



Zoning Resolution

THE CITY OF NEW YORK

**including all amendments adopted prior to November 1, 1960
together with addenda**



**City Planning Commission
Department of City Planning**

THE CITY OF NEW YORK • ROBERT F. WAGNER, MAYOR

CITY PLANNING COMMISSION

2 Lafayette Street, New York 7, N. Y.

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PAULINE J. MALTER, *Secretary*

Communications and petitions should be submitted pursuant to the rules of the Commission (see page 63).

Regular public meetings are held in Room 16, City Hall, Manhattan, twice monthly on Wednesdays at 10 A.M. Minutes of meetings are published in The City Record.

DEPARTMENT OF CITY PLANNING

Price List of Zoning Maps, Forms and Services

Use District Maps — Book Form	\$10.00
Height District Maps — Book Form	10.00
Area District Maps — Book Form	10.00
Individual Zoning Sheets, each50
Subscription to Zoning Amendments — 1 yr.	10.00
Forms — Notice of Filing Zoning Petition10
Poster Giving Notice of Filing Zoning Petition10
Zoning Resolution	1.00

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ZONING RESOLUTION OF THE CITY OF NEW YORK

(As Amended to December 3, 1959)

A Resolution Regulating and Limiting the Height and Bulk of Buildings Hereafter Erected and Regulating and Determining the Area of Yards, Courts and Other Open Spaces, and Regulating and Restricting the Location of Trades and Industries and the Location of Buildings Designed for Specific Uses and Establishing the Boundaries of Districts for the Said Purposes.

ARTICLE I—DEFINITIONS

§1. **DEFINITIONS.** Certain words in this resolution are defined for the purposes thereof as follows:

(a) Words used in the present tense include the future; the singular number includes the plural and the plural the singular.

(b) The "street line" is the dividing line between the street and the lot.

(c) The "width of the street" is the mean of the distances between the sides thereof within a block.

(d) The "curb level" for the purpose of measuring the height of any portion of a building, is the mean level of the curb in front of such portion of the building. But where a building is on a corner lot the curb level is the mean level of the curb on the street of greatest width, for the purposes of this resolution. If such greatest width occurs on more than one street the curb level is the mean level of the curb on that street of greatest width which has the highest curb elevation. The "curb level" for the purpose of regulating and determining the area of yards, courts and open spaces is the mean level of the curb at that front of the building where there is the highest curb elevation. Where no curb elevation has been established or where a front yard setback of 25 feet or more is provided, the average level of the land immediately adjacent to the building prior to any excavation or fill shall be considered curb level.

(e) A "street wall" of a building, at any level, is the wall or part of the building nearest to the street line.

(f) The "height of a building" is the vertical distance measured in the case of flat roofs from the curb level to the level of the highest point of the roof beams adjacent to the street wall, and in the case of pitched roofs from the curb level to the mean height level of the gable. Where no roof beams exist or there are structures wholly or partly above the roof the height shall be measured from the curb level to the level of the highest point of the building. Where a building is a multiple dwelling, as defined in the Multiple Dwelling Law the height of the building on the street line shall be measured as prescribed in said law for the measurement of the height of a multiple dwelling and such measurement shall be from the curb level as that term is used in said law, except that where no curb elevation has been established or where a front yard setback of 25 feet or more is provided, then in no case shall the grade from which the measurements are to be made exceed the average level of the land immediately adjacent to the building prior to any excavation or fill.

(g) The "depth of a lot" is the mean distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

(h) The "rear of a lot" is the portion of a lot directly opposite the front. A "rear yard" is an open unoccupied space on the same lot with a building between the rear line of the building and the rear line of the lot. An "excess rear yard" is that part of a rear yard lying outside the limits of a rear yard of required dimensions.

(i) The "depth of a rear yard" is the mean distance between the rear line of the building and the rear line of the lot.

(j) Lots or portions of lots shall be deemed "back to back" when they are on opposite sides of the same part of a rear line common to both and the opposite street lines on which the lots front are parallel with each other or make an angle with each other of not over 45 degrees.

(k) A "court" is an open unoccupied space other than a rear yard, on the same lot with a building. A court not extending to the street or to a rear yard is an "inner court". A court extending to the street or a rear yard is an "outer court". A court on the lot line extending through from the street to a rear yard or another street is a "side yard". "Excess court space" is that part of a court lying outside the limits of a court of required dimensions.

(l) The "height of a yard or a court" at any given level shall be measured from the lowest level of such yard or court as actually constructed or from the curb level, if higher, to such level. The highest level of any given wall bounding a court or yard shall be deemed to be the mean height of such wall. Where a building is a multiple dwelling, as defined in the Multiple Dwelling Law, the height of a yard or a court shall be measured as prescribed in such law.

(m) The "least dimension" of a yard or court at any level is the least of the horizontal dimensions of such yard or court at such level. If two opposite sides of a yard or court are not parallel the horizontal dimensions between them shall be deemed to be the mean distance between them.

(n) The "length of an outer court" at any given point shall be measured in the general direction of the side lines of such court from the end opposite the end opening on a street or rear yard to such point.

(o) A "family" is one or more persons occupying a dwelling and maintaining a common household.

(p) An "accessory use or building" is a use or building customarily incident to the principal use or building and located on the same lot with such principal use or building.

(q) A "sign" is any structure or part thereof or device attached thereto or painted or represented thereon, 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. For the purpose of this resolution the word "sign" includes the word "billboard" but does not include the flag, pennant or insignia of any nation, state, city or other political unit, or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event.

A "business sign" is a sign which directs attention to a business or profession conducted upon the premises. An "advertising sign" is a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises. A "for sale" or "to let" sign relating to the property on which it is displayed shall be deemed a business sign.

(r) "Board" shall mean the Board of Standards and Appeals created by Chapter 503 of the Laws of 1916 and Chapter 27 of the New York City Charter.

(s) The word "building" shall be deemed to include a structure as defined in the Administrative Code.

(t) A "dwelling" is any building or any portion thereof which is occupied as the home or residence of one or more persons.

- a. A "multiple dwelling" shall be as defined in the Multiple Dwelling Law.
- b. A "single-family dwelling" is a building designed for and occupied exclusively by not more than one family.
- c. A "two-family dwelling" is a building designed for and occupied exclusively by not more than two families.

(u) For the purpose of determining the ratio of the floor area of a building to the area of the lot, the "floor area" of a building is the sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines but excluding garage areas and basement and cellar floor areas not devoted to residence use. All horizontal dimensions are to be made between the exterior faces of walls, including the walls of roofed porches. The floor area of a building shall include the floor area of accessory buildings, except garages, on the same lot, which shall be measured in the same way.

(v) A "lot" is a parcel or plot of ground which is or may be occupied by a building and accessory buildings including the open spaces required by this resolution.

(w) A "non-conforming building or use" is one that does not conform with the regulations of the use district in which it is located.

(x) The word "premises" shall include a lot with or without a building thereon.

(y) A "trailer camp" shall mean and include any premises where two or more vehicles are parked, which are designed, intended, arranged or used for living or sleeping purposes, or any premises used or held out for the purpose of supplying to the public a parking space for two or more such vehicles, whether such vehicles stand on wheels or rigid supports.

(z) For the purpose of this resolution, a public park shall be deemed to be any publicly owned park, playground, parkway or roadway within the jurisdiction and control of the Commissioner of Parks, other than parked strips or malls in a public street, the roadways of which are not within his jurisdiction and control.

(aa) A "bus station" is any location off a public street where public buses receive or discharge passengers.

(bb) "Required open spaces" are such portions of a lot as are specifically required to be left open in the area district in which the lot is located. Such spaces include courts and front, side and rear yards, but do not include space required to be left unbuilt upon by reason of general coverage limitations expressed as a percentage of the area of the lot.

(cc) For the purpose of this resolution, "dry cleaning" includes cleaning textiles, fabrics, garments or other articles by the use of solvents other than water, extraction of the solvents therefrom, and drying the same. A "dry cleaning unit" is the machinery or equipment in which textiles, fabrics, garments or other articles are carried through a complete cleaning cycle. A "dry cleaning unit" may consist of one or more detached component machines.

(dd) A "show window" is a window or opening in the exterior wall of any portion of a building used for business purposes through which merchandise, services or business are displayed or advertised. A window glazed with transparent glass in the business portion of a building, any part of which is less than six feet above the sidewalk, or the established sidewalk grade beneath the window, shall be deemed a show window.

(ee) A "Motel" is a building or a group of detached, semi-detached or attached buildings containing guest rooms or dwelling units each of which, or each pair of which, has a separate entrance leading directly from the outside of the building, with garage or parking space conveniently located to each unit, and which is designed, used or intended to be used primarily for the accommodation of motor vehicle transients. Motels do not include hotels, boarding houses or trailer camps.

(ff) A "garage" is an enclosed or partly enclosed building or structure arranged, designed or intended to be used for the parking and storage of motor vehicles.

(gg) A "parking space" is an open off-street area arranged, designed or intended to be used for the parking and storage of motor vehicles.

(hh) The term "cabaret" for the purposes of this resolution shall mean any room, place or space in the city in which any musical entertainment, singing, dancing or other similar amusement is permitted in connection with the restaurant business or the business of directly or indirectly selling to the public food or drink, except that it shall not include such room, place, or space occupied as a restaurant where only a piano or organ with or without not more than two string instruments is played.

ARTICLE II—USE DISTRICTS

§2. **USE DISTRICTS.** For the purpose of regulating and restricting the location of trades and industries and the location of buildings designed for specific uses The City of New York is hereby divided into nine classes of districts: (1) residence districts, (2) local retail districts, (3) restricted retail districts, (4) retail districts, (5) retail-1 districts, (6) business districts, (7) business-1 districts, (8) manufacturing districts, (9) unrestricted districts; as shown on the use district map, consisting of thirty sheets and an index sheet, each dated May 27, 1953, together with five sheets, each dated June 3, 1947, and signed by the Senior Civil Engineer of the City Planning Commission*. The use districts designated on said map, as amended, or as may be hereafter amended from time to time, are hereby continued and declared to be part hereof. The use district map designations and map designation rules which accompany said use district map are hereby declared to be part thereof. No building or premises shall be erected or used for any purpose other than a purpose permitted in the use district in which such building or premises is located.

§3. **RESIDENCE DISTRICTS.** In a residence district no building or buildings shall be erected other than a building or buildings arranged, intended or designed exclusively for one or more of the following specified uses:

(1) Dwellings, which except as hereinafter provided in § § 14-A, 15-A, 15-B, 16-B and 16-C, shall include dwellings for one or more families and boarding houses and also hotels which have thirty or more sleeping rooms, but shall not include motels.

(2) Clubs, excepting clubs the chief activity of which is a service customarily carried on as a business.

(3) Churches.

(4) Schools, libraries, public museums, court houses, fire houses, and police stations.

(5) Philanthropic or eleemosynary uses or institutions, other than correctional institutions.

(6) Hospitals, sanitariums, government operated health centers, doctors' offices for the practice of medicine, including group medical centers, dentistry and osteopathy as follows:

(a) In other than multiple dwellings such doctors' offices, including group

*NOTE: As of November 1, 1960, the use district map consists of 21 sheets and an index sheet, each dated May 27, 1953, five sheets each dated April 18, 1956, eight sheets each dated June 28, 1956 and one sheet dated May 23, 1957.

medical centers, shall be permitted only below the level of the first story ceiling.

(b) In multiple dwellings such doctors' offices, including group medical centers, shall be permitted only as follows: (1) on the street floor thereof, (2) on the floor immediately above the street floor only if there be access to such doctors' offices from other than the public hall, and (3) on the floor immediately above the street floor where such use existed on January 1, 1948.

(7) Railroad passenger stations.

(8) Farming, truck gardening, nurseries, or green houses. On premises of five (5) acres or more devoted primarily to farming, truck gardening, nurseries or green houses, the sale of trees, shrubs, plants, flowers, vegetables, fruits and other farm products grown on said premises may be conducted within an open front or enclosed building located on such premises. Such building or portion of a building devoted to such sales shall not exceed one story in height nor one thousand (1,000) square feet in floor area, and no portion of any such building devoted to such sales shall be located or erected nearer than fifty (50) feet from any street line as laid out upon the City Map.

(9) In a residence district no building or premises shall be used for any other than a use above specified for which buildings may be erected and for the accessory uses customarily incident thereto. The term "accessory use" shall not include a business, nor shall it include any building or use not located on the same lot with the building or use to which it is accessory. Such accessory uses may include, inter alia:

(a) A garage or parking space or any combination thereof for not more than three passenger motor vehicles as an appurtenance to a single-family or two-family dwelling and space for one passenger motor vehicle may be rented.

