve the surrounding commercial area, and that it is not possible to serve that area from a facility located in a nearby district where such facility is permitted as a matter of right.
- b. That, where appropriate, such facility should be on the perimeter of the district towards the origin of most potential parkers.
- c. That, where appropriate, such facility should be within easy walking distance or convenient access by bus or rapid transit lines to destination of parkers—retail, commercial, financial, theatrical and hotel centers.
- d. That, where appropriate, such facility should be on or near an arterial highway, a major street, a feeder to an elevated or a depressed highway, or an approach to a bridge or a tunnel.
- e. That, where appropriate, such facility shall have the main flow of vehicles arrive and depart by making righthand turns out of parking facilities, except on a one-way street.
- f. That, where appropriate, such facility for two hundred (200) cars or more shall have access on two (2) or more streets.

Italicized words are defined in Article 6.

1651.37. Trailer Camps. To permit *trailer camps* in a CD, a CM and an MA District—provided that the site plan submitted shall also show all spaces allotted for trailers and all water and sanitary facilities, and that, as a condition precedent to the grant of such special permit, the Board shall also make the following additional special findings:

- a. That such facility is so located as to draw a minimum of vehicular traffic through local *residential streets* in the vicinity.
- b. That the facility shall be designed and constructed so as to minimize the glare of lights towards *zoning lots* which are adjacent or across the *street*.
- c. That where the facility is on a *zoning lot* which adjoins an RA, an RB or an RM District there shall be a solid wall of fire resistant material, located on any *lot line* contiguous to such boundary, with a minimum height of six (6) feet and a maximum height of twelve (12) feet above the finished grade.

1651.40. REQUIREMENTS FOR OFF-STREET PARKING AND OFF-STREET LOADING.

1651.41. Off-Street Parking Requirements. Where, because of the unusual shape of a *zoning lot* or the structural features of a *building*, the provisions of Article 10 for required accessory off-street parking spaces cannot reasonably be complied with, to permit the substitution of such alternative provision for off-street parking spaces as the Board deems suitable and adequate to prevent the creation of serious traffic congestion by parking along the *street*.

1651.42. Off-Street Parking Requirements For One-Family Detached Residence. To permit a single *one-family detached residence* to be built without providing dustless surfacing (required by section 1032) on the area reserved for required off-street parking space, if evidence is presented which satisfies the Board that the owner of such *one-family detached residence* does not expect to own an automobile during the period of his occupancy of such *residence*.

1651.43. Enclosed Spaces In A Residence And Residence Retail District. To permit in an RA and an RB District and in *Residence Retail Districts*, more than one (1) *story* to be used for off-street parking spaces, provided that such spaces shall be within *completely enclosed buildings*.

1651.44. Off-Street Loading Requirements. Where, because of the unusual shape of a *zoning lot* or the structural features of a *building*, the provisions of Article 11 for required accessory off-street

loading berths cannot reasonably be complied with, to permit the substitution of such alternative provision for off-street loading berths as the Board deems suitable and adequate to prevent the creation of serious traffic congestion by loading and unloading operations at the curb.

1651.50. FOR REGULATIONS APPLYING APART FROM DISTRICT BOUNDARIES.

1651.51. Special Regulations Along District Boundaries. In appropriate cases and subject to appropriate conditions and safeguards, to permit business entrances, show windows, *signs*, industrial and heavy commercial *uses*, off-street parking and loading areas, *rear yards* and *side yards* which would not be permitted under the provisions of Article 13.

1651.52. Height Regulations Around Airports. To permit construction of *buildings* and other structures projecting above the height limits set forth and established under sections 1510-1514 and 1521-1523, provided that a site plan (with elevations) is submitted showing the proposed *buildings* and other structures in relation to such height limits, and provided that, as a condition precedent to the grant of such special permit, the Board shall make the following special findings:

- a. That the Civil Aeronautics Administration has certified that the proposed construction will not involve any threat to the safety of either air passengers or occupants of the proposed *buildings*.
- b. That the Civil Aeronautics Administration and the Port of New York Authority have both certified that no reorientation of airport runways is being planned which would make the proposed *building* or other structure a threat to the safety of either air passengers or occupants of the proposed *buildings*.

1651.60. STREET LAYOUT VARYING FROM MAPS. Where the *street* layout actually on the ground varies from the *street* layout as shown on the *zoning maps*, the designation as shown on the mapped areas shall be applied by the Board, after notice and public hearing, to the unmapped *streets* in such a way as to carry out the intent and purpose of the plan for the particular section in question.

1652. BY THE CITY PLANNING COMMISSION. The City Planning Commission may, after public notice and hearing, grant special permits for additional *uses* with large-scale traffic-generating capacity in the several districts, in harmony with the general purpose and intent of this amended Resolution and in accordance with the provisions set forth below. Within five (5) days after

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the approval by the Planning Commission of any application, such approval, together with a copy of the application, shall be filed with the Secretary of the Board of Estimate. If the application is also approved by the Board of Estimate by a majority vote, the use of the *zoning lot* as outlined in the approved site plan shall become authorized.

Specifically, the Commission shall have power thus to approve the following *uses* in accordance with the procedure set forth below.

1652.10. PROCEDURE FOR PERMITTING ADDITIONAL USES. To permit the *uses* specified in sections 1652.21-23, 1652.31, and 1652.41-43 below in the districts and subject to the standards set forth therein—provided that a site plan shall be submitted showing location and proposed use of all *buildings* and other structures, distances to four (4) nearest *street* intersections, all entrances and exits, and off-street parking spaces, and that a vicinity sketch shall be submitted showing location of site, surrounding *street* pattern, and identification of all arterial highways, major and secondary *streets* within a radius of one (1) mile, and that, as a condition precedent to granting such special permit, the Commission shall make the following special findings, and the additional special findings required under the respective sections:

- a. That such facility is properly located in relation to the adopted Master Plan of Arterial Highways and Major Streets and its allied features of secondary and local *streets*, and in relation to the normal pattern of traffic and pedestrian circulation in the surrounding area; and that the Department of Traffic has certified that the proposed location will not create serious traffic congestion. Secondary and local *streets* not indicated on the Master Plan shall be certified as such by the City Planning Commission.
- b. That such facility shall be at least nine hundred (900) feet from schools (except trade schools for adults) and hospitals.
- c. That all permitted and required off-street parking spaces will conform to the regulations of the district as to minimum required spaces (set forth in the tables in sections 1013, 1023 or 1024), maximum permitted spaces (in section 1035.10), and design (in section 1032).
- d. That the location and design of such facility will not adversely affect the character of the surrounding area.
- e. That such facility is not located on a local *street*, and is so located as to draw a minimum of vehicular traffic through such *streets*.

- f. That the main flow of vehicles enter and leave from such facility by making right hand turns into and out of the parking facility, except where the facility entrance or exit is on a one-way *street*.

1652.20. AMUSEMENT ESTABLISHMENTS.

1652.21. Auditoriums And Arenas. To permit auditoriums and arenas with a capacity of more than five thousand (5000) seats in a CB, a CC, a CD, a CM, an MA, an MB, and an MC District—provided that as a condition precedent of such use, the Commission makes the following additional special findings:

- a. That such facility is on or within one-half ($\frac{1}{2}$) mile of an arterial highway or major *street*, or feeders to elevated or depressed highways, or approaches to bridges or tunnels.
- b. That such facility has access on two (2) or more *streets*.

1652.22. Stadiums. To permit stadiums with a capacity of more than five thousand (5,000) seats in a CC, a CD, a CM, an MB, and an MC District—provided that as a condition precedent to such use, the Commission shall make the following additional special findings:

- a. That such facility is on or within one-half ($\frac{1}{2}$) mile of an arterial highway or major *street*, or feeders to elevated or depressed highways, or approaches to bridges or tunnels.
- b. That such facility has access on two (2) or more *streets*.

1652.23. Drive-In Theatres. To permit open-air drive-in theatres, for motion pictures or otherwise, in a CC, a CD, a CM, an MB, and an MC District—provided that as a condition precedent to such use, the Commission makes an additional special finding that such facility is on or within one quarter ($\frac{1}{4}$) mile of an arterial highway or major *street*.

1652.30. OFF-STREET PARKING ESTABLISHMENTS.

1652.31. Large Commercial Parking Garages And Parking Lots. To permit *commercial parking garages* and *commercial parking lots* with over five hundred (500) off-street parking spaces in *Residence Retail, Commercial, and Manufacturing Districts*—provided that as a condition precedent to such use, the Commission makes the following additional special findings:

- a. In *Residence Retail Districts*, that there is a need for this facility, and that no appropriate site is available in nearby *Commercial or Manufacturing Districts*.
- b. In *Commercial or Manufacturing Districts*, that the facility is on or within one quarter ($\frac{1}{4}$) mile of an arterial highway, major or secondary *street*.

Italicized words are defined in Article 6.

c. That, where appropriate, such facility should be on the perimeter of the district towards the origin of most potential parkers.

d. That, where appropriate, such facility should be within easy walking distance or convenient access by bus or rapid transit lines to destination of parkers—retail, commercial, financial, theatrical and *hotel* centers.

e. That, where appropriate, such facilities should have access on two (2) or more *streets*.

1652.40. TRANSPORTATION ESTABLISHMENTS.

1652.41. Bus Stations. To permit the construction, enlargement, reconstruction, structural alteration, conversion or relocation of a bus station in *Residence Retail, Commercial* or *Manufacturing Districts*, except in areas designated by the City Planning Commission after duly held public hearings as "exceptionally congested areas." However, any *zoning lot* lawfully in use as a bus station at the time this section becomes effective may be continued for such use for the remainder of the term for which the same may have been permitted, but shall not be enlarged, extended or reconstructed except after approval in accordance with the procedure set forth above; provided that as a condition precedent to such use, the Commission makes an additional special finding that the facility is on or has direct access to an arterial highway, major or secondary *street*.

1652.42. Airports. To permit the construction, enlargement, reconstruction, substantial alteration, conversion or relocation of an airport or seaplane base, or in the location or layout thereof, in a CD and a CM District, or in *Manufacturing Districts*, provided that as a condition precedent to such use, the Commission makes the following additional special findings:

a. That the Civil Aeronautics Administration and the Port of New York Authority have both certified that a new airport is an integral part of the general plan of airports for New York City and the surrounding metropolitan region.

b. That the Civil Aeronautics Administration has certified that a new or reoriented runway will not interfere with the flight pattern of any nearby airport.

1652.43. Heliports. To permit the construction, enlargement, reconstruction, substantial alteration, conversion or relocation of a heliport, or in the location or layout thereof, in an RRC District and *Commercial* and *Manufacturing Districts*—provided that as a condition precedent to such use, the Commission makes an additional special finding that the Civil Aeronautics Administration and

the Port of New York Authority have both certified that a new heliport is an integral part of the general plan of heliports for New York City and the surrounding metropolitan region.

1652.50. OTHER USES IN AN RM DISTRICT. In an RM District, on specific application, establishments with other manufacturing *uses*, which can prove that no offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences will be created, shall be permitted. Such permission shall be granted for specific establishments, and shall not be transferable.

1660. Regulations For Large-Scale Developments.

All *large-scale developments* shall be subject to the following provisions under the supervision of the City Planning Commission, provided that the plans for such *developments* are submitted to the Commission for review and simultaneous action on any pertinent items from the provisions set forth below.

1661. USE EXCEPTIONS FOR ALL DISTRICTS. The Commission may in appropriate cases, after public notice and hearing and subject to appropriate conditions and safeguards, grant an exception permitting, in part of the area of the *development* and for the duration of the *development*, specified *uses* not otherwise permitted by the *use* regulations of the district in which the *development* is located, provided that such exception shall not affect more than twenty per cent (20%) of the area of the *development*, and provided that the Commission shall make the following special findings as a condition precedent to granting such exception:

a. That the *uses* permitted by such exception are appropriate in view of the primary purpose of the *development*.

b. That the *uses* are appropriate in size and suitably located to serve the needs of the *development*, and are not likely to create any detrimental influences outside of the boundaries thereof.

c. In the case of manufacturing *large-scale developments* in *Manufacturing Districts*, that no hazards will be created and no more offensive noise, vibration, smoke, dust, odors, heat or glare will be created than is typical of the other *uses* permitted in the district.

The Commission shall, where appropriate, set whatever conditions with regard to *yards*, screening, control over smoke and dust, sound-proofing, etc., as may be required to minimize any adverse effects of the *uses* permitted by such exception, either on the *development* itself and or on the surrounding area.

1662. FLOOR AREA, ANGLE OF LIGHT OBSTRUCTION AND FRONT YARDS IN LARGE-SCALE DEVELOPMENTS WITH INTERIOR PUBLIC STREETS. Where a *large-scale development* includes two (2) or more *zoning lots*

PROPOSED RESOLUTION

separated by public *streets*, the City Planning Commission may permit the total *floor area* permitted on all *zoning lots* within the *development* to be distributed without regard to *zoning lot lines*, and may grant an exception from the *front angle of light obstruction* and *front yard* requirements in effect along portions of *streets* wholly within the *development*, provided that in each case the Commission shall make the following special findings:

- a. That the waiver of such requirements will permit better site planning and will thus benefit the *development* and the City at large.
- b. That the waiver of the *floor area ratio* requirements will not unduly increase the *bulk* of *buildings* in any *block* or *block* equivalent to the detriment of the occupants of the area where the *bulk* is increased.
- c. That the waiver of such requirements will not in any way reduce the requirements of this amended Resolution for spacing of *buildings*, or for off-street parking and loading.
- d. That the waiver of such requirements will not adversely affect any other *zoning lots* outside the *development*, either by restricting access to light and air or by creating traffic congestion.

1663. PROVISION OF COMMUNITY FACILITIES, ALONG WITH RESIDENTIAL LARGE-SCALE DEVELOPMENTS. For all *residential large-scale developments* with a *gross site area* of twenty (20) acres (eight hundred and seventy-one thousand, two hundred (871,200) square feet) or more, or with a proposed total of five hundred (500) *dwelling units* or more, the following regulations shall apply as a condition precedent to the issuance of a building permit:

- a. The City Planning Commission shall ascertain, by means of a report from the Board of Education, either that schools of sufficient capacity and suitable location are available to serve the occupants of the *development*, or a site for such facilities will be reserved within the *development* and will be acquired by the City in due course, or other appropriate sites are available in the vicinity for acquisition when possible by the City.
- b. The Commission shall ascertain, by means of similar reports from the appropriate City Departments, the situation with respect to other community facilities (health centers, playgrounds and the like), whenever the Commission considers this necessary.

Italicized words are defined in Article 6.

1664. OTHER APPLICABLE REGULATIONS. The following additional special regulations shall also apply to all *large-scale developments*:

- | | |
|--|-------------|
| Calculation of <i>floor area ratio</i> in
<i>large-scale developments</i> | section 722 |
| Spacing of <i>buildings</i> where two (2)
or more <i>detached residential</i>
<i>buildings</i> are on one (1)
<i>zoning lot</i> | section 227 |

1670. Separability.

It is hereby declared to be the legislative intent that the several provisions of this amended Resolution shall be severable, in accordance with the provisions set forth below:

1671. IF ANY PROVISION OF THIS AMENDED RESOLUTION IS DECLARED INVALID. If any provision of this amended Resolution is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that:

- a. The effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid, and
- b. Such decision shall not affect, impair or nullify this amended Resolution as a whole or any other part thereof, but the rest of this amended Resolution shall continue in full force and effect.

1672. IF THE APPLICATION OF ANY PROVISION OF THIS AMENDED RESOLUTION IS DECLARED INVALID. If the application of any provision of this amended Resolution to any *zoning lot*, *building*, other structure, or tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that:

- a. The effect of such decision shall be limited to that *zoning lot*, *building*, other structure or tract of land immediately involved in the controversy, action or proceeding in which the judgment or decree of invalidity was rendered, and
- b. Such decision shall not affect, impair or nullify this amended Resolution as a whole or the application of any provision thereof, to any other *zoning lot*, *building*, other structure or tract of land.

INDEX OF USES

The *uses* listed in the various use groups set forth in Article 5 are listed in alphabetical order below for the convenience of those using this Resolution. Whenever there is any difference in meaning or implication between the text of the use groups as set forth in Article 5 and the text of this index, the text of the use groups shall prevail.

The *uses* in this index are arranged under the following eight general headings:

- Residential*
- Community Facilities
- Retail
- Services
- Amusements
- Manufacturing
- Storage
- Miscellaneous

These headings are inserted for convenience only.

RESIDENTIAL USES

Establishment	Use Group
<i>Accessory Uses</i>	(See section 602)
<i>Home Occupations</i>	(See section 619)
<i>One-family detached residences</i>	1
Other residences, including apartment hotels, boarding houses and lodging houses	2
See also <i>Tourist cabins</i> and <i>Motels</i>	13
	(See section 1651.32)
See also <i>Trailer camps</i>	(Section 1651.37)
See also <i>Transient hotels</i>	3

COMMUNITY FACILITIES

<i>Accessory uses</i>	(See section 602)
Airports	
Commercial	(See section 1652.42)
Private Passenger	13
Heliports	(See section 1652.43)
Art galleries, public	5
Centers	
Community	4
Group medical	5
Health, government-operated	4
Churches	4
Clubs	
Clubs, except clubs the chief activity of which is service customarily carried on as a business..	5
Night Clubs—See Eating and drinking places with entertainment	9, 11
Colleges	
Business	9
Other	2, 5
Community centers	4

Establishment	Use Group
Court houses	5
Electric sub-stations	6
	(See section 1651.21)
Fire stations	6
	(See section 1651.31)
Health centers	
Government operated	4
See also Group medical centers	5
Hospitals	
Hospitals	5
Animal hospitals	13
Institutions	
For aged	2, 5
For children	2, 5
Philanthropic	2, 5
Libraries	5
Museums	5
Parish houses	4
<i>Parks, public</i>	4
Playgrounds	4
Police stations	6
	(See section 1651.31)
Post offices	6
Prisons	10
Public buildings	
Art galleries	5
Court houses	5
Fire stations	6
	(See section 1651.31)
Health centers	4
Hospitals	5
Libraries	5
Museums	5
Police stations	6
	(See section 1651.31)
Post offices	6
Prisons	10
Schools	2, 4
Sewage disposal plants	13
Water and sewer pumping stations	6
	(See section 1651.21)
Other—See appropriate use category	
Pumping stations	
Water	6
	(See section 1651.21)
Sewer	6
Railroad	
Passenger stations	6
	(See section 1651.31)
Yards and freight stations	17
Sanitariums	5

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<u>Establishment</u>	<u>Use Group</u>
COMMUNITY FACILITIES (continued)	
Schools	
Boarding	2
Business	9
Trade	4, 9
Other	2, 4
Sewage disposal plants, public	13
Telephone exchanges	6
	(See section 1651.31)
Trade schools	4, 9
<i>Trailer camps</i>	(See section 1651.37)
Transit yards, public	13
Universities	2, 5
RETAIL	
<i>Accessory uses</i>	(See section 602)
Antique shops	7
Apparel—See Clothing	7
Appliances	
Electrical	7, 9
Household	7, 9
Medical	7
Orthopedic	7
Art galleries	
Public	5
Other	7
Art metal craft shop	7
Artists' supplies	7
Automobile	
Showrooms	9
Supplies	8
Other	13
Bait, live	11
Bakeries	6
Bars—See Drinking places	6, 9, 11
Bicycles	8
Boats	
Showrooms	9
Other	13
Book store	6
Building materials	
With size limitations	13
Other	16
Business machines	9
Cigar store	6
Clothing	7
Coins	7
Cosmetics—See Drug stores	6
Cutlery—See Hardware stores	6
Department stores	9
Drinking places	
With limited entertainment	6
With unlimited entertainment	9, 11
Drug stores	6

Italicized words are defined in Article 6.

