

COURSE 202

Filing Representative Training
for

Class 2 Code and Zoning Representatives

Includes:

- NYS Multiple Dwelling Law
- MTA/Transit Authority Approval
- How to Read NYC Zoning Maps and Text

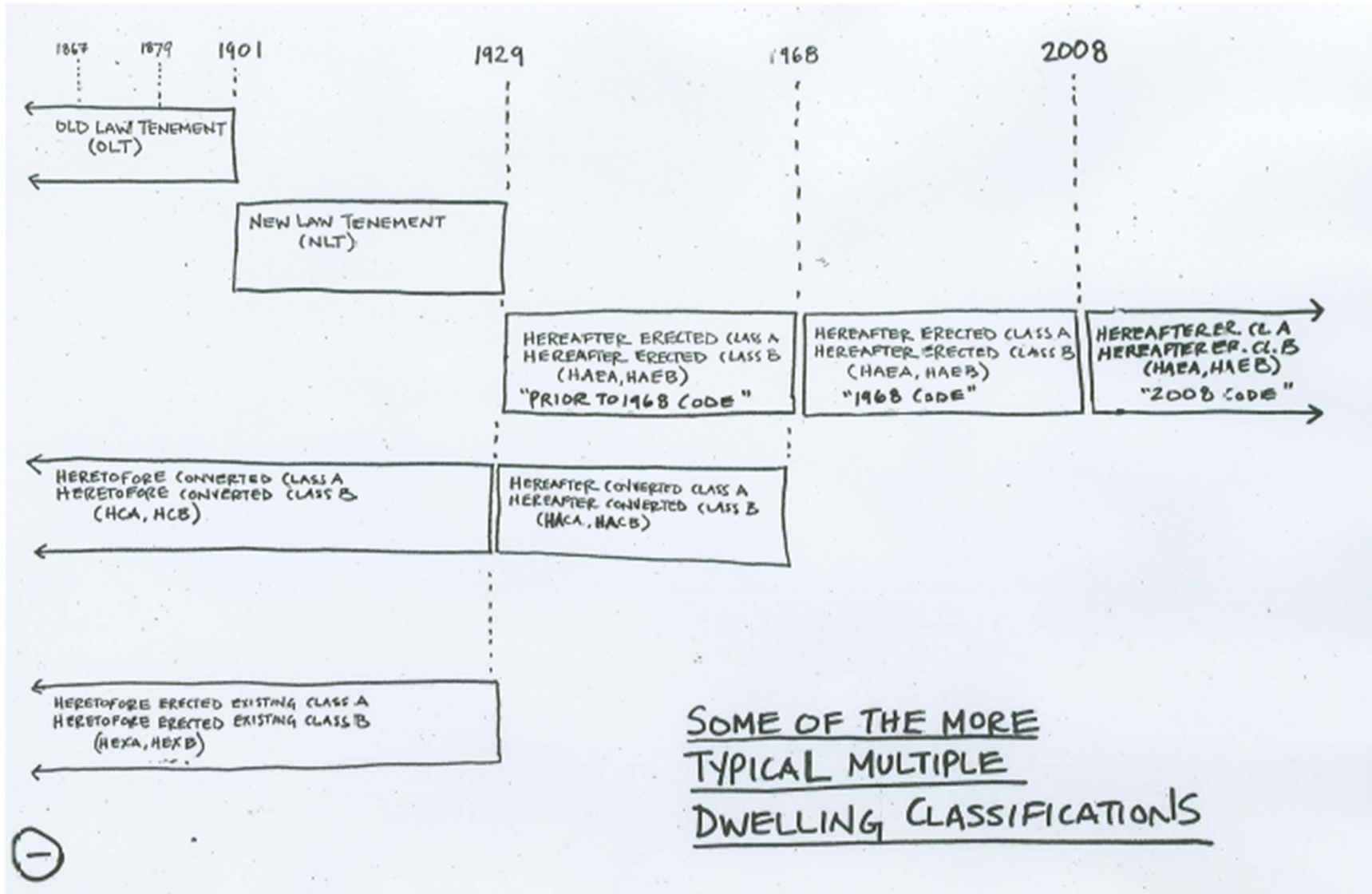


NYS Multiple Dwelling Law

James P. Colgate, RA, Esq.

Assistant Commissioner

Technical Affairs and Code Development





- From PW1 User Guide:

Section 13: Building Characteristics

Applicant must specify designation for dominant occupancy classification of building, construction classification, and multiple dwelling classification (if applicable). Existing and proposed must be supplied when required for all jobs except new buildings where only a proposed value is required. For proposed occupancy classification, only 2008 Code designations are accepted, even if the application is not being filed under the 2008 Code. For information on how to “translate” your prior to 2008 Code occupancy classification designation into a 2008 Code designation refer to [Code Compass Fact Sheet: Use and Occupancy Classifications](#).

- **Structural Occupancy Category:** See Appendix E for Structural Occupancy Categories.
- **Seismic Design Category:** See Appendix F for Seismic Design Categories.
- **Occupancy Classification:** See Appendix B for Building Occupancy Classifications.
- **Construction Classification:** See Appendix C for Construction Classifications.
- **Multiple Dwelling Classification:** See Appendix D for Multiple Dwelling Classifications.

- MD Classification from PW1 User Guide

Appendix D – Multiple Dwelling Classifications

Class A	Class B	Short Description
OL		Old Law Tenement – Originally erected as a multiple dwelling in accordance with the laws in effect prior to April 12, 1901, and recorded as OL in the Tenement House Department (now Department of Housing Preservation and Development) before April 18, 1929. OLs comply with MDL Article 7.
OLSR		Old Law Tenement, Single Room – Old law tenements that contain units converted to single room occupancy pursuant to MDL § 248.
NL		New Law Tenement – Originally erected as a multiple dwelling in accordance with the laws in effect after April 12, 1901 and prior to April 18, 1929, and recorded as NL in the Tenement House Department (now Department of Housing Preservation and Development) before April 18, 1929. NLs comply with MDL Article 7.
NLSR		New Law Tenement, Single Room – New law tenements that contain units converted to single room occupancy pursuant to MDL § 248.

- MD Classification from PW1 User Guide

Class A	Class B	Short Description
HCA	HCB	Heretofore Converted – Originally erected as a one- or two-family dwelling, and converted prior to April 18, 1929 to a multiple dwelling, and classified as a converted dwelling as per MDL § 4.10. HCAs and HCBs comply with MDL Article 6.
HACA	HACB	Hereafter Converted – Originally erected as a one- or two-family dwelling in accordance with the laws in effect prior to December 6, 1968, and converted after April 18, 1929 to a multiple dwelling in accordance with such laws, and classified as a converted dwelling as per MDL § 4.10. HACAs and HACBs comply with MDL Article 6. If the original date of construction of the building is prior to April 18, 1929, then the stringent provisions of MDL§ 170-a do not apply. If the original date of construction of the building is after April 18, 1929, then the stringent provisions of MDL § 170-a apply.

- MD Classification from PW1 User Guide

Class A	Class B	Short Description
HAEA	HAEB	<p>Hereafter Erected – Originally erected as a multiple dwelling in accordance with the laws in effect after January 1, 1929, whether old code (pre-1968) or new code (post-1968). <u>This includes all newly constructed multiple dwellings (3 dwelling units (DUs) or more).</u></p> <ul style="list-style-type: none"> • Also included are buildings originally erected as other than HAEA/HAEB, subsequently altered under the old code to comply with NYS Multiple Dwelling Law (MDL) Article 3 and Article 4 or 5. • Also included are buildings originally erected as other than HAEA/HAEB, subsequently altered under the new code to comply with all new code requirements for J-2.

- MD Classification from PW1 User Guide

Class A	Class B	Short Description
CAA		Commercial Altered – Originally erected as a nonresidential building in accordance with the laws in effect prior to December 6, 1968, and used for one or more of the nonresidential purposes enumerated in MDL § 277 prior to January 1, 1977, and subsequently converted to a multiple dwelling in compliance with the old code and MDL Article 7-B.
JAR		Joint Artist In Residence – Containing DUs that are classified as a “joint living work quarters for artists” under Zoning Resolution § 12-10.

- MD Classification from PW1 User Guide

Class A	Class B	Short Description
	LH	Lodging House – Erected in accordance with the laws in effect prior to December 6, 1968 as a lodging house, and subsequently maintained or altered in accordance with MDL § 66. These buildings typically have open plan rooms with many beds serving a transient population.
HEXA	HEXB	Heretofore Erected Existing – Erected in accordance with the laws in effect prior to January 1, 1929 as an apartment hotel or a hotel, and subsequently maintained or altered in accordance with MDL § 67. At the time of construction they were exempt from the Tenement House Act (now found in MDL Article 7), at that time needing to comply only with the less stringent Building Code. However, in 1929, the MDL classified them as multiple dwellings.

- These fields shows up on C of O:

1 Location Information <i>Required for all applications.</i>					
House No(s)	Street Name				
Borough	Block	Lot	BIN	C.B. No.	
Work on Floor(s)			Apt. / Condo No(s)		
3 Filing Representative <i>Complete only if different from Section 2. Fax, mobile phone, and e-mail are optional info.</i>					
Last Name			Middle Initial		
Business Name			Business Telephone		
Business Address			Business Fax		
City	State		Mobile Telephone		
E-Mail			Registration Number		
4 Filing Status <i>Required for all applications. Choose one and provide specified associated information.</i>					
<input type="checkbox"/> Initial Filing 5, 7, 11, 12A, 25-26 Review is requested under which Building Code? <input type="checkbox"/> 2008 <input type="checkbox"/> 1968 <input type="checkbox"/> Prior to 1968 Choose <input type="checkbox"/> Standard Plan Examination or Review one: <input type="checkbox"/> Professional Certification PC1, POC1 <input type="checkbox"/> Self Certification of Objections A/1		<input type="checkbox"/> Prior to Approval Actions 25-26 <input type="checkbox"/> Amend Existing Filing 4A <input type="checkbox"/> Subsequent Filing 6-7, 8A (Alt-2 only), 11 <input type="checkbox"/> Post Approval Amendment (PAA) 4A, 6, 24-25 Will PAA affect filing fees? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> New Applicant 4A, 25-26		<input type="checkbox"/> Reinstatement 24-26 <input type="checkbox"/> Withdrawal 25-26 <input type="checkbox"/> Specified in 4A and 6 <input type="checkbox"/> Entire Job 4A Indicate existing document number affected by filing:	

This question populates the "This building is subject to this Building Code" on Page 1, Section A of the CO for New Buildings ONLY.

- These fields shows up on C of O:

13 Building Characteristics *Main use/dominant occupancy per AC §28-101.5. **Use 2008 Code equivalents only.					
13A Primary structural system, choose one: <input type="checkbox"/> Masonry <input type="checkbox"/> Concrete (CIP) <input type="checkbox"/> Concrete (Precast) <input type="checkbox"/> Wood <input type="checkbox"/> Steel (Structural) <input type="checkbox"/> Steel (Cold-Formed) <input type="checkbox"/> Steel (Encased in Concrete)					
13B	Existing	Proposed		13D Building Type: <input type="checkbox"/> 1, 2, or 3 Family <input type="checkbox"/> Other Mixed use building? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Structural Occupancy Category	2008 Code Designations?			
	Seismic Design Category	2008 Code Designations?		13E	
13C	Occupancy Classification*	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes**	Existing	Proposed
	Construction Classification	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Building Height	ft.
	Multiple Dwelling Classification			Building Stories	
				Dwelling Units	
13F	Building was originally erected pursuant to which Building Code: <input type="checkbox"/> 2008 <input type="checkbox"/> 1968 <input type="checkbox"/> Prior to 1968				
	The earliest Code with which this building or any part of it is required to comply: <input type="checkbox"/> 2008 <input type="checkbox"/> 1968 <input type="checkbox"/> Prior to 1968				

14 Fill Choose one.
<input type="checkbox"/> Not Applicable <input type="checkbox"/> On-Site <input type="checkbox"/> Off-Site <input type="checkbox"/> Under 300 cubic yards

15 Construction Equipment
<input type="checkbox"/> Chute <input type="checkbox"/> Sidewalk Shed Construction Material: _____
<input type="checkbox"/> Fence Size: _____ linear ft. BSA/MEA Approval No. _____
<input type="checkbox"/> Supported Scaffold <input type="checkbox"/> Other: _____

16	_____	ft.
	_____	ft.

This question populates the "This building is subject to this Building Code" on Page 1, Section A of the CO for Alteration 1s ONLY.

- These fields shows up on C of O:

17 Tax Lot Characteristics

Original tax lots being merged or reapportioned (if applicable):

--	--	--	--	--	--	--	--	--	--

Tentative tax lot numbers (new tax lots only):

--	--	--	--	--	--	--	--	--	--

19 Open Spaces

	Existing	Proposed		Existing	Proposed
Plaza Area	sq. ft.	sq. ft.	Arcade Area	sq. ft.	sq. ft.
Parking Area	sq. ft.	sq. ft.	Parking Spaces		
Loading Berths	sq. ft.	sq. ft.	Loading Berths		

18 Fire Protection Equipment

	Existing		Proposed	
	Yes	No	Yes	No
Fire Alarm	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Suppression	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sprinkler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Standpipe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

20 Site Characteristics

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Tidal / Fresh Water Wetlands
<input type="checkbox"/>	<input type="checkbox"/>	Urban Renewal
<input type="checkbox"/>	<input type="checkbox"/>	Fire District
<input type="checkbox"/>	<input type="checkbox"/>	Flood Hazard Area

HPD WEBSITE

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 [City Agencies](#) |
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HPD Building Information

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The selected address: 211 WEST 10 STREET, Manhattan 10014

HPD#	Range	Block	Lot	CD	CensusTract	Stories	A Units	B Units	Ownership	MDR#	Class
29762	211-211	00620	0082	2	7300	6	24	0	PVT	104590	B

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No other PHN's retrieved for this building.