(b) A garage or parking space or any combination thereof, with a capacity not exceeding one passenger motor vehicle for each family, as an appurtenance to a group of single-family or two-family dwellings erected and maintained under one ownership, or as an appurtenance to a class A multiple dwelling; or with a capacity not exceeding one passenger motor vehicle for each family or one passenger motor vehicle for each separately rentable room or suite of rooms as an appurtenance to a class B multiple dwelling. Such garage or parking space or any combination thereof shall be exclusively for passenger motor vehicles including buses which are used by the occupants of said dwelling. In the event such space or part thereof is not used by such occupants, it may be rented by

the owner or owners of such dwelling to persons other than the occupants thereof for the garaging or parking of private passenger motor vehicles only. The space thus rented shall be made available to an occupant within thirty days after written request to the owner. However, rental of garage or parking space for any period of less than one month by non-occupants is prohibited.

- (c) A garage or parking space or any combination thereof as an appurtenance to buildings occupied exclusively for such other uses as are permitted in a residence district by this section. Such garage and parking space shall not be for the general public but shall be exclusively for tenants or their employees, students, patients, patrons or visitors of the buildings to which they are appurtenant and shall be used for passenger motor vehicles, buses and other accessory motor vehicles.
- (d) A garage or parking space or any combination thereof accessory to single-family or two-family dwellings or accessory to class A multiple dwellings shall be placed on the lot only in locations conforming to the requirements for a garage or parking space established in §19-B of this resolution. A garage or parking space or any combination thereof accessory to buildings used for other purposes, where permitted, shall not be located in required open spaces. A garage or parking space where permitted in residence districts shall comply also with the rules and regulations established by the Commissioner of Buildings.
- (e) The practice of a profession within the premises in which the practitioner resides.
- (f) The following non-flashing non-illuminated business signs: A nameplate indicating the occupant; a sign not exceeding one square foot in area indicating practice on the premises of the profession of the occupant; a sign not exceeding 12 square feet in area advertising the premises as "for sale" or "for rent" with pertinent information, which sign if on vacant property shall not be within 15 feet of the street line nor within six feet of any adjoining property line. No sign shall project more than 12 inches beyond the street line. Not more than one sign shall be permitted for each use, profession, or person coming within the provisions of this section.
- (g) Removal for sale of sod, loam, clay, sand, gravel or stone in connection with the construction of a building on the lot, or in connection with the regrading of a lot but in the latter case not below the legal street grade.

- (10) Large scale projects, if approved pursuant to §21-C.
- (11) Airport or seaplane base or other landing facility for aircraft, if approved under the provisions of §21-E.
- (12) Public Garages, if approved pursuant to §21-F hereof.
- (13) Public utility gas or electric substations necessary for the supply of gas or electric service to a local distributing area. Such uses may be permitted only if approved in accordance with the following terms and conditions:
 - (a) Each substation installation authorized under this subsection (13) shall be constructed on a plot of ground having a frontage of not less than 50 feet and a depth of not less than 90 feet. No substation equipment shall occupy at or above the sidewalk level more than 15 per cent of the plot area. All buildings and structures shall conform to existing height and area restrictions, and such installations shall be landscaped, fenced and be so arranged as to be consistent with the predominantly residential character of the district.
 - (b) Upon presentation to the City Planning Commission of a site plan and general building plan showing the design, location and uses of the buildings or structures and appurtenant equipment comprising such substation, and a statement supporting the necessity for the construction of same, the Commission may, after public notice and hearing, and subject to appropriate conditions and safeguards, by resolution certify that the construction, operation and maintenance of such substation is necessary in such area and will not be detrimental to public health or general welfare and may, thereupon, approve such plan of installation. Such resolution of the City Planning Commission, together with the plan of such substation, shall be filed with the Secretary of the Board of Estimate within five (5) days after its adoption. Unless the Board of Estimate shall modify or disapprove such resolution by a majority vote within thirty (30) days from the date of filing, it shall thereupon take effect, except that in case a protest against a proposed resolution shall have theretofore been presented, duly signed and acknowledged by the owners of 20 per cent or more of the area of the land immediately adjacent extending 100 feet from said plot, or by the owners of 20 per cent or more of the area of land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such resolution shall not be effective unless approved by the Board of Estimate by unanimous vote of the entire board.

- (c) All such substations authorized and constructed under the provisions of this subsection (13) shall conform to all applicable laws and regulations relating to construction, operation and maintenance.
- (d) No modification, variance or change in the general location, layout and character of such substation as shown on the plan as approved shall be permitted except when approved in accordance with the procedure set forth in subdivision (b) of this subsection (13), provided that upon abandonment of such substation authorized under this subsection (13) the buildings, structures and equipment shall be removed and the land shall thereafter be again subject to the zoning laws and regulations in effect at the time.

(14) Open-air drive-in theatres and horse-racing tracks, if approved pursuant to §21-G.

§4. **BUSINESS DISTRICTS.** (a) In a business district no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, for any of the following specified trades, industries or uses:

- (1) Ammonia, chlorine or bleaching powder manufacture.
- (2) Asphalt manufacture or refining.
- (3) Assaying (other than gold or silver).
- (4) Blacksmithing or horseshoeing or welding.
- (5) Boiler making.
- (6) Brewing or distilling of liquors.
- (7) Carpet cleaning except where all carpet cleaning is done with non-combustible solvents and all operations are carried on within an enclosed building. A combustible solvent for incidental removal of spots shall be permitted.
- (8) Celluloid manufacture.
- (9) Crematory.
- (10) Distillation of coal, wood or bones.
- (11) Dyeing establishments.
- (12) Electric central station power plant.
- (13) Fat rendering.
- (14) Fertilizer manufacture.

- (15) A garage for more than five motor vehicles, including garage units on contiguous lots for a less number which in the aggregate accommodate more than five motor vehicles in the same ownership, management or control, except a garage or parking facility approved pursuant to §21-F. However, an indoor salesroom or outdoor sales lot where motor vehicles are kept for sale or for display purposes only shall be permitted and there may be provided exclusively for tenants or their employees, customers, or patrons, outdoor parking or indoor garage space adjoining, on or within a business building but not within required open spaces provided no gasoline or oil selling, or servicing or repair facilities are included.
- (16) Gas (illuminating or heating) manufacture or storage.
- (17) Glue, size and gelatine manufacture.
- (18) Incineration or reduction of garbage, offal, dead animals or refuse.
- (19) Iron, steel, brass or copper works.
- (20) Junk, scrap paper or rag storage or baling.
- (21) Lamp black manufacture.
- (22) Lime, cement or plaster of paris manufacture.
- (23) Milk bottling and distributing station.
- (24) Oil cloth or linoleum manufacture.
- (25) Paint, oil, varnish, pigment or turpentine manufacture.
- (26) Petroleum refining or storage.
- (27) Printing ink manufacture.
- (28) Raw hides or skins—storage, curing or tanning.
- (29) Repair shop for motor vehicles other than facilities for minor adjustments with hand tools in a legally permitted garage for more than five motor vehicles.
- (30) Rubber manufacture from the crude material.
- (31) Saw or planing mill or lumber yard.
- (32) Shoddy manufacture or wool scouring.
- (33) Slaughtering of animals or fowl.
- (34) Smelting.
- (35) Soap manufacture.
- (36) Stable for more than five horses.
- (37) Starch, glucose or dextrine manufacture.
- (38) Stock yard.

- (39) Stone or monumental works, or the manufacture of cement blocks.
- (40) Sugar refining.
- (41) Sulphurous, sulphuric, nitric or hydrochloric acid manufacture.
- (42) Tallow, grease or lard manufacture or refining.
- (43) Tar distillation or manufacture.
- (44) Tar roofing or tar waterproofing manufacture.
- (45) Refrigerating plants, coal yards and coal pockets.
- (46) Gasoline service or oil selling station except as approved pursuant to §21-F hereof.
- (47) Bus stations except as provided in §21-D.
- (48) Trailer camp.
- (49) Business and advertising signs, except:
 - (a) Non-flashing business signs, each of which does not exceed 500 square feet in area and which does not project more than eighteen inches beyond the street line provided that such business signs may in no case exceed an aggregate of 15 per cent of the area of the wall surface, including window and door areas, on which they are displayed.
 - (b) Business signs on awnings or marquees permitted by the Administrative Code.
 - (c) Projecting signs attached to a theatre, hotel, a large department store or a similar structure of an essentially public nature, which advertise or indicate the principal business transacted on such premises.
 - (d) Non-flashing business signs which indicate the business conducted upon open unimproved premises, the aggregate area of which signs does not exceed one-quarter of a square foot for each foot of street frontage on which the lot or lots face and which signs do not project beyond the street line of such premises. However, the aggregate area of such business signs shall not exceed 100 square feet in area but in any case may be at least 25 square feet in area. Such business signs shall not be more than three feet high and the top of each sign shall not be less than ten feet above the sidewalk.
- (50) Automobile wrecking yard.
- (51) Steam or wet wash laundry other than as an accessory use in a hotel or hospital.
- (52) Automobile laundries, including the cleaning or washing of motor vehicles when conducted as the principal business of the establishment.

- (53) Dry cleaning establishments, except for establishments which conform to the restrictions set forth below:
 - (a) Not more than two dry cleaning units shall be installed, and such units shall have an aggregate dry load capacity of not more than 60 pounds, as rated by the Board.
 - (b) The gross floor area of the dry cleaning establishment, including space used for dry cleaning, pressing and incidental operations, and space used for storage, service of customers and convenience of employees, shall not exceed 2,000 square feet. However, additional space may be used on a lower floor which is either a basement or a cellar, provided that on such floor there shall be no dry cleaning and no storage of recently cleaned articles.
 - (c) No solvent having a flash point less than 138.2 degrees Fahrenheit shall be used, except for incidental removal of spots.

To protect the public health, safety and welfare in accordance with the general purpose and intent of this resolution, to safeguard the character of the predominant types of uses located in the districts affected, and to protect the occupants of nearby residences and other premises from traffic congestion, fire, explosion, vibration, noise, heat, smoke, odors, toxic vapors and other forms of air pollution, the Board, after public notice and hearing, may adopt, and from time to time amend, rules and regulations for the operation and maintenance of dry cleaning establishments permitted under subsections (a), (b) and (c) above. Such rules and regulations may cover inter alia location of entrances to and exits from such establishments, installation of equipment and hours of operation of such establishments. Such rules and regulations may also prescribe the conditions under which such establishments may exist in buildings in which residences are located.

Any dry cleaning establishment which was in existence prior to January 1, 1953 in any use district to which the provisions of this section apply, may be continued, but no such establishment shall be enlarged or extended, nor shall the capacity of its dry cleaning units be enlarged, except in conformity with all the provisions of this section. Such existing establishments shall be subject to the aforesaid rules and regulations of the Board.

- (b) In a business district no building or premises shall be used, and no building shall be erected, which is arranged, intended or designed to be used for any trade, industry or use that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise; but car barns, including those converted for the use of buses operating under a franchise, or places of amusement shall not be excluded.
- (c) In a business district no building or premises shall be used, and no building shall be erected, which is arranged, intended or designed to be used for any kind of

manufacturing, except that any kind of manufacturing not included within the prohibitions of paragraphs (a) and (b) of this section may be carried on provided not more than 25 per cent of the total floor space of the building is so used, but space equal to the area of the lot by be so used in any case, although in excess of said 25 per cent. The printing of a newspaper shall not be deemed manufacturing. Uses permitted in a residence district by §3 and uses approved pursuant to §21-C shall be permitted in a business district.

(d) In a business district no building or premises shall be used, and no building shall be erected, which does not conform to the applicable regulations of §7-B.

§4-A. RETAIL DISTRICTS. (a) In a retail district the same regulations and restrictions shall apply as are provided for business districts except that no manufacturing or treatment of products shall be carried on other than such as are incidental to the conduct of a retail business conducted on the premises, or such other manufacturing as is now permitted in a business district, provided that in such other manufacturing not more than five per cent (5%) of the total floor space of the building is so used. However, any use or uses specifically authorized under the provisions of §21-C shall be permitted in a retail district, and dry cleaning establishments conforming to the provisions of §4 (a) (53) shall also be permitted, provided such establishments are for retail purposes where services are performed directly for consumers or for transient hotels, or as an accessory use in transient hotels and department stores.