<u>Establishment</u>	<u>Use Group</u>
Eating and drinking places	
With limited entertainment	6
With unlimited entertainment	9, 11
Electrical appliances & equipment	7, 9, 13
Filling stations	13
	(See section 1651.34)
Five and ten cent stores—See Variety stores	6
Florists	6
Food stores	6
Furniture	
Household	9
Office	9
Garden supplies	7
Gasoline filling stations	13
	(See section 1651.34)
Gift shops	7
Hardware stores	6
Heating equipment	
Showrooms	8
Other	13
Household appliances	
Showrooms	7
Other	9
Jewelry	7
Leather goods	7
Liquors, package	6
Luggage	7
Machines and machinery	
Office and business	9
Other	13
Medical appliances	7
Motorcycles	
Salesrooms	9
Other	13
Musical instrument stores	
Piano	9
Other	7
Newsstands	6
Offices	
Business, professional and governmental	6
Wholesale, with no storage except samples.....	9
Wholesale, with limited storage	10
Office machines	9
Orthopedic appliances	7
Paint	7
Pawn shop	10
Perfumes—See Drug stores	6
Periodicals—See Newsstands and stationery stores	6
Pet shops	8
Photographic equipment and supplies	7
Pianos	
Showrooms	7
Other	9
Plumbing equipment	
Showrooms	8
Other	13

INDEX OF USES

<u>Establishment</u>	<u>Use Group</u>	<u>Establishment</u>	<u>Use Group</u>
RETAIL (continued)		Bath-houses, beach	11
Poultry and rabbits, fresh killed	13	Baths, public	9
Radio store	7	Battery repairs—See Auto repairs	13
Restaurants—See Eating and drinking places....6, 9, 11		Beauty parlors	6
Rummage shops—See specific item		Blacksmith shops	13
Second hand stores—See specific item		Blueprinting	9
Seed, garden	7	Bicycle rental and repair	8
Sewing machines		Boats (Under 100 ft. in Length)—See also Ships	
Household	7	Rental	11
Other	13	Repair	13
Shoes	7	Storage	11, 13
Showrooms, retail		Carpet cleaning	13
Automobiles and boats	9	Chapels	
Electrical and household appliances	7	Funeral	8
Pianos	7	Wedding	9
Plumbing, heating and ventilating equipment....	3	Chiropodists	8
Showrooms, wholesale		Cleaning, dry	
With no storage except samples	9	With non-inflammable cleaning agents	6
With limited storage	10	Carpet and rug	13
See also Storage		Other	13
Sporting goods	7	Clinics—See Group medical centers	5
Stamps	7	Clock repairs	6
Stationery store	6	Clothing	
Taverns—See Drinking places	6, 9, 11	Alterations, custom	6, 9
Television—See Radios	7	Dressmaking	6
Thrift shops—See specific item		Tailoring	6
Toy store	7	Millinery	6
Trailers	13	Furriers	6
Typewriters	7	Collection offices, public utility	9
Variety stores	6	Costume rentals	8
Ventilating equipment		Crating	13
Showrooms	8	Crematoriums	13
Other	13	Dancing studios	10
Wallpaper	7	Delivery service warehouse	15
Wholesale offices and showrooms		Dental	
With no storage	9	Offices	5
With limited storage	10	Laboratories	9
See also Storage		Diaper supply services	13
SERVICES		Dressmaking, custom	6
<i>Accessory uses</i>	(See section 602)	Dry cleaning	
Animal hospitals, kennels and pounds	13	With non-inflammable cleaning agents	6
Auctions, public	9	Carpets and rugs	13
Automobile		Other	13
Laundries	13	Dyeing	
Repairs		Commercial textile	16
Body	16	Leather, hair, felt, and feathers	17
Engine rebuilding	17	Electric sub-stations	6
Other	13		(See also section 1651.21)
Service stations	13	Electrical contractors	13
	(See section 1651.34)	Engravers and photoengraving	15
Awning repair	13	Exterminators	8
Banks	7	Filling stations, gasoline	13
Banquet halls	9		(See section 1651.34)
Barber shops	6	Framing, picture	7

PROPOSED RESOLUTION

Establishment	Use Group
SERVICES (continued)	
Frozen food lockers	6
Funeral parlors	8
Furriers, custom	6
Garages	
Body repair	16
Commercial parking	10
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Commercial and public utility vehicles	13
Repair (except body)	13
Dead storage	13
Gasoline filling stations	13
(See section 1651.31)	
Glass cutting	13
Glazing establishments	13
Halls	
Banquet	9
Meeting	6
Wedding	9
Hat repair	6
Heating contractors	13
Hotels	
Apartment	2
Transient	3
Household appliance repair	13
Interior decorating shops	7
Jewelry repair	9, 11
Laboratories	
Dental	9
Experimental	9, 11
Medical	9
Research	9, 11
Testing	9, 11
Laundries	
Automobile	13
Hand	6
Self-service automatic	6
Other	13
Linen supply	13
Loan offices	10
Locksmiths	6
Machinery rental	13
Machinery repair	
Household machinery	13
Office machinery	13
Other	17
Markets, wholesale	
Meat	16
Produce	16
Masseurs	9
Mattress rebuilding and renovating	16
Meat markets, wholesale	16

Italicized words are defined in Article 6.

Establishment	Use Group
Medical	
Centers, group	5
Laboratories	9
Offices	5
See also Health centers	4
Meeting halls	6
Mirror silvering	13
Motels	13
(See section 1651.32)	
Motor freight stations	
Limited size	13
Unlimited size	17
Motorcycle repairs	13
Musical instrument repair	8
Newspaper publishing	15
Offices	
Business	6, 14
Dental	5
Government	6, 14
Medical	5
Professional	6, 14
Wholesale	9, 10, 15
Opticians	7
Optometrists	7
Packing and crating service	13
Painting	
Contracting	13
Sign	13
Paper-hanging, contracting	13
Parking, commercial garages and lots	10
(See sections 1651.35-.36 and 1652.31)	
Pawn shops	10
Photographic	
Developing and printing service	7
Developing and printing service, wholesale	9
Studios	7
Physical culture and health salons	9
Picture framing	7
Plumbing contractors	13
Podiatrists	8
Pressing, clothing	6
Produce markets, wholesale	16
Public utility collection offices	9
Radio broadcasting	
Studios	9
Transmitting towers	9
(See section 1651.22)	
Radio repair and service shop	8
Railroad stations	
Passenger	6
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Freight	17
Railroad yards	17
Reducing salons	9
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Roofing contractors	13	Venetian blinds—repair	13
Rug cleaning	13	Ventilating contractors	13
Ship repair yard	17	Veterinarian—See Animal hospitals	13
Shipping, waterfront	17	Watch repairs	6
Shoe repair	6	Waterfront shipping	17
Sign painting	13	Wedding chapels	9
Silver plating		Welding shops	13
Custom repair	13	Window shade—repair	13
Bulk	16		
Soldering shops	13		
Stables		AMUSEMENTS	
Riding academies	13	<i>Accessory uses</i>	(See section 602)
For horses used with commercial vehicles	17	Amusement parks	12
Studios		Arenas	10
Dancing	10		(See section 1652.21)
Music	10	Auditoriums	
Photographic	7	With limited capacity	10
Radio and television broadcasting	9	With unlimited capacity	(See section 1652.21)
Theatrical	10	Beaches	11
Tailors, custom	6	Billiard parlors	8
Taxidermists	8	Bowling alleys	
Telegraph office	7	Of limited size	8
Telephone exchanges	6	Of unlimited size	11
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Television broadcasting		Circuses	11
Studio	9	Dance halls, public	10
Transmitting towers	9	Driving ranges	11
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Terminals		Eating and drinking places	
Bus	(See section 1652.41)	With limited entertainment	6
Railroad		With unlimited entertainment	9, 11
Freight	17	Expositions, trade	10
Passenger	6	Fairs	11
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Trucking		Courses	4
With limited size	13	Driving ranges	11
With unlimited size	17	Miniature courses	11
Theatrical studios	10	Gymnasiums	9
Tire repair shops	13	Penny arcades	12
<i>Tourist cabins</i>	13	Pool halls	8
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Towel services	13	Indoor—See Physical culture and health services	9
<i>Trailer camps</i>	(See section 1651.37)	Outdoor	11
Travel bureau	7	Race tracks	11
Truck and trailer repair		Shooting galleries	12
Body	16	Skating rinks	
Other	13	Indoor	10
Trucking terminals	13	Outdoor	4
Typewriter repair	7	Stadiums, sports	
Umbrella repair	8	With limited capacity	11
Undertaking establishments	8	With unlimited capacity	(See section 1652.22)
Upholstering, custom	8	Tennis	
		Courts, outdoor	4
		Courts, indoor—See Gymnasiums	9

PROPOSED RESOLUTION

<u>Establishment</u>	<u>Use Group</u>
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With limited size	8
With unlimited size	11
Theatres	
Theatres	10
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Drive-in theatres	(See section 1652.23)
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MANUFACTURING

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Advertising displays	13
Aircraft and parts	17
Apparel	9, 15
Art goods	
Church	16
Custom art metal and jewelry	7
Needlework	9, 14
Statuary, mannequins and figurines	16
Art metal, custom	7
Art needle work	9, 14
Asphalt and asphalt products	18
Athletic equipment	16
Automobiles and parts	17
Awnings	13
Beverages	
Alcoholic	17
Breweries	17
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Distillation	18
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Book publishing	
Hand binding and tooling	14
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Plants of unlimited size	15
Bottling works for all beverages	16
Brass	17
Breweries	17
Bricks	17
Bronze	17
Brooms	13
Brushes	13
Building materials	17
Cameras	16
Canvas and canvas products	16
Carbon paper	17
Carriages, baby	16
Cement and cement products	17

Italicized words are defined in Article 6.

<u>Establishment</u>	<u>Use Group</u>
Ceramic products	16
Charcoal	18
Chemicals	17, 18
Cigars—See Tobacco	16
Clay products	
Ceramics	16
Structural	17
Clocks	14
Clothing	
Custom	9
Other	15
Coal products	18
Coke and coke products	18
Concrete and concrete products	17
Cosmetics	16
Cotton and cotton products	
Ginning	17
Wadding	17
Lintier manufacture	17
Textiles	16
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Dressmaking	
Custom	6
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Aniline dyes	18
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Small household—such as lighting fixtures, irons, fans, toasters, etc., radio and television receivers	16
Large household—Such as refrigerators, washing machines, air conditioning units, etc.	17
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Electricity	
Central power plants	18
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Firebrick	17	Ice, dry and natural	16
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Flour milling and processing	18	With restrictions	13
Food products		Garbage	18
Processing and combining of	16	Offal and dead animals	18
Manufacturing of basic, from raw state	17	Ink	
Flour and feed, milling and processing	18	Mixing and packaging	16
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Stock yards	18	Pigments	17
Meat packing and slaughter houses	18	Inked ribbons	16
Meat products, smoking and curing, with limita- tions on odors	13	Instruments	
Poultry and rabbit killing for sale on premises....	13	Dental	14
Bakeries	6	Drafting	14
Caterers—See Food stores	6	Medical	14
Fuel		Musical	16
Charcoal	18	Other precision	14
Briquettes	18	Iron and iron products—See Metals	16, 17, 18
Gas	18	Jewelry	
Electricity	18	From precious metals	9, 14
Petroleum products	18	Costume	16
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Fur goods		Knit goods—See Textiles	16
Apparel	15	Lampblack	18
Dyeing	17	Leather and leather products	
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Finishing	17	Belting	16
Furniture		Luggage	16
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Bulk	16	Handbags	15
Gelatin		Tanning	17
Vegetable	17	Finishing	17
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Grain, milling and processing	18	See Wood and products	13, 16, 17
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Bulk processing (washing, curing, dyeing).....	17	Machine shops (small)	13
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Hats	15	Business machines	17
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Italicized words are defined in Article 6.

Establishment	Use Group
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Perfume	16
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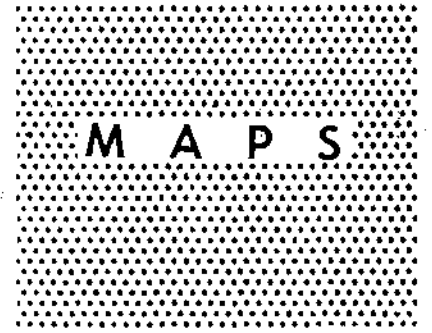
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Italicized words are defined in Article 6.

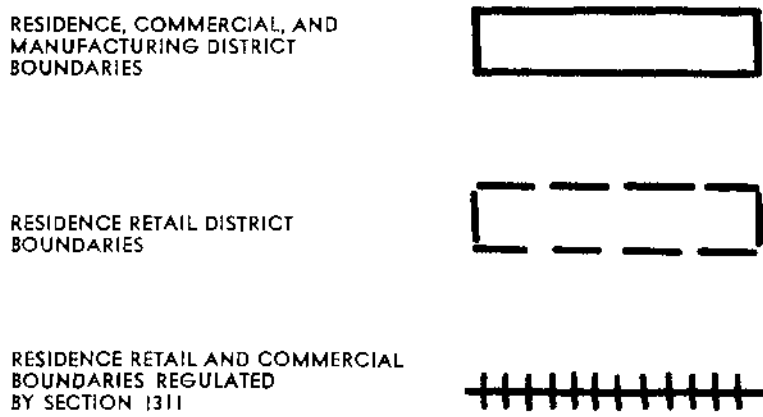
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PLAN FOR REZONING THE CITY OF NEW YORK



**P R O P O S E D
Z O N I N G
D I S T R I C T S**

DISTRICT BOUNDARY INDICATIONS



DISTRICT SYMBOLS AND TITLES

RESIDENCE DISTRICTS

SYM-BOL	TITLE	F.A.R.
RA1	One-Family Detached Residence	0.50
RA2	One-Family Detached Residence	0.50
RB1	General Residence	0.50
RB2	General Residence	0.80
RB3	General Residence	1.40
RB4	General Residence	2.40
RB5	General Residence	3.50
RB6	General Residence	5.00
RB7	General Residence	10.00
RM	Residence-Restricted-Manufacturing	
RRA	Limited-Use Residence Retail	
RRB	Limited-Size Residence Retail	
RRC	General Residence Retail	

COMMERCIAL DISTRICTS

SYM-BOL	TITLE	F.A.R.
CA1	Restricted Commercial-Residence	3.50
CA2	Restricted Commercial-Residence	10.00
CA3	Restricted Commercial	10.00
CA4	Restricted Commercial	15.00
CB1	General Commercial	1.00
CB2	General Commercial	1.40
CB3	General Commercial	2.40
CB4	General Commercial	5.00
CB5	Central Commercial-Wholesale	10.00
CB6	Central Commercial-Amusement	10.00
CC	Open Commercial-Amusement	2.40
CD1	Heavy Commercial	0.80
CD2	Heavy Commercial	1.40
CD3	Heavy Commercial	5.00
CM1	Commercial-Manufacturing	1.40
CM2	Commercial-Manufacturing	3.50

MANUFACTURING DISTRICTS

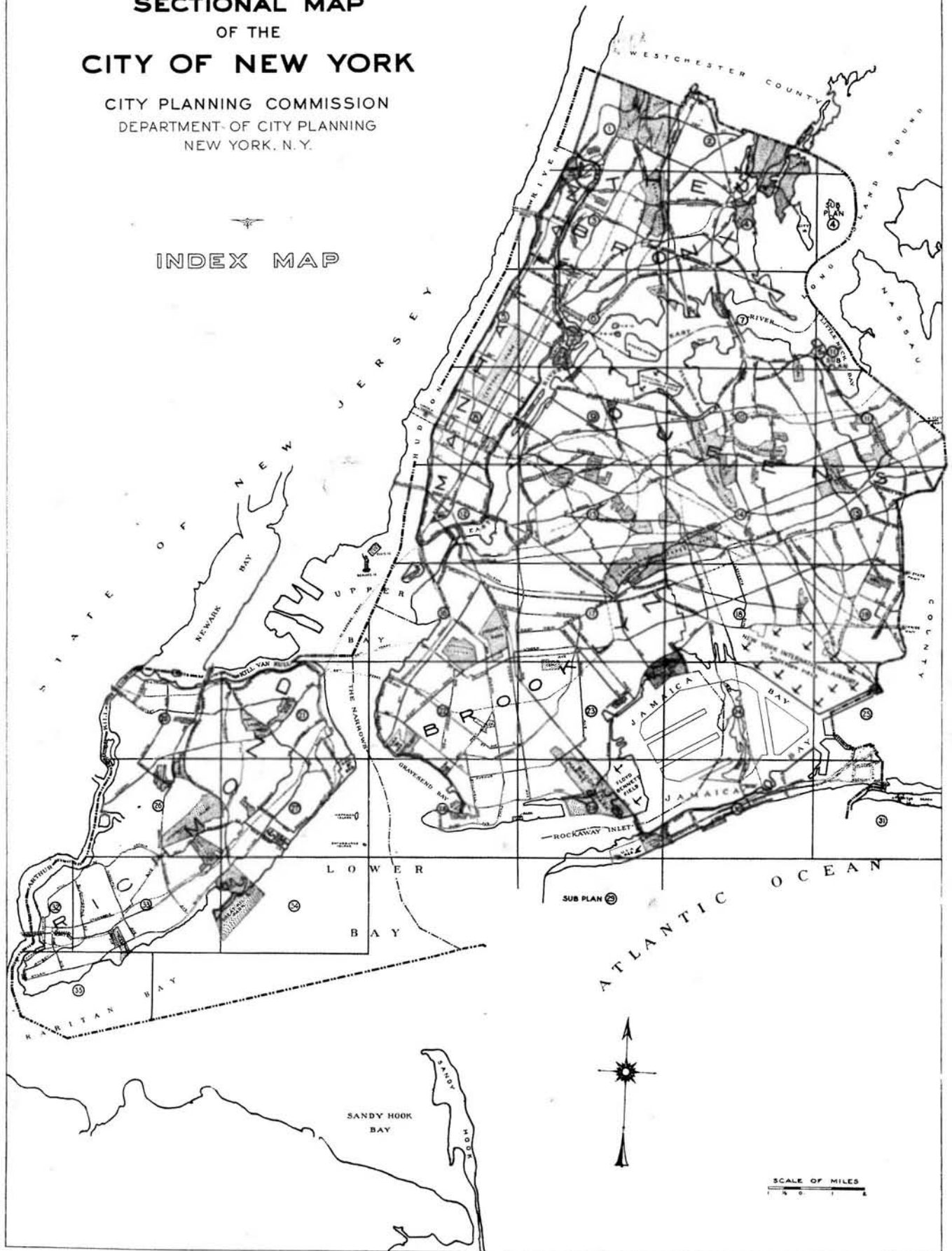
SYM-BOL	TITLE	F.A.R.
MA1	Light Manufacturing	10.00
MA2	Light Manufacturing	15.00
MB1	General Manufacturing	2.00
MB2	General Manufacturing	5.00
MC1	Industrial-Manufacturing	2.00
MC2	Industrial-Manufacturing	5.00
MC3	Industrial-Manufacturing	7.00
MD	Heavy Industrial-Manufacturing	5.00

F.A.R.—FLOOR AREA RATIO

**SECTIONAL MAP
OF THE
CITY OF NEW YORK**

CITY PLANNING COMMISSION
DEPARTMENT OF CITY PLANNING
NEW YORK, N. Y.

