

Section 25-35, 36-25, 44-25: Waiver for Locally Oriented Houses of Worship Certification Application Guidelines

Version: 1.7

Purpose

This document provides general guidance regarding the preparation of the drawings and other contents of an application for a certification to waive parking requirements pursuant to ZR 25-35. The drawings and other information are intended to inform the Chairperson of the City Planning Commission in determining whether the conditions required for certification under ZR 25-35, 36-25 or 44-25 are met.

When to Use

Please use these guidelines when preparing an application for a certification pursuant to Section 25-35, 36-25 or 44-25 (Waiver for Locally Oriented Houses of Worship).

Exceptions and Modifications

Not applicable.

Application Guidelines Overview

In order to demonstrate compliance with the conditions of the certification in regards to the size and use of the largest room of assembly and to demonstrate general compliance with the zoning requirements, a zoning lot site plan, floor plans, and section are required.

Pursuant to Section 25-35, the generally applicable parking provisions shall not apply to a Locally Oriented House of Worship where the Chairperson certifies that at least 75% of congregants live within a $\frac{3}{4}$ mile radius of the House Of Worship and the number of spaces resulting from the calculations set forth in Section 25-35 is less than the number of spaces listed in table 25-33.

In addition to the drawings mentioned below, the application for a certification pursuant to Section 25-35 also requires an affidavit with a list of congregants and a proximity map. The Congregant Proximity map shows the relative location of the congregant households to the house of worship, with each household numbered the same as on the list of congregants. Lastly, an attachment entitled Attachment 11: Conditions is also required. This is a written document which describes in narrative form how the conditions of the text are met, and includes the Persons Rated Capacity (not the number of seats) of the largest room of assembly in the House of Worship.

The Department strongly recommends that applicants receive a “Pre-Consideration” from the NYC Department of Buildings in order to determine the appropriate Persons Rated Capacity (PRC) of the largest room in the facility. For the purposes of this application, the PRC may be adjusted depending on the opinion of DOB Plans Examiners. If the PRC is thusly adjusted, then the adjusted PRC will be used as the capacity of the largest room for the house of worship in question.

The Persons Rated Capacity must then be adjusted, by taking the PRC – (PRC x % of members within $\frac{3}{4}$ mile radius). The Adjusted PRC should then be included in the Zoning Analysis table.

Submission Requirements

Table A. Required Drawings

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
1	Zoning Analysis	<ul style="list-style-type: none"> • For the row regarding parking regulations, include the persons rated capacity (PRC) ratio for the largest room of assembly. This should be the most conservative (largest) figure. • State whether the PRC is based on occupancy load from the building code or on a stated capacity from DOB. If using occupancy load, cite the relevant building code section • Include the associated calculations needed to reach the adjusted PRC to account for members living within ¾ mile radius from House of Worship 	<ul style="list-style-type: none"> • Section 25-35(b) • Required to memorialize the adjusted PRC • Required to document the conditions of approval
2	Zoning Lot Site Plan	<ul style="list-style-type: none"> • Include any proposed, at grade parking spaces • If required under the zoning district, Include any required landscape treatment in lot area • In lower density districts (R1-R5) distinguish between hard and soft-scape 	<ul style="list-style-type: none"> • Required to demonstrate compliance with general zoning requirements • Required to document conditions of approval