(b) In addition, in a retail district no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used for any of the following purposes except that uses specifically authorized under the provisions of §21-C shall be permitted:

- (1) Amusement center for the playing of games and for the operation of bagatelle machines and other similar devices.
- (2) Freak show or wax museum.
- (3) Shooting gallery, skeeball or similar games.
- (4) Motel.
- (5) Auction room below the level of the first story ceiling.
- (6) Miniature golf course.
- (7) Golf driving range.
- (8) Baseball batting range.
- (9) Pony ride, carousel, ferris wheel, scenic railway or other similar ride.
- (10) Carpet cleaning.

§4-B. RESTRICTED RETAIL DISTRICTS. In a restricted retail district, the same regulations and restrictions shall apply as are provided for retail districts. In addition, in a restricted retail district no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used for any of the following purposes except that uses specifically authorized under the provisions of §21-C shall be permitted:

- (a) Billiard parlor, pool parlor or bowling alley other than in a hotel.
- (b) Cabaret other than in a hotel.
- (c) Theatre or motion picture theatre.
- (d) Undertaking establishment or funeral parlor.
- (e) Open front store or open front restaurant other than one limited exclusively to table service. A sidewalk cafe shall be permitted.
- (f) Public dance hall other than in a hotel.
- (g) Skating rink other than in a hotel.
- (h) Warehouse or storage plant.
- (i) Storage or parking of more than five motor vehicles, including storage or parking on contiguous lots for a less number which in the aggregate accommodate more than five motor vehicles in the same ownership, management or control, except a garage or parking facility approved pursuant to §21-F hereof. However, there may be provided exclusively for tenants or their employees, customers or patrons, outdoor parking or indoor garage space adjoining, on or within a business building but not within required open spaces provided no gasoline or oil selling, or servicing or repair facilities are included.
- (j) Dry cleaning establishment, other than an establishment conforming to the provisions of §4-A which is located in a passenger terminal, or as an accessory use in a transient hotel or a department store.
- (k) Outdoor sales lot where motor vehicles are kept for sale or display purposes only.

§4-C. LOCAL RETAIL DISTRICTS. In a local retail district, the same regulations and restrictions shall apply below the level of the first story ceiling as are provided for restricted retail districts, except that no manufacturing of any kind shall be permitted; and no building shall be erected or structurally altered which is arranged, intended or designed to be used above the level of the first story ceiling for any use not permitted in a residence district. However, uses approved pursuant to §21-C shall be permitted. In addition, the provisions of §4-B (j) shall not apply, and dry cleaning establishments conforming to the provisions of §4-A shall be permitted in local retail districts.

§4-D. **BUSINESS-1 DISTRICTS.** In a business-1 district, the same regulations and restrictions shall apply as are provided for business districts except that in a business-1 district, §4(a)(49) shall not apply.

§4-E. **RETAIL-1 DISTRICTS.** In a retail-1 district, the same regulations and restrictions shall apply as are provided for retail districts except that in a retail-1 district, §4(a)(49) shall not apply; and, in addition, no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used for any of the following purposes:

- (a) Open front store, open front restaurant or sidewalk cafe.
- (b) Undertaking establishment or funeral parlor.

§4-F. **MANUFACTURING DISTRICTS.** In a manufacturing district, the same regulations and restrictions shall apply as are provided for business districts, except that the provisions of §4(a)(15), (29), (46), (49) and (52) shall not apply, and except that the total floor space of the building may be used for manufacturing.

§5. **UNRESTRICTED DISTRICTS.** The term "unrestricted district" is used to designate the districts for which no regulations or restrictions, except as set forth in §7-B, are provided by this article.

§6. **EXISTING BUILDINGS AND PREMISES.** (a) Any use existing in any building or premises on July 25, 1916, and not conforming to the regulations of the use district in which it is maintained, may be continued therein except as provided in §7-B or in §21-A. No then existing building designed, arranged, intended or devoted to a use not permitted by this article in the district in which such use is located shall be enlarged, extended, reconstructed or structurally altered unless such use is changed to a use permitted in the district in which such building is located. Such building may, however, be reconstructed or structurally altered to an extent not greater than 50 per cent of the value of the building, exclusive of foundations, provided that no use in such building is changed or extended.

(b) Any use existing in any building or premises lawfully established subsequent to July 25, 1916 and not conforming to the regulations of the use district in which it is maintained, may be continued therein, except as provided in §7-B, §21-A or §21-D.

§7. **USE DISTRICT EXCEPTIONS.** The Board of Standards and Appeals may, in appropriate cases, after public notice and hearing, and subject to appropriate conditions and safeguards, determine and vary the application of the use district regulations herein established in harmony with their general purpose and intent as follows:

(a) Permit the extension of an existing building and the existing use thereof upon the lot occupied by such building at the time of the passage of this resolution or permit the erection of an additional building upon a lot occupied at the time of the passage of this resolution by a commercial or industrial establishment and which additional building is a part of such establishment;

(b) Where a use district boundary line divides a lot in a single ownership at the time of the passage of this resolution, permit a use authorized in either portion of such lot to extend to the entire lot, but not more than 25 feet beyond the boundary line of the district in which such use is authorized;

(c) 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; permit, where premises are devoted to a non-conforming use, a new building or structure or the extension of an existing building or use into a more restricted district or into a district restricted against the proposed use under such conditions as will safeguard the character of the district;

(d) Permit in a residence district a central telephone exchange or any building or use in keeping with the uses expressly enumerated in §3 as the purposes for which buildings or premises may be erected or used in a residence district;

(e) Permit, for a stated term of years, buildings and uses not in conformity with the requirements of this article and not otherwise specifically provided for in this section;

(f) Permit, for a stated term of years, in a business, business-1, retail or retail-1 district, where the provisions of §21-A do not apply, the erection of a gasoline service station or oil selling station, and the erection of a garage for more than five motor vehicles, except a gasoline service or oil selling station or a garage or parking facility as provided in §21-F hereof;

(g) Permit, for a stated term of years, in a restricted retail, local retail or residence district, where the provisions of §21-A do not apply, and in such locations in a manufacturing or unrestricted district where the provisions of §21-A apply, the erection of a garage for more than five motor vehicles or the storage or parking of more than five motor vehicles, except a garage or parking facility as provided in §21-F hereof, provided the petitioner files the consents duly acknowledged of the owners of 50 per cent of the frontage deemed by the Board to be immediately affected by the proposed garage;

(h) Grant temporary and conditional permits, for a stated term of years, in a restricted retail, local retail or residence district for the parking and storage of more than five motor vehicles on vacant land, or land to be cleared, but not within required

open spaces, except a garage or parking facility as provided in §21-F hereof. The use of such land shall not include any other non-conforming use or any service of motor vehicles;

(i) Permit in a business, business-1, retail or retail-1 district, the erection of a repair shop for motor vehicles;

(j) Grant in a manufacturing, business, business-1, retail, retail-1, restricted retail, local retail or residence district, temporary or conditional permits for not more than two years for a trailer camp.

§7-A. TRANSITION FROM NON-RESIDENTIAL TO RESIDENCE USE.

(a) Except as provided in paragraph (b) of this section, where a use district other than a residence district extends along a street or part of a street and the abutting property is in a residence district, a building or on a lot, whether a corner lot or otherwise, having frontage on such street and hereafter arranged, intended or designed to be occupied for other than residence use shall not have any business entrance or exit except as hereinafter provided, or any show window or sign on such street within a distance of seventy-five (75) feet from the residence district. Within such seventy-five feet, entrances or exists not exceeding three feet six inches in width and windows other than windows designed or used for display and when required by law, exits, ventilators, fire escapes and other appurtenances may be permitted.

(b) Where zoning for other than residence use is confined to a distance of not over 175 feet along both streets from an intersection, the limitations of paragraph (a) of this section shall not apply within the distance of 100 feet from such intersection. Beyond such 100 feet, entrances or exits not exceeding three feet six inches in width and windows, other than windows designed or used for display and, when required by law, exits, ventilators, fire escapes and other appurtenances may be permitted.

(c) The provisions of this section shall not restrict openings necessary to permit ingress and egress for required or permitted parking, loading and unloading space.

(d) In appropriate cases, the Board, after public notice and hearing, may vary the provisions of this section subject to such appropriate conditions and safeguards as are in harmony with the general purpose and intent of this section.

(e) Projects approved pursuant to §21-C may be exempted from the provisions of this section.

(f) The provisions of this section shall not apply to any part of a non-residence district which is in the same ownership as abutting property located in a residence district provided that no building in such residence district exists or is intended to be erected within a distance of seventy-five (75) feet from the non-residence district.

§7-B. ADDITIONAL REGULATIONS OR RESTRICTIONS FOR CERTAIN SPECIFIED USES. (a) The following uses, when hereafter established and where permitted, shall be conducted within a building enclosed on all sides or shall be conducted in a yard completely enclosed by a solid fence or wall, of suitable uniform material and color, at least eight feet high, in accordance with rules and regulations to be promulgated by the Commissioner of Buildings:

Automobile wrecking; storage of scrap metal, junk, scrap paper or rags, including sorting or baling of same; storage of used or second-hand lumber and other salvaged building materials.

(b) When hereafter established, the uses designated in subsection (a) of this section, shall not be permitted nearer than 50 feet to the district boundary line of a residence district.

(c) Existing uses designated in subsection (a) of this section shall comply with the provisions of said subsection within not more than two years from the effective date of the adoption of §7-B.

ARTICLE III—HEIGHT DISTRICTS

§8. **HEIGHT DISTRICTS.** For the purpose of regulating and limiting the height and bulk of buildings hereafter erected, The City of New York is hereby divided into nine classes of districts: (a) class one-quarter ($\frac{1}{4}$) districts; (b) class one-half ($\frac{1}{2}$) districts; (c) class three-quarter ($\frac{3}{4}$) districts; (d) class one (1) districts; (e) class one and one-quarter ($1\frac{1}{4}$) districts; (f) class one and one-half ($1\frac{1}{2}$) districts; (g) class two (2) districts; (h) class two and one-half ($2\frac{1}{2}$) districts; (i) class S districts; as shown on the height district map consisting of thirty-five sheets and an index sheet, each dated May 27, 1953, and signed by the Senior Civil Engineer of the City Planning Commission. The height districts designated on said map, as amended, or as may be hereafter amended from time to time, are hereby continued and declared to be part hereof. The height district map designations and map designation rules which accompany said height district map are hereby declared to be part thereof. No building or part of a building shall be erected except in conformity with the regulations herein prescribed for the height district in which such building is located.

(a) In a class one-quarter ($\frac{1}{4}$) district no building shall be erected to a height in excess of one-quarter times the width of the street, but for each two feet that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(b) In a class one-half ($\frac{1}{2}$) district no building shall be erected to a height in excess of one-half times the width of the street, but for each one foot that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(c) In a class three-quarter ($\frac{3}{4}$) district no building shall be erected to a height in excess of three-quarter times the width of the street but for each one foot that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(d) In a class one (1) district no building shall be erected to a height in excess of seven-eighths times the width of the street, but for each one foot that the building or a portion of it sets back from the street line one and one-half feet shall be added to the height limit of such building or such portion thereof.

(e) In a class one and one-quarter ($1\frac{1}{4}$) district no building shall be erected to a height in excess of the width of the street, but for each one foot that the building or portion of it sets back from the street line two feet shall be added to the height limit of such building or such portion thereof.

(f) In a class one and one-half ($1\frac{1}{2}$) district no building shall be erected to a height in excess of one and one-quarter times the width of the street, but for each one foot that the building or a portion of it sets back from the street line two and one-half feet shall be added to the height limit of such building or such portion thereof.

(g) In a class two (2) district no building shall be erected to a height in excess of one and one-half times the width of the street, but for each one foot that the building or portion of it sets back from the street line three feet shall be added to the height limit of such building or such portion thereof.

(h) In a class two and one-half ($2\frac{1}{2}$) district no building shall be erected to a height in excess of two times the width of the street but for each one foot that the building or a portion of it sets back from the street line four feet shall be added to the height limit of such building or such portion thereof.

(i) In a class S district no building or structure or portion thereof shall be erected to a height in excess of 50 feet. The provisions of section 9 permitting the erection of a building or structure or portion thereof above the height permitted in a district at the street line shall not apply in a class S district. Advertising signs shall not be permitted in a class S district. In such districts the top of any business sign shall be at least ten (10) feet below the highest point of the roof beams or roof slab of a building or structure, except that where the highest point of the roof beams or roof slab is less than twenty-four feet above the curb, or where there is no building, a business sign may be erected to a height not exceeding 14 feet above curb level. The Board may, in appropriate cases, after public notice and hearing subject to appropriate conditions and safeguards, modify the provisions of this paragraph in their application to specific situations.