INDEX MAP

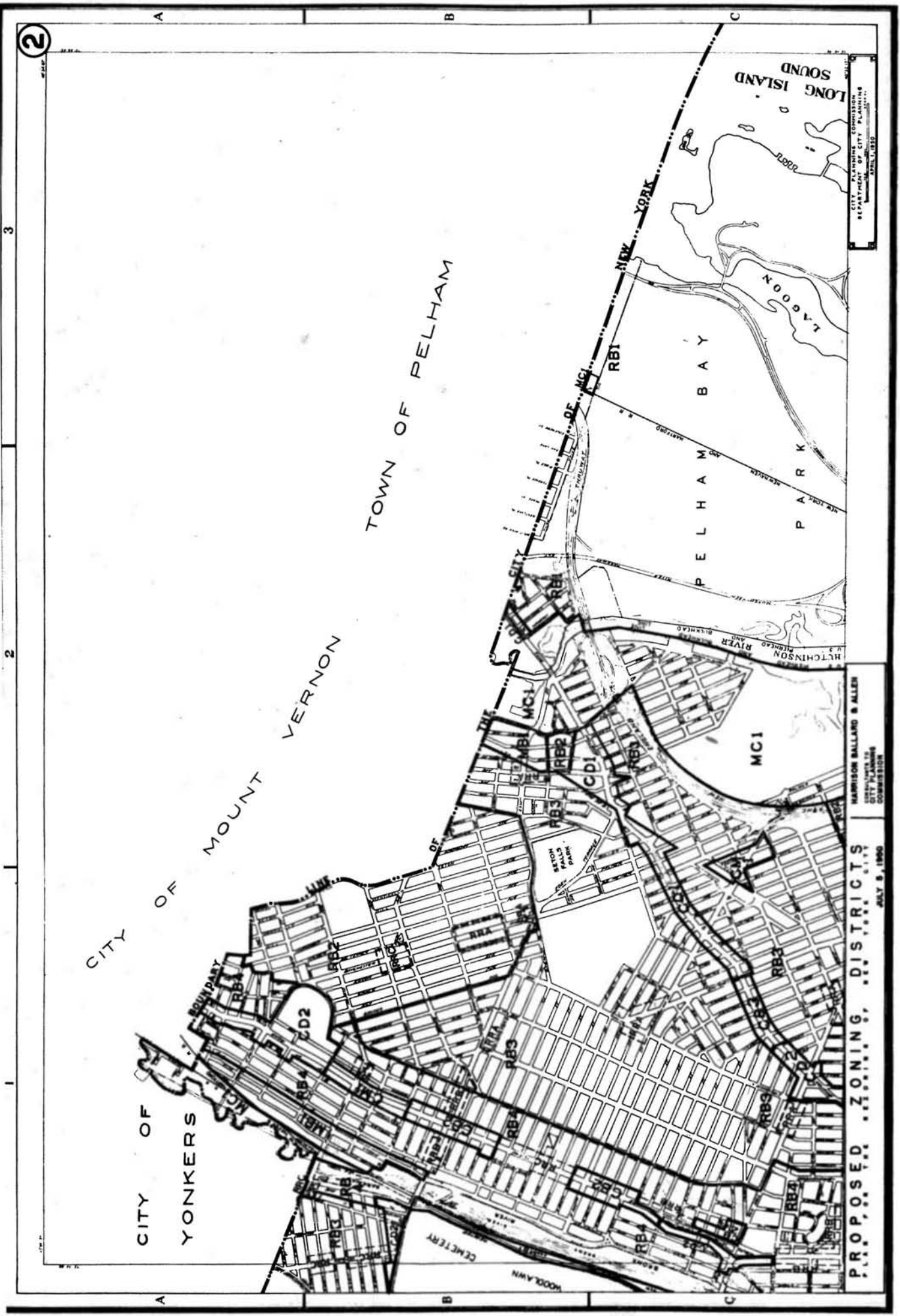




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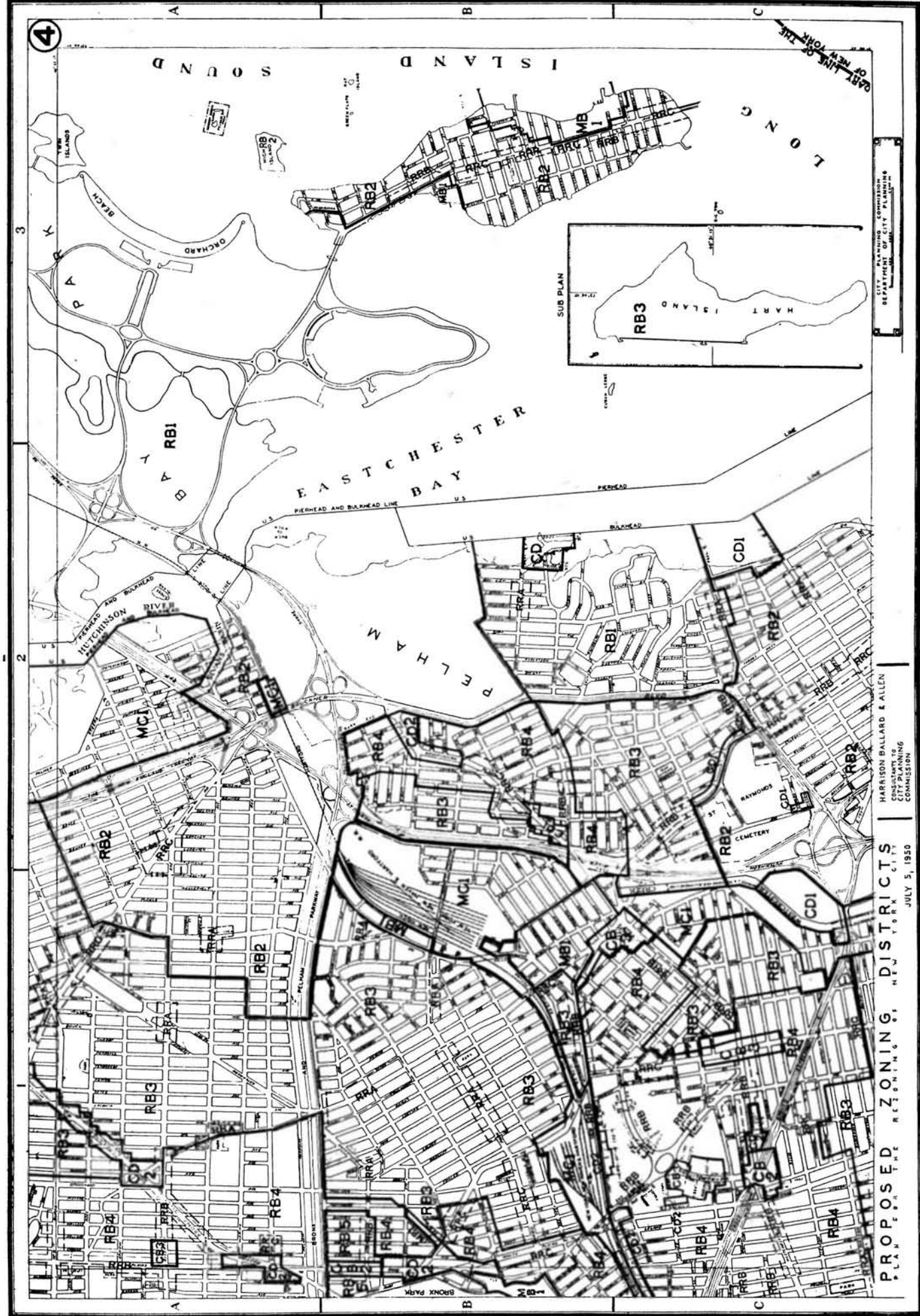
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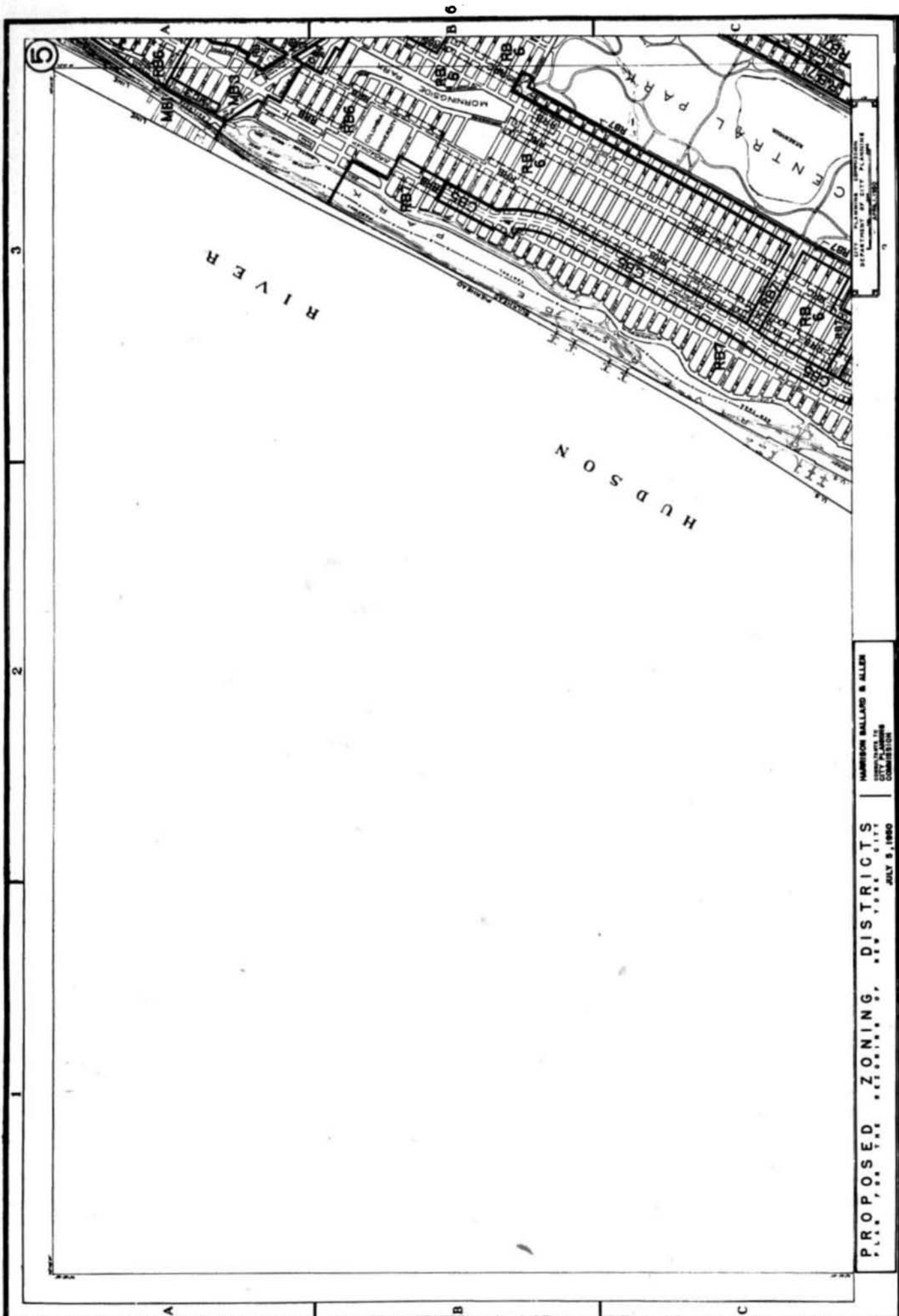
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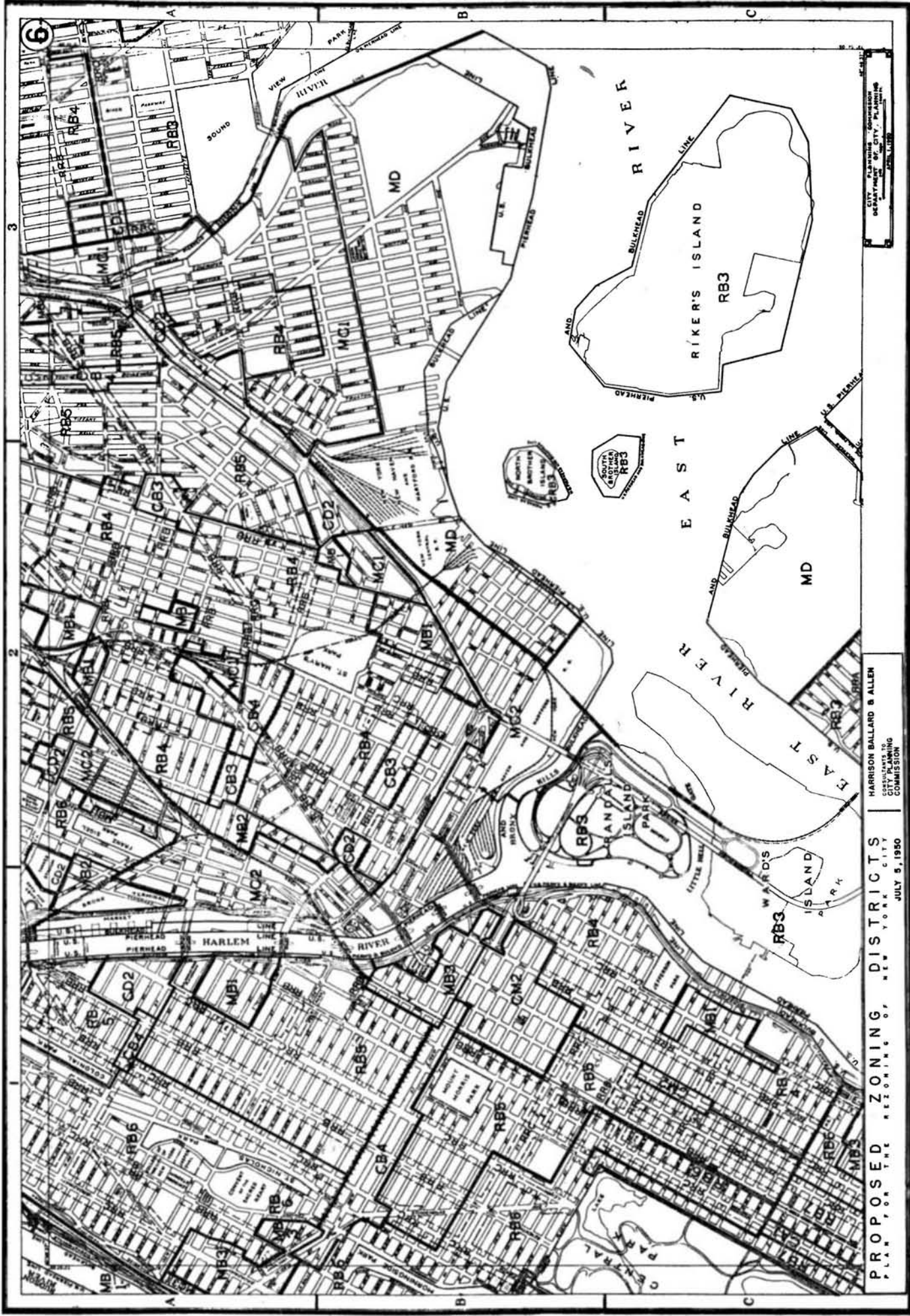
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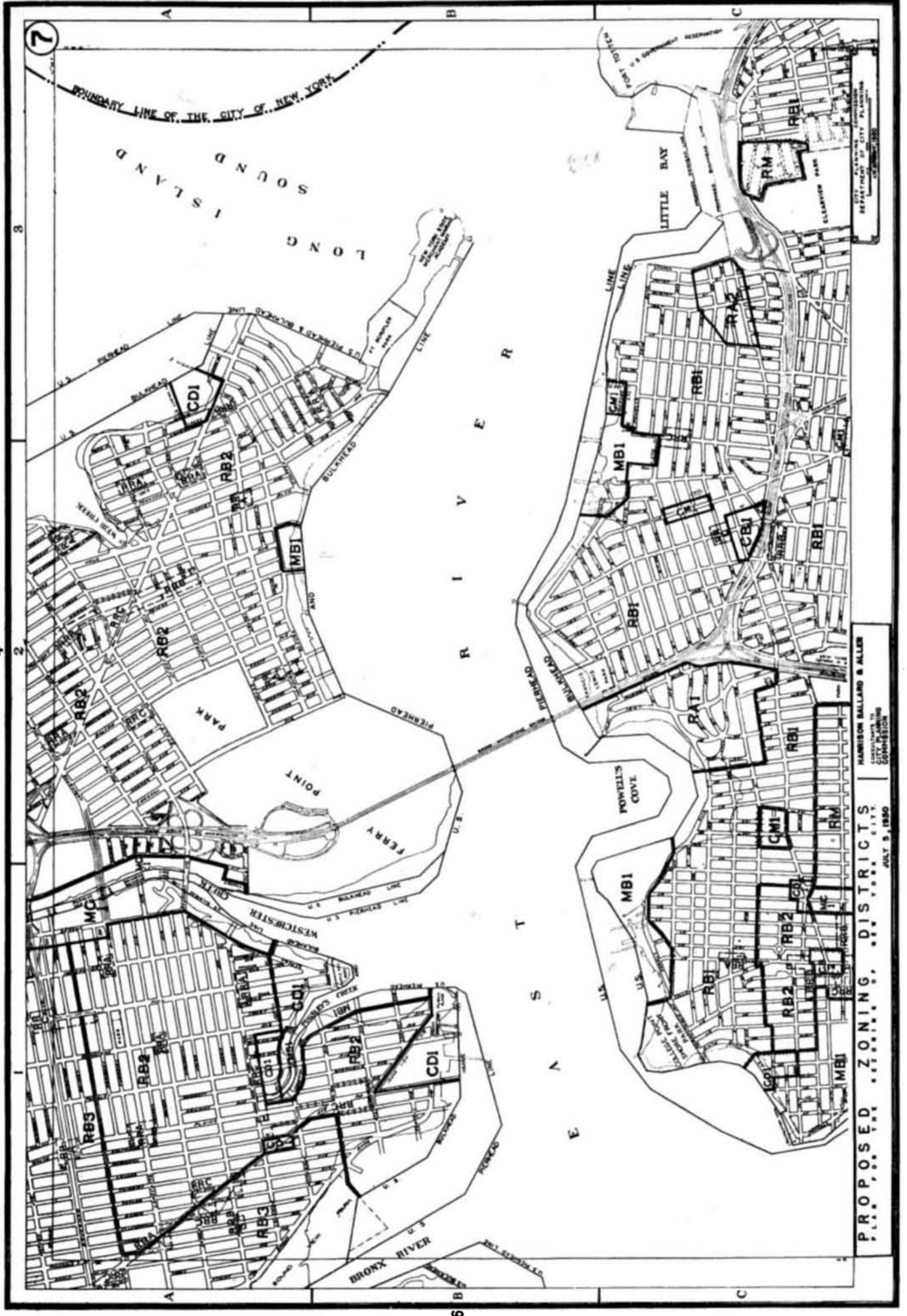
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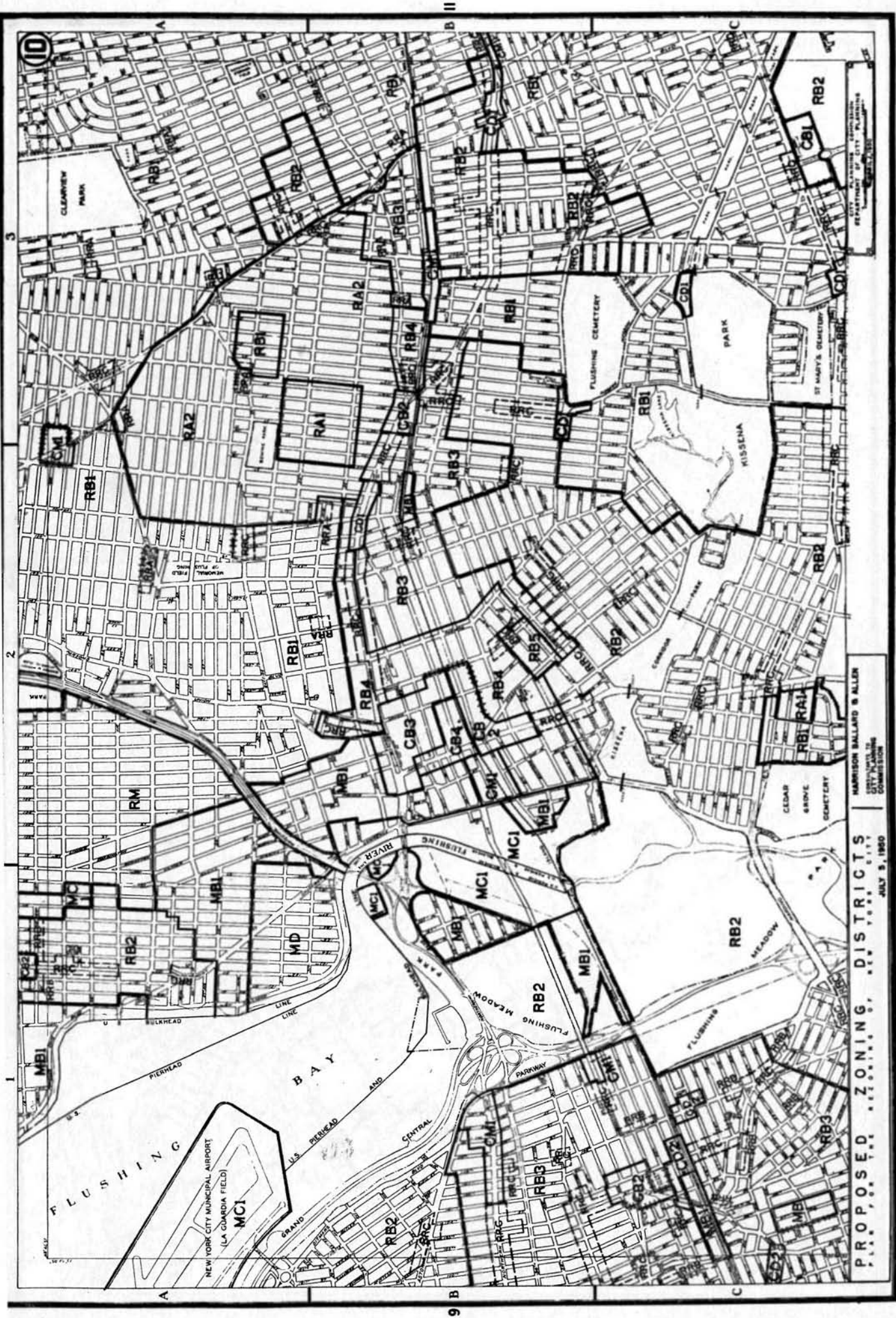


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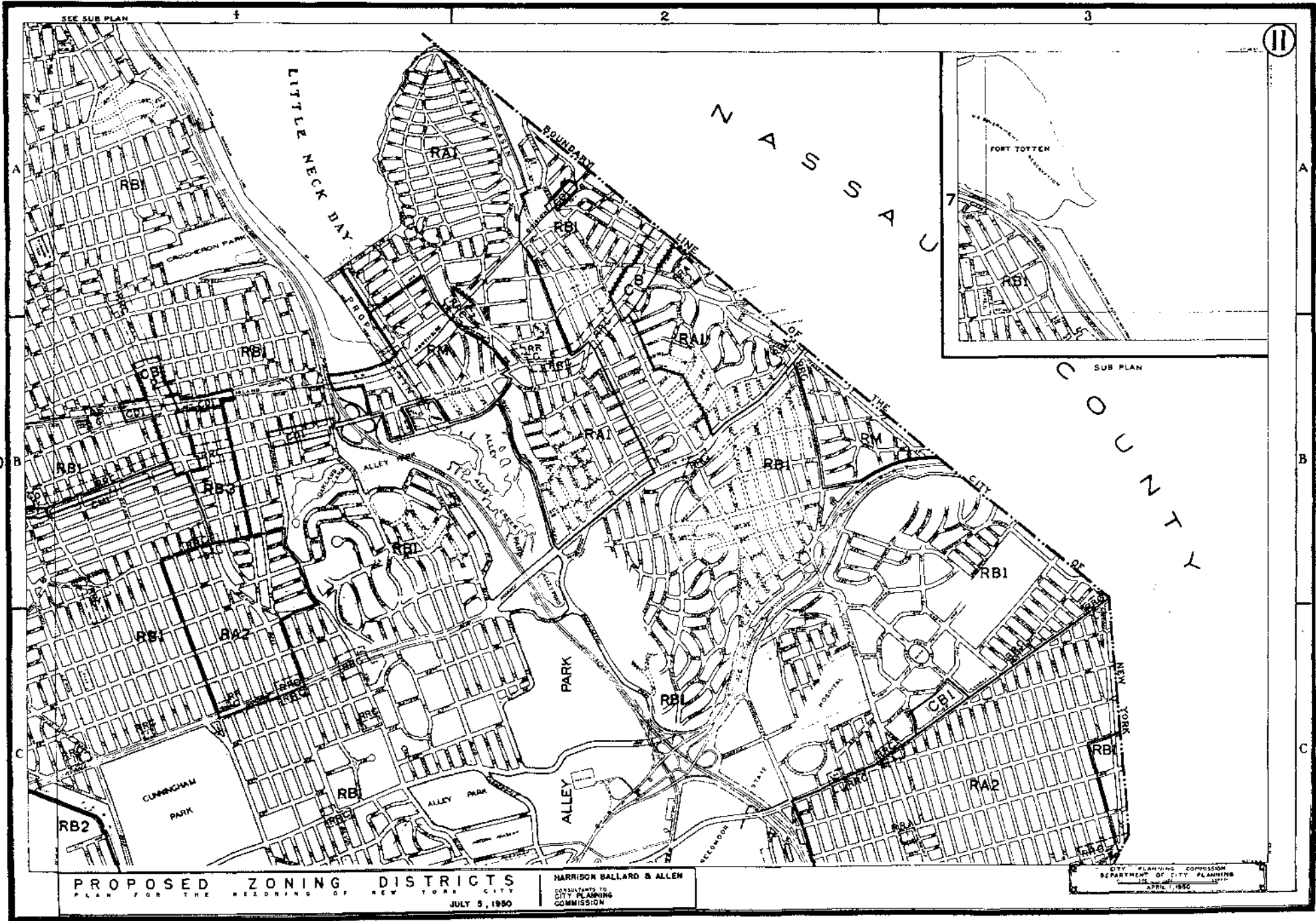