No other buildings found on lot.

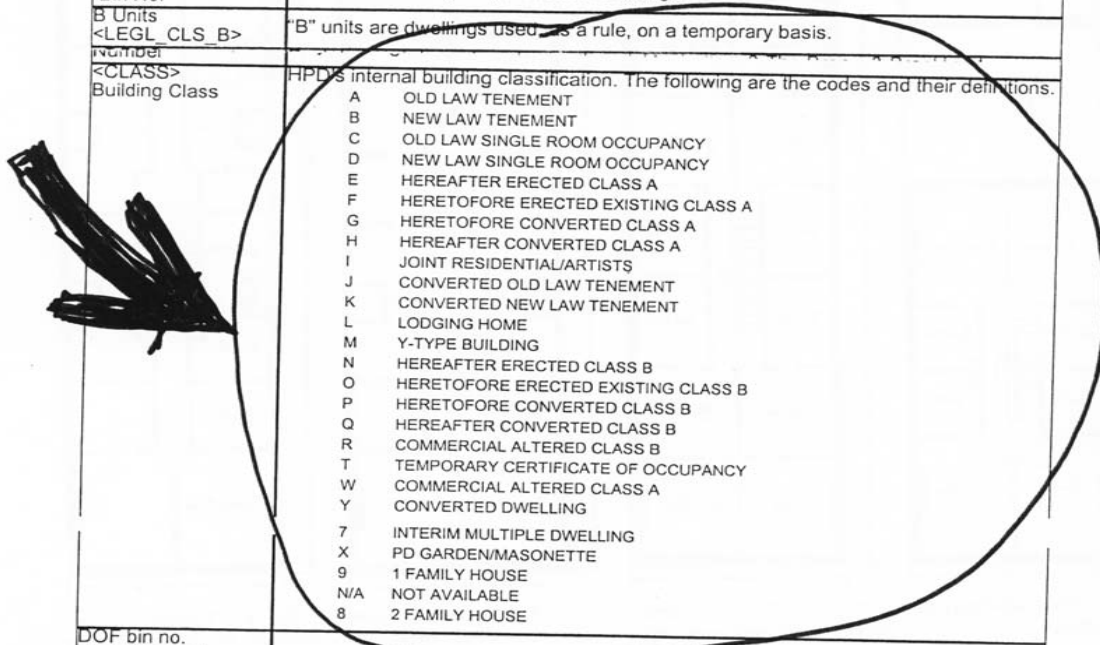
Handwritten notes:
 = NLT
 APPROX. 90% Accurate

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HPDonline GLOSSARY

Abbreviation	Meaning
ERP Emergency Repair Program	If an HPD inspector verifies an emergency condition in a building, the last validly registered owner and managing agent of the property will be notified of said emergency condition by letter and/or by phone and instructed to repair the condition. If the owner fails to make the necessary repairs in a timely manner, HPD's Emergency Repair Program (ERP) may repair the condition. If HPD's ERP repairs the emergency condition, HPD, through the Department of Finance, will bill the owner for the cost of repairs. If the owner fails to pay the bill within 60 days, a lien is placed on the property.
Apt Apartment	The specific leased unit where the violation was found.
A Units <LEGL_CLS_A>	"A" units are dwellings used, as a rule, for permanent residences. The typical residential apartment is an "A" unit.
<BIN> Bin No.	Internal ID used by Department of Buildings.
B Units <LEGL_CLS_B>	"B" units are dwellings used, as a rule, on a temporary basis.
<CLASS> Building Class	HPD's internal building classification. The following are the codes and their definitions. A OLD LAW TENEMENT B NEW LAW TENEMENT C OLD LAW SINGLE ROOM OCCUPANCY D NEW LAW SINGLE ROOM OCCUPANCY E HEREAFTER ERECTED CLASS A F HERETOFORE ERECTED EXISTING CLASS A G HERETOFORE CONVERTED CLASS A H HEREAFTER CONVERTED CLASS A I JOINT RESIDENTIAL/ARTISTS J CONVERTED OLD LAW TENEMENT K CONVERTED NEW LAW TENEMENT L LODGING HOME M Y-TYPE BUILDING N HEREAFTER ERECTED CLASS B O HERETOFORE ERECTED EXISTING CLASS B P HERETOFORE CONVERTED CLASS B Q HEREAFTER CONVERTED CLASS B R COMMERCIAL ALTERED CLASS B T TEMPORARY CERTIFICATE OF OCCUPANCY W COMMERCIAL ALTERED CLASS A Y CONVERTED DWELLING 7 INTERIM MULTIPLE DWELLING X PD GARDEN/MASONETTE 9 1 FAMILY HOUSE N/A NOT AVAILABLE 8 2 FAMILY HOUSE
DOF bin no. Department of Finance building information number	A unique number assigned by the Department of Finance to each building for identification





Certificate of Occupancy

CO Number: 301421138F

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

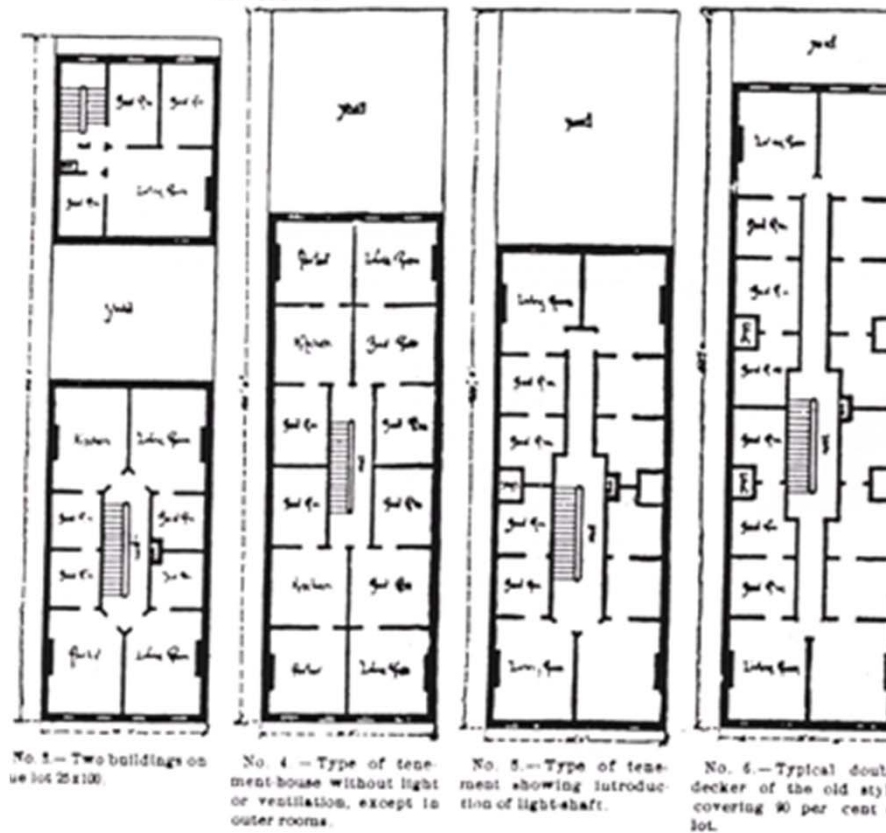
A.	Borough: Brooklyn	Block Number: 02575	Certificate Type: Final
	Address: 722 LEONARD STREET	Lot Number(s): 45	Effective Date: 09/06/2007
	Building Identification Number (BIN): 3849557	Building Type: New	
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B.	Construction classification: 1-C	Number of stories: 4	
	Building Occupancy Group classification: RES	Height in feet: 50	
	Multiple Dwelling Law Classification: None	Number of dwelling units: 6	
C.	Fire Protection Equipment: Sprinkler system		
D.	Type and number of open spaces: None associated with this filing.		
E.	This Certificate is issued with the following legal limitations: None		
Borough Comments: None			

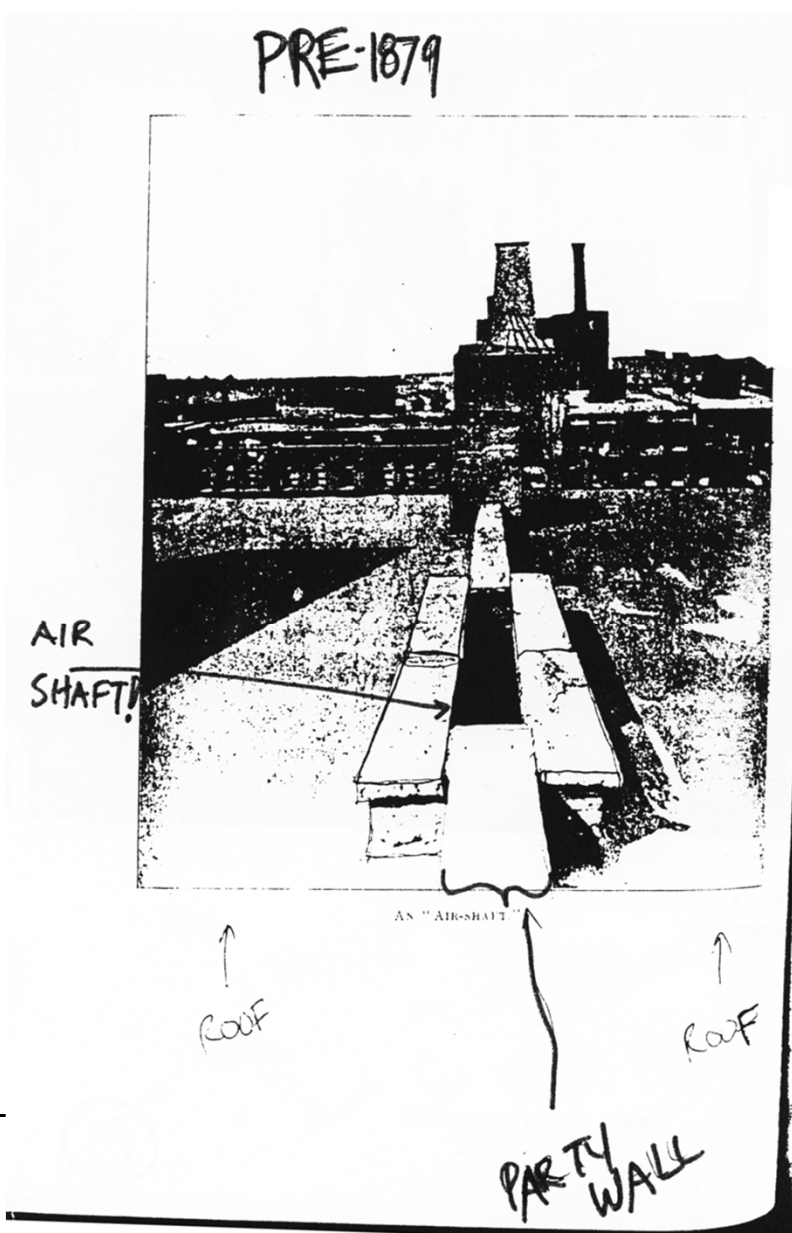
- Consequences of wrong MD Classification on PW1
 - Incorrect egress and fire protection analysis
 - Incorrect designation on C of O
 - Revocation of plan approval and permit
 - Revocation of C of O
 - Disciplinary action against applicant

- Historical Development of MDL
 - Pre-1879 – railroad apartments
 - Without windows
 - 1879 – dumbbell design
 - Narrow airshafts
 - 1901 – Tenement House Law of 1901
 - “New Law”
 - 1929 – Multiple Dwelling Law
 - “Hereafter Erected”

BEFORE 1879

Figure 1.9. The evolution of New York City housing prior to the tenement house legislation of 1879, from ~~400~~ ~~single~~ ~~family~~ ~~row~~ ~~house~~ to the railroad flat.





for the tenements of the least i rather than with the individu municipality must operate from the outside toward the inside, s for clean houses. The next ste vide clean cellars and clean wat Then the matter of clean room and persuasion merely, with pat Halls are cleaner on Saturda of the week. Halls that have v the floors, and decayed and stain houses are ant to be dangerous