§9. **HEIGHT DISTRICT EXCEPTIONS.** (a) On streets less than 50 feet in width the same height regulations shall be applied as on streets 50 feet in width and, except for the purposes of paragraph (d) of this section, on streets more than 100 feet in width the same height regulations shall be applied as on streets 100 feet in width.

(b) Along a narrower street near its intersection with a wider street, any building or any part of any building within 100 feet of the wider street, measured at right angles from the side of the wider street, shall be governed by the height regulations provided for the wider street.

(c) Above the height limit at any level for any part of a building a dormer, elevator bulkhead or other structure may be erected provided its frontage length on any given street be not greater than 60 per cent of the length of such street frontage of such part of the building. Such frontage length of such structure at any given level shall be decreased by an amount equal to one per cent of such street frontage of such part of the building for every foot such level is above such height limit. If there are more than one

such structure, their aggregate frontage shall not exceed the frontage length above permitted at any given level.

(d) If the area of the building is reduced so that above a given level it covers in the aggregate not more than 25 per cent of the area of the lot, the building above such level shall be excepted from the foregoing provisions of this article. Such portion of the building may be erected to any height, provided that the distance which it sets back from the street line on each street on which it faces, plus half the width of the street, equals at least 75 feet. But for each one per cent of the width of the lot on the street line that such street wall is less in length than such width of the lot, such wall may be erected four inches nearer to the street line. This provision shall not apply to residential buildings or buildings in a residence district, or portions thereof, within 100 feet of a public park of one acre or more in area, or within 100 feet of the street line opposite such a park. However, when an owner of a lot agrees to convey to the City a portion of such lot for public park purposes upon completion of construction of any building erected on such lot and the City agrees to accept such property, the lot area for the purpose of this paragraph shall include the total area of the lot before the conveyance and, in addition, an area equal to twice the area of the conveyed portion. Where a building was erected pursuant to a building permit heretofore issued by the Department of Buildings, or is being or about to be erected pursuant to a building permit issued by the Department on or before October 14, 1959, and the permissible aggregate building area was or is based upon the acquisition of the air rights of contiguous property by deed, lease or other written instrument, such air rights shall not be deemed to be contrary to the provision of this paragraph.

(e) When at the time plans are filed for the erection of a building there are buildings in excess of the height limits herein provided within 50 feet of either end of the street frontage of the proposed building or directly opposite such building across the street, the height to which the street wall of the proposed building may rise shall be increased by an amount not greater than half the average excess height of the walls on the street line within 50 feet of either end of the street frontage of the proposed building and at right angles to the street frontage of the proposed building on the opposite side of the street. Such average excess height shall be a weighted average computed by multiplying the excess height of each wall within the street frontage in question by the length of such wall having such excess height, and dividing the sum of these products by the length of the above defined frontage.

(f) Nothing in this article shall prevent the projection of a cornice beyond the street wall to an extent not exceeding five per cent of the width of the street nor more than five feet in any case. Nothing in this article shall prevent the erection above the height limit of a parapet wall or cornice solely for ornament and without windows extending above such height limit not more than five per cent of such height limit, but such parapet

wall or cornice may in any case be at least five and one-half feet high above such height limit.

(g) The provisions of this article shall not apply to the erection of church spires, belfries, chimneys, flues or gas holders.

(h) Where not more than 50 feet of a street frontage would otherwise be subjected to a height limit lower than that allowed immediately beyond both ends of such frontage, the height limit on such frontage shall be equal to the lesser of such greater height limits.

(i) If an additional story or stories are added to a building existing at the time of the passage of this resolution, the existing walls of which are in excess of the height limits prescribed in this article, the height limits for such additional story or stories shall be computed from the top of the existing walls as though the latter were not in excess of the prescribed limits and the carrying up of existing elevator and stair enclosures shall be exempted from the provisions of this article.

(j) When an open space, clear and unobstructed at and above curb level, one hundred feet or more in width, is provided from street to street, separating two or more buildings on a lot, plot or site which is not less than 120,000 square feet in area, and such lot, plot or site is under one ownership, such open space may be deemed a lawful street for the purpose of this subsection (j) only. The height of any building abutting such open space shall be governed by the width of the said open space as though it were a lawful street one hundred feet in width. Such open space shall not be used for access to uses other than those permitted in a residence district. All buildings on such lot, plot or site shall occupy at the curb level in the aggregate no more than thirty per cent of the entire area of the lot, plot or site and any buildings erected to heights in excess of heights otherwise permissible shall be occupied above the first story ceilings exclusively for uses permitted in residence districts. As a condition precedent to the construction of buildings under this subsection (j) to heights in excess of heights otherwise permissible, the owner shall duly execute, acknowledge and record in the office provided for the recording of conveyances an instrument in writing in which he shall declare that such open space shall not be built upon so long as any structure whose height was predicated upon it shall exist; and that such declaration and the condition and restriction therein contained shall be binding upon himself, his heirs, successors and assigns; and that such declaration and the condition and restriction therein contained shall run with the land.

(k) Projects approved pursuant to §21-C may be exempted from the provisions of this article.

§9-A. **AIRPORT AREAS.** The provisions of §§8 and 9 permitting the erection of a building to heights in excess of those provided by the several height districts at the street line, and further permitting additional height for a building by one or more setbacks from the street line, shall not apply to any buildings or structures in areas adjacent to land airports designated and defined as follows:

(a) Areas within two miles from the boundary of any publicly owned or controlled airport designated by resolution of the City Planning Commission as an airport to which the provisions of this paragraph shall apply.

(b) Areas designated by resolution of the City Planning Commission as approaches to any airport other than one to which the provisions of paragraph (a) hereof apply. Such approach areas shall not be extended more than one-half mile beyond the end of any runway; nor shall the construction of any building or structure less than 30 feet in height above the filed grade, or in the absence of a filed grade, less than 30 feet above the existing ground level, be prohibited therein. Such approach areas shall be in conformity with the applicable regulations of the Civil Aeronautics Administration relating to the construction and operation of airports.

(c) The provisions of paragraphs (a) and (b) shall not apply to any airport intended or designed for use exclusively as a helicopter landing facility.

The Board may, in appropriate cases, after public hearing and subject to appropriate conditions and safeguards, determine and vary the application of this section in harmony with its general purpose and intent.

ARTICLE IV—AREA DISTRICTS

§10. **AREA DISTRICTS.** For the purpose of regulating and determining the area of yards, courts and other spaces for buildings hereafter erected, The City of New York is hereby divided into fifteen classes of area districts: A, B, C, D, DD, D-1, E, E-1, E-2, F, FF, F-1, F-2, G and G-1; as shown on the area district map consisting of thirty-five sheets and an index sheet, each dated May 27, 1953, and signed by the Senior Civil Engineer of the City Planning Commission. The area districts designated on said map, as amended, or as may be hereafter amended from time to time, are hereby continued and declared to be part hereof. The area district map designations and map designation rules which accompany said area district map are hereby declared to be a part thereof. No building or part of a building shall be erected except in conformity with the regulations herein prescribed for the area district in which such building is located. Unless otherwise expressly provided the term rear yard, side yard, outer court or inner court when used in this article shall be deemed to refer only to a rear yard, side yard, outer court or inner court required by this article.

Except as provided in §19 (e) and except for a conveyance to the City as set forth in §9 (d), no lot area shall be so reduced or diminished that the yards, courts or open spaces shall be smaller than prescribed in this article; and in case of such conveyance to the City the lot area, for the purpose of yards, courts or open spaces, shall be the total lot area before such conveyance.

§11. **A DISTRICTS.** (a) In an A district a court at any given height shall be at least two inches in least dimension for each one foot of such height.

(b) In an A district no building used for residence, and no non-residential building located in a residence district, in a local retail district, in a restricted retail district, in a retail district, or in a retail-1 district, as designated on the amended use district map, shall occupy at the curb level more than 75 per cent of the area of the lot, if an interior lot, or 90 per cent if a corner lot, exclusive in each case of accessory garages. In computing such percentage, any part of the area of any corner lot in excess of 5,000 square feet shall be considered an interior lot.

§12. **B DISTRICTS.** (a) In a B district a rear yard at any given height shall be at least three inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 10 per cent of the depth of the lot, but need not exceed 10 feet at such level. An outer court or a side yard at any given height shall be

least two inches in least dimension for each one foot of such height. An outer court at any given point shall be at least two and one-half inches in least dimension for each one foot of length. 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. A side yard for its length within 50 feet of the street may for the purposes of above rule be considered an outer court.

(b) In a B district no building used for residence, and no non-residential building located in a residence district as designated on the amended use district map, shall occupy at the curb level more than 65 per cent of the area of the lot, if an interior lot, or 80 per cent if a corner lot, exclusive in each case of accessory garages, except that the first floor of buildings occupying interior lots which do not exceed 5,000 square feet in area, and which do not adjoin a residence district, may occupy not more than 75 per cent of the lot. In computing such percentage any part of the area of any corner lot in excess of 5,000 square feet shall be considered an interior lot.

§13. **C DISTRICTS.** (a) In a C district a rear yard at any given height shall be at least four inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 10 per cent of the depth of the lot, but need not exceed ten feet at such level. An outer court or a side yard at any given height shall be at least two and one-half inches in least dimension for each one foot of such height. An outer court at any given point shall be at least two and one-half inches in least dimension for each one foot of length. On a lot not more than 30 feet in mean width an outer court or a side yard at any given height shall be not less than one inch in least dimension for each one foot of such height, and an inner court at any given height shall be either (1) not less than two inches in least dimension for each one foot of such height or (2) it shall be of an equivalent area as hereinafter specified in paragraph (c) of §18.

(b) In a C district no building used for residence, and no non-residential building located in a residence district, local retail district, restricted retail district, retail district or retail-1 district, as designated on the amended use district map, shall occupy at the curb level more than 60 per cent of the area of the lot, if an interior lot, or 75 per cent if a corner lot, exclusive in each case of accessory garages. No non-residential building located in a business district, business-1 district, manufacturing district or unrestricted district, as designated on the amended use district map, shall occupy at the curb level more than 75 per cent of the area of the lot, if an interior lot, or 85 per cent if a corner lot, exclusive in each case of accessory garages. In computing the above percentages any part of the area of any corner lot in excess of 5,000 square feet shall be considered an interior lot.

(c) If the owner or owners of any part of a C district set aside perpetually for the joint recreational use of the residents of such part designated by them, an area at least equal to 10 per cent of the area of such part in addition to all yard and court requirements for a B district, such part shall be subject to the regulations herein prescribed for a B district. Such joint recreational space shall be composed of one or more tracts each of which shall be at least 40 feet in least dimension and 5,000 square feet in area and shall be approved by the Board of Standards and Appeals as suitable for the joint recreational use of such residents.

§14. **D DISTRICTS.** (a) In a D district a rear yard at any given height shall be at least five inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 15 per cent of the depth of the lot, but need not exceed 15 feet at such level. If a building in a D district is located in a residence district as designated on the use district map, the depth of a rear yard at its lowest level shall be at least 25 per cent of the depth of the lot, but need not exceed 25 feet at such level. However, for each one foot in excess of 15 feet of the depth of such rear yard at its lowest level, there may be substituted one foot of depth of unoccupied space across the whole width of the front of the lot at the curb level between the street line and the street wall of the building.

(b) In a D district an outer court or a side yard at any given height shall be at least three inches in least dimension for each one foot of such height. An outer court at any given point shall be at least three inches in least dimension for each one foot of length. On a lot not more than 30 feet in mean width an outer court or a side yard at any given height shall not be less than one and one-half inches in least dimension for each one foot of such height. On such lot an outer court at any given point shall be not less than one and one-half inches in least dimension for each one foot of length. On such lot an inner court at any given height shall be either (1) not less than three inches in least dimension for each one foot of such height or (2) it shall be of an equivalent area as specified in paragraph (c) of §18.

(c) In a D district no building shall occupy at the curb level more than 55 per cent of the area of the lot, if an interior lot, or 70 per cent if a corner lot, exclusive in each case of accessory garages. In computing such percentage any part of the area of any corner lot in excess of 5,000 square feet shall be considered an interior lot.

(d) If the owner or owners of any part of a D district set aside perpetually for the joint recreational use of the residents of such part designated by them, an area at least equal to 10 per cent of the area of such part in addition to all yard and court requirements for a C district, such part shall be subject to the regulations herein prescribed for a C district. Such joint recreational space shall be composed of one or more tracts, each of which shall be at least 40 feet in least dimension and 5,000 square feet in area

and shall be approved by the Board of Standards and Appeals as suitable for the joint recreational use of such residents.