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
3	Ground Floor Plan	<ul style="list-style-type: none"> • Use the DCP guidelines for this drawing • Show room(s) of assembly shaded and list square footage • Show and label the square footage of other large room(s) • Be sure to differentiate between assembly rooms and service and support spaces 	<ul style="list-style-type: none"> • Required to demonstrate the largest room(s) for the purpose of generating the [adjusted PRC]
4	Upper Floor(s) Plan	<ul style="list-style-type: none"> • Use the DCP guidelines for this drawing • These drawings are only required if the House of Worship has multiple levels • Show any room(s) of assembly and shade them • Be sure to differentiate between assembly rooms and service and support spaces • 	<ul style="list-style-type: none"> • Required to demonstrate the largest room(s) for the purpose of generating the [adjusted PRC]
5	Section <i>(optional – typically requested for complicated buildings)</i>	<ul style="list-style-type: none"> • Use the DCP guidelines entitled “Section Drawing Guidelines – Use.” • The section should pick up any below-grade rooms. • Only shade the largest rated capacity room(s) and indicate general use, such as “assembly.” 	<ul style="list-style-type: none"> • Required to demonstrate the largest room(s) for the purpose of generating the adjusted PRC • Largest room(s) should be shaded on the section
6	Land Use Map		

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
6	House of Worship Affidavit	<ul style="list-style-type: none"> • This document is comprised of three separate attachments: <ol style="list-style-type: none"> 1. Affidavit signed by the head or president of the House of Worship 2. Exhibit A – List of addresses of Congregants 3. Congregant Proximity Map (only showing those within ¾ mile) • Please refer to Counsel’s Office for sample language for the Affidavit. • Exhibit A is a table with six (6) columns, labeled left to right with <i>Map Location, Congregant Household, Street Address, City, Family Members, Within ¾ Mile Radius.</i> • Under <i>Map Location</i>, assign a number to each household which will correspond to the mapped location on the proximity map • A base sectional map may be purchased from the DCP bookstore for convenience, but is not required • The Congregant Proximity Map only needs to show only those households within ¾ mile. Therefore, some households may not be assigned a map location. 	<ul style="list-style-type: none"> • Required to demonstrate the list of addresses related to congregant members and show proximity to the house of worship

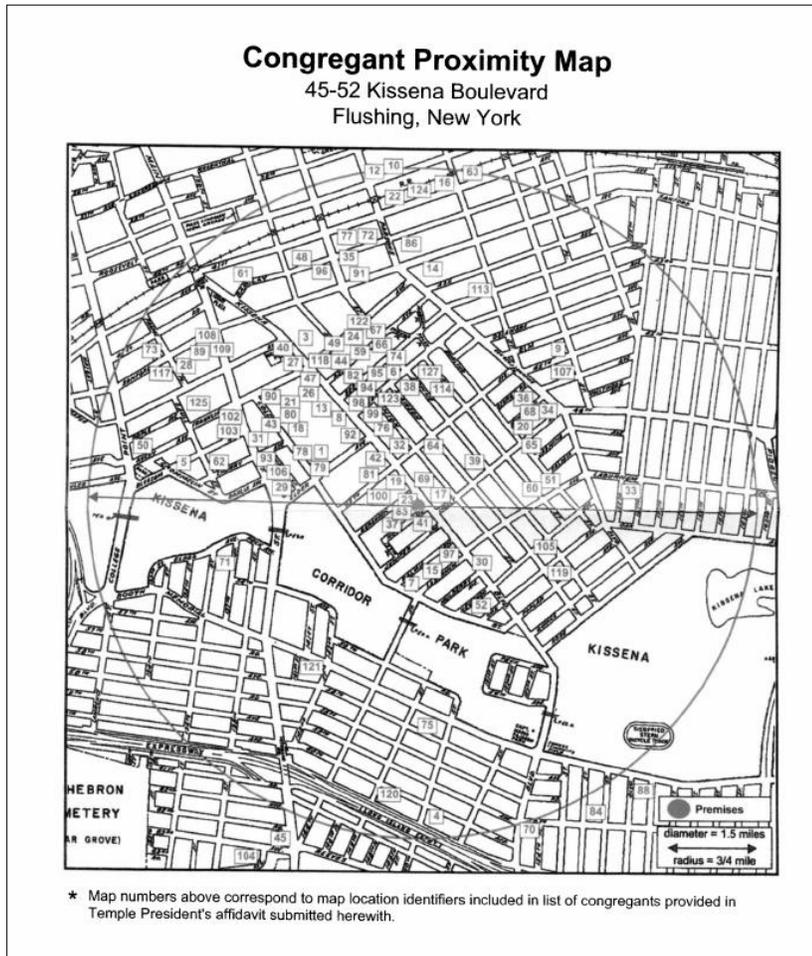
Table B. Additional Application Requirements