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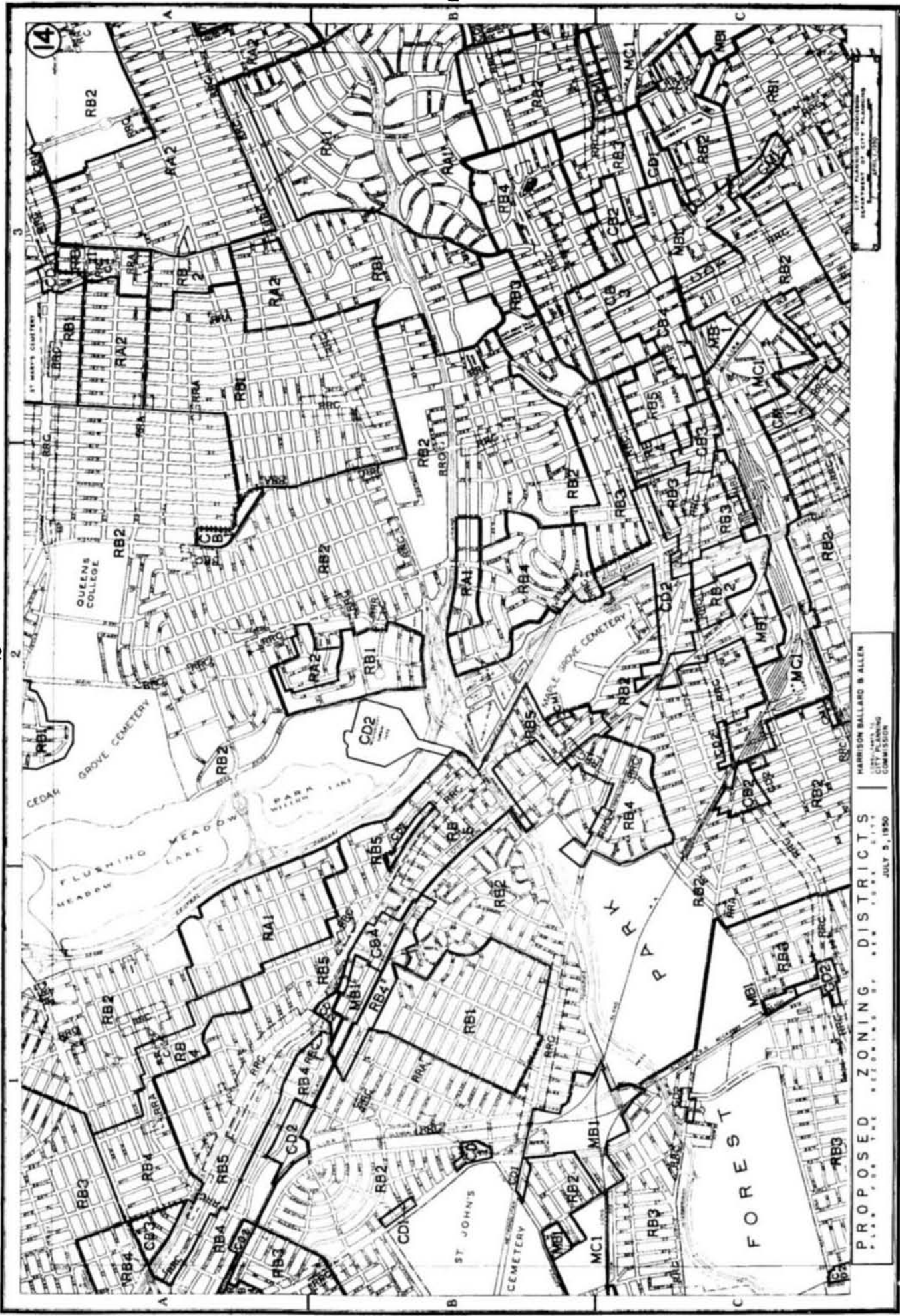
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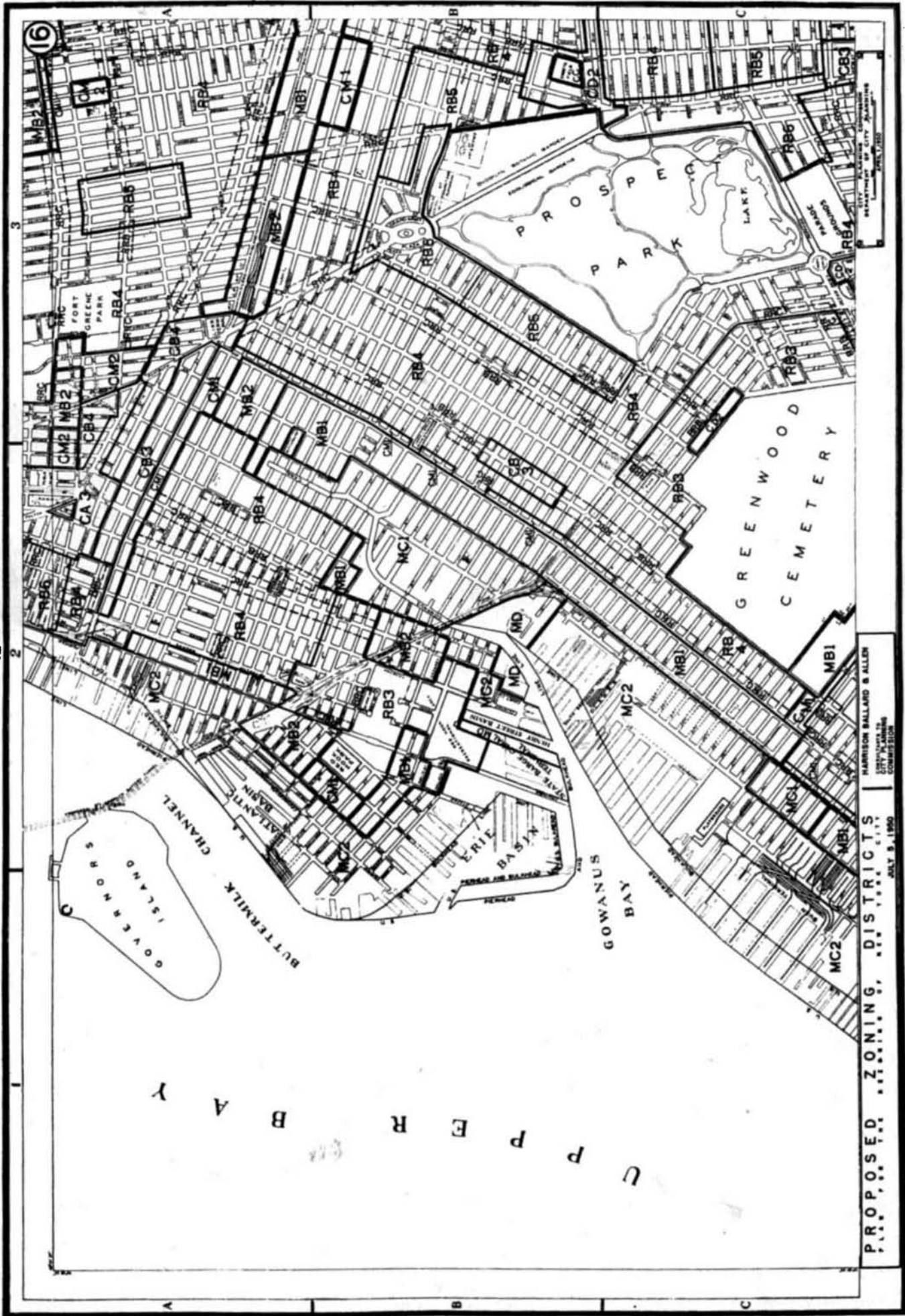


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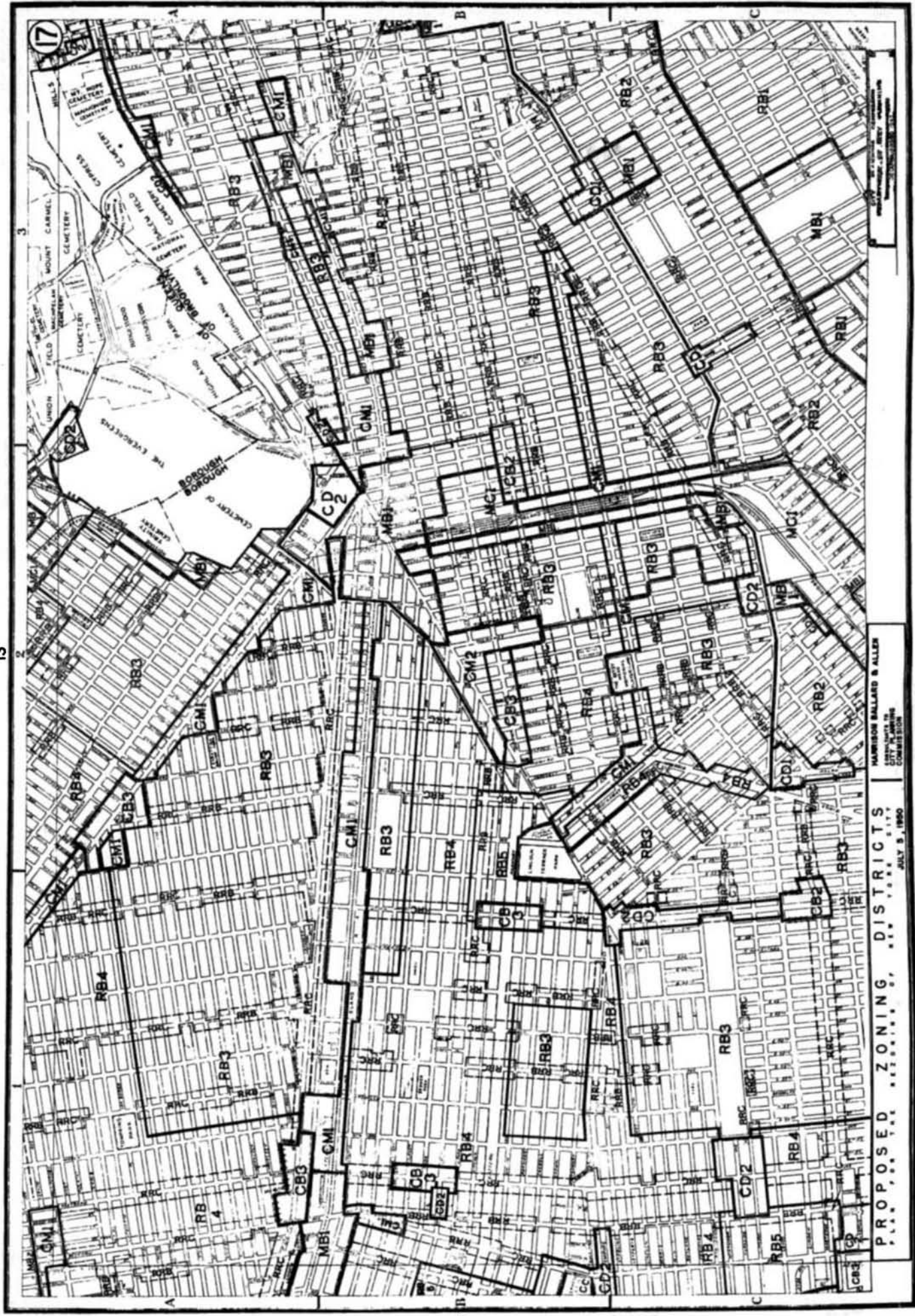
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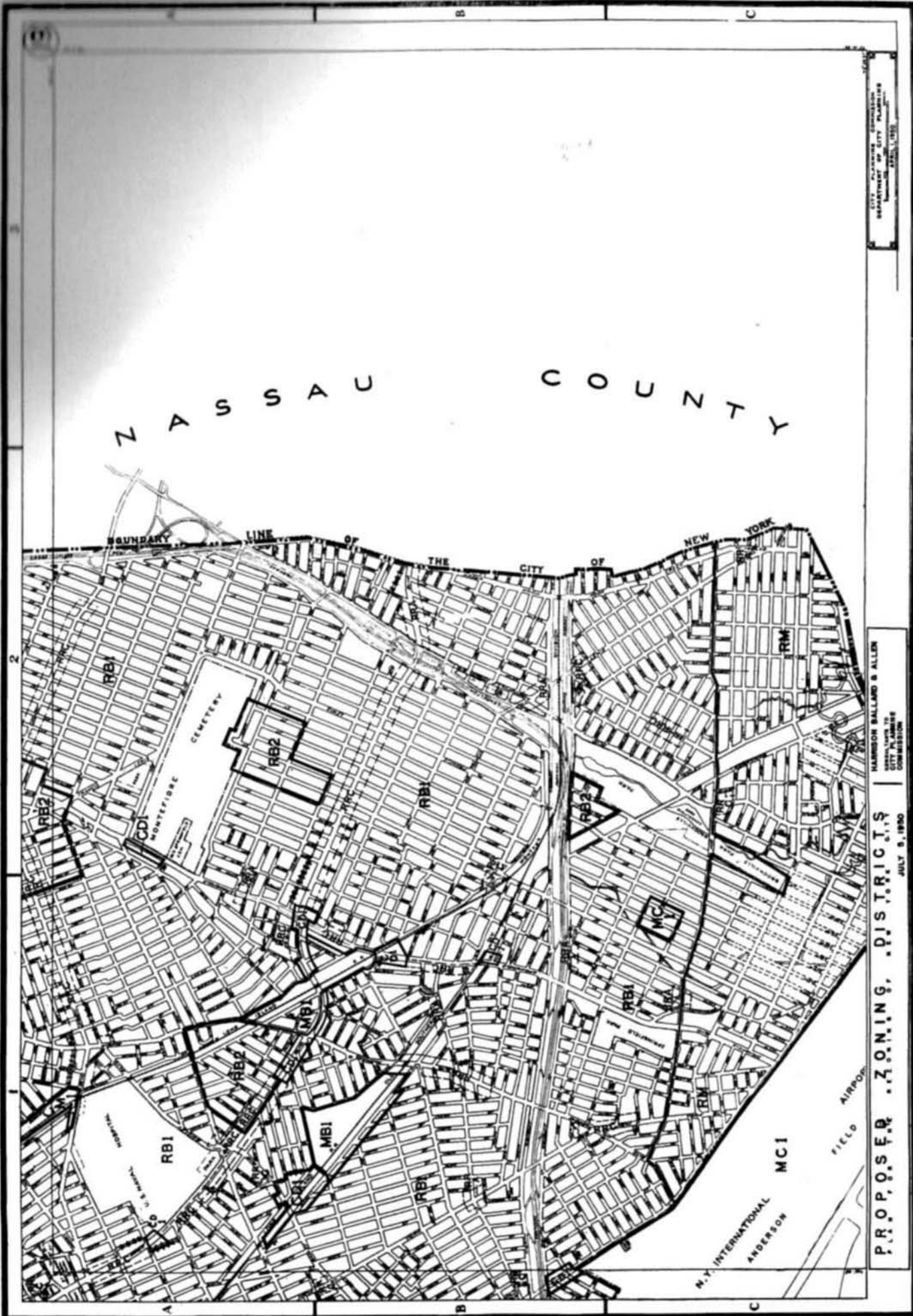
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 COMMISSION



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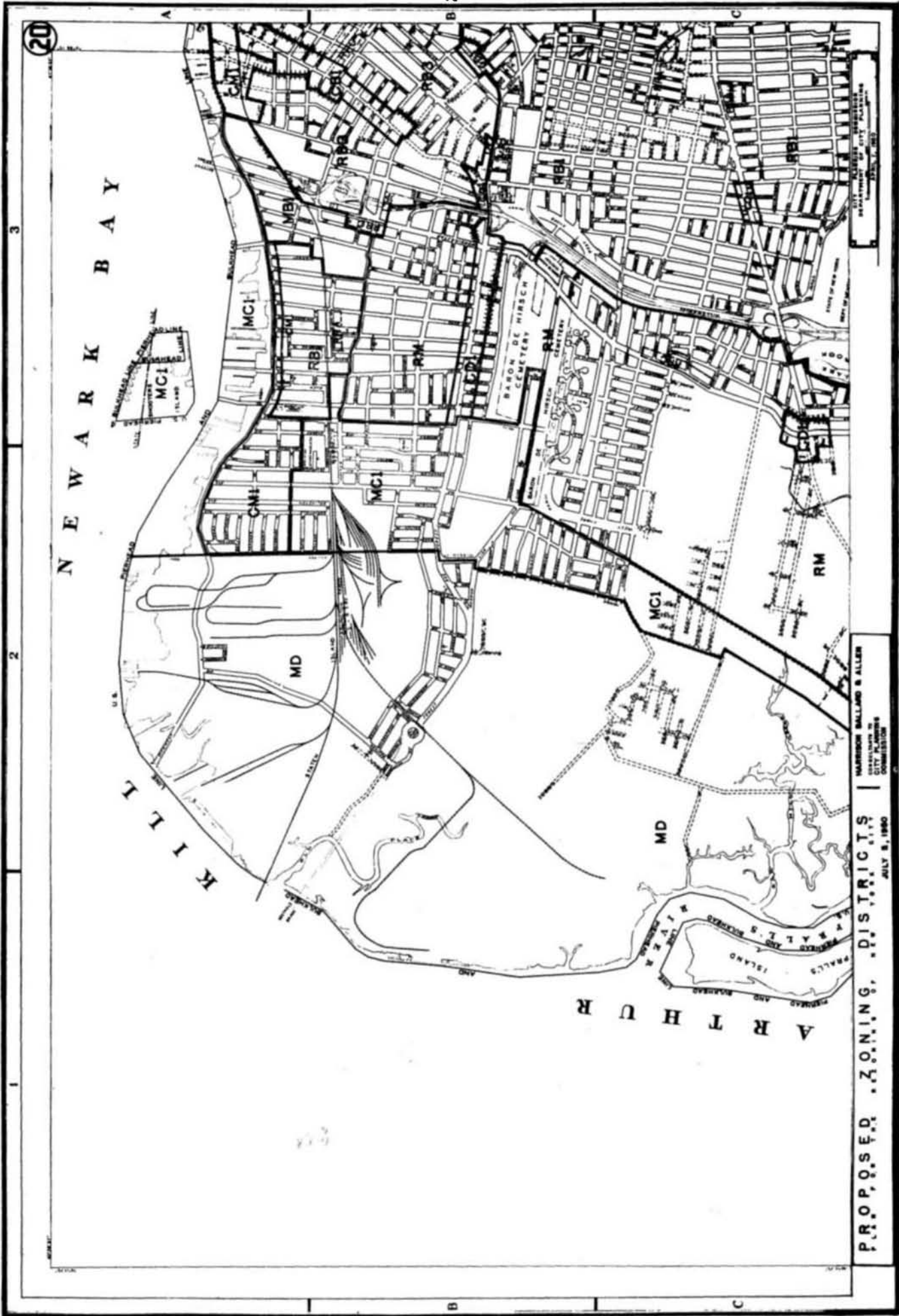
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K I L L V A N K U L L