§14-A. **D-1 DISTRICTS.** (a) In a D-1 district no dwelling shall be erected or altered other than for occupancy by a single family or by two families. Attached dwellings with party walls shall be permitted in groups not exceeding ten dwellings.

(b) In a D-1 district each building, except as provided in subsection (c) below, shall have at least one side yard of at least five feet, for the full depth of the lot or back to the rear yard.

(c) In a D-1 district when two or more dwellings are constructed with party walls, a side yard shall be required at each end of the group or row of houses, and the minimum width of each such side yard shall be five feet.

(d) In a D-1 district no portion of any building shall be erected nearer than 10 feet to the street line of any street as laid out upon the City Map.

(e) In a D-1 district no building shall occupy at the curb level more than 55 per cent of the area of the lot, exclusive of accessory garages.

(f) Except as otherwise provided in this section, no building in a D-1 district shall be erected which does not comply with the provisions in force in a D district.

§14-B. **DD DISTRICTS.** (a) In a DD district a rear yard at any given height shall be at least five inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 15 per cent of the depth of the lot, and in no case less than 15 feet at such level. If a building in a DD district is located in a residence district, as designated on the use district map, the depth of a rear yard at its lowest level shall be at least 25 per cent of the depth of the lot, but need not exceed 25 feet at such level. However, for each one foot in excess of 12 feet of the depth of such rear yard at its lowest level, there may be substituted one foot of depth of unoccupied space across the whole width of the front of the lot at the curb level between the street line and the street wall of the building.

(b) In a DD district an outer court or a side yard at any given height shall be at least three inches in least dimension for each one foot of such height. An outer court at any given point shall be at least three inches in least dimension for each one foot of length. On a lot not more than 40 feet in mean width an outer court or a side yard at any given height shall not be less than two inches in least dimension for each one foot of such

height. On such a lot an outer court at any given point shall be not less than two inches in least dimension for each one foot of length.

(c) In a DD district no building shall occupy at the curb level more than 40 per cent of the area of the lot, if an interior lot, or 50 per cent if a corner lot, except that such non-residential buildings as are permitted under subsections (3), (4), (5) and (6) of Section 3 and located in any use district may occupy at the curb level not more than 55 per cent of the area of any lot, exclusive in each case of accessory garages. In computing such percentage any part of the area of any corner lot in excess of 6,500 square feet shall be considered an interior lot.

(d) In a DD district no portion of any building shall be erected nearer than 10 feet to the street line of any street as laid out upon the City Map.

§15. **E DISTRICTS.** (a) In an E district a rear yard at any given height shall be at least five inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 15 per cent of the depth of the lot, and in no case less than 15 feet at such level. If a building in an E district is located in a residence district as designated on the use district map, the depth of a rear yard at its lowest level shall be at least 25 per cent of the depth of the lot, but need not exceed 25 feet at such level. However, for each one foot in excess of 10 feet of the depth of such rear yard at its lowest level, there may be substituted one foot of additional depth of unoccupied space to that provided in this section across the whole width of the front of the lot at the curb level between the street line and the street wall of the building. In an E district on at least one side of every building located within a residence district and of every building used for residence located in other than a residence district there shall be a side yard along the side lot line for the full depth of the lot or back to the rear yard, and the least dimension of such side yard for a multiple dwelling occupied by more than three families shall be not less than 15 feet.

(b) In an E district an outer court or side yard at any given height shall be at least three inches in least dimension for each one foot of such height. On a lot not more than 50 feet in mean width an outer court or a side yard at any given height shall be at least two and one-half inches in least dimension for each one foot of such height. An outer court at any given point shall be at least three inches in least dimension for each one foot of length.

(c) In an E district no building shall occupy at the curb level more than 35 per cent of the area of the lot, if an interior lot, or 45 per cent if a corner lot, except that such non-residential buildings as are permitted under subsections (3), (4), (5) and (6) of Section 3 and located in any use district may occupy at the curb level not more than 55 per cent of the area of any lot, exclusive in each case of accessory garages. In com-

putting such percentage any part of the area of any corner lot in excess of 8,000 square feet shall be considered an interior lot.

(d) In an E district no portion of any building shall be erected nearer than 10 feet to the street line of any street as laid out upon the City Map, but no portion of any multiple dwelling occupied by more than three families in a residence district shall be erected nearer to the street line of any street than the distance equal to 10 per cent of the depth of the lot, except that such distance need not exceed 15 feet.

(e) In an E district the floor area of a building shall not exceed 1.9 times the area of the lot, if an interior lot, or 2.5 times if a corner lot as computed in paragraph (c) of this section.

§15-A. **E-1 DISTRICTS.** (a) In an E-1 district no dwelling shall be erected or altered other than for occupancy by a single family or by two families. Two attached dwellings constructed with a party wall shall be permitted.

(b) In an E-1 district each building shall have at least one side yard of at least 5 feet extending the full depth of the lot, except that a one-story building or extension used exclusively for a garage and located within the rear yard, may extend to the side lot line.

(c) In an E-1 district no portion of any building shall be erected nearer than 15 feet to the street line of the street on which it fronts.

(d) In an E-1 district no building shall occupy at the curb level more than 40 per cent of the area of the lot, if an interior lot, or 55 per cent if a corner lot, except that such non-residential buildings as are permitted under subsections (3), (4), (5) and (6) of §3 and located in any use district may occupy at the curb level not more than 55 per cent of the area of any lot, exclusive in each case of accessory garages. In computing such percentage any part of the area of any corner lot in excess of 8,000 square feet shall be considered an interior lot.

(e) Except as otherwise provided in this section, no building in an E-1 district shall be erected which does not comply with the provisions in force in an E district.

§15-B. **E-2 DISTRICTS.** (a) In an E-2 district no dwelling shall be erected or altered other than for occupancy by a single family or by two families.

(b) In an E-2 district no portion of any building shall be erected nearer than 15 feet to the street line of any street as laid out upon the City Map.

(c) In an E-2 district each building shall have two side yards of at least 5 feet each, extending the full depth of the lot, except that a one-story building or extension used exclusively for a garage, and located within the rear yard, may extend to the side lot line.

(d) In an E-2 district no building shall occupy at the curb level more than 40 per cent of the area of the lot, if an interior lot, or 55 per cent if a corner lot, except that such non-residential buildings as are permitted under subsections (3), (4), (5) and (6) of §3 and located in any use district may occupy at the curb level not more than 55 per cent of the area of any lot, exclusive in each case of accessory garages. In computing such percentage any part of the area of any corner lot in excess of 8,000 square feet shall be considered an interior lot.

(e) Except as otherwise provided in this section, no building in an E-2 district shall be erected which does not comply with the provisions in force in an E district.

§16. **F DISTRICTS.** (a) In an F district no portion of any building shall be erected nearer than 15 feet to the street line of any street as laid out on the City Map, but no portion of any multiple dwelling more than 6 stories in height above curb level in a residence district shall be erected nearer to the street line of any street than a distance equal to 15 per cent of the depth of the lot, except that such distance need not exceed 30 feet.

(b) In an F district a rear yard at any given height shall be at least six inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 20 per cent of the depth of the lot, and in no case less than 20 feet at such level. Excepting that if a building in an F district is located in a residence district as designated on the use district map, the depth of a rear yard at its lowest level shall be at least 30 per cent of the depth of the lot, but need not exceed 30 feet at such level. However, for each one foot in excess of 15 feet of the depth of such rear yard at its lowest level, there may be substituted one foot of additional depth of unoccupied space to that hereinbefore provided across the whole width of the front of the lot at the curb level between the street line and the street wall of the building. In an F district, on both sides of every dwelling there shall be a side yard along the side line for the full depth of the lot or back to the rear yard, and the least dimension of each such side yard for a multiple dwelling shall not be less than 20 feet.

(c) In an F district an outer court or side yard at any given height shall be at least four inches in least dimension for each one foot of such height, excepting that on a lot not more than 50 feet in mean width an outer court or a side yard at any given height shall be at least three inches in least dimension for each one foot of such height. An outer court at any given point shall be at least four inches in least dimension for each one foot of length.

(d) In an F district no building shall occupy at the curb level more than 30 per cent of the area of the lot, if an interior lot, or 35 per cent if a corner lot, except that such non-residential buildings as are permitted under subsections (3), (4), (5) and (6) of §3 and located in any use district may occupy at the curb level not more than 55 per cent of the area of any lot, exclusive in each case of accessory garages. In computing such percentage any part of the area of any corner lot in excess of 6,000 square feet shall be considered an interior lot.

(e) In an F district the floor area of a building shall not exceed 1.6 times the area of the lot, if an interior lot, or 1.9 times if a corner lot as computed in paragraph (d) of this section.

§16-1. **FF DISTRICTS.** (a) In an FF district the floor area of a residence building shall not exceed 1.25 times the area of the lot.

(b) Except as otherwise provided in this section, no building in an FF district shall be erected which does not comply with the provisions in force in an F district.

§16-A. **F-1 DISTRICTS.** (a) In an F-1 district the floor area of a residence building shall not exceed 0.75 times the area of the lot.

(b) Except as otherwise provided in this section, no building in an F-1 district shall be erected which does not comply with the provisions in force in an F district.

§16-A-1. **F-2 DISTRICTS.** (a) In an F-2 district the floor area of a residence building shall not exceed 0.50 times the area of the lot.

(b) Except as otherwise provided in this section, no building in an F-2 district shall be erected which does not comply with the provisions in force in an F district.

§16-B. **G DISTRICTS.** (a) In a G district no dwelling shall be erected or altered other than for occupancy by a single family.

(b) In a G district no portion of any building shall be erected nearer than 20 feet to the street line of the street on which it fronts.

(c) In a G district no portion of any building shall be erected nearer than 10 feet to either side line of the lot except that a one-story building or extension used exclusively

for a garage may extend to within 5 feet of one side line provided that such building shall be at least 70 feet from the street line of the street, and except that on a lot not more than 50 feet in width any building may extend to within 5 feet of one side line and to within 10 feet of the other side line.

(d) In a G district no building shall be erected nearer than 15 feet to the rear line of the lot, except that a one-story building or extension used exclusively for a garage may extend to within 5 feet of such rear line of the lot.

(e) In a G district no building shall occupy at the curb level more than 30 per cent of the area of the lot, except that such non-residential buildings as are permitted under subsections (3), (4), (5) and (6) of §3 and located in any use district may occupy at the curb level not more than 55 per cent of the area of the lot, exclusive in each case of accessory garages.

(f) Except as otherwise provided in this section, no building in a G district shall be erected which does not comply with the provisions in force in an F district.

§16-C. **G-1 DISTRICTS.** (a) In a G-1 district no dwelling shall be erected or altered other than for occupancy for a single family.

(b) In a G-1 district no portion of any building shall be erected nearer than 15 feet to the street line of any street as laid out upon the City Map.

(c) In a G-1 district each building shall have two side yards of at least 5 feet each, extending the full depth of the lot, except that a one-story building or extension used exclusively for a garage, and located within the rear yard, may extend to the side lot line.

(d) In a G-1 district no building shall be erected nearer than 20 feet to the rear line of the lot, except that a one-story building or extension used exclusively for a garage may extend to such rear line of the lot.

(e) In a G-1 district no building shall occupy at the curb level more than 40 per cent of the area of the lot, except that such non-residential buildings as are permitted under subsections (3), (4), (5) and (6) of §3 and located in any use district may occupy at the curb level not more than 55 per cent of the area of the lot, exclusive in each case of accessory garages.

(f) Except as otherwise provided in this section, no building in a G-1 district shall be erected which does not comply with the provisions in force in an F district.

§17. **REAR YARDS.** (a) Except in A districts, lots or portions of lots that are back to back and lots the backs of which abut a residence district shall have rear yards extending along the rear lot lines of such lots or portions of lot wherever they are more than 55 feet back from the nearest street. Such rear yard shall be at least of the area and dimensions herein prescribed for the area district in which it is located at every point along such rear lot line. Within 55 feet of the nearest street no rear yards shall be required, except in D-1, E-1, E-2, F, FF, F-1, F-2, G and G-1 districts. No rear yards shall be required on any corner lot except where it abuts a residence district. Where such corner lot abuts a residence district, there shall be a rear yard, located adjacent to the residence district. Except in E-1, E-2, F, FF, F-1, F-2, G and G-1 districts, no rear yard shall be required on the portion of any lot that is back to back with a corner lot.