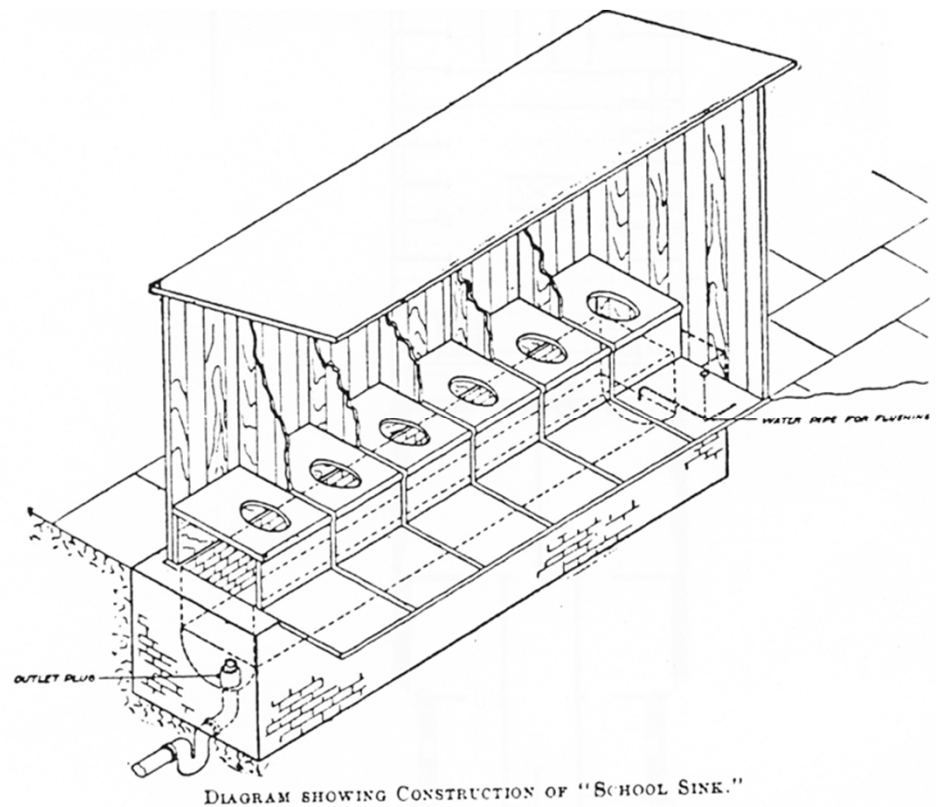


S S Sitting Rooms
K K Kitchens
D D Dormitories

PRE-1879 APARTMENT

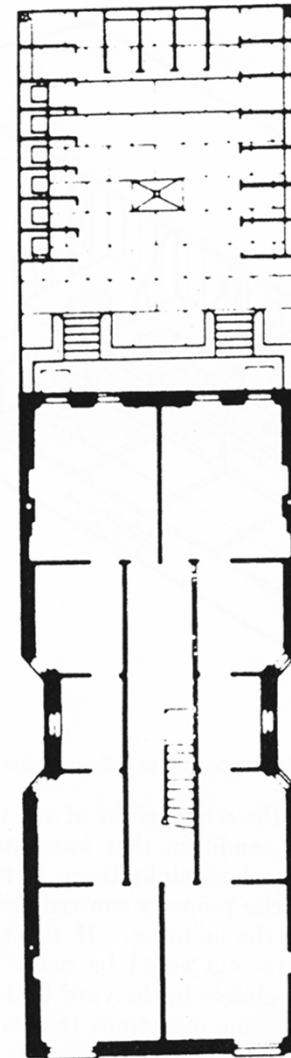


- Old Law Tenement outdoor Privy

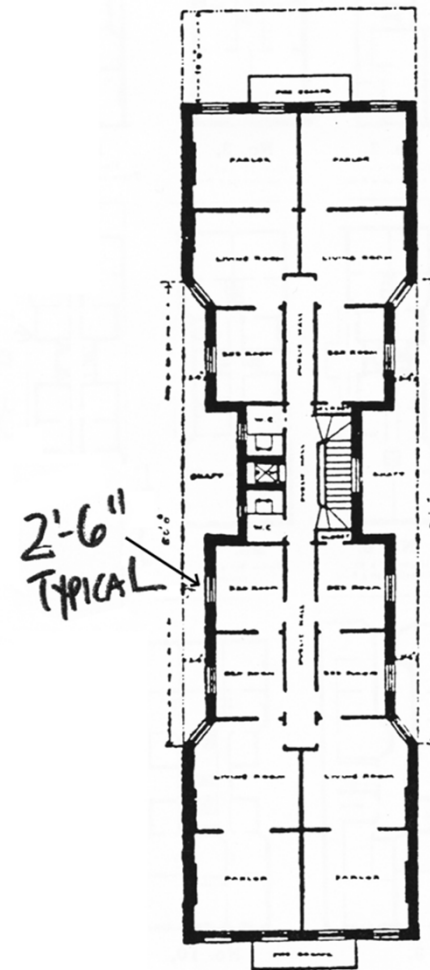


- Pre-1879 Tenement

Figure 1.15. Early "improved" tenement on Leonard Street, with a luxurious number of privies in the rear yard area.



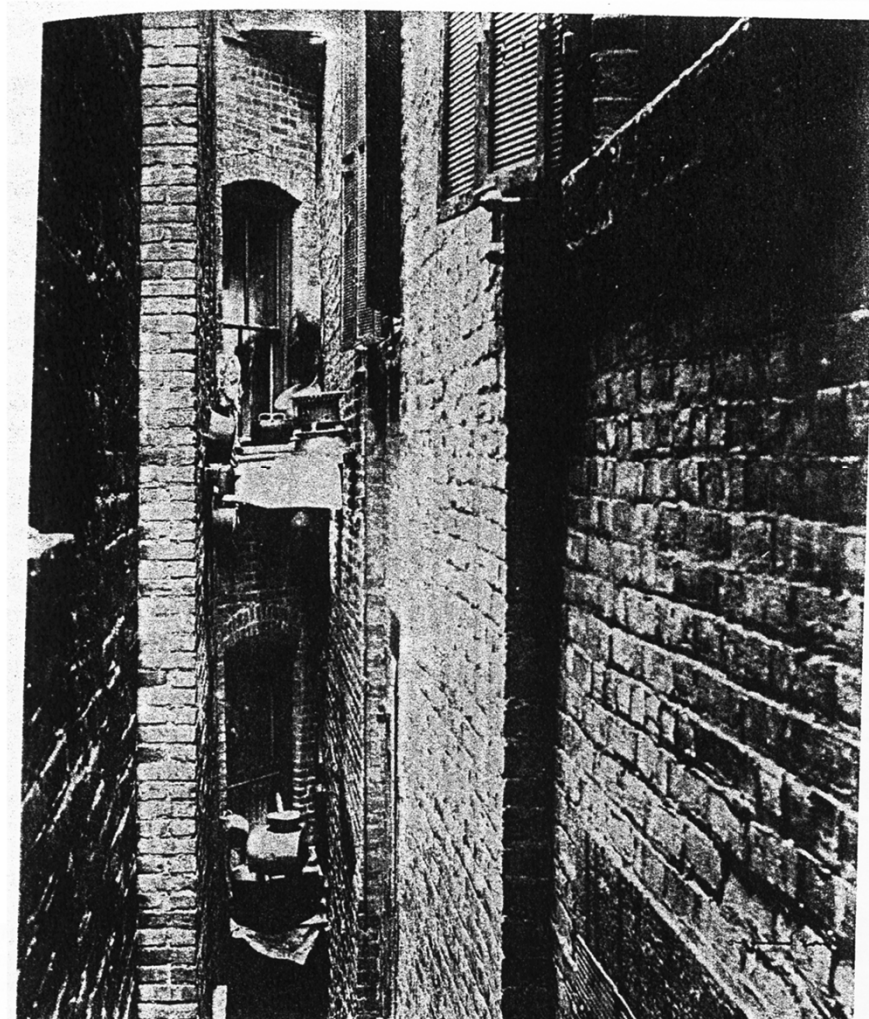
- Typical post-1879, pre-1901
- So-called “dumbbell” OLT



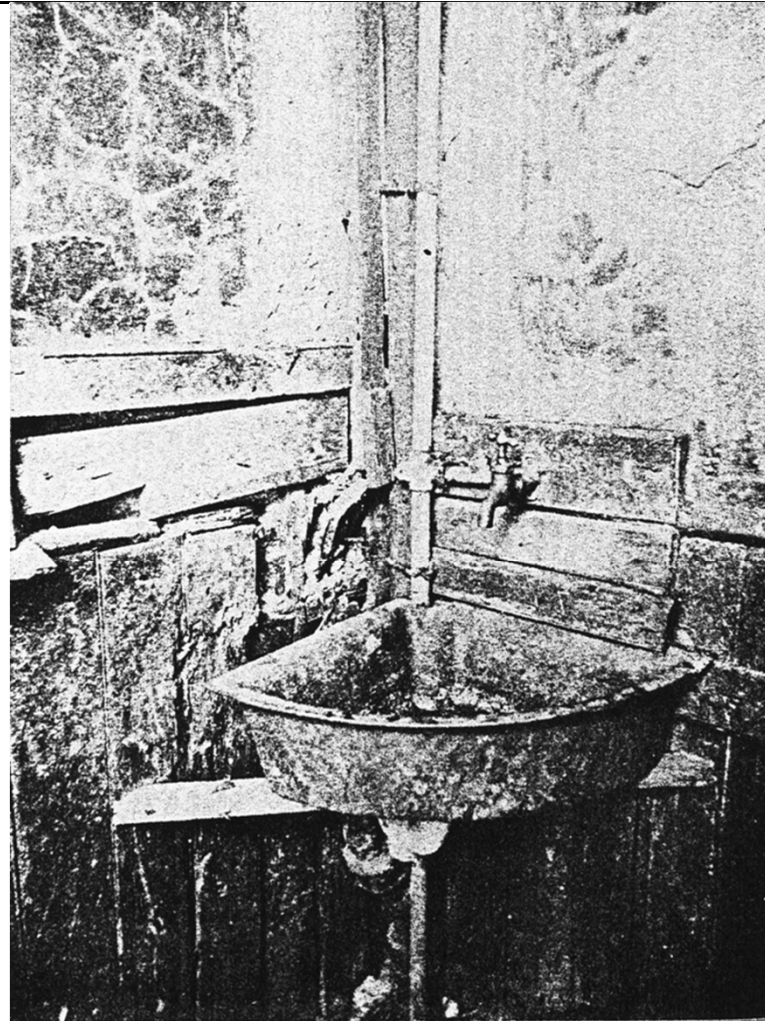
TYPICAL DUMB-BELL TENEMENT, BUILT UNDER THE LAWS IN FORCE IN 1900.

- Dumbbell airshaft

Figure 2.10. Photo by Jacob Riis of an air shaft in an Old Law tenement.

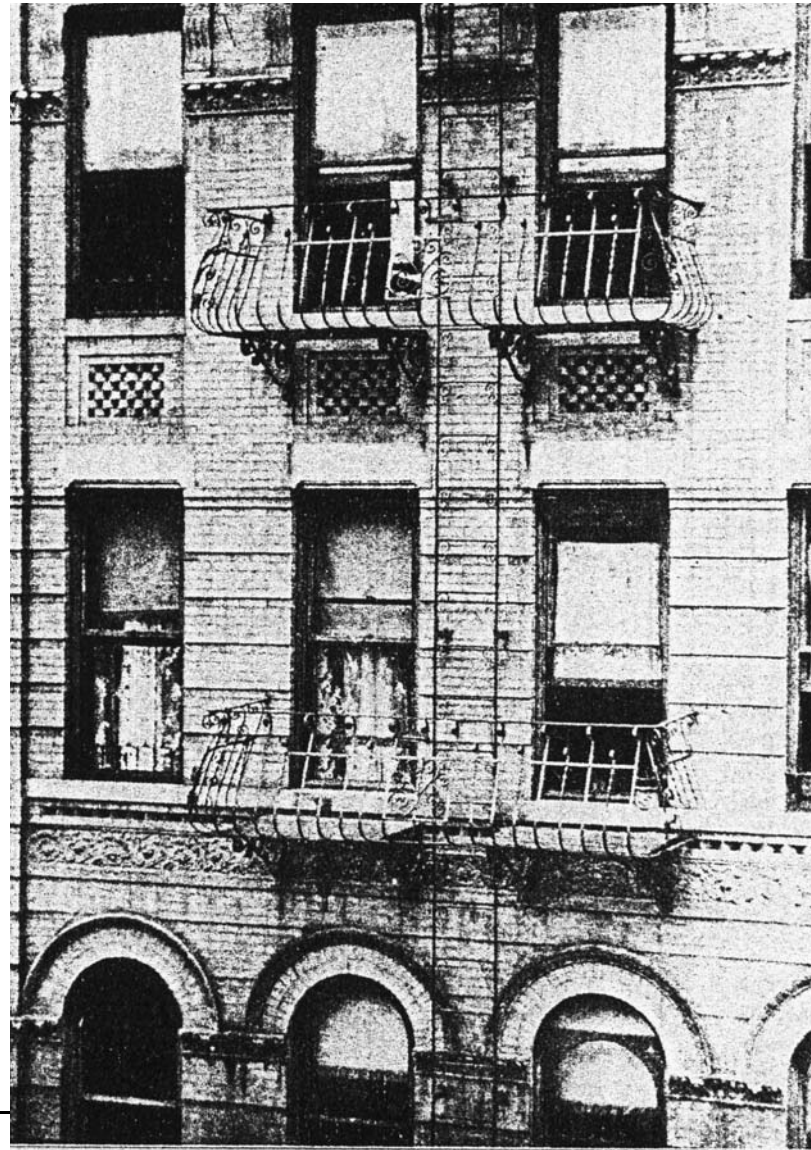


- Pre-1901 plumbing



A COMMON HALL SINK.
HALL TOTALLY DARK — PICTURE TAKEN BY FLASH-LIGHT.