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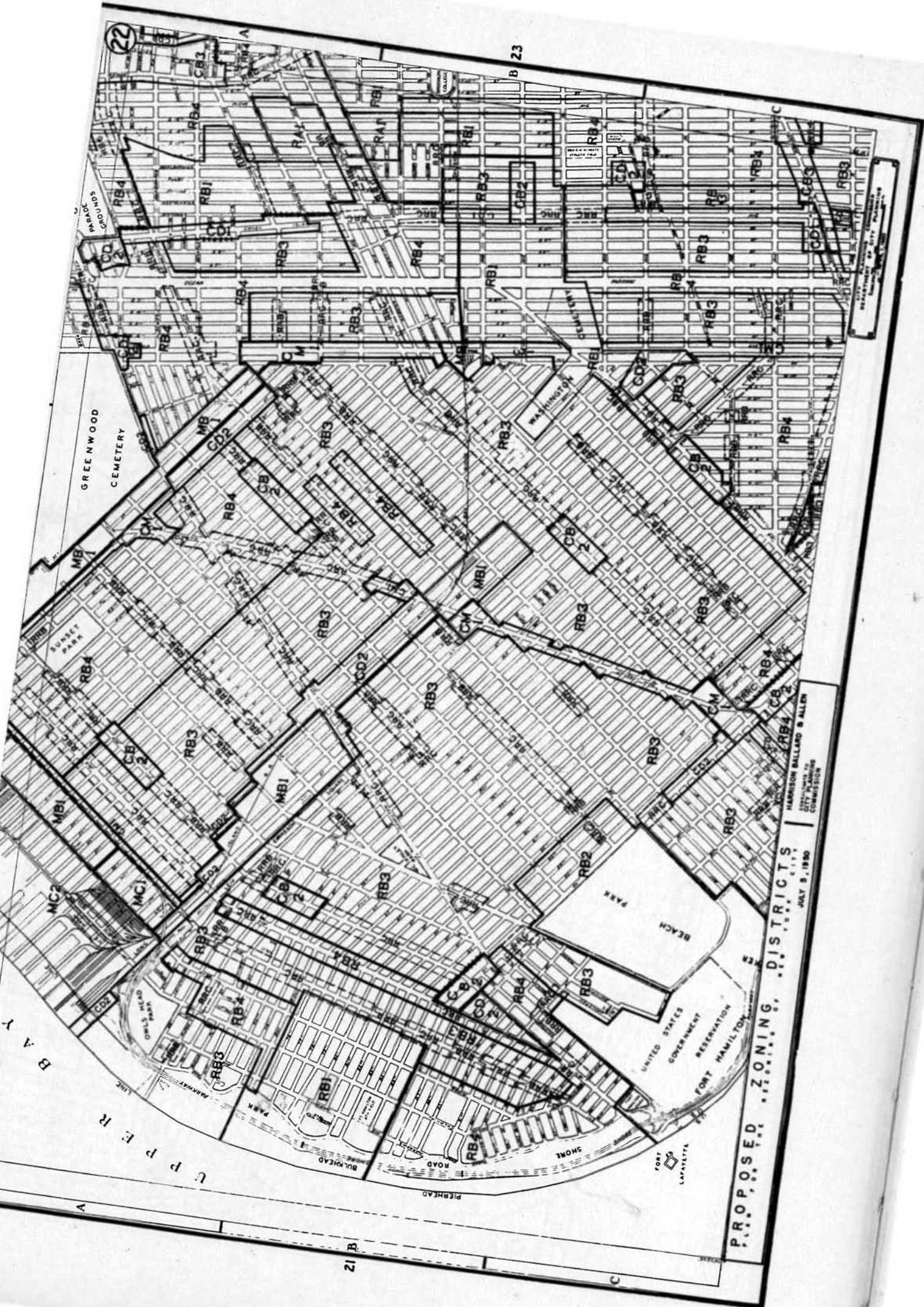
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CUPPER BAY

PARADE GROUNDS

SUNSET PARK

OWLS HEAD PARK

PIERHEAD ROAD

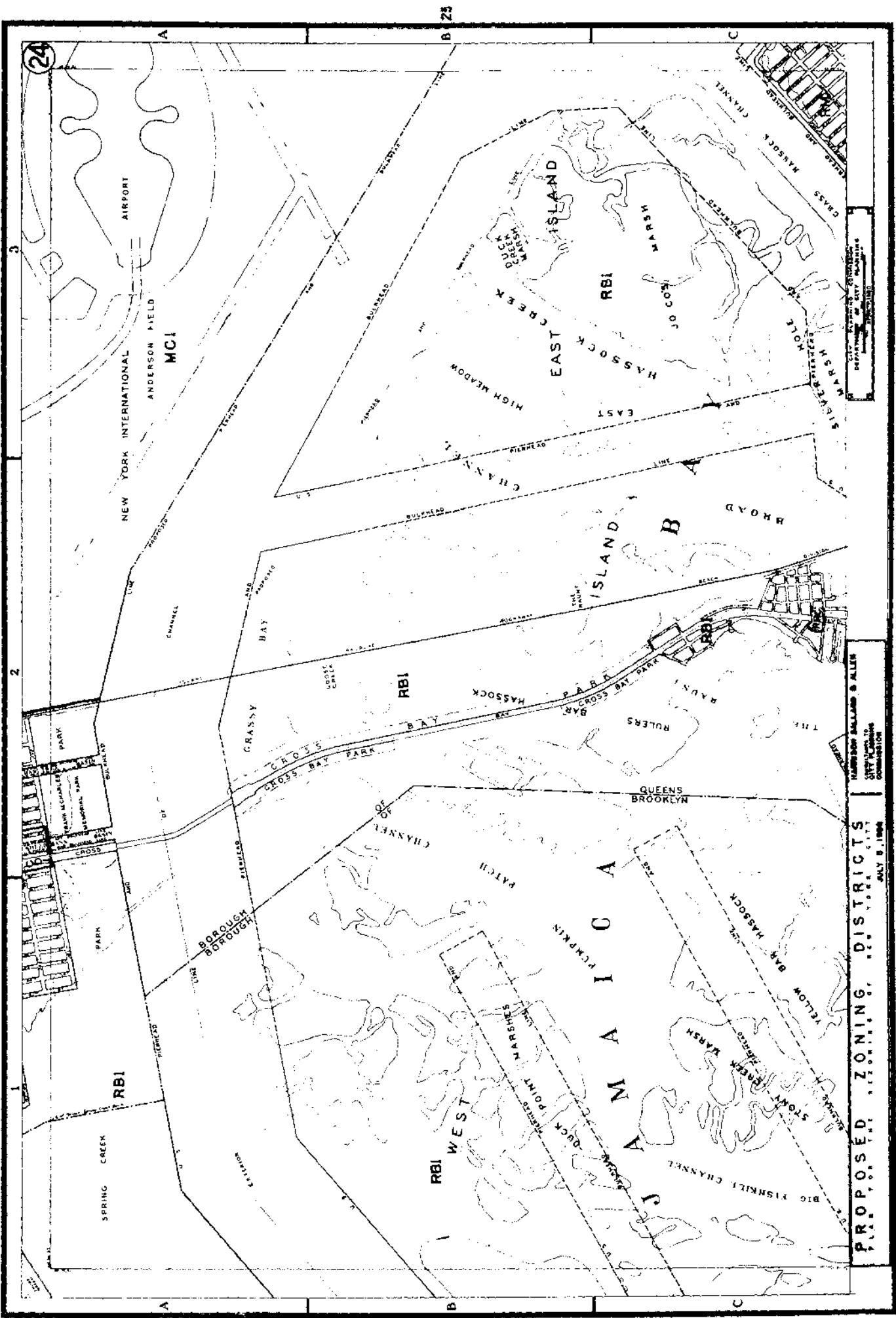
SHORE ROAD

WASHINGTON

WASHINGTON

WASHINGTON

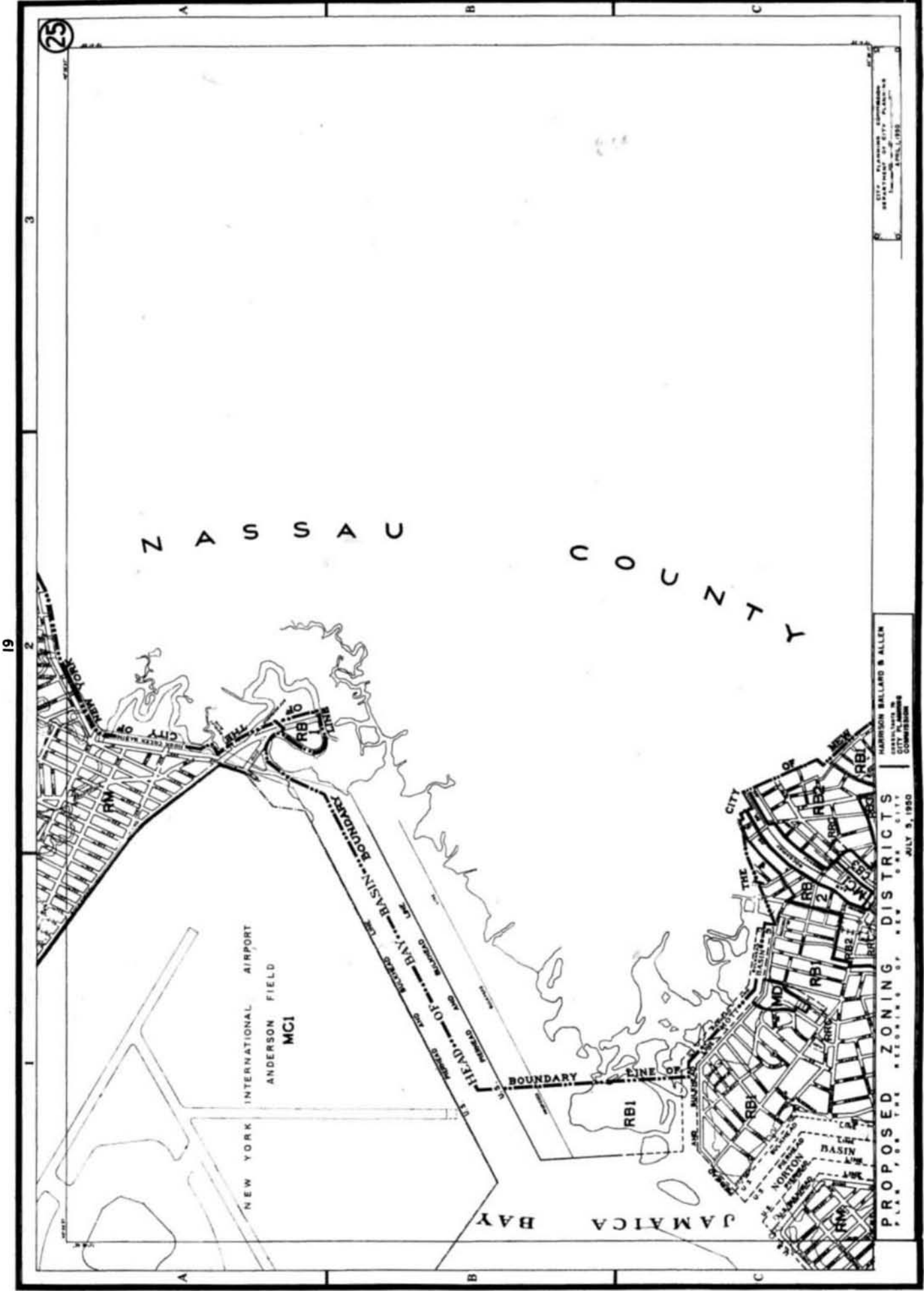
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NEW YORK INTERNATIONAL AIRPORT
ANDERSON FIELD
MCI

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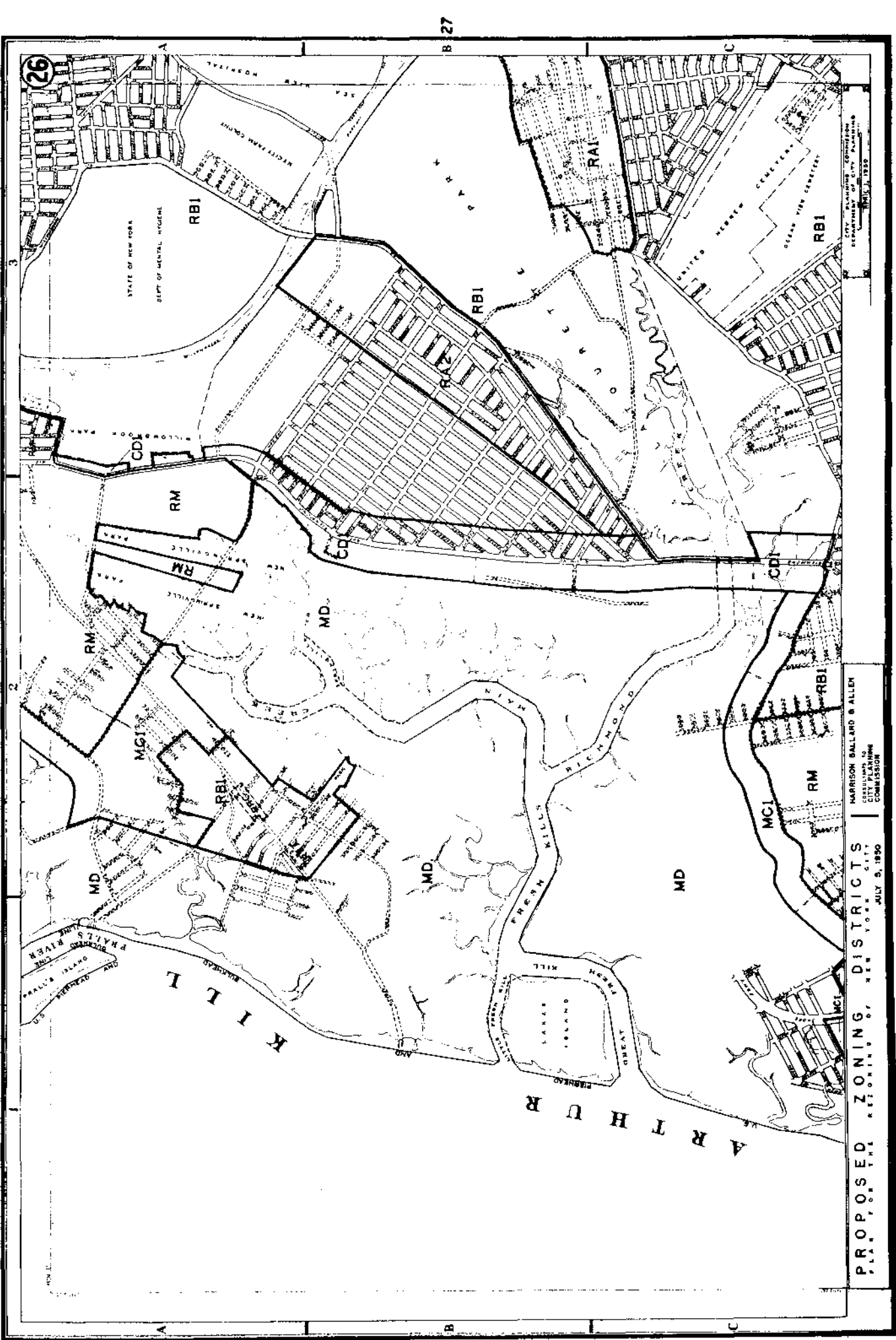
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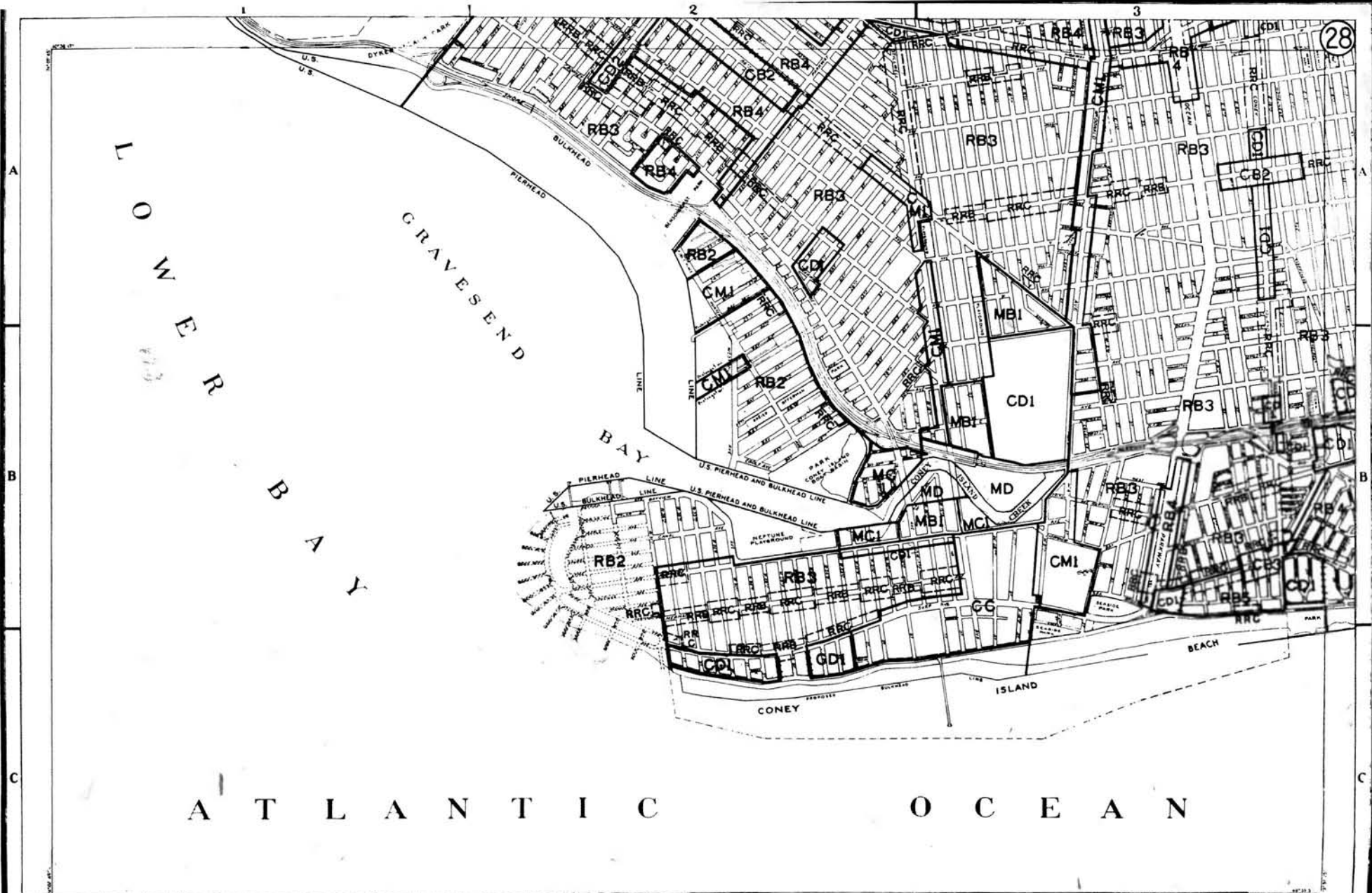