(b) Where a building is not within a residence district, a local retail district, a restricted retail district, a retail district, or a retail-1 district, as designated on the use district map, the lowest level of a rear yard shall not be above the sill level of the second story windows, nor in any case more than 23 feet above the curb level. In an E, E-1, E-2, F, FF, F-1, F-2, G or G-1 district the excess rear yard may remain at the level of the original or natural surface of the ground.

(c) Chimneys or flues may be erected within a rear yard provided they do not exceed five square feet in area in the aggregate and do not obstruct ventilation.

(d) Except in A districts, where a building on an interior lot between lots for which rear yards are required runs through the block from street to street or to within 55 feet of another street, there shall be on each side lot line above the sill level of the second story windows and in any case above a level 23 feet above the curb level a court of at least equivalent area at any given height to that required for an inner court at such height and having a least dimension not less than that required for an outer court at the same height.

(e) When a proposed building is on a lot which is back to back with a lot or lots on which there is a building or buildings having rear yards less in depth than would be required under this article, the depth of the rear yard of the proposed building shall not be required to be greater at any given level than the average depth of the rear yards directly back to back with it at such level, but in no case shall the depth of such rear yard be less at any height than the least dimension prescribed for an outer court at such height.

(f) In any area district, except in a G area district, a one-story building or extension used exclusively as a lawful garage accessory to a one- or two-family dwelling may be erected in the rear yard and may extend to the rear lot line, provided that there shall be an open unoccupied space at the rear of the main building equal to at least 50 per cent of the minimum required rear yard for the district in which it is located.

§18. **COURTS.** (a) If a room in which persons live, sleep, work or congregate receives its light and air in whole or in part directly from an open space on the same lot with the building, there shall be at least one inner court, outer court, side yard or rear yard upon which a window or ventilating skylight opens from such room. Such inner court, outer court or side yard shall be at least of the area and dimensions herein prescribed for the area district in which it is located. Such rear yard shall be at least of the area and dimensions herein prescribed for an inner court in the area district in which it is located. In an A district, such inner court, outer court, side yard or rear yard shall be at least of the area and dimensions herein prescribed for a court in such district. The unoccupied space within the lot in front of every part of such window shall be not less than three feet, measured at right angles thereto. Courts, yards and other open spaces, if provided in addition to those required by this section, need not be of the area and dimensions herein prescribed. The provisions of this section shall not be deemed to apply to courts or shafts for bathrooms, toilet compartments, hallways or stairways.

(b) The least dimension of an outer court, inner court or side yard at its lowest level shall be not less than four feet, subject to the following exceptions:

- (1) Where the walls bounding a side yard within the lot are not more than 25 feet in mean height and not more than 40 feet in length such least dimensions may be not less than three feet.
- (2) In a D-1, E-1, E-2, F, FF, F-1, F-2, G or G-1 district such least dimension shall be five feet.
- (3) Where any outer court opens on a street such street may be considered as a part of such court.

(c) The least dimension of an inner court at any given height shall be not less than that which would be required in inches for each one foot of height for a rear yard of the same height, except that an inner court of equivalent area may be substituted for said court, provided that for such area its least dimension be not less than one-half of its greatest dimension. If an inner court is connected with a street by a side yard, for each one foot that such side yard is less than 65 feet in depth from the street, one square foot may be deducted from the required area of the inner court for each 15 feet of height of such court. If the lot is not required under this resolution to have a rear yard, an outer court, not opening on a street, shall open at any level on an inner court on the rear line of the lot and such inner court shall be deemed a rear yard in such case.

(d) In an E, F, FF, F-1 or F-2 district, excess court space may remain at the level of the original or natural surface of the ground.

§19. **AREA DISTRICT EXCEPTIONS.** (a) The area required in a court or yard at any given level shall be open from such level to the sky unobstructed, except for ordinary projections of skylights and parapets above the bottom of such court or yard, and except for the ordinary projections of window sills, belt courses, cornices and other ornamental features to the extent of not more than four inches. Roofed porches shall not encroach into any portion of required yards or courts. However, where a side yard or an outer court opens on a street a cornice may project not over five feet into such side yard or outer court within five feet of the street wall of the building; and provided that in an E, E-1 or E-2 district a one-family or a two-family dwelling, detached on all sides and having on one side a side yard of a clear and unobstructed width of not less than five feet, may have a cornice or eave projecting not more than 2 feet 6 inches into a side yard on the opposite side with the further provision that in an F, FF, F-1, F-2, G or a G-1 district such cornice or eave, or a porte-cochere having a height of less than 18 feet, may project not more than 3 feet into both side yards.

(b) An open or lattice enclosed iron fire escape, fireproof outside stairway or solid-floored balcony to a fire tower may project not more than 4 feet into a rear yard or an inner court, except that an open or lattice enclosed iron fire escape may project not more than 8 feet into a rear yard or into an inner court when it does not occupy more than 20 per cent of the area of such inner court.

(c) A corner of a court or yard may be cut off between walls of the same building provided that the length of the wall of such cut-off does not exceed 7 feet.

(d) An offset to a court or yard may be considered as a part of such court or yard provided that it is no deeper in any part than it is wide on the open side and that such open side be in no case less than 6 feet wide.

(e) If a building is erected on the same lot with another building, the several buildings shall, for the purposes of this article, be considered a single building, unless otherwise herein specifically provided for. In applying permitted ground coverage percentages to an addition to an existing building, on any land area over and above that which was required for the existing structure by the Zoning Resolution or any other law at the time of its erection, such addition shall be considered separately and not in combination with the existing structure, but such addition shall not change the status of an existing building which is lawfully non-conforming.

Any structure, whether independent of or attached to a building, shall for the purpose of this article be deemed a building, an addition to a building, or a part of a building.

(f) If an additional story or stories are added to a building existing at the time of the passage of this resolution, the courts and yards of which do not conform to the requirements of this article, the least dimensions of yards and courts shall be increased

from the top of the existing yard or court walls as though they were of the prescribed dimensions at such heights and the carrying up of existing elevator and stair enclosures shall be exempted from the provisions of this article.

(g) In any area district, alterations to an existing building or structure shall be permitted notwithstanding that area coverage, distances from mapped street lines, rear yard or courts of such existing building or structure do not conform to the requirements of the respective district, provided such alterations do not further encroach upon any required open spaces nor involve changes in coverage or building height in excess of those permitted in the area and height districts within which the building or structure is located.

(h) In any use district, except a residence district, where provision is made for parking or unloading within a building, the area of such parking and unloading facilities may be added to the area permitted to be occupied by the first floor of the building. Except for the first floor, the building shall be otherwise limited by the restrictions set forth in this article.

(i) Projects approved pursuant to §21-C may be exempted from the provisions of this article.

§19-A. **REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS.** Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule, shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building.

If the use of any building or any part thereof is changed, or if any building or any part thereof is extended, enlarged or converted, the requirements set forth in the schedule below shall apply to the floor area of the changed, extended, enlarged or converted portion of such building.

Whenever any use specified in the schedule below is located on outdoor premises, the requirements set forth in said schedule for gross floor area shall apply to the area of the outdoor premises devoted to such use.

REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION

For the Uses Set Forth in the Subsections Below	In the Following Area Districts	Off-Street Loading Berths Shall Be Provided As Set Forth Below	
		Square Feet of Floor Area	Required Berths
(a) For all hospitals, in addition to any spaces provided for ambulances	In all area districts	From 10,000 to 300,000 For each additional 300,000 or fraction thereof	1 1 additional
	In all area districts	From 2,500 to 5,000 For each additional 10,000 or fraction thereof	1 1 additional
(c) For all hotels and offices	1. In B area districts	From 75,000 to 300,000 For each additional 300,000 or fraction thereof	1 1 additional
	2. In all other area districts	From 25,000 to 100,000 For each additional 100,000 or fraction thereof	1 2 1 additional
(d) For all retail sales and service uses	1. In B area districts	From 25,000 to 40,000 For each additional 150,000 or fraction thereof	1 2 1 additional
	2. In all other area districts	From 8,000 to 25,000 For each additional 25,000 or fraction thereof	1 2 3 4 1 additional
	1. In B area districts, except where such districts coincide with manufacturing and un-restricted use districts	From 15,000 to 40,000 For each additional 80,000 or fraction thereof	1 2 1 additional
	2. In B area districts, where such districts coincide with manufacturing and un-restricted use districts; and in all other area districts	From 8,000 to 25,000 For each additional 25,000 or fraction thereof	1 2 3 4 1 additional
(e) For all wholesale, manufacturing and storage uses, or any combination of such uses			

(f) Definitions. For the purpose of this section, the following words shall be defined as follows:

- (1) An "off-street loading berth" includes any space, open or enclosed, which is not in a street, and which is unobstructed and available for the parking of vehicles for the purpose of loading or unloading. Any space used for any entrance to or exit from any off-street loading berth shall not be credited toward space required for off-street loading berths.
- (2) "Hotels" include any multiple dwellings which are usually occupied by transients as the temporary abode of individuals or families, with or without meals, and having 30 or more sleeping rooms.
- (3) "Offices" include any private or public buildings or parts thereof where professional, administrative, clerical or similar activities are carried on, where no goods are processed, where no goods are conveyed directly to consumers, and where no goods are stored on the premises, with the exception of samples and office supplies.
- (4) "Retail sales and service uses" include any stores or similar buildings or part of buildings where goods are conveyed directly to consumers, or where services are performed directly for consumers. Television production studios, arenas, auditoriums, trade expositions and theatres, except for theatres used primarily for showing motion pictures, shall be considered retail service uses for this purpose.
- (5) "Wholesale uses" include any buildings or parts thereof where goods are conveyed for resale, or where goods other than samples and office supplies are stored on the premises.
- (6) "Manufacturing uses" include any buildings or parts thereof where goods are made or processed by hand or by machine, or where the form or nature of goods is otherwise altered. Motion picture production studios, printing plants, and repairing, finishing, bottling, canning, cleaning or laundering any article or things in whole or in part, shall be considered manufacturing uses for this purpose.
- (7) "Storage uses" include any buildings or parts thereof where goods or equipment are stored or transhipped, including warehouses, storage plants, freight terminals, and freight and baggage facilities within railroad passenger and bus stations.

(g) Exemptions. The following uses shall not be subject to any of the requirements set forth in the schedule above: piers, garages, motor vehicle repair shops, stables, riding academies and gasoline filling stations; amusement parks, skating rinks, dance halls, bowling alleys and theatres used primarily for showing motion pictures; golf driving ranges, golf courses, tennis courts, swimming pools and bathing pavilions; and

railroad passenger and bus stations, except for gross floor area used for freight and baggage facilities or for offices or retail sales and service uses as defined above.

(h) Additional Regulations for Required Loading Berths. All required off-street loading berths provided in accordance with this section shall conform to the additional regulations set forth below.

- (1) Size of Required Berths. Each required off-street loading berth shall be not less than 33 feet by 12 feet, and any entrance to or exit from any such berth shall be not less than 12 feet in width. However, for undertaking establishments and funeral parlors the minimum size shall be 25 feet by 10 feet, and any entrance to or exit from any such berth shall be not less than 10 feet in width. If two or more adjoining berths are provided, with no columns between, the width of each berth shall be not less than 10 feet.
- (2) Height of Required Berths. Each required off-street loading berth which is enclosed, and any entrance to or exit from such berth, shall be not less than 12 feet in height, except as follows:
 - (a) For retail sales and service uses occupying a gross floor area of at least 100,000 square feet and for all wholesale, manufacturing and storage uses, such height shall be not less than 14 feet, in buildings hereafter constructed;
 - (b) For undertaking establishments and funeral parlors, such height shall be not less than 8 feet.
- (3) Location of Access. No entrance to or exit from any required off-street loading berth shall be located less than 50 feet from any point of intersection of the street lines of two streets in buildings hereafter constructed or less than 25 feet from any point of intersection of the street lines of two streets in existing buildings hereafter extended, enlarged or converted. If any lot does not extend along a street for sufficient distance to provide room for entrances to or exits from required berths in conformity with the provisions of this subsection (h) (3), the requirements set forth in the schedule above shall be waived insofar as their application to such lot would conflict with the provisions of this subsection.
- (4) Joint Loading Berths Serving Two or More Buildings. Required off-street loading berths may be provided to serve jointly two or more buildings within a single block, provided
 - (a) That the number of berths in such joint facilities shall be not less than that required in the schedule above for the combined aggregate gross floor area in such buildings, and

- (b) That a deed shall be executed by the owner or owners of such buildings and recorded in the office provided for the recording of conveyances, binding such owner or owners to maintain the required number of berths available to the occupants of such buildings throughout the life thereof, and
 - (c) That the layout of such joint facilities shall be subject to the approval of the Department of Buildings.
- (5) Buildings with Combined Uses, Where the Floor Area Used for Each Use is Below the Minimum for Required Berths. If any building is used, or arranged, intended or designed to be used, for uses specified in more than one of the subsections in the schedule above, and if
- (a) The gross floor area used, or arranged, intended or designed to be used, for each such use is less than the minimum gross floor area for which berths are required for that use under the provisions of the appropriate subsection of said schedule, and
 - (b) The aggregate gross floor area used, or arranged, intended or designed to be used for uses for which berths are required is greater than the smallest amount of gross floor area for which berths are required for any of the uses in the building,
- such building shall be provided with off-street loading berths as if the gross floor area used, or arranged, intended or designed to be used for uses for which berths are required were used for that use in the building for which the most berths are required.
- (6) Buildings with Wholesale, Manufacturing and Storage Uses Combined with Other Uses. Except as provided in subsection (h) (5) above, if any building is used, or arranged, intended or designed to be used, partly for wholesale, manufacturing or storage uses, or any combination of such uses, and partly for uses specified in any other sub-section of the schedule above, at least 50 per cent of the aggregate gross floor area in the building shall be subject to the requirements set forth in said schedule for wholesale, manufacturing and storage uses, and the remainder shall be subject to the other applicable requirement.