- Pre-1901 fire escape



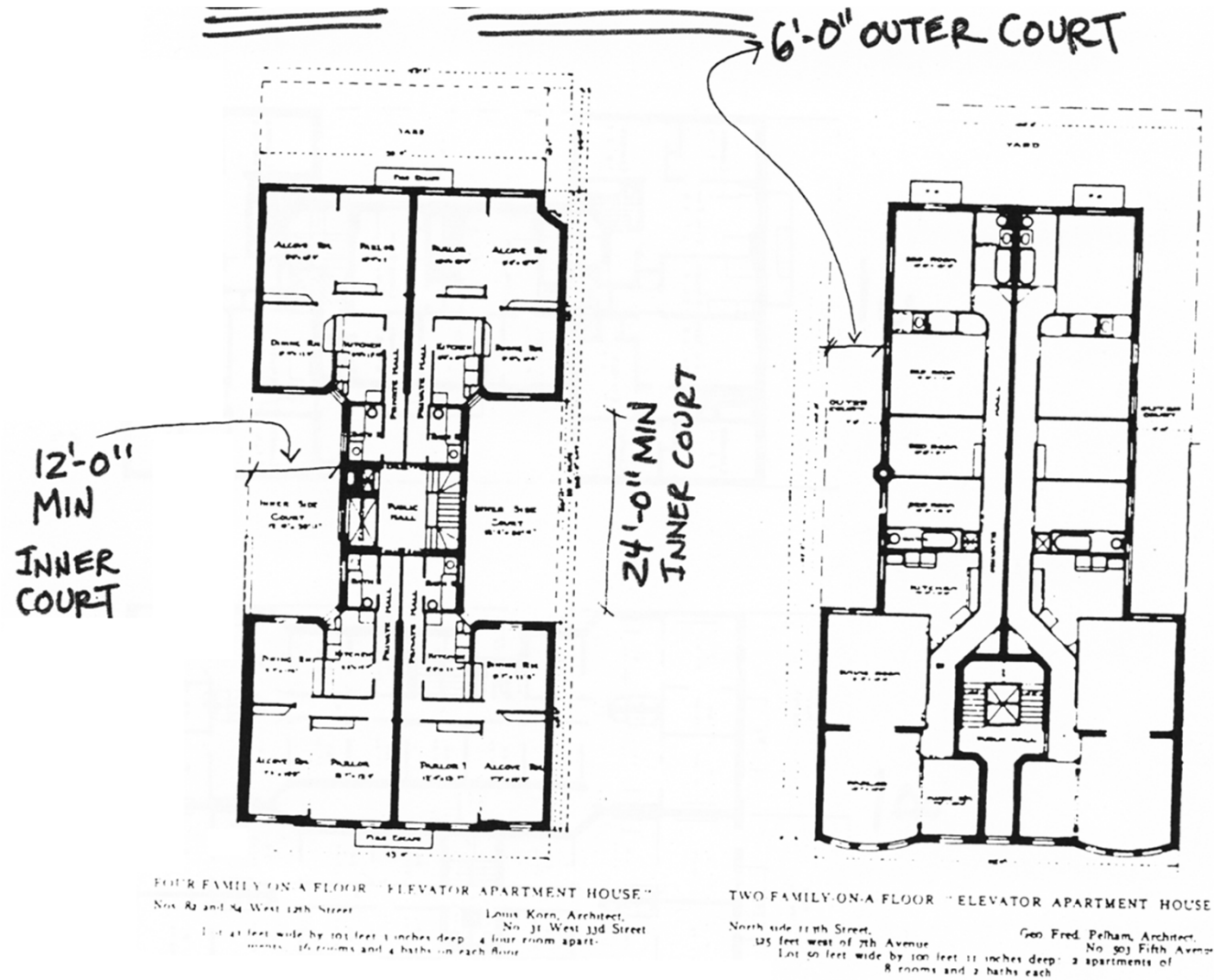
THE WRONG KIND OF TENEMENT HOUSE FIRE-ESCAPE – VERTICAL LADDERS.

- Post-1901 fire escape
- 60-degree stairs



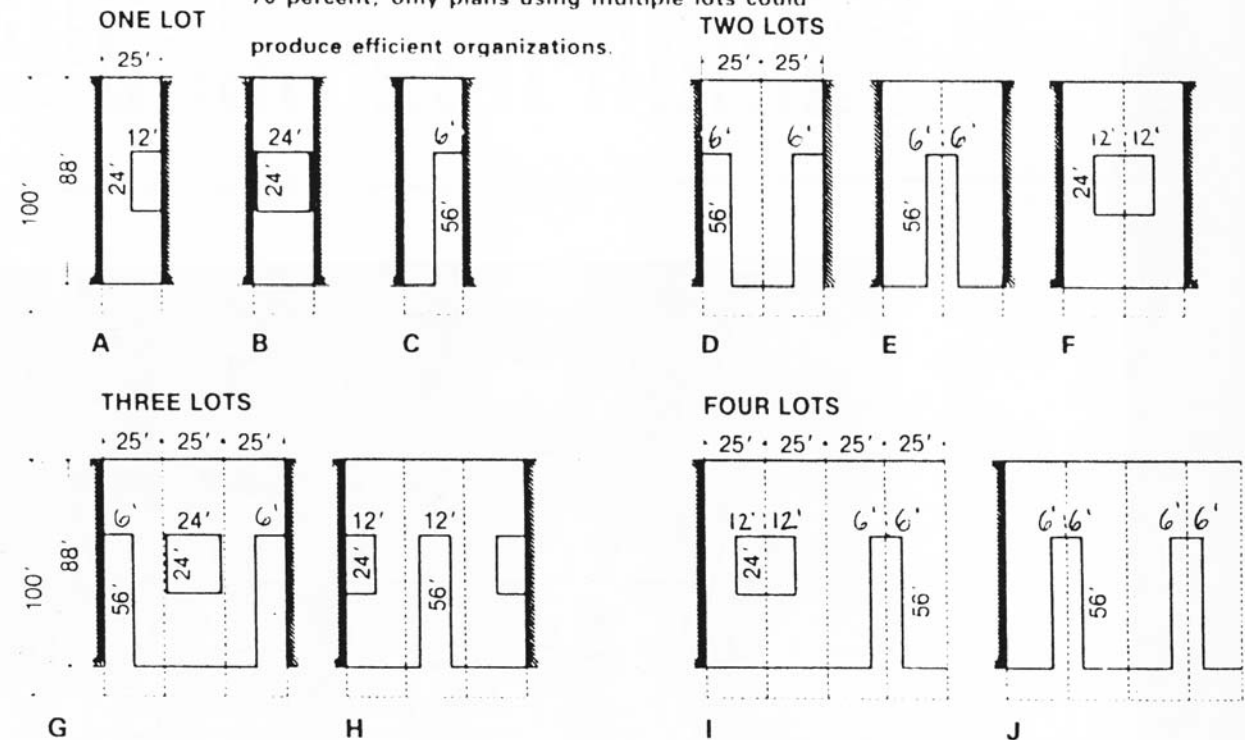
THE PROPER KIND OF TENEMENT HOUSE FIRE-ESCAPE — STAIRS.

- Post 1901
- “New Law”

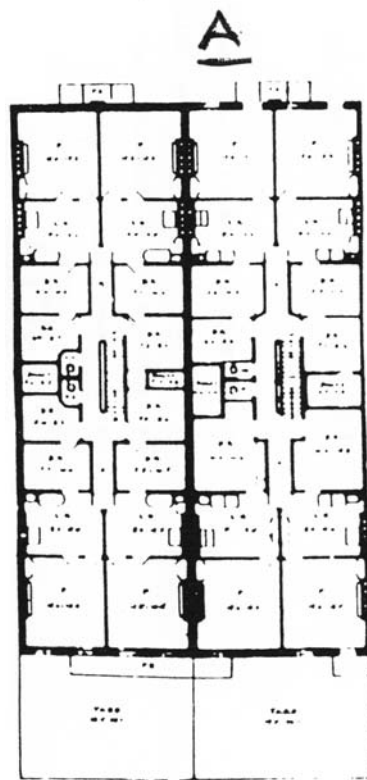


- Post 1901
- “New Law”

Figure 2.24. Typical tenement configurations permitted under the Tenement House Act of 1901 or New Law, which enlarged the dumbbell air shafts and enforced a maximum coverage of 70 percent; only plans using multiple lots could produce efficient organizations.



- When were these (likely) built?



Railroad type old law tenement; 85% of land covered

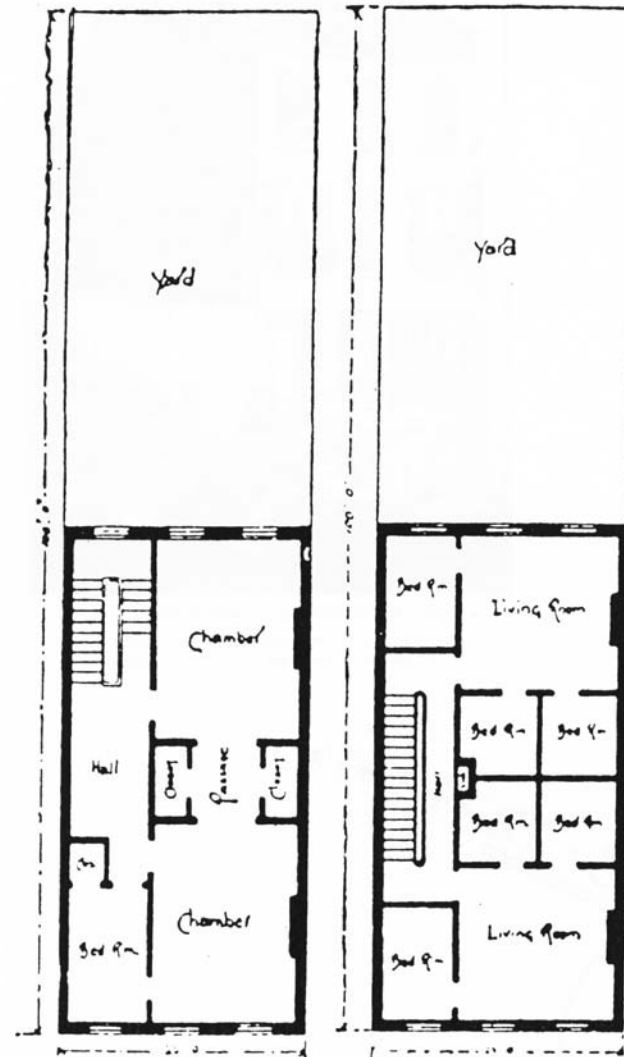


Dumb-bell type of old law tenement; 82% of land covered



New law tenements; 70% of land covered. Erected by a limited dividend company

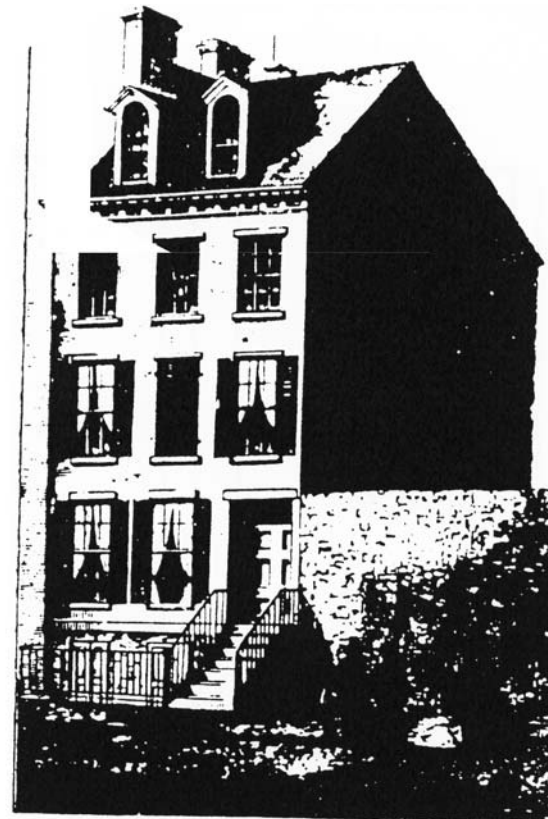
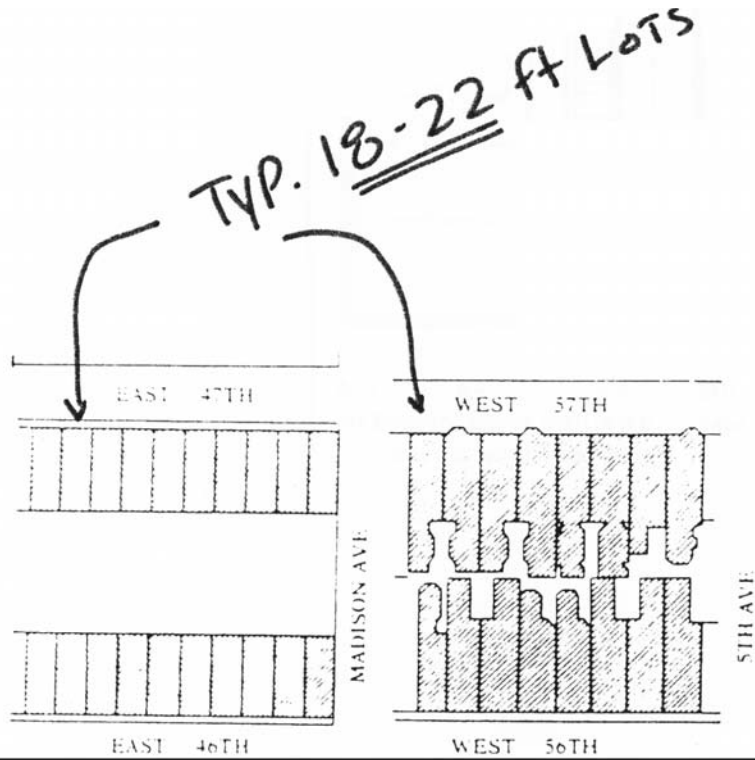
- Converted Dwellings
- Originally a 1- or 2-family house
- Subsequently converted to MD
- Subject to MDL Article 6
- See HMC 27-2004(a)(10) for definition



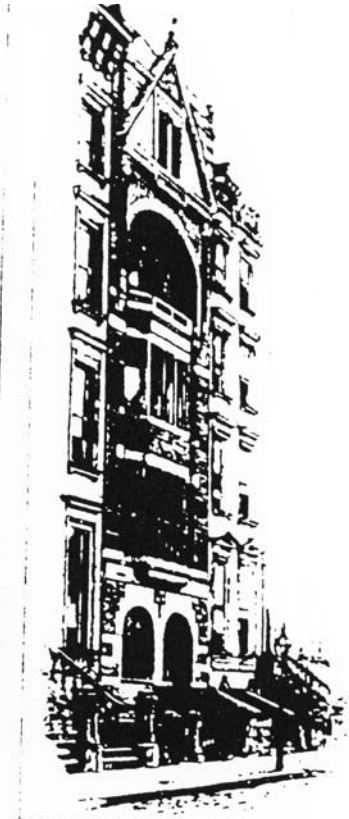
No. 1.— Plan of an old New York dwelling-house on lot 25 by 100 feet.

No. 2.— Plan of old dwelling transformed in to a tenement-house.

