

Matter in underline is new, to be added;

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

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

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

Article VI - Special Regulations Applicable to Certain Areas

Chapter 4

Special Regulations Applying in Flood Hazard Areas

64-00

GENERAL PURPOSES

The provisions of this Chapter establish special regulations which are designed to encourage flood-resilient building practices for new and existing buildings and in so doing to promote and protect public health, safety and general welfare. These general goals include, among others, the following purposes:

- (a) to facilitate the development and alteration of buildings in flood zones consistent with the latest flood-resistant construction standards of the Federal government and the New York City Building Code;
- (b) to enable buildings to be constructed pursuant to flood-resistant standards with a comparable amount of usable interior space to what is generally permitted within the applicable zoning district;
- (c) to mitigate the effects of elevated and flood-proofed buildings on the streetscape and pedestrian activity;
- (d) to expedite the recovery of neighborhoods that experienced a high concentration of damage to single- and two-family residences from Hurricane Sandy within the Neighborhood Recovery Areas specified in Appendix A of this Chapter; and
- (e) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

* * *

64-33

Special Height and Setback Regulations

64-331

Permitted obstructions for multi-family buildings in R3-2 and R4 Districts

The provisions of this Section shall apply without requiring a #building# to comply with #flood-resistant

construction standards# as established in paragraph (a) of Section 64-12 (Applicability).

In R3-2 and ~~R4 R-4~~ Districts, for all #buildings#, or portions thereof, subject to Section 23-60 (HEIGHT AND SETBACK REGULATIONS), except #single-# and #two-family residences#, elevator or stair bulkheads (including shafts, and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and #accessory# mechanical equipment (including enclosures), other than solar or wind energy systems, shall be considered permitted obstructions to height and setback regulations, provided that:

* * *

**Appendix A
Special Regulations for Neighborhood Recovery**

* * *

**64-A30
SPECIAL BULK REGULATIONS FOR THE RECONSTRUCTION OF BUILDINGS EXISTING ON
OCTOBER 28, 2012**

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**64-A31
Special Regulations for Minimum Required Open Space, Maximum Lot Coverage and Maximum Floor
Area**

**64-A312
Floor area**

R2X R3 R4 R4-1 R4A

In the districts indicated, the #floor area ratio# set forth in ~~the table in paragraph (b) of Section 23-141~~ 23-142 ~~(Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts)~~ (Open space and floor area regulations in R1 and R2 Districts with a letter suffix as well as R3 through R5 Districts) may be increased by 20 percent provided that any such increase in #floor area# is located in any portion of a #building# covered by a sloping roof that rises at least seven inches in vertical distance for each foot of horizontal distance.

* * *

**64-A32
Special Regulations for Maximum Number of Dwelling Units and Minimum Size of Dwelling Units**

64-A321

Maximum number of dwelling units

R1 R2 R3 R4 R5 R6

In the districts indicated, the provisions of Section 23-22 (Maximum Number of Dwelling Units ~~or Rooming Units~~) shall not apply. In lieu thereof, not more than one #single-family detached residence# or, where permitted in the applicable zoning district pursuant to Section 22-12 (Use Group 2), one #two-family detached residence#, may be reconstructed. However, any #two-family detached residence# may only be reconstructed if such #zoning lot# contained two or more #dwelling units# on October 28, 2012, as indicated on the certificate of occupancy or upon approval by the Board of Standards and Appeals pursuant to Section 64-A71 (Special Permit for Establishing Non-conformance).

* * *

**64-A36
Special Height and Setback Regulations**

R1 R2 R3 R4 R5 R6

In the districts indicated, the height and setback regulations of the applicable district shall not apply. In lieu thereof, all #buildings# shall be subject to the height and setback provisions set forth in paragraph (b) of Section 23-631 (~~General Provisions Height and setback in R1, R2, R3, R4 and R5 Districts~~), except that the maximum height of a perimeter wall before setback shall be 19 feet, the maximum height of a ridge line shall be 25 feet and all heights shall be measured from the #flood-resistant construction elevation#. In no event shall any #building# exceed two #stories#, except that attic space providing structural headroom of less than eight feet shall not be considered a #story# for the purposes of this Section.

* * *

END