(i) Location of Access of Loading Berths Which Are Not Required. If any off-street loading berth is installed which is not required under the provisions of the schedule above, such berth shall be not less than 25 feet from any point of intersection of the street lines of two streets.

(j) Modification of Requirements by Board of Standards and Appeals. Where, because of the unusual shape of a lot or the structural features of a building, the requirements of this section cannot reasonably be complied with, the Board of Standards and Appeals may, after public hearing and subject to appropriate conditions and safeguards, permit the substitution of such alternative positions for loading and unloading as the Board deems suitable and appropriate to prevent the creation of traffic congestion by loading and unloading operations at the curb. In exceptional circumstances, where no alternative provisions are possible, the Board may exempt such buildings from the requirements of this section.

§19-B. REQUIRED GARAGE OR PARKING SPACE FOR DWELLINGS.

Every dwelling other than a class B multiple dwelling, hereafter erected in any use district shall provide minimum garage or parking space or any combination thereof for passenger motor vehicles, under rules and regulations to be promulgated by the Commissioner of Buildings, according to the following schedule:

(a) Class A multiple dwellings:

- (1) In A and B districts, space numbering 20 per cent of the number of dwelling units, except that for multiple dwellings of less than 40 dwelling units or for multiple dwellings on lots less than 10,000 square feet, whichever is smaller, no spaces shall be required.
- (2) In C districts, spaces numbering 30 per cent of the number of dwelling units.
- (3) In D and DD districts, spaces numbering 40 per cent of the number of dwelling units.
- (4) In E, F, FF, F-1 and F-2 districts, space numbering 50 per cent of the number of dwelling units.

A garage, if located on the lot and not within the multiple dwelling, may be erected in required open spaces provided the roof of the garage is not more than 6 feet above the curb level and is finished and accessible so as to be usable as open space.

In the case of public housing projects fully subsidized from federal, state, or city sources, half of the required garage or parking space may be provided in open spaces initially to be used for other purposes, provided that such spaces are, in the opinion of the Commissioner of Buildings, capable of being converted to garage or parking use when needed.

(b) Single-family and two-family dwellings:

- (1) In A and B districts, no spaces shall be required.
- (2) In all other area districts, one space for each dwelling unit.

Garage or parking space provided as required above may be located only in such portions of required open spaces as an accessory garage may be legally located.

(c) Required garage or parking space for all dwellings may be provided elsewhere than on the lot if within a radius of 1,000 feet from the lot in locations where non-accessory garages or parking spaces are not prohibited by the use district regulations and if in the same ownership as the dwelling for which it is provided. Such garage or parking space shall be subject to deed restrictions recorded in the office provided for the recording of conveyances, binding the owner or owners and their heirs and assigns to maintain the required number of spaces available to the occupants of the building or buildings throughout the life thereof.

(d) Where a project for residential development to be erected and maintained under one ownership involves more than one block the required garage or parking space may be provided on any contiguous whole block within the same development

(e) Where the requirements of this section would work practical difficulty or unnecessary hardship, the Board may, after public hearing and subject to appropriate conditions and safeguards, vary the specific provisions of this section as the Board deems suitable and appropriate to alleviate traffic congestion.

(f) The provisions of this section shall have no application to the erection of structures for which plans are on file with the Department of Buildings on or before July 20, 1950.

ARTICLE V—GENERAL AND ADMINISTRATIVE

§20. **INTERPRETATION; PURPOSE.** In interpreting and applying the provisions of this resolution, they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. It is not intended to abrogate or annul ordinances, rules, regulations or permits previously adopted or issued, or which shall be adopted or issued pursuant to law relating to the use of buildings or land except as otherwise provided in this resolution. Where this resolution imposes greater restriction upon the use of a building or land or upon the height and bulk of a building, or prescribes larger open spaces than are required by such ordinances, rules, regulations or permits, this resolution shall control.

§21. **RULES AND REGULATIONS; MODIFICATION OF PROVISIONS.** The Board of Standards and Appeals shall adopt from time to time such rules and regulations as they may deem necessary to carry into effect the provisions of this resolution. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this resolution the Board of Standards and Appeals shall have power in a specific case to vary any such provision in harmony with its general purpose and intent, so that the public health, safety and general welfare may be secured and substantial justice done. Where the street layout actually on the ground varies from the street layout as shown on the use, height or area district map, the designation shown on the mapped areas shall be applied by the Board of Standards and Appeals 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. Before taking any action authorized in this section the Board of Standards and Appeals shall give public notice and hearing.

§21-A. **RESTRICTIONS ON LOCATION OF GASOLINE SERVICE STATIONS.** Except as provided in §6, §7(g) and §21-F, no premises may be used as a gasoline service station or oil selling station, or as a garage wherein gasoline or oil is sold, and no building may have its use changed to any such use, if any vehicular entrance to or exit from such premises or building is situated on either side of any portion of a street between two intersecting streets, on which portion there exists within 300 feet measured in a straight line an exit from or an entrance to: a public school, a public school playground, a public park or public playground of one-half acre or more in area, a hospital maintained as a charitable institution, a public library, or a public museum; and in no case within 200 feet measured in the line of normal pedestrian travel from the nearest exit from or entrance to any of such uses. This protection shall apply to ele-

mentary, junior high or high schools maintained by the public authorities or registered under regulations prescribed by the Board of Regents and to playgrounds for such schools and also to schools and playgrounds maintained by any established religious group. This section shall apply to all use districts. Where a certificate of occupancy has been issued and where all other requirements of law, rules and regulations have been complied with, the existing use of such premises 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 reason 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 the said use, subject to such conditions as it may prescribe.

§21-B. **ADDITIONAL ADVERTISING SIGN RESTRICTIONS.** No advertising sign shall hereafter be erected, placed or painted, nor shall any existing advertising sign be structurally altered, in any use district within 200 feet of an arterial highway shown as a "principal route," "parkway" or "toll crossing" on the "Master Plan of Arterial Highways and Major Streets," provided such arterial highway has been designated by the City Planning Commission as an arterial highway to which the provisions of this section shall apply, or within 200 feet of a public park of one-half acre or more in area, if such advertising sign is within view of such arterial highway or park.

§21-C. **APPROVAL OF LARGE SCALE PROJECTS.** (a) Upon presentation to the City Planning Commission of a site plan and general building plans showing design, location and uses of buildings, structures and open spaces of projects for large residential developments, structures other than dwellings which are permitted in residence districts, landscaped administrative offices and industrial laboratory plants, retail facilities, office buildings, and commercial and industrial projects, or a combination of any two or more of such projects, together with such information as may be required by the Rules of Procedure adopted by the City Planning Commission, the Commission may, after public notice and hearing, approve such project in accordance with such conditions as may be necessary to protect and safeguard the neighborhood within which a particular project is located.

- (1) Residential projects, including related retail facilities.
 - (a) The Commission may grant, in A, B, C, D, DD, E, F, FF, F-1 and F-2 districts only, exceptions from the use, height and area regulations of the districts in which the property is located. However, the

total bulk of buildings or structures erected on the property shall not exceed the total aggregate bulk of buildings or structures, exclusive of tower privileges provided in §9 (d), permitted in the district or districts in which the property is located. The bulk of the project as approved may be distributed without limitation by district lines.

- (b) The project area shall be not less than 200,000 square feet but in no instance shall the project area involved be less than one block.
 - (c) Loading berths shall be provided as approved for the project but in no case shall the number of berths be less than would be required by the provisions of §19-A.
 - (d) Garage or parking spaces shall be provided as approved for the project but in no case shall the number of spaces be less than would be required by the provisions of §19-B.
- (2) Structures other than dwellings, which are permitted in residence districts.
- (a) The project may be exempted from the use, height and area regulations of the districts in which the property is located. However, the total bulk of buildings or structures erected on the property shall not exceed the total aggregate bulk of buildings or structures, exclusive of tower privileges provided in §9 (d), permitted in the district or districts in which the property is located. The bulk of the project as approved may be distributed without limitation by district lines.
 - (b) The project area shall be not less than 200,000 square feet but in no instance shall the project area involved be less than one block.
 - (c) Loading berths shall be provided as approved for the project but in no case shall the number of berths be less than would be required by the provisions of §19-A.
 - (d) Garage or parking spaces shall be provided as approved for the project.
- (3) Landscaped administrative offices and industrial laboratory plants.
- (a) The uses provided for in this subsection shall in no instance include the trades, industries and uses prohibited by §4.
 - (b) The project may be situated in any use district and shall be not less than ten acres in area.

- (c) Not more than 25 per cent of the area of the plot may be occupied by buildings.
 - (d) The total floor area of the buildings shall not exceed 0.5 times the area of the plot.
 - (e) The height of any building shall not exceed 50 feet and the distance between buildings shall be in no case less than 20 feet.
 - (f) Not less than 25 per cent of the area of the plot shall consist of landscaped park area to which the public shall have access, subject to reasonable restrictions.
 - (g) Loading berths shall be provided as approved for the project.
 - (h) Garage or parking spaces shall be provided as approved for the project.
- (4) Retail facilities.
- (a) The Commission may grant, in A, B, C, D, DD, E, FF, F-1 and F-2 districts only, an exception permitting specified uses not otherwise permitted by the use regulations of the district in which the project is located. The uses permitted by such exception shall be appropriate to the primary purposes of the project and shall be as permitted in §4-A. The project may be exempted from the height and area regulations of the districts in which the property is located. However, the total bulk of buildings or structures erected on the property shall not exceed the total aggregate bulk of buildings or structures, exclusive of tower privileges provided in §9 (d), permitted in the district or districts in which the property is located. The bulk of the project as approved may be distributed without limitation by district lines.
 - (b) The project area shall be not less than 200,000 square feet but in no instance shall the project area involved be less than one block.
 - (c) Loading berths shall be provided as approved for the project but in no case shall the number of berths be less than would be required by the provisions of §19-A.
 - (d) Garage or parking spaces shall be provided as approved for the project.
- (5) Office buildings.
- (a) Except in residence and local retail districts, the Commission may grant, in A, B, C, D, DD, E, F, FF, F-1 and F-2 districts only, an exception permitting specified uses not otherwise permitted by the

use regulations of the district in which the project is situated. The uses provided for in this subsection shall be as permitted in §4-A and shall be appropriate to the primary purpose of the project. The project may be exempted from the height and area regulations of the districts in which the property is located. However, the total bulk of buildings or structures erected on the property shall not exceed the total aggregate bulk of buildings or structures, exclusive of tower privileges provided in §9 (d), permitted in the district or districts in which the project is located. The bulk of the project as approved may be distributed without limitation by district lines.

- (b) The project area shall be not less than 200,000 square feet but in no instance shall the project area involved be less than one block.
 - (c) Loading berths shall be provided as approved for the project but in no case shall the number of berths be less than would be required by the provisions of §19-A.
 - (d) Garage or parking spaces shall be provided as approved for the project.
- (6) Commercial and industrial projects.
- (a) Except in residence and local retail districts, the Commission may grant, in A, B, C, D, DD, E, F, FF, F-1 and F-2 districts only, an exception permitting specified uses not otherwise permitted by the use regulations of the district in which the project is located. The uses permitted by such exception shall be appropriate to the primary purpose of the project and shall be as permitted in §4-F except that the provisions of §4 (a) (49) shall apply. The project may be exempted from the height and area regulations of the districts in which the property is located. However, the total bulk of buildings or structures erected on the property shall not exceed the total aggregate bulk of buildings or structures exclusive of tower privileges provided in §9 (d) permitted in the district or districts in which the project is located. The bulk of the project as approved may be distributed without limitation by district lines.
 - (b) The project area shall be not less than 200,000 square feet but in no instance shall the project area involved be less than one block.
 - (c) Loading berths shall be provided as approved for the project but in no case shall the number of berths be less than would be required by the provisions of §19-A.
 - (d) Garage or parking spaces shall be provided as approved for the project.