- Converted Dwellings

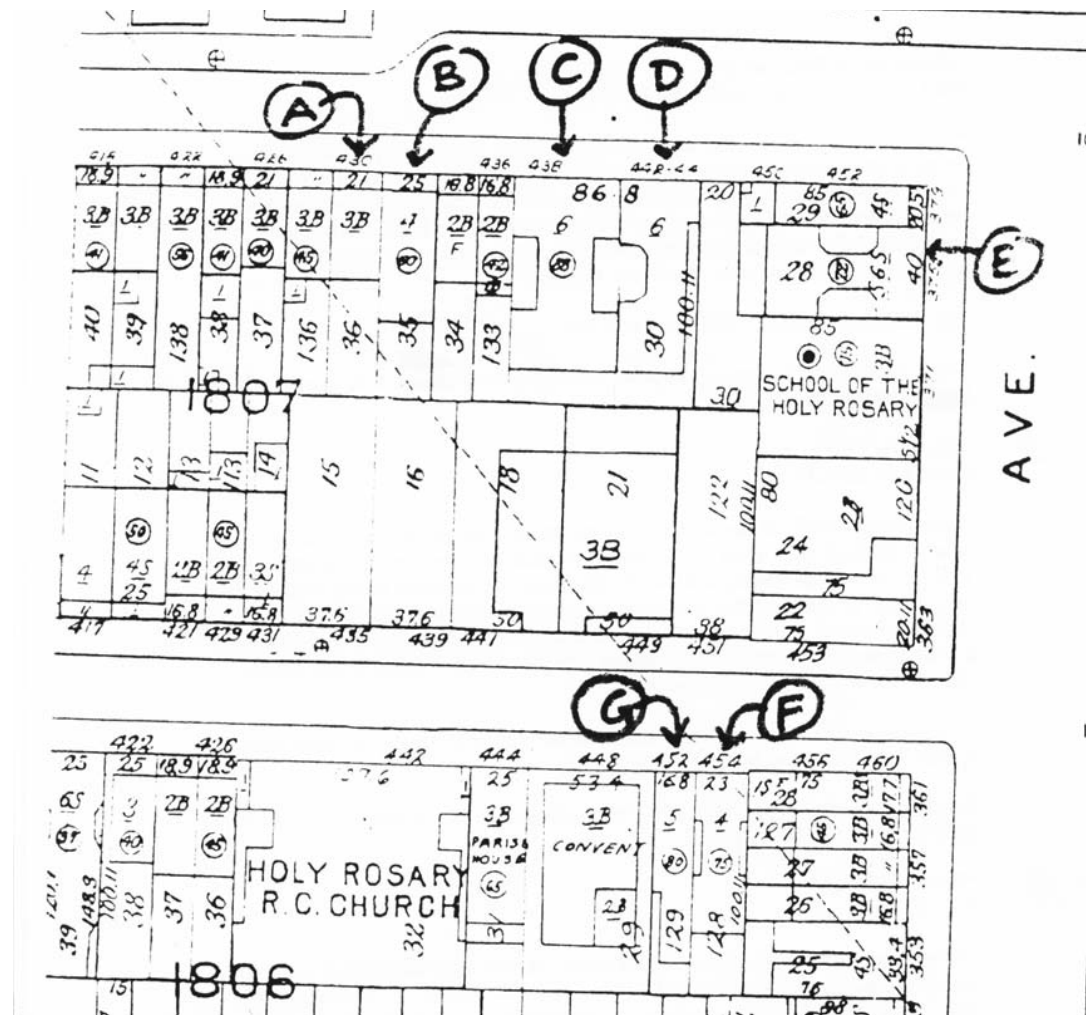


THE FIRST HOUSE LIGHTED WITH GAS,
No. 7 Cherry Street, residence of Samuel Leggett, First
President of the New York Gas Company.



HOUSE IN FORTY-SIXTH STREET
BUILT BY J. C. ARCHER

- What are likely MD Classifications?



- **Determination of MD Classification**
 - Design Professional of Record
 - Not based on intuition
 - Based on historical documentation. For example:
 - Certificate of Occupancy and DOB records
 - HPD I-cards and HPD records
 - Fire Insurance Maps
 - Historical newspapers/periodicals
 - Deed/Tax records
 - When was it originally constructed? Altered?

- Sample HPD I-card

STREET *Ditmars* NO. *34* DATE *5-21-34*

SKYLIGHT 220 - Over Stairwell - Area of Glazed Surface *16.7* - Ridge Vent. - Louvres - Other Vent. - Obstructed - ADEQUATE

BULKHEAD 233 *none* Windows - Doors - Fireproof - Fire Ret. - Self-closing - Lock - Stairs - Handrail - Accessible - ADEQUATE

SCUTTLE 233 Opening *28" x 27"* - Outside Metal Cov'd - Lock - Needs Hinging - Accessible - Ladder - Iron - Stationary - ADEQUATE

Shafts 212	Length	Width	Area	Material of Walls	Starts at	Cov'd	Vent. Skylight	Suff. Access at Base	By Door	By Window				Fire Escapes 231	
										Bill above floor Room	Shaft	Size of Opening	How Hung		Ladder Needed
A	36"	21"	5.7	Bl.	2nd	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		3	3	2x5	P.H	not	One Each Apt. <input checked="" type="checkbox"/> Kind <i>Bale</i>
B	3	1	3	Wood Bl.	2nd	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		5 1/2	5 1/2	2x20	HING	not	Fire Stair <i>none</i> Fire Tower <i>none</i>
C															Conn. Ladders - Vert. <input checked="" type="checkbox"/> - Inclined - Stairways
D															Egress From Yard <i>is 35'</i> Party Wall Pierced <i>not</i>

G. N. Ladder - Slid Drop. Ladder - Fire Egress Adeq. *not*

Windows and Alcoves 213	J	K	L	M	N	O	P	Q	R	Water Closets 250	NUMBER PER FLOOR								
											C	B	1	2	3	4	5	6	7
Width	2	3	2	5						Public Hall									
Height	5	5	20	7						Apartments									
Windows Low Hung	P.H	P.H	HING	ALC						Wood Enclosed Keylock on Door	<i>not</i>	<i>not</i>	<i>not</i>						
Provides Adeq. Light and Vent.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						W. C.'s in Yard or Courts	<i>none</i>								
CELLAR CEILING 240	<i>not</i>	<i>not</i>	<i>not</i>	<i>not</i>						No. W. C.'s in Stores	<i>none</i>								
ENTRANCE HALL 238										Ratio w.c. to Opening to Cellar 242	<i>not</i>								
HALL LIGHTING 224										Under Main Stairs <input checked="" type="checkbox"/> - Fire Retarded <i>not</i>									
Windows or Sashes in Hall Walls or Partitions 238	<input checked="" type="checkbox"/>									Public Hall Windows <i>none</i> Guards Required									
DOORS TO PUBLIC HALLS 238										How Glazed <i>Plain glass</i>									
										Self-closing <i>not</i>									

Stand Pipes *none* Where *none* Sprinklers *none* Where *none*

Form 1010 39-1049 31-B (Over)

- Sample HPD I-card

B'LD'G	Brick — Stone — Frame — width — depth	F. P. — Non F. P.	STORIES 3	AP'TS	TOTAL 6
Manufacturing	none	Where	Kind	No. Employees	Sep. Egress — Walls and Ceiling F. Ret. — Viol. of Zoning Res.
Business Conducted	none	Where	Walls — Ceilings F. P. — F. Ret.	Bakery — Fat Bolling	"By" Card App. "B" Card App. 216
Interior Rooms	none	No. Per Floor	C.-B. — 1 — 2 — 3 — 4 — 5 — 6	Rear Building Used for Business	Sep. Passage to Street Size

2nd & 3rd STORIES

1st STORY

YARD 35'

B. D. PERMIT 4566-33
store fronts removed and windows put in for living rooms alcove opening cut in 1st cross partition

Inspector *Patrick McMullan* Date *5-21-34*

- HPD I-Cards:
 - Not definitive
 - Indicates only a “snapshot” in time
 - For example cellar apartment:
 - Apartment shown on I-card from 1905
 - But apartment abandoned on I-card by 1935

- What does MDL mean today?
 - Classifications
 - Maintenance standards
 - Construction/alterations standards

- Does MDL apply to NBs?

SECTION 3.11



THESE SECTIONS ARE NOT APPLICABLE TO 1968 AND 2008 CODE BUILDINGS

MDL MDL old code vs. new code
Introductory Provisions, Definitions §4

§ 3.11. Notwithstanding any other provision of this section, the following enumerated articles, sections and subdivisions of sections of this chapter shall not apply to the construction or alteration of multiple dwellings for which an application for a permit is made to the department after December sixth, nineteen hundred sixty-nine in a city having a population of one million or more which adopts or has adopted local laws, ordinances, resolutions or regulations providing protection from fire hazards and making provision for escape from fire in the construction and alteration of multiple dwellings and (in other respects, as protective as local law seventy-six of the laws of the city of New York for nineteen hundred sixty-eight and covering the same subject matter as the following: subdivisions twenty-five, twenty-seven, twenty-eight, thirty-five c, thirty-six and thirty-nine of section four, subdivision three of section twenty-eight, sections thirty-six, thirty-seven, fifty, fifty-one, fifty-two, fifty-three, fifty-five, sixty, sixty-one, sixty-seven, subdivisions one, two, four and five of section seventy-five, article four, article five, article five-A, article six and article seven-B; except that after December sixth, nineteen hundred sixty-nine where a multiple dwelling erected prior to December sixth, nineteen hundred sixty-nine is altered, or a building erected prior to December sixth, nineteen hundred sixty-nine is converted to a multiple dwelling pursuant to a permit applied for to the department having jurisdiction, the foregoing articles, sections and subdivisions of sections shall remain applicable where a local law of such city authorizes such alteration or conversion to be made, at the option of the owner, either in accordance with the requirements of the building law and regulations in effect in such city prior to December sixth, nineteen hundred sixty-eight or the requirements of the building law and regulations in effect after such date, and the owner elects to comply with the requirements of the building law and regulations in effect prior to December sixth, nineteen hundred sixty-eight. (As amended by L. 1947, ch. 787, Sec. 3; L. 1950, ch. 137, 139; L. 1967, ch. 523, Sec. 1; L. 1969, ch. 1063, Sec. 1; L. 1972, ch. 806, Sec. 3.)

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- Does MDL apply to NBs?
- For example, MDL Section 54

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able, vertical ladder or rope fire-escape is an unlawful means of egress. Every such fire-escape, if required as a means of egress, shall be removed and replaced by a system of fire-escapes constructed and arranged as provided in this section.
As amended by L. 1948, ch. 850; eff. 4/6/48.

10. The department shall have the power to make supplementary regulations relating to fire-escapes.

NOTE: See Multiple Dwelling Rules: *done 11/10/15*

Sec. 54. Cellar entrance.

There shall be a direct entrance to the cellar, or to the lowest story if there be no cellar, from the outside of every multiple dwelling erected after April eighteenth, nineteen hundred twenty-nine, except that in non-fireproof multiple dwellings erected after such date which are three stories or less in height and occupied by not more than two families on any story, any stair leading to such cellar or lowest story may be located inside the dwelling provided it is enclosed in fireproof walls and fireproof doors and assemblies with the doors self-closing, at both the level of such cellar or lowest story and that of the story above. No such outside entrance existing in any multiple dwelling on April eighteenth, nineteen hundred twenty-nine, shall be obstructed.

Sec. 55. Wainscoting.

1. Whenever the surface of walls, partitions or ceilings in any apartment or suite of rooms of any non-fireproof multiple dwelling is covered, sheathed or wainscoted wholly or in part after April eighteenth, nineteen hundred twenty-nine, such covering shall be backed solidly with plaster. In fireproof multiple dwellings such covering shall be backed solidly and continuously or filled with incombustible material. In the case of walls and partitions in fireproof dwellings, such backing and filling shall extend to the fireproof floor construction and in non-fireproof dwellings to the floor beams. All such backing and filling shall be fire-stopped.

2. No wood wainscoting other than fireproofed wood complying with the provisions of section fifty-eight shall be erected in any public hall, stair or shaft of any multiple dwelling.

Sec. 56. Frame buildings and extensions.

1. Except as provided in section one hundred ninety-three

Handwritten notes in margins:
 - Top left: DOES NOT APPLY TO NEW CODE
 - Middle left: DOES NOT APPLY TO NEW CODE
 - Right side: checkmarks and numbers 51, 60, 51

- General Applicability of MDL

Original construction date	MDL applicability	Building Code applicability
2008 to present HAEA	Only a few sections, NOT egress	2008 BC, including 2008 egress
1969 to 2008 HAEA	Only a few sections, NOT egress	1968 BC, including 1968 egress
1929 to 1969 HAEA	Articles 1 to 5, including egress	1938 BC, but NOT egress
1901 to 1929 NLT	Article 7 (and 1 to 3 as applicable), including egress	1938 BC, but NOT egress
Before 1901 OLT	Article 7 (and 1 to 3 as applicable), including egress	1938 BC, but NOT egress
Before 1929 HCA or HACA	Article 7 (and 1 to 3 as applicable), including egress	1938 BC, but NOT egress

ARTICLE 7. MEANS OF EGRESS**Sub-Article 1. General Egress Requirements**

(6.1.1). § C26-272.0. **Application of Means of Egress Requirements.**—a. Unless specifically stated, the provisions of this article shall apply to all structures erected after January first, nineteen hundred thirty-eight; except factories coming under the provisions of the labor law, provided such factories comply with the requirements for exit lights and lighting of stairs and exit passages as specified in subdivision f of section C26-279.0, residence structures three stories or less above any basement in height and occupied by two families or less, and structures included under Section C26-715.0, except vertical extension to any structure erected before January first, nineteen hundred thirty-eight; provided: first, that such structure is capable of sustaining the live and dead loads of the additional stories; second, that such structure was approved as conforming to such laws governing exits as were in effect at the time such structure was erected; third, that such structure, after the addition of the vertical extension, will conform to such laws as were in effect at the time of the erection of such original structure; and fourth, that such auxiliary fire protection as the superintendent may deem necessary is provided. Also the provisions of this article shall not apply to the exits from those parts of class A multiple dwellings which are used or occupied, or which are arranged, intended or designed to be occupied for residence purposes, when the exits from such parts come under the provisions of the multiple dwelling law; but where the exits serve parts of the building used for other than residence purposes, the provisions of the multiple dwelling law and of this article whichever are most restrictive shall apply. The exits from cellars of multiple dwellings shall comply with this article. Notwithstanding the foregoing provisions of this section, nothing herein contained shall impose any additional requirements or any occupancy or use in an existing class A dwelling where such occupancy or use conforms with present law on October first, nineteen hundred fifty-six, unless such occupancy or use is changed or extended thereafter.

b. Notwithstanding the provisions of subdivision (a) of this section, the provisions of subdivision (a) and (b) of section C26-279.0 shall apply to all buildings, existing or hereafter erected, with the exception of exits from the residential portions of class A multiple dwellings, private dwellings and mixed occupancy structures occupied on the first floor for commercial purposes and by one or two families above the first floor.