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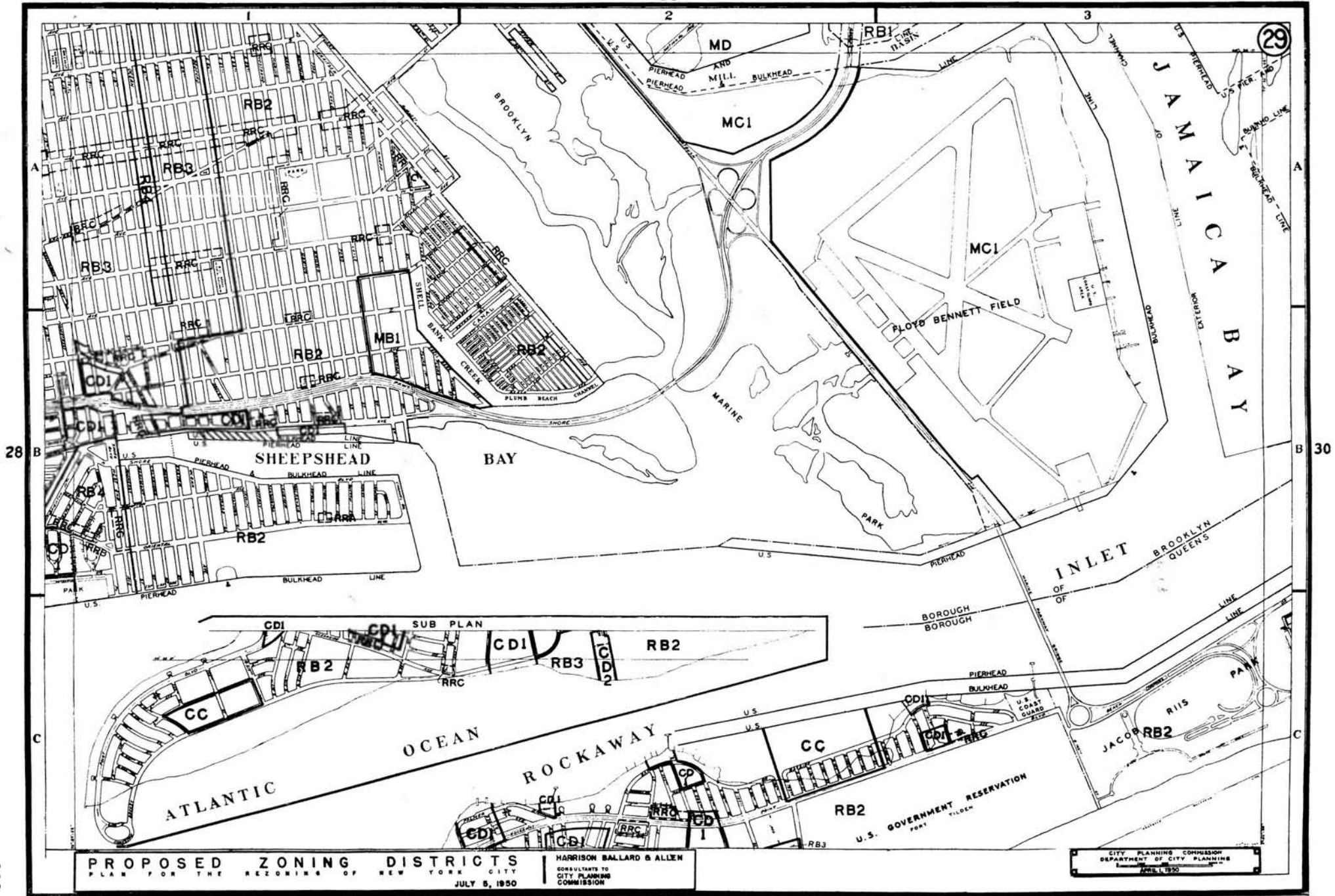
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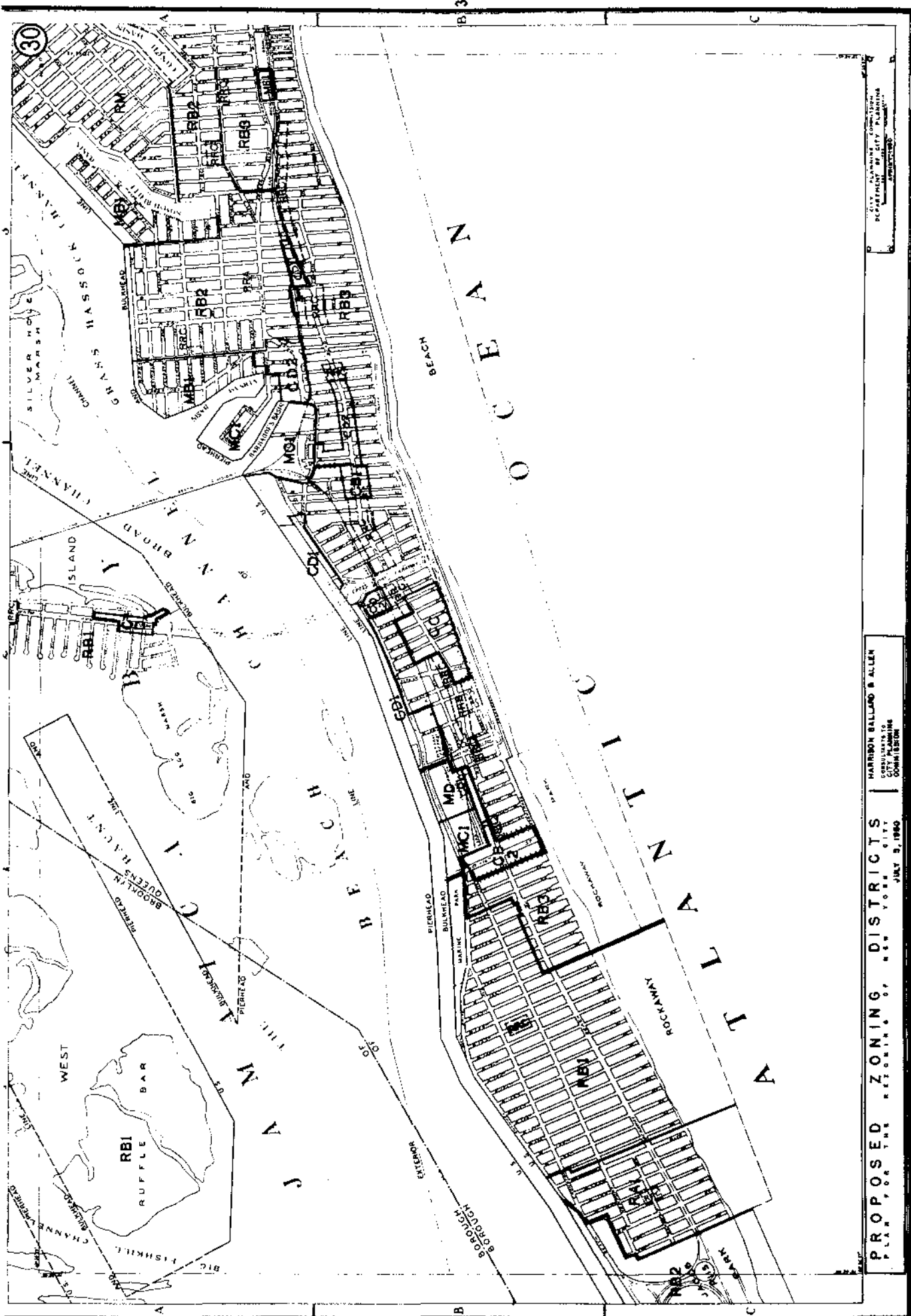
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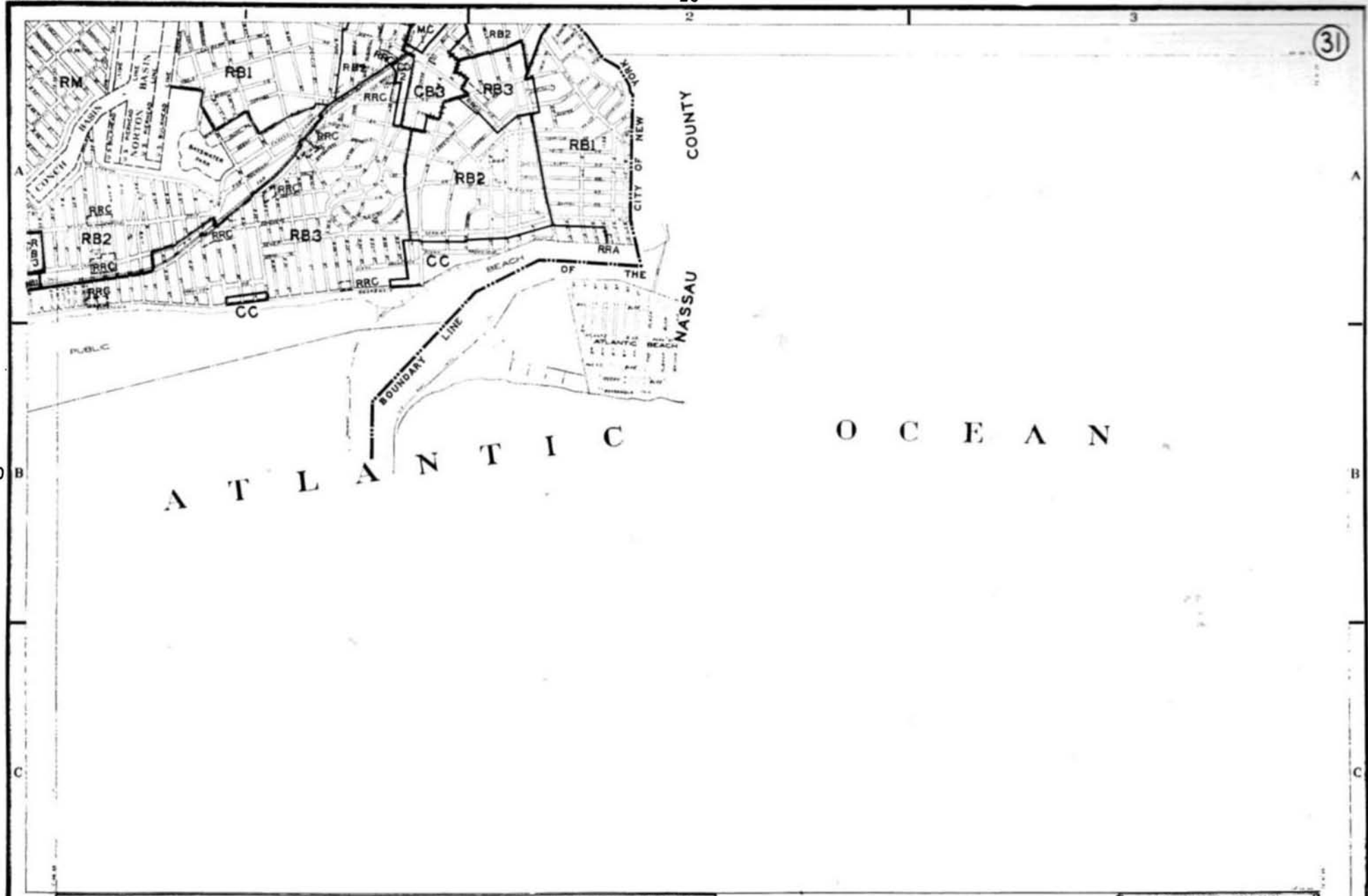
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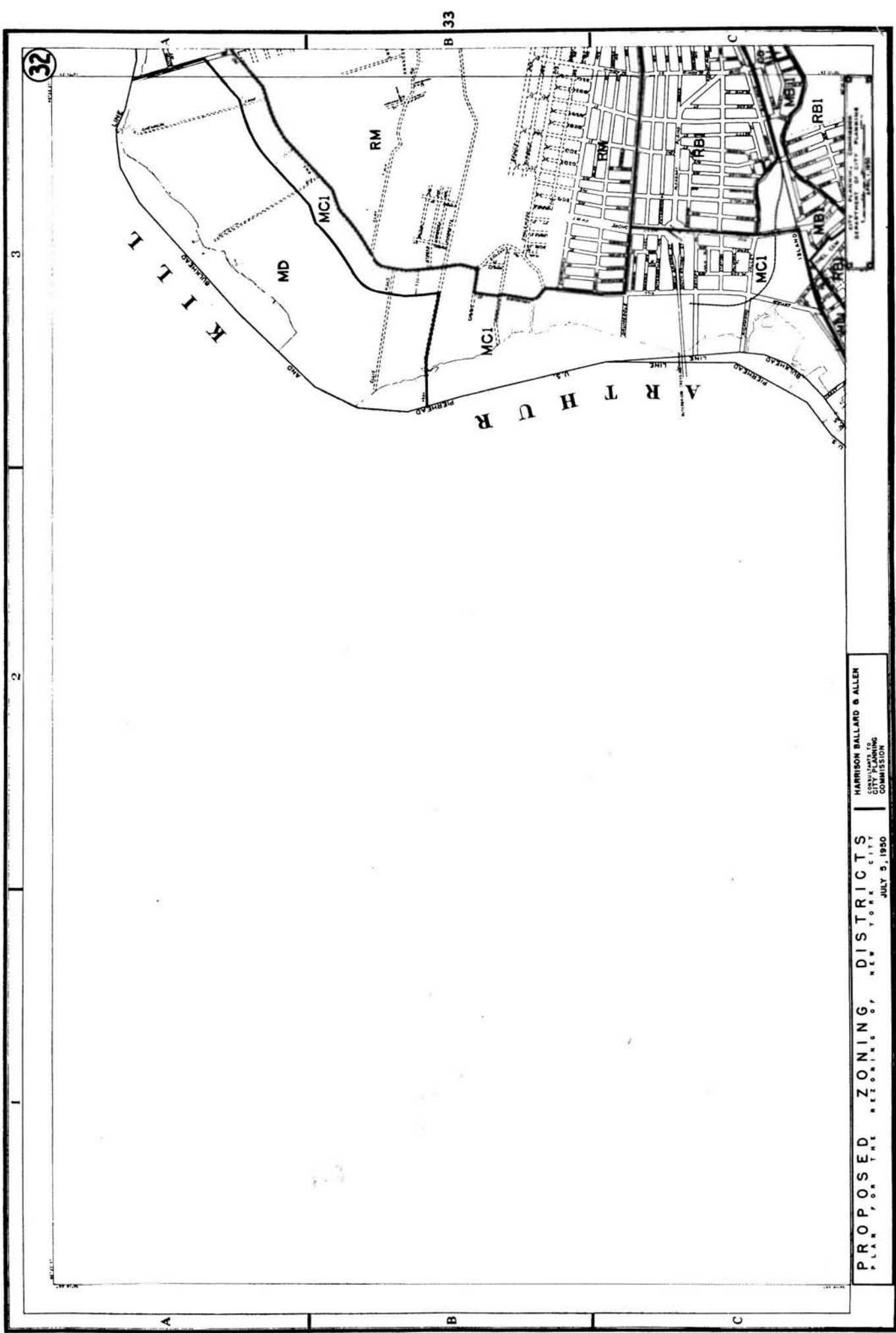
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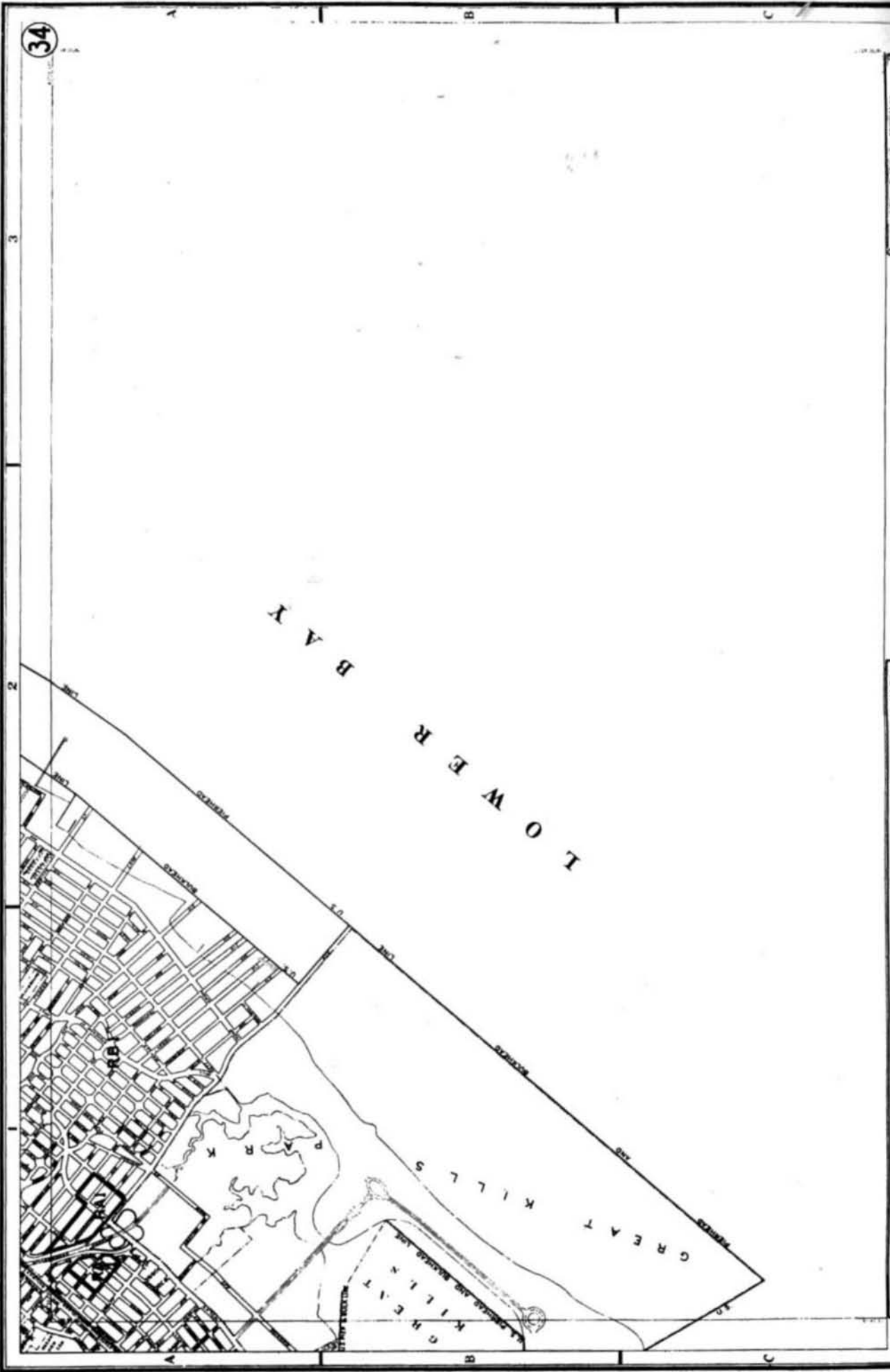
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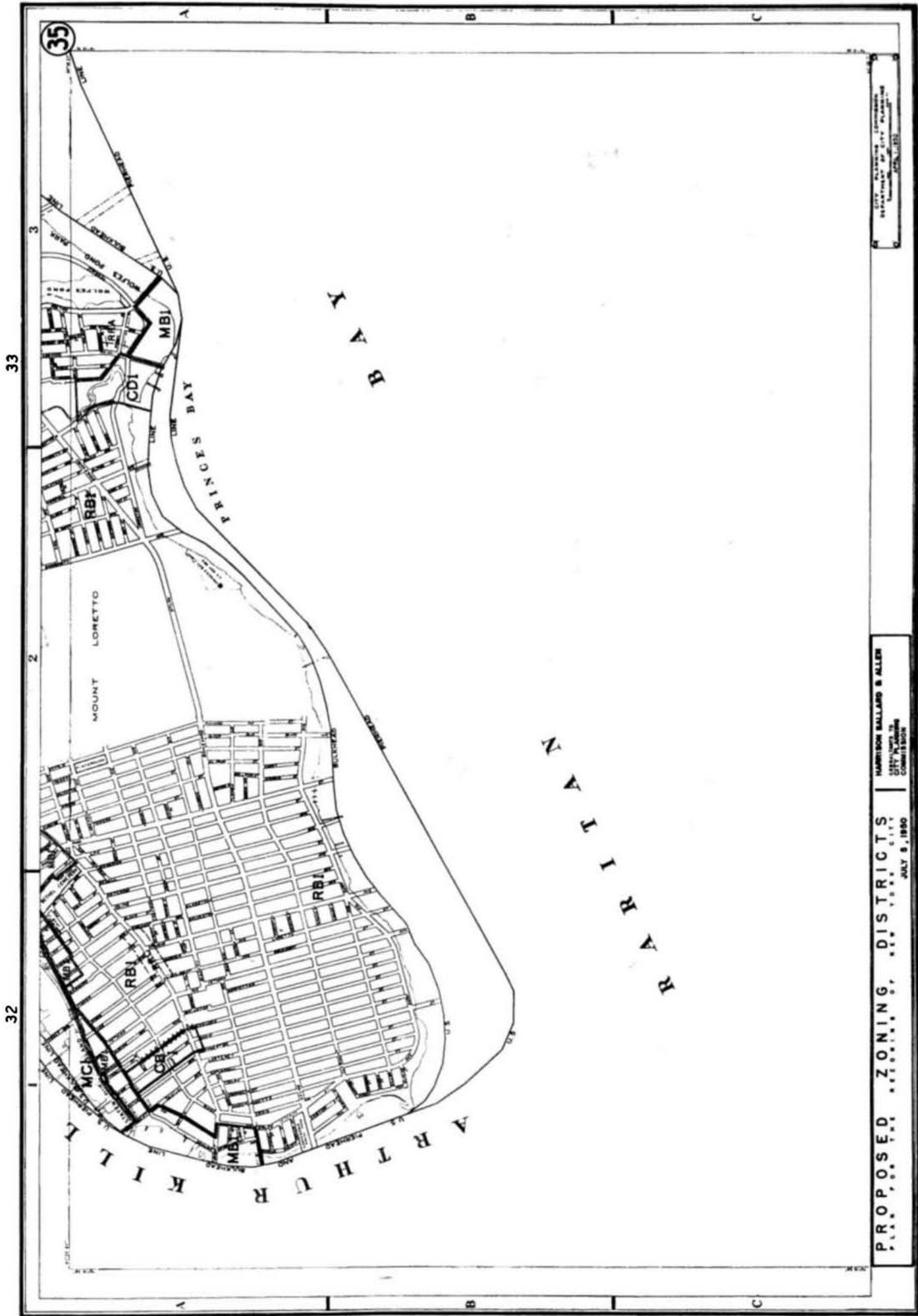


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NEW YORK CITY

PROPOSED ZONING DISTRICTS
NEW YORK CITY
JULY 8, 1930
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1 LAND USE



LEGEND

RESIDENTIAL AREA
CLASSIFICATION

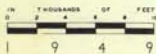
- Detached, 1-Family
- Low Bulk
- Medium Bulk
- High Bulk
- Highest Bulk
- Mixed or transitional
use indicated by
colors of those uses