Number	Additional Application Requirements	Description
1	LR Form	<ul style="list-style-type: none"> Pages 1-2 If the owner/applicant is not signing on page 2, include an owner's authorization letter.
2	LR Form Attachment 2: Site Data	<ul style="list-style-type: none"> Only required if the affected tax block and lots do not fit on LR Form page 1
3	Supplemental Form ZS/ZA/ZC	<ul style="list-style-type: none"> Include the full title of the ZR Section Under <u>TO MODIFY</u>: these sections must be consistent with the zoning analysis.
4	Official Zoning Sectional Map	<ul style="list-style-type: none"> Submit at 8.5x14" or 11x17" Maps can be accessed online here: http://www.nyc.gov/html/dcp/html/zone/zonedex.shtml
5	DOF Tax Map(s)	<ul style="list-style-type: none"> Submit at 11x17" DCP will accept maps printed from the Library of Tax Maps or a hard copy from the Department of Finance only. The maps can be accessed online and printed from here: Digital Tax Map Library - New York City Department of Finance
6	Declaration of Restrictions	<ul style="list-style-type: none"> If required by the Chairperson to incorporate additional conditions and safeguard with the provisions of ZR 23-34

Number	Additional Application Requirements	Description
7	LR Item 3: Description of Proposal	<ul style="list-style-type: none"> Follow general DCP guidelines for this document Under Project Description, state whether the PRC is based on occupancy load from the building code or on a stated capacity from DOB. If using occupancy load, cite the relevant building code section. If using the stated capacity, include the date the pre-consideration was issued and <u>attach</u> the DOB pre-consideration to this document as an exhibit Under Actions Requested, state that the applicant is requesting to waive the parking requirements of Section 25-31 to zero. If any parking spaces will be provided, that should be stated here. State the persons rated capacity, the square footage of the largest room of assembly, and what the required parking would be for this space
8	Conditions (Attachment 11)	<ul style="list-style-type: none"> Follow the general DCP format guidelines for this document For finding (a), state the total number of members and the number of members, and percentage, who live within a ¾ mile radius of the House of Worship For finding (b), include the calculations for the [adjusted Persons Rated Capacity (PRC)], which equals PRC – (PRC x % of members within ¾ mile radius) Use the sample content for guidance
9	Photos	<ul style="list-style-type: none"> Follow the general DCP format guidelines for this attachment

Sample Map

Image 1: Congregant Proximity Map



For More Information

Please contact your Borough Office Planner for additional information.

Related Documents

Document	Description
Statement of Findings Guidelines	Lists findings related to the proposed action and the applicant's response to those findings.
Zoning Analysis Guidelines	Depicts a proposed project's compliance with applicable Zoning Regulations.
Section Guidelines	Depicts a building's height, massing, and land uses, as well as any deviations from compliance with the requirements of the Zoning Resolution.
Zoning Lot Site	Depicts all aspects of the development site and zoning lot(s) that relate to the

Plan Guidelines	proposed land use action.
Ground Floor Plan Guidelines	Depicts the interior layout of a proposed building on a zoning lot that will be affected by the requested land use action(s).
Upper Floor Plan Guidelines	Depicts the proposed programmatic arrangement of the upper floors within a proposed building.

Revision History

Date	Version	Description
06/08/2012	1.0	First draft.
06/25/12	1.1	General format and content revisions
06/14/2013	1.2	Revisions following meeting with TRD
08/16/2013	1.3	Final version for internal review
04/24/14	1.4	Final version for external review
06/24/14	1.5	General Edits
06/25/14	1.6	Final edits
12/18/18	1.7	Land Use Map added