Except where otherwise permitted by the provisions of any law, the lettering of exit signs shall be of letters of at least 8-inches high.

In those buildings which maintain one or more auxiliary systems for emergency exit lighting in the event of a public utility failure, in those buildings for which the

Approvals for Applications
To Sites Adjacent to Metropolitan
Transportation Authority/
NYC Transit Authority Systems

Raymond Plumey, FAIA
Bronx Deputy Borough Commissioner

ZR 95-041 (updated 2-2-11)

- “Prior to filing any applications with the Department of Buildings for an excavation permit or building permit for a **development** or **enlargement** within the **Special Transit Land Use District**, the owner of the **zoning lot** shall file an application with the Metropolitan Transportation Authority [MTA &/or NYC Transit Authority] and the City Planning Commission [CPC] **requesting a certification** as to whether or not a transit easement volume is required on the **zoning lot.**”
- MTA and CPC have sixty (60) days to respond to this request
- When the MTA and CPC indicate that such easement is required, the owner shall submit a site plan indicating the location and type of easement volume that would be most compatible for **joint approval and final certification** by the MTA and the CPC. Copies must be sent to the DOB.

DOB Memorandum of November 29, 1974

- Further clarifies ZR 95-041 by stating that the certified easement and associated plans and must be filed with DOB prior to issuance of an **excavation permit.**

ZR 95-02 (updated 2/2/11)

General Provisions

Special Transit Land Use Districts are mapped in the vicinity of existing or proposed subway stations. Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

Whenever this Special District overlaps another Special District and imposes contradictory regulations, the provisions of the ***Special Transit Land Use Districts*** shall apply.

Nothing contained in this regulation shall be understood to supersede Landmark or Historic District designations of the New York City Landmarks Preservation Commission.

BC 3304.3.3 Underground construction operations.


“Whenever excavation or drilling, for any purpose, to a depth greater than 100 feet (30,480 mm) is proposed in a block that has any part of its boundary falling within ... 200 feet (60,960 mm) of any subway,

- an approval and permit shall be obtained from ... the New York City Transit Authority [NYCTA]...
- The owner of the premises or the contractor shall notify ... the New York City Transit Authority prior to commencement of any such activity.
- The issuance of any permit or approval by the department [DOB] shall not relieve the applicant of the obligation to comply with any approval or permitting requirements of ... the New York City Transit Authority.”

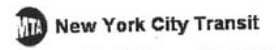
New York City Transit Authority
Department of Capital Program Management
Outside Projects
2 Broadway, 7th floor
New York, NY 10004

Sample Final Certification Response

NYC Transit Authority



DEPT BLDGS: 220164813 Job Number
SC222275461 Scan Code



New York City Transit
Department of Capital Program Management
OUTSIDE PROJECTS
2 Broadway, 7th Floor
New York, NY 10004

Date: **MAY 23, 2012**

Building Department Application Number: _____

MANHATTAN: Mr. Derek Lee, R.A., 280 Broadway, 3rd Floor, New York, NY 10007
 BROOKLYN: Mr. Thomas Fariello, R.A., 210 Joralemon Street, 8th Floor, Brooklyn, NY 11201
 QUEENS: Mr. Ira M. Gluckman, R.A., 120-55 Queens Blvd., Kew Gardens, NY 11424
 BRONX: Mr. Werner deFoe, P.E., 1932 Arthur Avenue, 5th Floor, Bronx, NY 10457
 STATEN ISLAND: Mr. Marshall Kaminer, P.E., 10 Richmond Terrace, Borough Hall 2nd Floor, SI, NY 10301
 CRANES & DERRICKS: Mr. Ashraf Omran, P.E., Director, 280 Broadway, 5th Floor, New York, NY 10007

LOCATION: _____ APPLICANT: _____

DWG NO & DATE: S-001 TA.01 (5-8-12), S-002 TA.02 (5-22-12), S-003 TA.02 (5-22-12), S-004 TA.01 (5-8-12), S-005 TA.02 (5-22-12), S-006 TA.01 (5-8-12), S-102.01 (5-22-12), S-201.01 A (5-8-12), S-301.01 A (5-8-12), S-303.01 A (5-22-12), S-601.01 A (5-22-12)

Dear Sir:

The above applicant recently submitted drawings of proposed building construction at the above location for our review and approval. The drawings listed above have been reviewed only for possible adverse effects on existing New York City Transit facilities resulting from the proposed building construction.

The drawings listed above are **Approved** **Approved Except As Noted**

Subject To:

- All work being performed in accordance with the approved drawings.
- The building plans meeting the Department of Buildings approval in all other respects.
- The construction materials being used for this project, the testing of materials and the inspection of the work meeting the requirements of the Department of Buildings.
- NYCT review will be required for any revisions to this proposed construction or for the use of cranes for construction in this vicinity.

Two copies of each of the above listed drawings, imprinted with the New York City Transit approval stamp dated 5-23-12 were transmitted to the applicant for submission to your Department for a building permit.

This letter does not constitute certification by the NYCT pursuant to the Zoning Resolution of the City of New York as to any matter, including, but not limited to, matters arising under Section 95-041 thereof.

Examiner: **P. KADNAR**

Yours truly,
R. Udeshi
Rajen Udeshi, P.E.
Principal Engineer

cc: Applicant
J. Malvasio, P.E. (with 2 copies of drawings for inspection)
R. Udeshi, P.E.
* T. Jensen, Chief of Bureau Fire Prevention, NYC Fire Department, 9 Metrotech Center, 3rd Floor, Brooklyn, NY 11201
Master File *(For Tank Installation Only)

2012 JUN 10 A 9:47

Thank You!



How to Read NYC Zoning Maps and Text

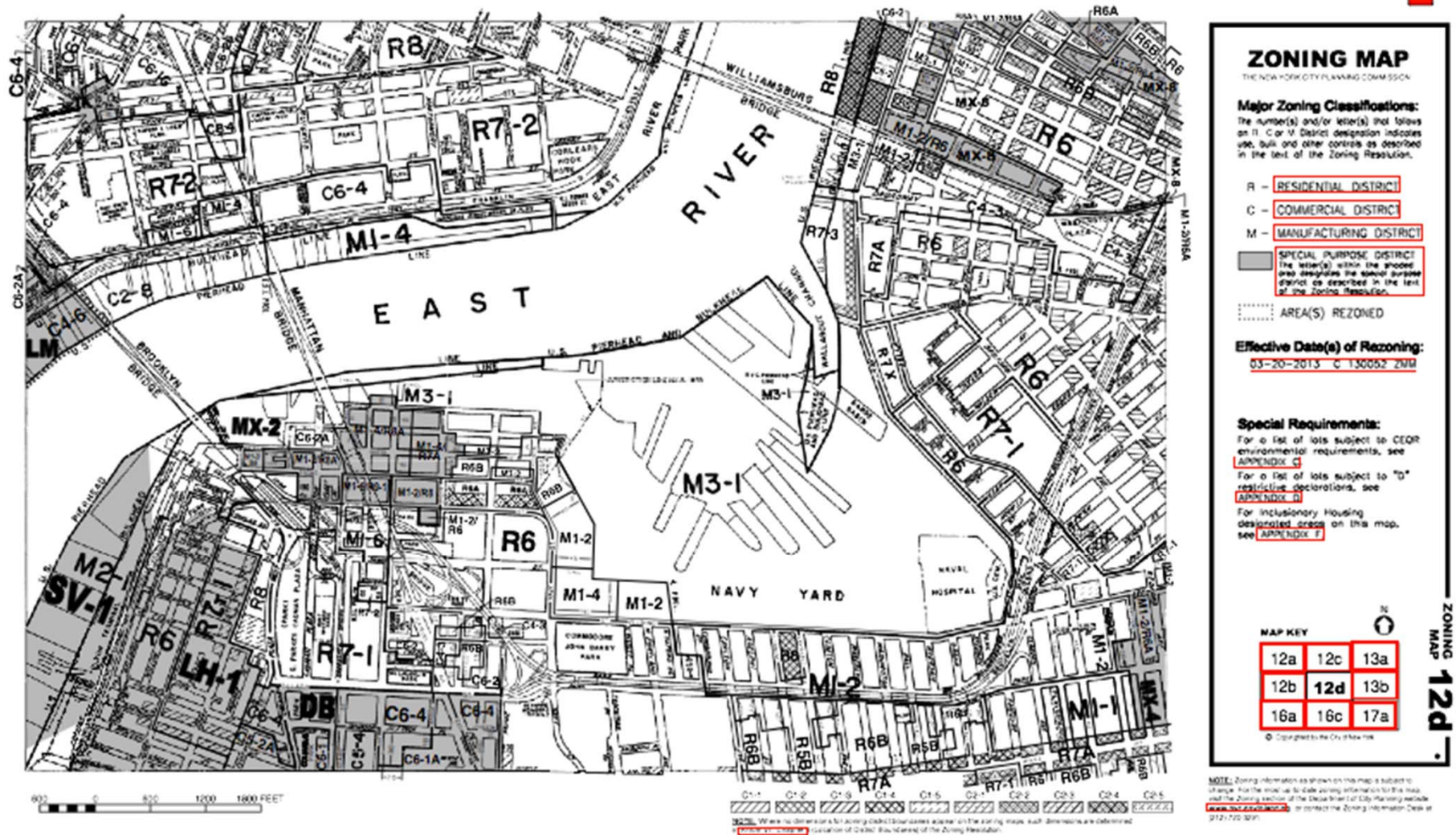
David Aigner
Senior Zoning Specialist
Technical Affairs

- The **New York City Zoning Resolution** has two components:

Zoning Maps***Zoning Text***

- The Zoning Maps show the extents of city blocks, with thicker black lines representing zoning district boundaries.
- Zoning divides the city into three basic types of *zoning districts*:
 - Residential (R)
 - Commercial (C)
 - Manufacturing (M)
- The text contains regulations related to use, bulk, parking and loading for each zoning district.

- The following items are regulated within each zoning district:
 - Permitted uses, listed in one or more of 18 use groups.
 - The floor area ratio or FAR, which is the size of a building in relation to the size of the zoning lot.
 - The number of dwelling units permitted.
 - The amount of open space required, and the maximum amount of lot coverage permitted.
 - The distance between a building and front, side and rear lot lines.
 - The amount of required or permitted parking and loading berths.
- Key notes:
 - Defined terms: See ZR 12-10 for all the definitions behind commonly used words and phrases throughout the Zoning Text.
 - Defined terms are *italicized* in the printed text. The online version of the zoning text shows these terms as being bracketed by #pound signs#.

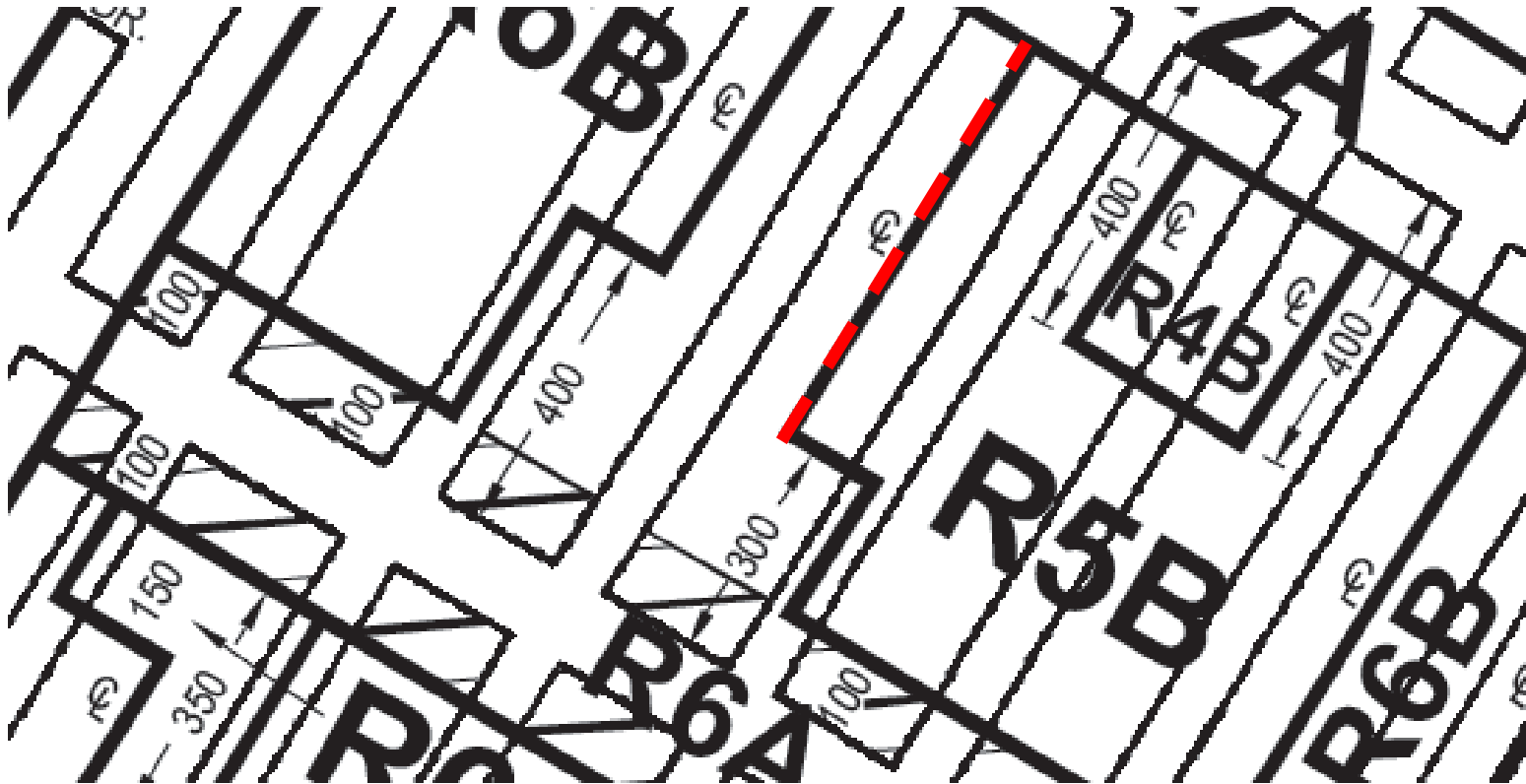


- The three basic categories of zoning districts (R, C, and M) are further divided into a range of lower-, medium- and higher-density district designations.
- The first number that follows either R, C or M correlates generally to the permitted size of a building or in some cases the intensity of the use.
- The first number after an “R” generally indicates bulk and parking controls. Example: “R6, R7, R8”
- The first number after “C” or “M” typically refers to the range of permitted uses. Example: “M1, M2, M3”
- In most cases, the second number after “C” or “M” refer to bulk and parking controls. Example: “M1-1, M1-2, M1-3”

- Each zoning district boundary is indicated by heavy solid lines.
- When shown within a street, the district boundary is located along the centerline of the street, unless otherwise dimensioned.