PREDOMINANT
FLOOR AREA
RATIO

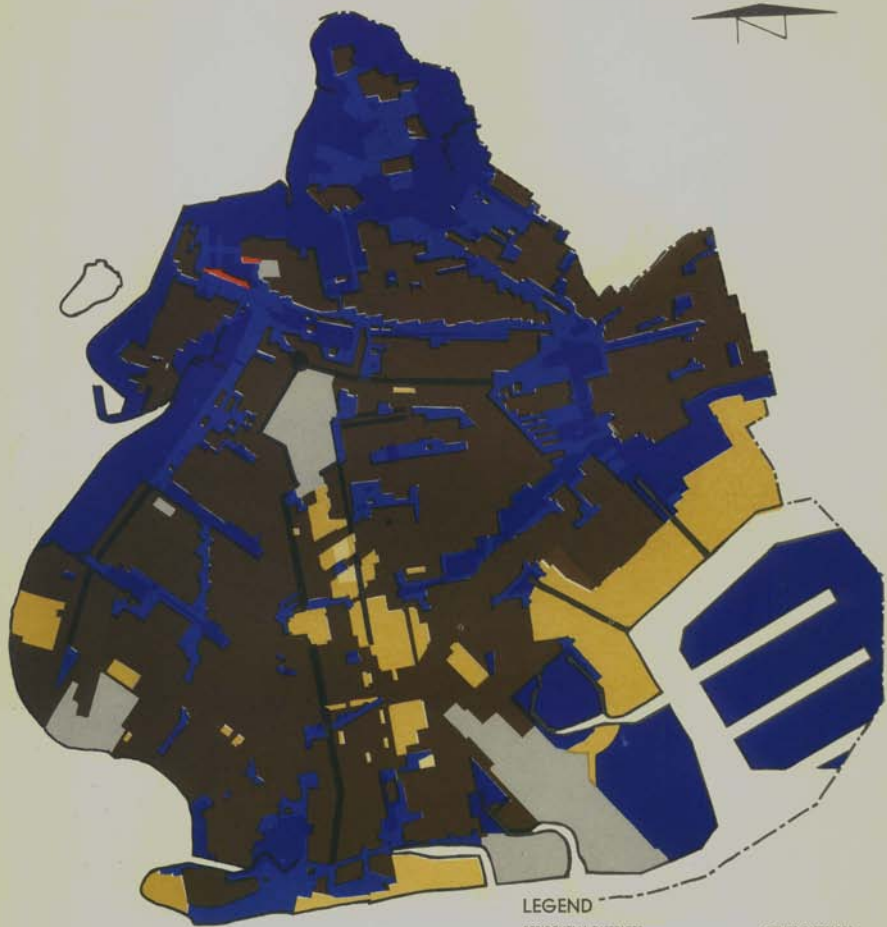
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- 1.3
- 2.4
- 4.8
- over 4.8

OTHER
CLASSIFICATIONS

- Local Commercial
- Central Commercial
- Manufacturing
- Heavy Industrial
- Parks, Public and
Private Institutions,
Cemeteries
- Vacant



2 BOROUGH OF BROOKLYN EXISTING ZONING



LEGEND

RESIDENTIAL DISTRICTS

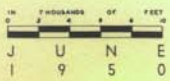
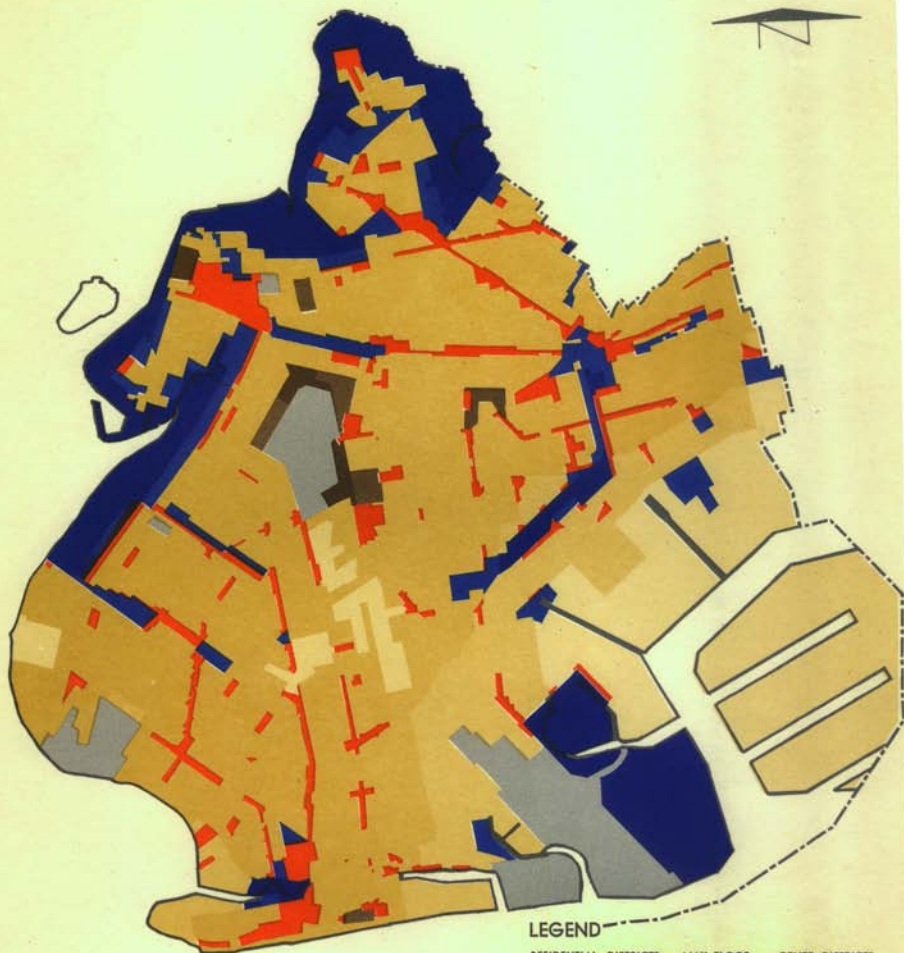
Area District	Height District
Detached, I-Family G, G-1, D-1	All
E-1, F-1	All
E, F	All
B, C, D	1/2
A, C, D	3/4, 1, 1 1/4, 1 1/2
A, B	1 or more
A, C	1 1/4 or more

OTHER DISTRICTS

Red	Retail, Retail-I, and Restricted Retail
Blue	Manufacturing and Business
Dark Blue	Unrestricted and Undetermined
Grey	Parks (See introduction page notes)

IN THOUSANDS OF FEET
 FEBRUARY
 1 9 5 0

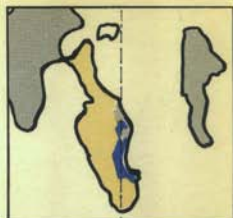
3 BOROUGH OF BROOKLYN PROPOSED ZONING



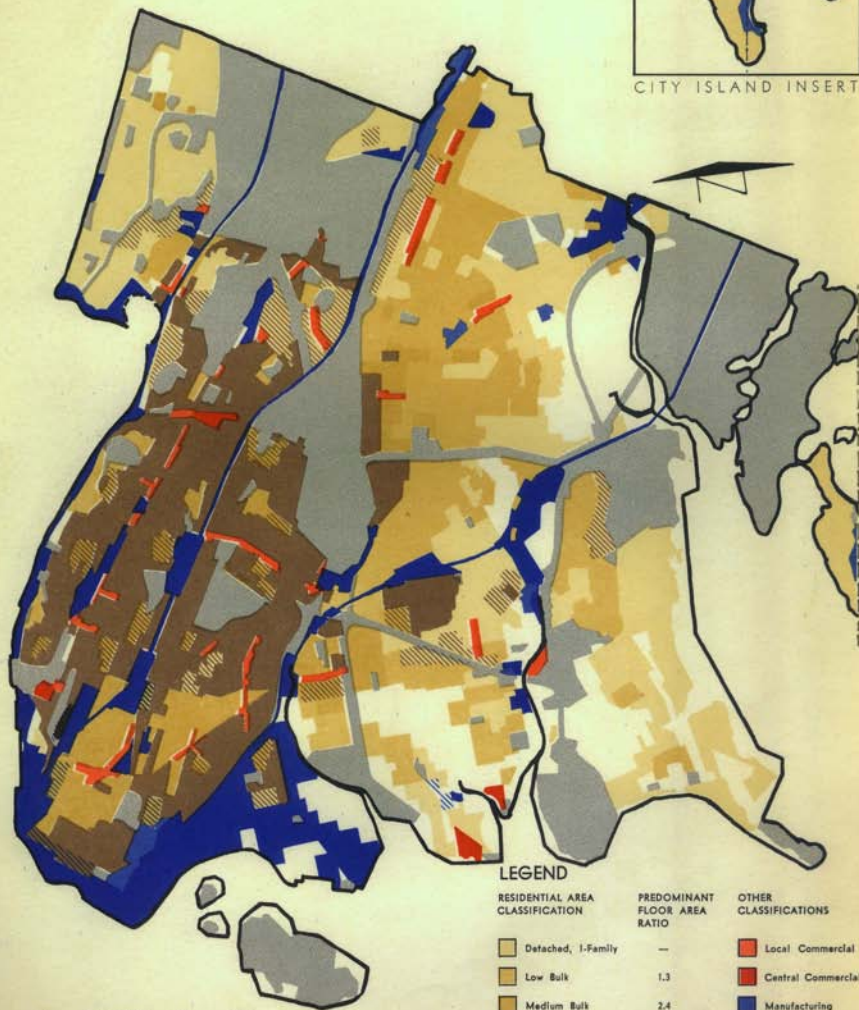
LEGEND

RESIDENTIAL DISTRICTS	MAX. FLOOR AREA RATIO	OTHER DISTRICTS
Detached, 1-Family (RA-1, RA-2) and Lowest Bulk (RB-1)	0.5	Commercial (CA-1 through CM-2)
Low Bulk (RB-2)	0.8	Manufacturing (MA through MB-3)
Medium Bulk (RB-3, RB-4)	1.4, 2.4	Heavy Industrial (MC-1 through MD)
Medium High Bulk (RB-5)	3.5	Parks (See Introduction page notes)
High Bulk (RB-6)	5.0	
Highest Bulk (RB-7)	10.0	
Residence Restricted Manufacturing (RM)	0.5	
	0.3	

1 BOROUGH OF THE BRONX LAND USE



CITY ISLAND INSERT

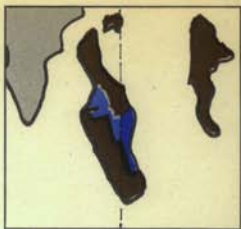


LEGEND

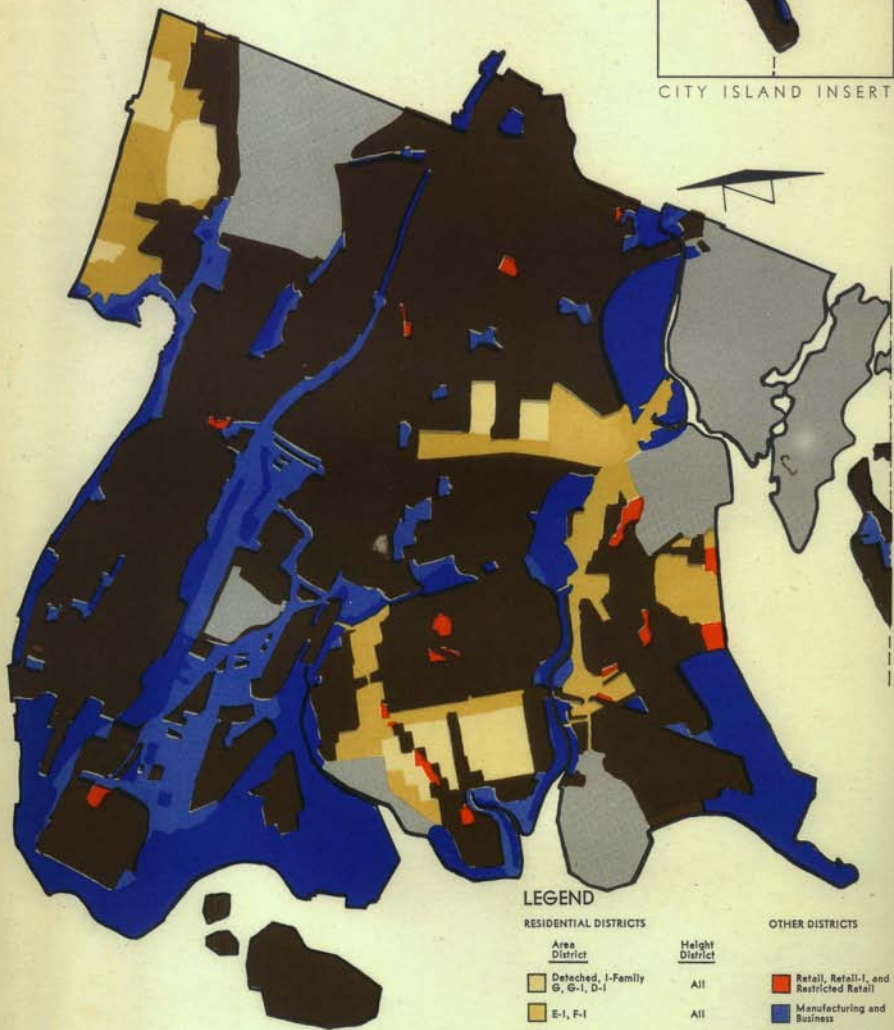
RESIDENTIAL AREA CLASSIFICATION	PREDOMINANT FLOOR AREA RATIO	OTHER CLASSIFICATIONS
Detached, 1-Family	—	Local Commercial
Low Bulk	1.3	Central Commercial
Medium Bulk	2.4	Manufacturing
High Bulk	4.8	Heavy Industrial
Highest Bulk	over 4.8	Parks, Public and Private Institutions, Cemeteries
Mixed or transitory use Indicated by colors of those uses		Vacant



2 BOROUGH OF THE BRONX EXISTING ZONING



CITY ISLAND INSERT



LEGEND

RESIDENTIAL DISTRICTS

Area District	Height District
Detached, 1-Family G, G-1, D-1	All
E-1, F-1	All
E, F	All
R, C, D	1/2
A, C, D	3/4, 1, 1 1/4, 1 1/2
A, C	1 or more 1 1/4 or more

OTHER DISTRICTS

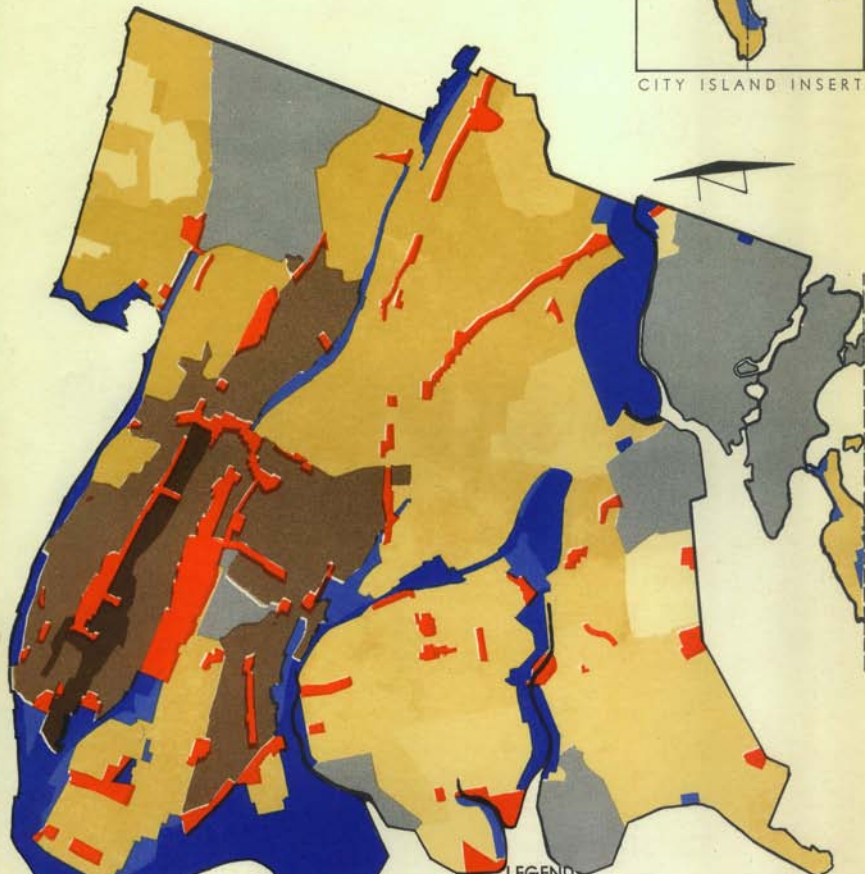
Retail, Retail-I, and Restricted Retail
Manufacturing and Business
Unrestricted and Undetermined
Parks (See Introduc- tion page notes)



3 BOROUGH OF THE BRONX PROPOSED ZONING



CITY ISLAND INSERT



LEGEND

RESIDENTIAL DISTRICTS

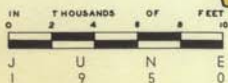
-  Detached, 1-Family (RA-1, RA-2) and Lowest Bulk (RB-1)
-  Low Bulk (RB-2)
-  Medium Bulk (RB-3, RB-4)
-  Medium High Bulk (RB-5)
-  High Bulk (RB-6)
-  Highest Bulk (RB-7)
-  Residence Restricted Manufacturing (RM)

MAX. FLOOR AREA RATIO

- 0.5
- 0.8
- 1.4, 2.4
- 3.5
- 5.0
- 10.0
- 0.5
- 0.3

OTHER DISTRICTS

-  Commercial (CA-1 through CM-2)
-  Manufacturing (MA-1 through MB-3)
-  Heavy Industrial (MC-1 through MD)
-  Parks (See Introduction page notes)



1 BOROUGH OF MANHATTAN LAND USE

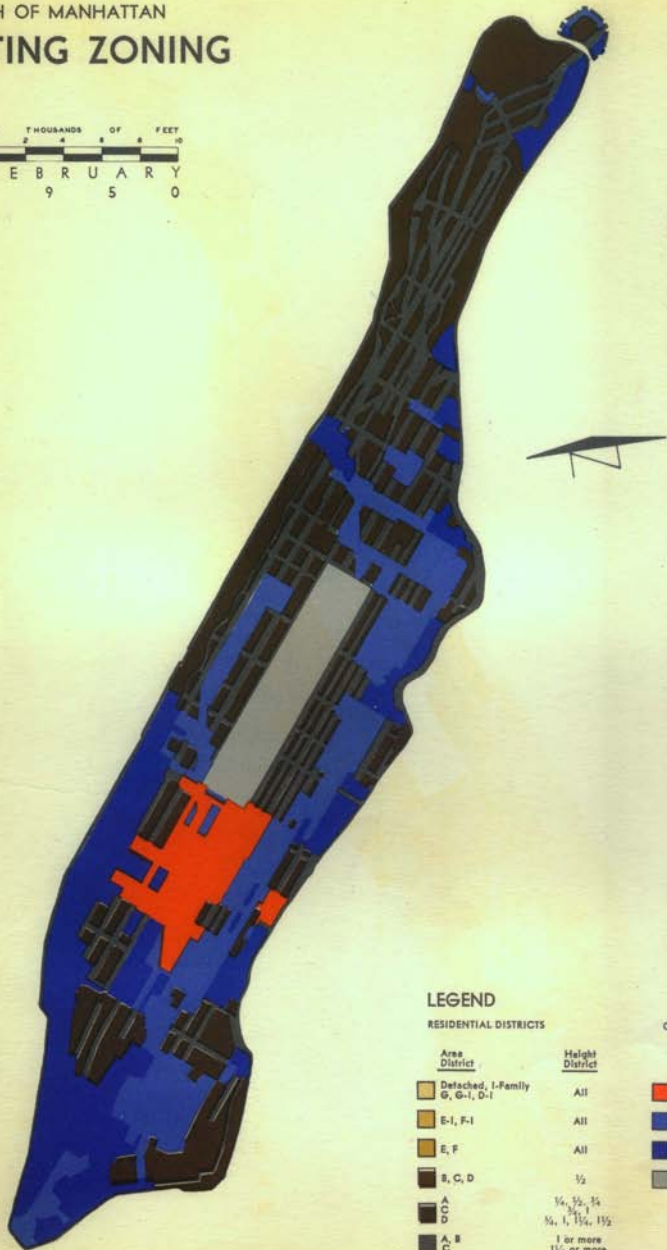


LEGEND

RESIDENTIAL AREA CLASSIFICATION	PREDOMINANT FLOOR AREA RATIO	OTHER CLASSIFICATIONS
Detached, 1-Family	—	Local Commercial
Low Bulk	1.3	Central Commercial
Medium Bulk	2.4	Manufacturing
High Bulk	4.8	Heavy Industrial
Highest Bulk	over 4.8	Parks, Public and Private Institutions, Cemeteries
Mixed or transitory use indicated by colors of those uses		Vacant

2 BOROUGH OF MANHATTAN EXISTING ZONING

IN THOUSANDS OF FEET
 0 2 4 6 8 10
 F E B R U A R Y
 1 9 5 0



LEGEND

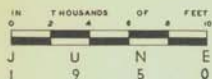
RESIDENTIAL DISTRICTS

Area District	Height District
Detached, 1-Family G, G-1, D-1	All
E-1, F-1	All
E, F	All
B, C, D	1/2
A D C	1/4, 1/2, 3/4 1, 1 1/4, 1 1/2
A, B C	1 or more 1 1/4 or more

OTHER DISTRICTS

- Retail, Retail-I, and Restricted Retail
- Manufacturing and Business
- Unrestricted and Undetermined
- Parks (See Introduction page notes)