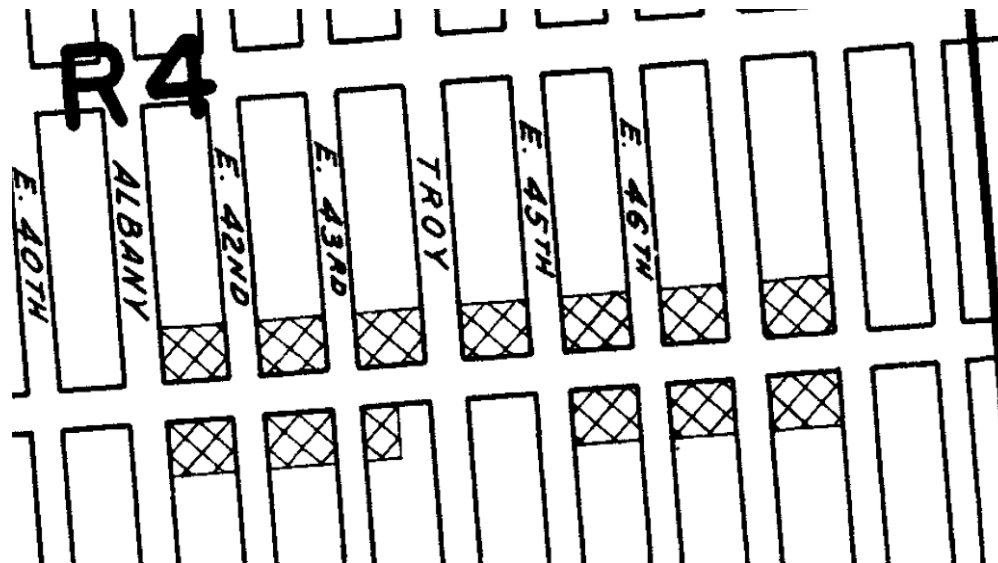


- Where a district boundary runs through the middle of a block, the district boundary is located along the block centerline, unless otherwise dimensioned.



Where a district boundary is parallel to the short dimension of a block and no dimension is shown, the distance between the boundary and street line is as stated in ZR 76-131:

- (a) In the case of C1-1, C4-1, C4-2 or C4-4 Districts, 200 feet from the nearest #street# within the district.
- (b) In the case of C1-2, C1-3, C2-1, C2-2, C2-3, C4-3 or C-7 Districts, 150 feet from the nearest #street# within the district.
- (c) In the case of all other districts, 100 feet from the nearest #street# within the district.



- Some block fronts in residential districts may have a commercial overlay district as in order to permit neighborhood-level retail and services.
- These overlay districts modify and supplement the controls of the residence district and are designated by various cross-hatch patterns.
- While commercial overlays are not bounded by heavy solid lines, their boundaries are still considered district boundaries.
- While commercial overlay districts are mapped within residence districts, they are considered to be fundamentally “commercial” districts.
- A key to these patterns is located to the bottom of every zoning map:



NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

Special Purpose Districts

- Any zoning district may be overlaid by a special purpose districts or “Special District,” tailored to the unique characteristics of certain neighborhoods.
- Special districts are shown as grey shaded areas, designated by large letter symbols such as "LI" for the Special Little Italy District.
- Properties within a special district are subject to some combination of regulations of both the special district and the underlying zoning district. Read the *Applicability* language within each Special District chapter for details.
- All the Special Purpose Districts are defined in ZR 12-10 . The “Special Little Italy District” is:
“...a Special Purpose District designated by the letter "LI" in which special regulations set forth in Article VIII, Chapter 2, apply.”



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Zoning > Zoning Text Printable Version

Zoning Text

Access the Text

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[Access the Text](#) | [About the Text](#) | [Amendment Index](#) | [Zoning Text Corrections](#)

The text of the Web version of the Zoning Resolution of the City of New York includes all text changes approved by the City Council as of April 28, 2015.

There is a brief period between the date the City Council adopts an amendment and the date that it is added to this online version of the Resolution. The [Zoning Amendment Index](#), a chronological record of all zoning text amendments enacted since 1993, lists the effective date, section number and ULURP number of each new or modified section.

[Click Here](#) to download all articles and appendices of the zoning text as one file (47.4 MB)

Article I - General Provisions		
Chapter (Size)	Contents	Last Amended
Chapter 1 (176k)	Title, Establishment of Controls and Interpretation of Regulations <ul style="list-style-type: none"> 11-00 Title 11-10 Establishment and Scope of Controls. 	12/10/13

The Zoning Resolution text consists of 13 separate “articles“

- **Article I:** General Provisions
- **Articles II, III and IV:** Use, bulk and parking regulations for R, C, M
- **Article V:** Non-conforming uses and Non-complying buildings
- **Article VI:** Airports, Waterfront, Flood Zone
- **Article VII:** Administration (special approvals, split-lot rules)
- **Articles VIII through XIII:** Special Purpose Districts

Each article contains chapters, and each chapter contains sections. The digits before a hyphen indicate the article and chapter; the digits following the hyphen indicate the section number. For example...

- ZR 15-111 references Article I, Chapter 5, Section 111.
- ZR 123-70 references Article 12, Chapter 3, Section 70.

ZR 12-01

Rules Applying to Text of Resolution

32-41 - Enclosure within Buildings

“...except as otherwise specifically provided in the Use Groups permitted in such districts...,all permitted #uses# shall be subject to the provisions of this Section with respect to enclosure within #buildings#.”

32-411 - In C1, C5, C6-5 or C6-7 Districts

“In the districts indicated, all such #uses# shall be located within #completely enclosed buildings#.”

32-15 - Use Group 6 includes:

“Eating or drinking establishments, including those which provide outdoor table service”

- Does ZR 32-411 prohibit outdoor table service? No. Outdoor table service is permitted.
- This is because *“eating and drinking establishment”* as per ZR 32-15, specifies a **particular** condition (*“including those which provide outdoor table service”*) which controls over the **general** rule that *“all such uses shall be located within completely enclosed buildings.”*

The following passage is included within various “use” sections, to help one determine the correct Use Group that a specific establishment would fall within:

“Whenever a #use# is specifically listed in a Use Group and also could be construed to be incorporated within a more inclusive #use# listing, either in the same or another Use Group, the more specific listing shall control.”

For example, an establishment that only sells, installs and repairs tires for motor vehicles would appear to fall under Use Group 16 B, *“automotive repairs”*

However, a more specific listing is found under Use Group 11 D. *“automotive service establishments – tire sales establishments, including installation services”*

An additional example of this principle, an establishment that custom manufactures artificial teeth could be construed as a manufacturing establishment within Use Group 11A:

“Medical, **dental**, drafting instruments, optical goods, or similar precision instruments”.

However, a more specific listing within Use Group 9A should apply instead:

“the custom manufacture of artificial teeth, dentures or plates, not involving any danger of fire or explosion nor offensive noise, vibration, smoke or other particulate matter, odorous matter, heat, humidity, glare or other objectionable effects”

What is the difference between these statements of applicability?

Special Tribeca Mixed Use District

(from ZR 111-02 General Provisions):

“...Except as modified by the express provisions of the District, the regulations of the underlying districts remain in effect.”

Special Downtown Brooklyn District

(from ZR 101-02 General Provisions):

“...The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.”

They are fundamentally the same.

Overlapping Regulations

Ex. 1: ZR 23-692

When different regulations are either overlapping (covering the same subject matter) or contradictory, the more restrictive of such regulations shall apply.

For example, the maximum permitted height of buildings are subject to ZR 23-692 (sliver law) and are generally limited to a height equal to the width of the street upon which it fronts (60' street width = 60' maximum building height).

If ZR 23-692 applies and the street width is 60', but the underlying maximum building height (R8B district as per ZR 23-633) is 75', which height limit controls?

The more restrictive regulation applies. In this case, the height limitation of ZR 23-692 is more restrictive than ZR 23-633.

Overlapping Regulations

Ex. 2: ZR 23-692

The maximum permitted height of buildings are subject to ZR 23-692 (sliver law) and are generally limited to a maximum building height equal to the width of the street upon which it fronts.

If the width of a street 80', but the underlying maximum building height (R8B district as per ZR 23-633) is 75', which height limit applies?

The more restrictive regulation applies. In this case, the height limitation of ZR 23-633 is more restrictive than ZR 23-692.

ZR 23-692 (sliver law) also provides exceptions to the general rule that building height shall not exceed the width of the street. One such exception is when a building may match the height of an existing abutting building provided it is fully contiguous at every level.

In an R8A district, the street width is 70' and the lowest abutting building that could be matched by applying ZR 23-692 (d) is 110', with no setback.

As per ZR 23-633 (underlying height and setback), the maximum base height is 85', above which a setback is required and the maximum building height is 120'.

Example 3 continues...

Can the building match the height of the existing abutting building of 110' without setback?

- No, the building's maximum base height is 85' because ZR 23-633 is more restrictive than ZR 23-692.

Can the building be constructed above a compliant setback at 85' to a height of 110'?

- No, because the existing abutting building rises without setback to 110' and a setback is required. Thus the height of 110' cannot be matched because it is not "contiguous at every level." Above 85', ZR 23-633 is more restrictive than ZR 23-692 and thus it controls.
- In this case, at and below 85', ZR 23-633 is more restrictive, and above 85', ZR 23-692 is more restrictive.

EXAMPLE: 23-45 - Minimum Required Front Yards

*“In the districts indicated, #front yards# **shall** be provided as set forth in the following table...”*

<u>Front Yard</u>	<u>District</u>
10 feet**	R4 R5

*** If the depth of a #front yard# exceeds 10 feet, the depth of the #front yard# shall be at least 18 feet...”*

Does this mean that a 15’ front yard can be provided? No, as per ZR 12-01 (c), the word "shall" is always interpreted to mean that a rule or a condition to a rule is mandatory.

EXAMPLE: ZR 23-633(a)(3)(ii) – Street wall location regulations

*“At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and extend to at least the minimum base height specified in the table in this Section or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# **may** be recessed beyond eight feet of the #street line#...”*

Can you locate 85% of the width of street wall within 8’ of the street line?

Yes, as per ZR 12-01 (c), the word "may" is permissive meaning that the street wall can be recessed up to 30% but no recess is in fact *required* to be provided.

EXAMPLE: 23-33 – Special Provisions for Development of Existing Small Lots

“In all districts, as indicated, either one #single-family detached residence# or, where permitted, one #single-# or #two family residence# may be #developed# upon a #zoning lot# that:

(a) has less than the prescribed minimum #lot area# or #lot width#...;

*(b) was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961, and on the date of application for a building permit...; **and***

(c) if #developed# as a #two-family residence#, meets the applicable density requirement of the zoning district in which such #zoning lot# is located.”

Can this provision be used if only condition (a) is met?

No, (a), (b) **and** (c) must all be met. As per ZR 12-01 (h)(1), "and" indicates that all the connected items, conditions, provisions or events shall apply.

ZR 12-01 (h)(2), states that "or" indicates that the connected items, conditions, provisions or events **may apply singly or in any combination**. For example, it is permitted to locate *“eaves, gutters or downspouts”* within a required yard. One can choose to locate any combination of these items within a yard.

However, there are instances in which “or” is in fact a condition to the first term. For example, in ZR 23-633(d) “Additional regulations” (height and setback):

“Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraph (a) of this Section.”

Can you enlarge a building by one story where such story is 20 feet high?

No. While “or” is not specifically qualified with “whichever is less,” the “15 feet” must be construed as a condition to the “one story” allowance.

EXAMPLE: ZR 23-631(b)(third paragraph) – Height and setback

*“Above these heights, sloping planes control the maximum height of the #building or other structure# requiring **either** a setback **or** a pitched roof”*

In general, the applicant has a choice, when exceeding a maximum perimeter wall height, to construct above such wall height maximum, either in the form of a setback or a pitched roof.

As per ZR 12-01(h)(3), "either...or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.



When “or...whichever is less” is used

EXAMPLE: 23-44 (b) - Permitted Obstructions in Required Yards or Rear Yard Equivalents

“Greenhouses, non-commercial, #accessory#, limited to one #story# or 14 feet in height above adjoining grade, whichever is less...”

Can you build a greenhouse in a rear yard that is two-stories but 14 feet in height?

Can you build a greenhouse in a rear yard that is one-story and 20 feet in height?

No to both questions. By qualifying “or” with “whichever is less,” you are limited to the choice that results in less “real” height.

EXAMPLE: The ZR 12-10 definition of “accessory use” states:

“An #accessory use# includes...”

This phrase is followed by a 21-item list that serve as examples of accessory uses.

As per ZR 12-01(i), *“the word “includes” shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.”* Put differently, when any list of items is prefaced by the word “includes,” such items are only examples and not a comprehensive list.

An example of an “accessory use” that is not contained within the 21-item list is a single video arcade game located within a pizza parlor (eating and drinking establishment in Use Group 6). Because such a single arcade game is incidental to, and customarily found in connection with, a pizza parlor, the presence of such game can be considered “accessory” to the Use Group 6 rather than an amusement arcade (Use Group 15).

Alternatively, if a single massage table was located within a pizza parlor, it would not be an accessory use because, while may be “incidental to” the primary use, it is not “customarily found in connection with” such use.

ZR 12-02

Rules for Interpretation of District Designations

References to a section numbered with four digits (e.g. ZR 23-13) include all the sections with numbers whose first four digits are identical with such Section number.

For example, the text states:

“However, balconies shall be subject to the provisions of Section 23-13 (Balconies)”

This reference to ZR 23-13 refers to all sections beginning with these four digits. In this case, ZR 23-131 and ZR 23-132 are also made applicable by this reference.

References to a section numbered with five digits (2 before hyphen, 3 after hyphen) refer only to such five-digit section.

For example, where the text states:

*“In all districts, as indicated, except as otherwise provided in Section **23-862** (Minimum distance between legally required windows and lot lines on small corner lots in R9 or R10 Districts)...”*

This reference to ZR 23-862 applies to ZR 23-862 only.

References to a section numbered with five digits (3 before and 2 after hyphen, such as ZR 123-22) shall include all the sections with numbers whose first five digits are identical with such section number.

For example:

*“...and #uses# listed in Use Groups 16A, 16D, 17A and 17B as set forth in Section **123-22** (Modification of Use Groups 16, 17 and 18)...”*

This reference to ZR 123-22 applies to all sections beginning with these five digits, which in this case includes ZR 123-22, ZR 123-221, ZR 123-222 and ZR 123-223.

References to a section numbered with six digits refer only to such six-digit section.

For example:

*“...(Ground Floor Use and Frontage) of the Queens Plaza Subdistrict Plan specifies locations where the special ground floor #use# and frontage regulations, as set forth in Section **117-512**, apply.”*

This reference to ZR 117-512 applies to ZR 117-512 only.



When “inclusive” follows section reference

Ex. 1

References connecting two sections each with four digits (ZR 52-31 to ZR 52-36) followed by the word “inclusive” mean that all regulations within ZR 52-31 *through* ZR 52-36 apply, including all unspecified subsections.

For example:

*“...under the provisions applicable to #non conforming uses# as set forth in **Sections 52-31 to 52-36, inclusive**, relating to Change of Non-Conforming Use...”*

Because the word “inclusive” is used, the reference above applies to ZR 52-31, ZR 52-32, ZR 52-331, ZR 52-332, ZR 52-34, ZR 52-35 and ZR 52-36.



When “inclusive” follows section reference

Ex. 2

References to a four-digit section ending in “0” and followed by the word “inclusive” means that all unspecified subsections also apply.

For example:

*“A “public plaza” is an open area for public use provided in accordance with the requirements set forth in **Section 37-70, inclusive.**”*

In this case, ZR 37-70, ZR 37-71, ZR 37-711, ZR 37-712, ZR 37-713, ZR 37-714, ZR 37-715, ZR 37-716, ZR 37-717, etc... all apply under the above-reference.



When “inclusive” follows section reference

Ex. 3

References to multiple Use Groups followed by “inclusive” means that the Use Groups specified and all the Use Groups in between, apply.

For example:

*“...Living or sleeping accommodations for caretakers in connection with any #use# listed in **Use Groups 3 through 18 inclusive**, provided that:...”*

In this case, in addition to Use Group 3 and 18 applying, Use Group 4 through 17 also apply.

References to “Article / Chapter” (e.g. Article XII, Chapter 3) apply to an entire chapter.

The roman numerals of the Article (XII) is reflected in the first two digits of the number before the hyphen and the number of the Chapter (3) is the final number before the hyphen.

For example:

“The special #use#, #bulk# and parking provisions of Article XII, Chapter 3, of the #Special Mixed Use District# shall apply to the designated districts within the Hunters Point Subdistrict...”

In this case, “Article XII, Chapter 3” refers to ZR 123-00, inclusive. In cases such as these, it is not necessary to the text to use the word “inclusive”.

As a general rule (ZR 11-25), if a section only lists districts without suffixes, the provisions of that section also apply to all the listed districts as well as those districts with suffixes.

(2/2/11)

23-17

**Special Provisions for Zoning Lots Divided by District Boundaries
or Subject to Different Bulk Regulations**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, whenever a #zoning lot# is divided by a boundary between districts or is subject to #bulk# regulations resulting in different minimum required #open space ratios#, different maximum #floor area ratios# or different #lot coverages# on portions of the #zoning lot#, the provisions set forth in Article VII, Chapter 7, shall apply.

In this case, ZR 23-17 applies to all the R1 districts (R1-1 and R1-2), all the R2 districts (R2, R2A, and R2X), etc.

...and if a section lists zoning districts both with and without suffixes such as...

(9/30/09)

33-283

Required rear yard equivalents

C1 C2 C3 C4-1 C7 C8-1 C8-2 C8-3

The section applies to all the C1, C2, C3 and C7 districts, but only applies to the specific C4 and C8 districts listed with suffixes (C4-1, C8-1, C8-2 and C8-3).

However, an exception to this rule is where the districts listed are further modified by the text below such as...

23-49

Special Provisions for Side Lot Line Walls

R3-1 R3-2 R4 R5

In the districts indicated, except R4A and R5A Districts, a #building# containing #residences# may:

The section would, at first, appear to apply to R3-1, R3-2 and all the R4 and R5 Districts. However, the text further modifies this by stating “except R4A and R5A Districts.” Therefore all the R4 and R5 districts apply – other than R4A and R5A.

- The City's interactive **Z**oning and **L**and Use map database

The screenshot displays the NYC ZoLa zoning and land use map database interface. The main map area shows a grid of streets in Manhattan, with a yellow highlighted parcel at the intersection of Duane St and Chambers St. The interface includes a search bar, a sidebar with zoning information, and a footer with the URL www.nyc.gov/zola.

Search for a Location
Searched Locations
280 BROADWAY
NEW YORK 10007

Zoning Information:
Borough: Manhattan Block: 153 Lot: 1
Zoning: C6-4
Zoning Map: 12b
Historical Zoning Maps: 12b

Department of City Planning, Zoning Database (updated monthly)

Show Zoning & Related Data on Map

www.nyc.gov/zola

In addition to zoning information, Zola contains:

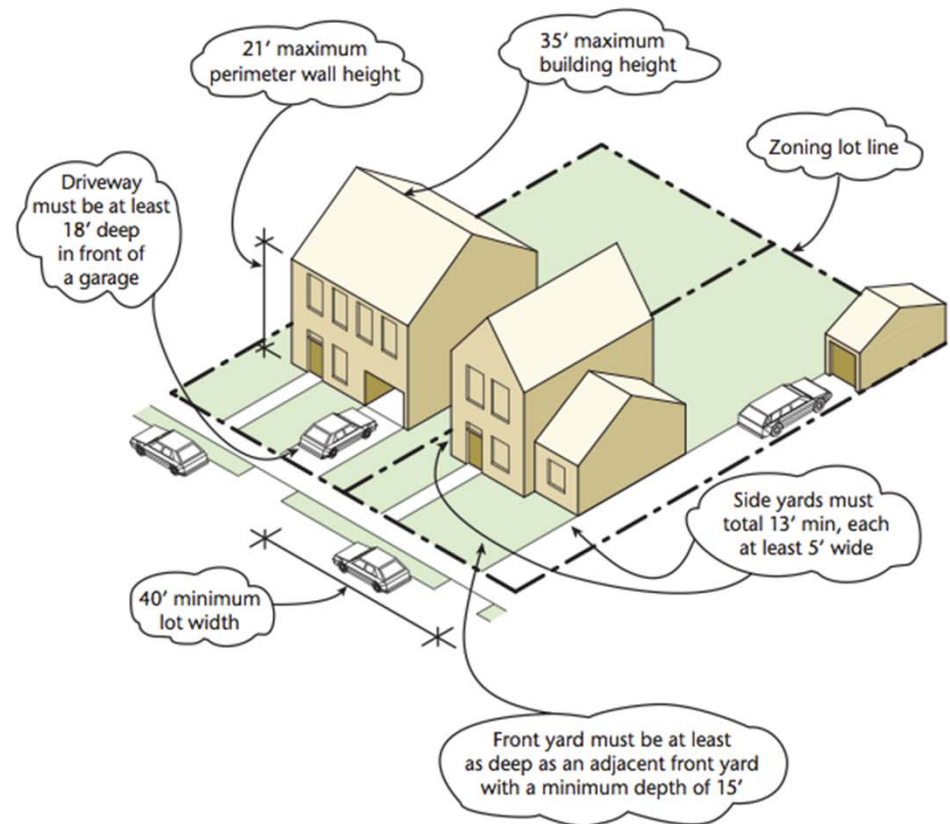
- Aerial imagery
- Tax map layer
- Inclusionary Housing Designated Areas
- Landmark buildings and designated Historic Districts
- Environmental Designations – “(e) Designations”
- Existing Land-use map
- Sidewalk Café regulations map

- Zoning District diagrams
- Zoning Glossary
- Zoning Data Tables

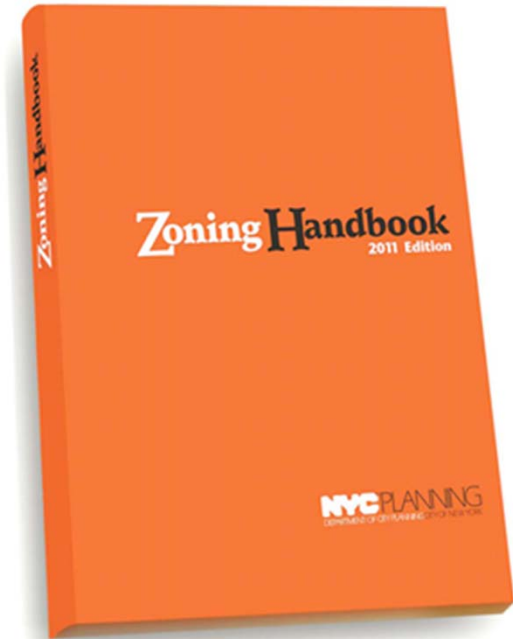
Zoning Data Tables, Residence Districts

ZONING DATA TABLE 1

R1-R3 Lower-Density Residence Districts										
	R1-1'	R1-2'	R1-2A'	R2'	R2A'	R2X	R3A'	R3X'	R3-1'	R3-2'
Single-family detached residences	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Two-family detached residences	-	-	-	-	-	-	✓	✓	✓	✓
Semi-detached residences	-	-	-	-	-	-	-	-	✓	✓
All residences	-	-	-	-	-	-	-	-	-	✓
Residential FAR (max)	0.5	0.5	0.5	0.5	0.5	0.85	0.5	0.5	0.5	0.5
with attic allowance	-	-	-	-	-	1.02	0.6	0.6	0.6	0.6
Community facility FAR (max)	0.5'	0.5'	0.5'	0.5'	0.5'	0.5'	1.0	1.0	1.0	1.0
Lot width (min)	Detached: 100 ft	60 ft	60 ft	40 ft	40 ft	30 ft	25 ft	35 ft	40 ft	40 ft
	Other: -	-	-	-	-	-	-	-	18 ft	18 ft
Lot area (min)	Detached: 9,500 sf	5,700 sf	5,700 sf	3,800 sf	3,800 sf	2,850 sf	2,375 sf	3,325 sf	3,800 sf	3,800 sf
	Other: -	-	-	-	-	-	-	-	1,700 sf	1,700 sf
Open space ratio (min)	150.0	150.0	-	150.0	-	-	-	-	-	-
Lot coverage (max)	-	-	30%	-	30%	- ²	- ²	- ²	35%	35%
Front yard depth (min)	20 ft	20 ft	20 ft ¹	15 ft	15 ft ¹	15 ft	10 ft ¹	10 ft ¹	15 ft	15 ft
Side yards (number)	Detached: 2	2	2	2	2	2	2 ¹	2	2	2
	Semi-detached: -	-	-	-	-	-	-	-	1	1
Total width of side yards (min)	Detached: 35 ft	20 ft	20 ft	13 ft	13 ft	10 ft ¹	8 ft ¹	10 ft ¹	13 ft	13 ft
	Semi-detached: -	-	-	-	-	-	-	-	8 ft	8 ft
Each side yard (min)	Detached: 15 ft	8 ft	8 ft	5 ft	5 ft	2 ft	-	2 ft	5 ft	5 ft
	Semi-detached: -	-	-	-	-	-	-	-	-	-



- Guide to NYC zoning regulations, with color illustrations and summary descriptions of each zoning district, explanations of basic zoning concepts and regulatory procedures, glossary of zoning terminology, comparative tables and more.
- Available for \$35 at the CityStore and the City Planning Bookstore





Thank you!

David Aigner
Senior Zoning Specialist
Technical Affairs