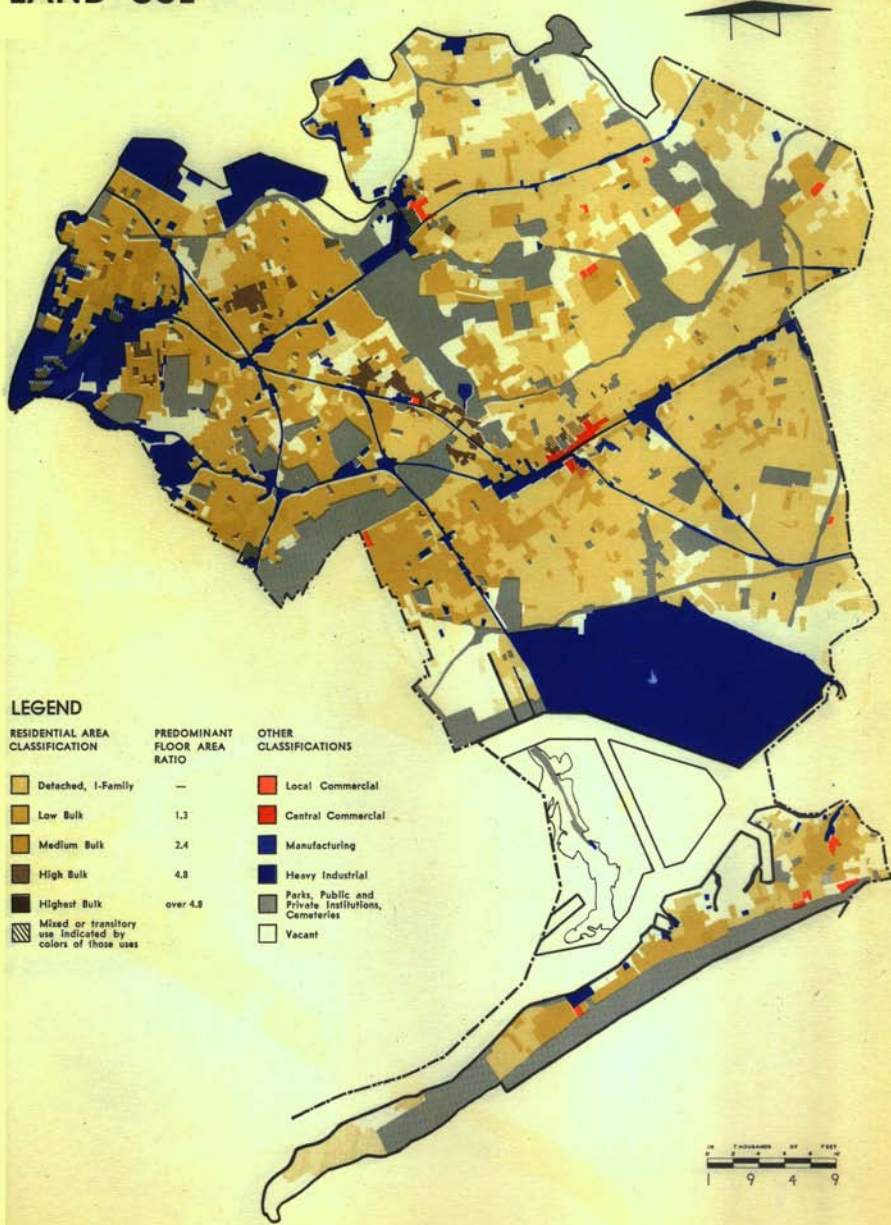
3 BOROUGH OF MANHATTAN PROPOSED ZONING



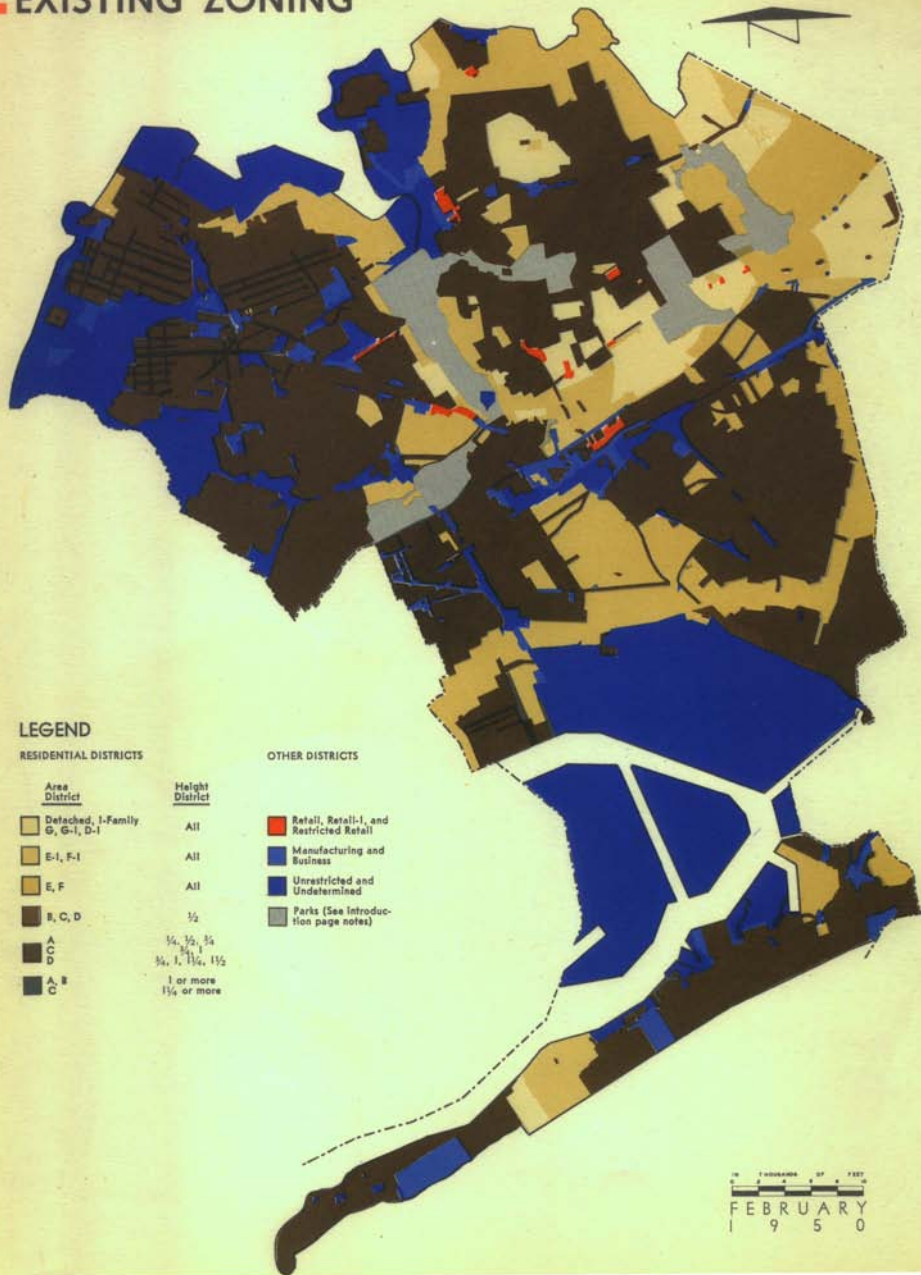
LEGEND

RESIDENTIAL DISTRICTS	MAX. FLOOR AREA RATIO	OTHER DISTRICTS
Detached, 1-Family (RA-1, RA-2) and Lowest Bulk (RB-1)	0.5	Commercial (CA-1 through CM-2)
Low Bulk (RB-2)	0.8	Manufacturing (MA-1 through MB-3)
Medium Bulk (RB-3, RB-4)	1.4, 2.4	Heavy Industrial (MC-1 through MD)
Medium High Bulk (RB-5)	3.5	Parks (See Introduction page notes)
High Bulk (RB-6)	5.0	
Highest Bulk (RB-7)	10.0	
Residence Restricted Manufacturing (RM)	0.5	
	0.3	

LAND USE



2 BOROUGH OF QUEENS EXISTING ZONING



LEGEND

RESIDENTIAL DISTRICTS

Area District	Height District
Detached, 1-Family G, G-1, D-1	All
E-1, F-1	All
E, F	All
B, C, D	1/2
A, C, D	3/4, 1, 1 1/4, 1 1/2
A, B, C	1 or more 1 1/4 or more

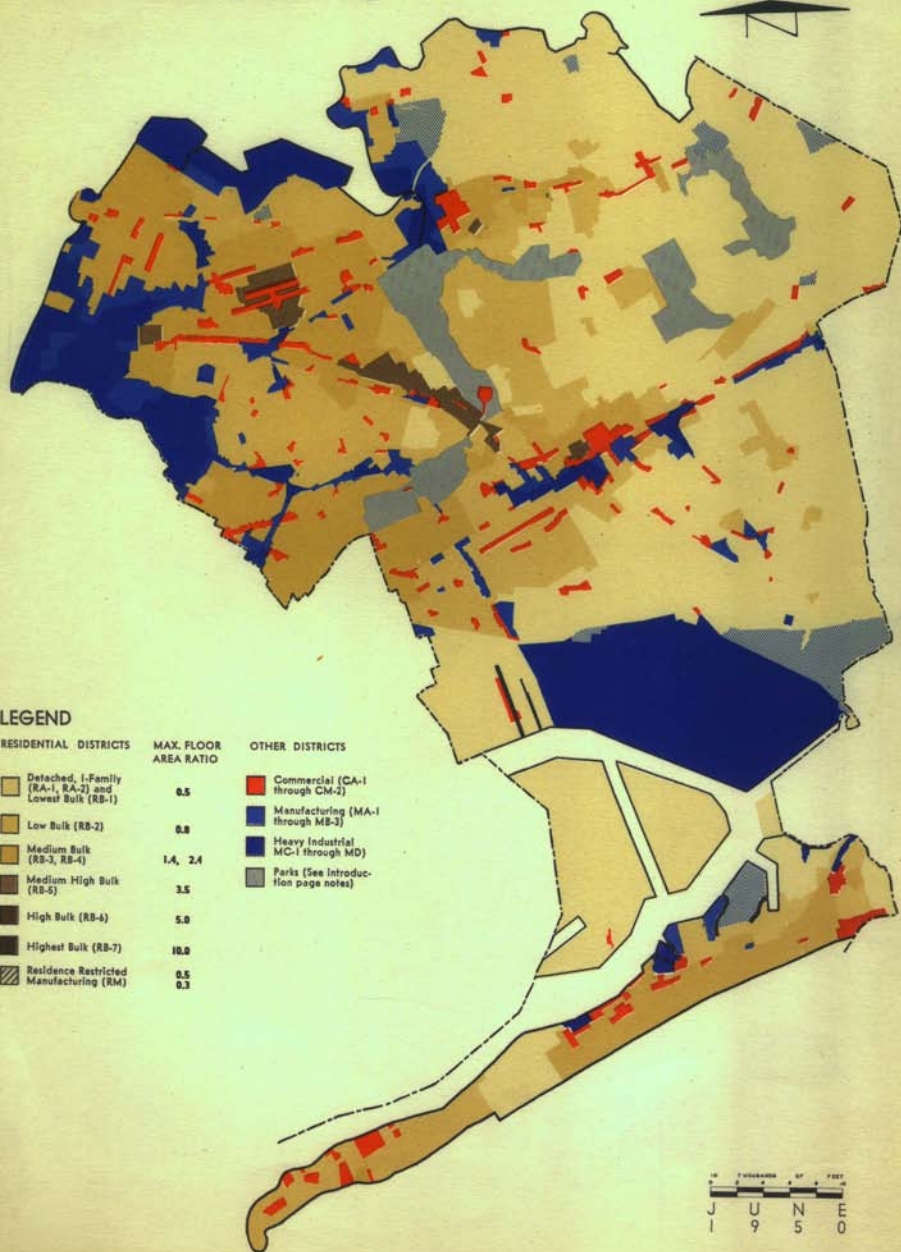
OTHER DISTRICTS

- Retail, Retail-1, and Restricted Retail
- Manufacturing and Business
- Unrestricted and Undetermined
- Parks (See Introduction page notes)

IN THOUSANDS OF FEET

 FEBRUARY
 1 9 5 0

3 BOROUGH OF QUEENS PROPOSED ZONING



LEGEND

RESIDENTIAL DISTRICTS

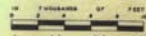
- Detached, 1-Family (RA-1, RA-2) and Lowest Bulk (RB-1)
- Low Bulk (RB-2)
- Medium Bulk (RB-3, RB-4)
- Medium High Bulk (RB-5)
- High Bulk (RB-6)
- Highest Bulk (RB-7)
- Residence Restricted Manufacturing (RM)

MAX. FLOOR AREA RATIO

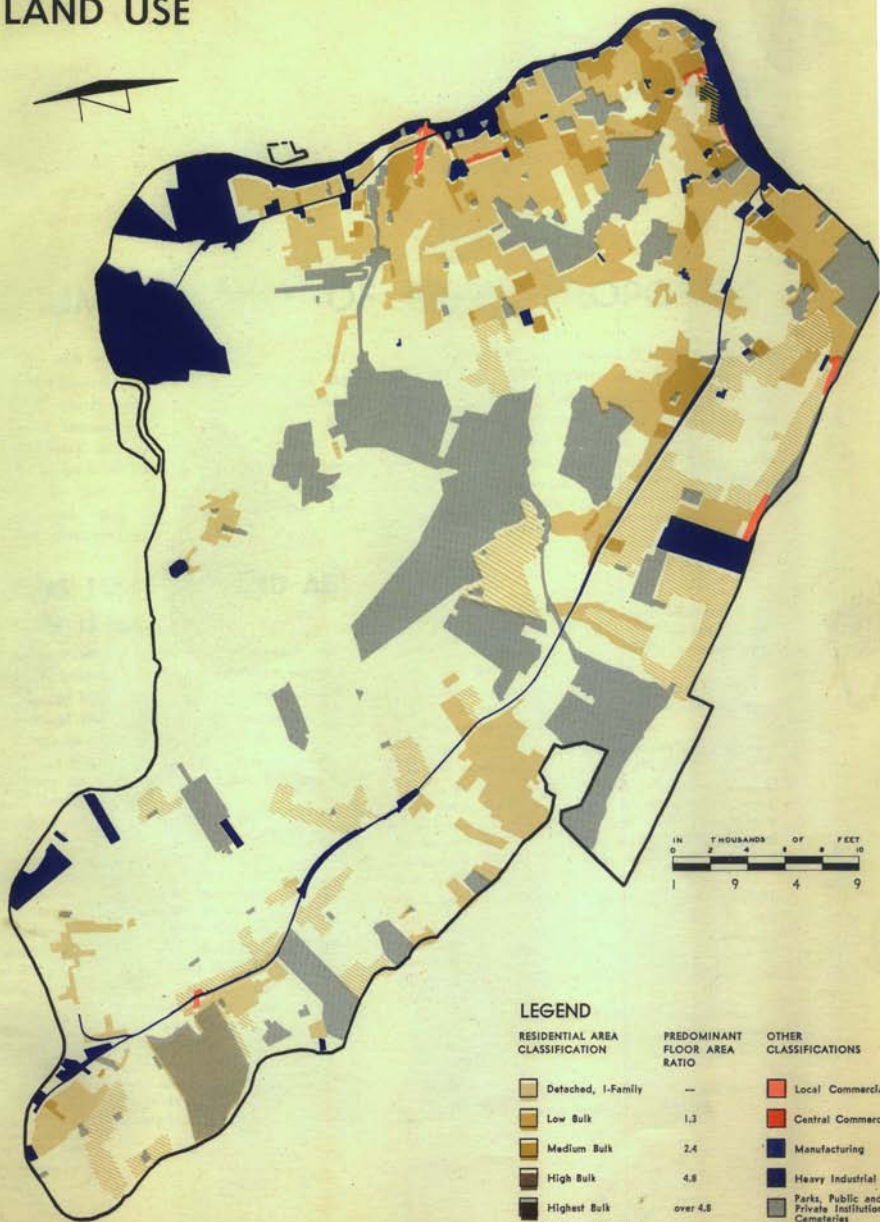
- 0.5
- 0.8
- 1.4, 2.4
- 3.5
- 5.0
- 10.0
- 0.5
- 0.3

OTHER DISTRICTS

- Commercial (CA-1 through CM-2)
- Manufacturing (MA-1 through MB-3)
- Heavy Industrial (MC-1 through MD)
- Parks (See Introduction page notes)


 J U N E
 1 9 5 0

LAND USE



LEGEND

RESIDENTIAL AREA CLASSIFICATION

- Detached, 1-Family
- Low Bulk
- Medium Bulk
- High Bulk
- Highest Bulk
- Mixed or transitory use indicated by colors of those uses

PREDOMINANT FLOOR AREA RATIO

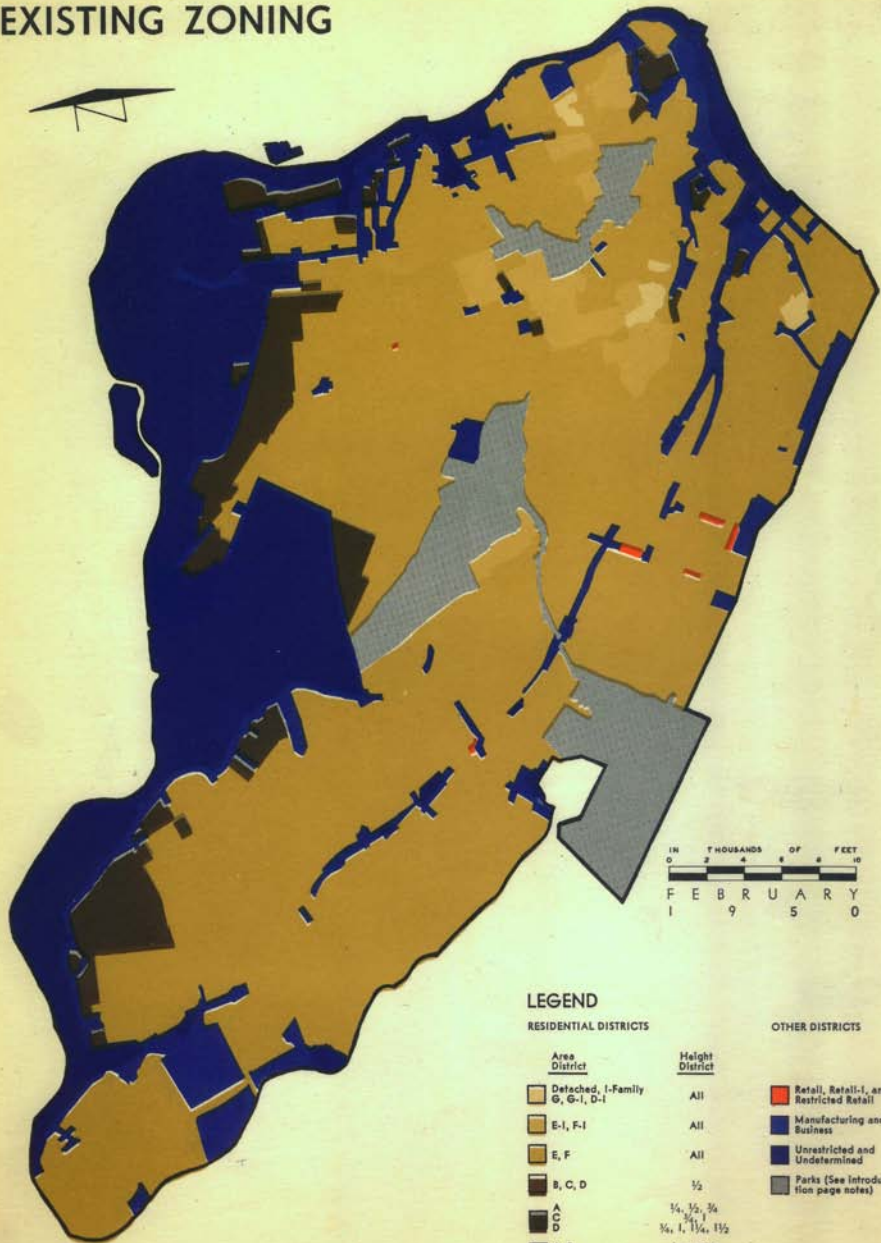
-
- 1.3
- 2.4
- 4.8
- over 4.8

OTHER CLASSIFICATIONS

- Local Commercial
- Central Commercial
- Manufacturing
- Heavy Industrial
- Parks, Public and Private Institutions, Cemeteries
- Vacant

BOROUGH OF RICHMOND

2 EXISTING ZONING



IN THOUSANDS OF FEET
 0 2 4 6 8 10
 FEBRUARY
 1 9 5 0

LEGEND

RESIDENTIAL DISTRICTS

Area District	Height District
Detached, 1-Family G, G-1, D-1	All
E-1, F-1	All
E, F	All
B, C, D	½
A C D	¾, 1½, ¾
A C	¾, 1, 1¼, 1½
A B C	1 or more 1¼ or more

OTHER DISTRICTS

- Retail, Retail-1, and Restricted Retail
- Manufacturing and Business
- Unrestricted and Undetermined
- Parks (See Introduction page notes)

3 BOROUGH OF RICHMOND PROPOSED ZONING