- (7) Combination of any two or more of the projects included in paragraphs (1) through (6) of subsection (a) of this section.

The area of the combined projects shall be not less than 200,000 square feet and in no instance less than one block, and where landscaped administrative offices and industrial laboratory plants, as specified in subsection (a) (3), are included in the combination the area involved shall be not less than ten acres. Except for the foregoing, each class of project included in the combination shall conform to the provisions specified in this section for that class of project.

(b) The Commission, in reviewing the site plan and general building plans of a project presented pursuant to this section shall give due consideration to the design, location and uses of buildings, structures and open spaces of the project in relation to the provision of adequate light, air and access, the value of buildings and land, the conservation and enhancement of the value of buildings and land and the most desirable use of land. Due consideration shall also be given to the creation of a balanced and harmonious project and to the harmonious relationship of the project to adjoining property and structures.

(c) The Commission may, after public notice and hearing and subject to appropriate conditions and safeguards, certify that the construction, operation and maintenance of any project, as proposed, presented pursuant to this section is consistent with the objectives of this resolution, with the master plan of the City and with the public health, safety and general welfare and the Commission may thereupon approve the project. Such resolution of approval of the Commission, together with the plan of the project, shall be filed with the Secretary of the Board of Estimate within five (5) days after its adoption. If such project is also approved by the Board of Estimate by a majority vote, the use of premises for such approved project shall become authorized and effective, except that in case a protest against the proposed resolution shall have been presented within thirty (30) days from the date of filing with the Secretary of the Board of Estimate, duly signed and acknowledged by the owners of 20 per cent or more of the area of the land included in such proposed project, or by the owners of 20 per cent or more of the area of the land immediately adjacent extending 100 feet from said project, or by the owners of 20 per cent or more of the area of land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such resolution shall not be effective unless approved by the Board of Estimate by unanimous vote of the entire Board.

(d) All buildings and structures authorized and established under the provisions of this section shall conform to all applicable laws and regulations relating to construction, operation and maintenance.

(e) No modification, variance or change in the general location, layout and character of the project as shown on the plan as approved shall be permitted, except when

approved in accordance with the procedure set forth in this section, provided that upon abandonment of a particular project authorized under this section, the land and the structures thereon may be used without such approval for any other lawful purpose permissible within the use, height and area districts in which the project is located.

§21-D. BUS STATIONS. (a) No building or premises shall be erected or used as a bus station unless such use is authorized in accordance with §21-D (b) of this Article.

(b) The City Planning Commission may in any use district except a residence use district or areas designated as exceptionally congested traffic areas approve the use, subject to appropriate conditions and safeguards, of any premises as a bus station upon the application of the owner thereof for such use if after public notice and hearing the Commission determines that the use of the premises as a bus station will not create serious traffic congestion, will not be detrimental to public health or general welfare, and is consistent with the master plan of the city. The application shall contain a site plan showing the location and use of buildings and structures to be placed on the premises and such other information as may be required by the Commission. Such approval, together with a copy of the application, shall be filed with the Secretary of the Board of Estimate within five days after its adoption. If such plan is also approved by the Board of Estimate by a majority vote, the use of such premises for a bus station as outlined in the site plan shall become authorized.

(c) Premises 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 upon approval in accordance with the procedure provided in paragraph (b) hereof. None of the provisions of §7, Use District Exceptions, shall apply to bus stations.

(d) The City Planning Commission may, after duly held public hearings, designate areas in the city which are exceptionally congested traffic areas and thereafter no additional bus station shall be established and no existing bus station then lawfully in use shall be enlarged, extended or reconstructed within such areas.

§21-E. AIRPORTS. (a) No airport or seaplane base or other landing facility for aircraft shall hereafter be established in any use district, nor shall any existing airport or seaplane base or other landing facility for aircraft be extended or substantially altered, unless authorized in accordance with the procedure set forth in this Section.

(b) Upon presentation to the City Planning Commission of a plan for an airport or seaplane base or other landing facility for aircraft, or a plan for the extension or alter-

ation of any such facility showing its proposed layout including runways and the location and use of all buildings and structures, the Commission may, after public notice and hearing and subject to appropriate conditions and safeguards, by resolution certify that the construction, operation and maintenance of the proposed airport or seaplane base or other landing facility for aircraft or the extension or alteration of any such facility, are consistent with the objectives of this resolution and may, thereupon, approve the plan of such airport or seaplane base or other landing facility for aircraft. Such resolution of the City Planning Commission, together with the plan of the airport or seaplane base or other landing facility for aircraft shall be filed with the Secretary of the Board of Estimate within five (5) days after its adoption. Unless the Board of Estimate shall disapprove such resolution by a majority vote within thirty (30) days from the date of filing, it shall thereupon take effect.

(c) Upon taking effect, such resolution shall be deemed to authorize the issuance of the necessary permits by the appropriate public agencies for the construction, occupancy and maintenance of the airport or seaplane base or other landing facility for aircraft as approved, so far as the zoning resolution is concerned, but any such airport or seaplane base or other landing facility for aircraft shall conform to all other applicable laws and regulations.

(d) No substantial modification, variance or change in the location or layout of the airport or seaplane base or other landing facility for aircraft as shown on the plan as approved shall be permitted except when approved in accordance with the procedure set forth in this Section.

§21-F. PUBLIC GARAGES. (a) No building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used for the garaging or parking of one hundred and fifty (150) or more motor vehicles, except in manufacturing and unrestricted use districts where the provisions of §21-A do not apply, or premises where the garaging or parking of one hundred and fifty (150) or more motor vehicles exists or is permitted to exist pursuant to the provisions of this Resolution, after the effective date of this amendment, or in accordance with Subdivision (b) of this Section.

(b) Except where §21-A of this Resolution applies in other than manufacturing and unrestricted use districts, the City Planning Commission may by resolution after public notice and hearing approve the use, subject to appropriate conditions and safeguards, of any building or premises as a garage or parking facility for one hundred and fifty (150) or more motor vehicles which may include facilities for gasoline service or oil selling and minor automobile repairs appurtenant thereto. The Commission shall re-

quire the filing of a site plan showing the location of all buildings and structures and other facilities to be provided, and shall prescribe such conditions as may be necessary to protect adjoining properties and safeguard the character of the neighborhood. Such resolution of approval, together with a copy of the site plan, shall be filed with the Secretary of the Board of Estimate within five (5) days of its adoption. It shall take effect immediately upon approval by a majority vote of the Board of Estimate. If the Board of Estimate shall not approve, disapprove, or modify such resolution by a majority vote within thirty (30) days from the date of filing it shall thereupon take effect.

(c) The jurisdiction of the Board over the storage of five or more but less than one hundred and fifty (150) motor vehicles shall not be affected by this Section except that where consent is required and given by the City Planning Commission as provided in §72-j of the General Municipal Law then Subdivision (b) hereof is applicable. Nothing contained in this Section shall divest the Board of its jurisdiction to vary the terms of the Zoning Resolution as provided in §21 thereof. An applicant who has failed to receive a site approval under this Section may apply to the Board under §7 to vary in the instant case the application of the Zoning Resolution.

§21-G. OPEN-AIR DRIVE-IN THEATRES AND HORSE-RACING TRACKS. (a) No open-air drive-in theatre, motion picture or otherwise, and no horse-racing track shall hereafter be erected or used, nor shall any existing open-air drive-in theatre, motion picture or otherwise, or horse-racing track be extended or substantially altered unless authorized in accordance with the procedure set forth in this section.

(b) The City Planning Commission may in any use district, approve the use, subject to appropriate conditions and safeguards, of any building or premises as an open-air drive-in theatre, motion picture or otherwise, or as a horse-racing track upon application of the owner thereof for such use if after public notice and hearing the Commission determines that the use of the building or premises for such open-air drive-in theatre or horse-racing track will not create serious traffic congestion, will not be detrimental to public health or general welfare, and is consistent with the master plan of the city. The application shall contain a site plan showing the location, all means of entrance and exit from such premises, and use of buildings and structures to be placed on the premises, and such other information as may be required by the Commission. Such resolution of approval, together with a copy of the application, shall be filed with the Secretary of the Board of Estimate within five days after its adoption. If such a plan is also approved by the Board of Estimate by a majority vote, the use of such premises for an open-air drive-in theatre or for a horse-racing track as outlined in the approved site plan shall become authorized.

§22. UNLAWFUL USE; CERTIFICATE OF OCCUPANCY. It shall be unlawful to use or permit the use of any building or premises or part thereof hereafter created, erected, changed or converted wholly or partly in its use or structure until a certificate of occupancy to the effect that the building or premises or the part thereof so created, erected, changed or converted and the proposed use thereof conform to the provisions of this resolution shall have been issued by the Department of Buildings. In the case of such buildings or premises it shall be the duty of the Department of Buildings to issue a certificate of occupancy within ten days after a request for the same shall be filed in its office by any owner of a building or premises affected by this resolution, provided said building or premises or the part thereof so created, erected, changed or converted and the proposed use thereof conform with all the requirements herein set forth. Under rules and regulations of the Board of Standards and Appeals a temporary certificate of occupancy for a part of a building may be issued by the Department of Buildings. Upon written request from the owner, the Department of Buildings shall issue a certificate of occupancy for any building or premises existing at the time of the passage of this resolution certifying after inspection the use of the building or premises and whether such use conforms to the provisions of this resolution.

§22-A. LAPSE OF VARIANCE. After the Board of Standards and Appeals has varied the provisions of this resolution, or after the court has reversed or modified the action of the Board pursuant to §668e-1.0 of the Administrative Code, the variance so granted shall lapse after the expiration of one year, if no substantial construction has taken place in accordance with the plans for which such variance was granted, and the provisions of this resolution shall thereafter govern.

§22-B. EFFECT OF ZONING CHANGE AFTER CONSTRUCTION HAS BEEN STARTED. If the applicable use, height or area zoning regulations are changed after operations have been lawfully started on erecting a structure or changing a use, and as a result such structure or use does not conform to the new zoning provisions, work on such structure or use may proceed as authorized in the building permit at any time within one year after the effective date of the change of zoning, but after that time such permit shall be invalid. However, if substantial work on a structure above the foundations is done before the expiration of such one-year period, the proposed structure or use may be completed as authorized in the building permit at any time within five years after the effective date of the change of zoning, but after that time such permit shall be invalid.

§23. **ENFORCEMENT, LEGAL PROCEDURE, PENALTIES.** This resolution shall be enforced by the Department of Buildings. The Commissioner of Buildings, to insure the protection of the public health, safety and general welfare, shall promulgate, and publish rules and regulations relating to the use of vacant land in business, business-1, retail and retail-1 districts for the parking and storage of motor vehicles and for use as an outdoor motor vehicle sales lot and shall provide for compliance therewith.

The Department of Buildings is hereby empowered to cause any building, structure, place or premises 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 the Zoning Resolution. Such order may be served in the same manner as provided in §643a-6.0 of the Administrative Code.

The owner or general agent of a building or premises where a violation of any provision of said Zoning Resolution has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist or the owner, general agent, lessee or tenant of any part of the building or premises in which said violation has been committed or shall exist or the general agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building or premises or any part thereof in which any violation shall exist shall be guilty of a misdemeanor.

Any such person who having been served with an order to remove any such violation shall fail to comply with said order within ten days after such service or shall continue to violate any provision of the said Zoning Resolution in the respect named in such order shall be guilty of a misdemeanor.

In addition to the foregoing remedies the City of New York by the Corporation Counsel may maintain an action for an injunction to restrain any violation of the said Zoning Resolution.

§24. **AMENDMENTS, ALTERATIONS AND CHANGES IN DISTRICT LINES.** The City Planning Commission may from time to time on its own motion, after public notice and hearing, adopt a resolution to amend, supplement or change the regulations and districts herein established, pursuant to the provisions of the New York City Charter. Whenever during the month of January in any year, the owners of 50 per cent or more of the area in any district or part thereof shall present a petition duly signed and acknowledged to the City Planning Commission requesting an amendment, supplement, change or repeal of the regulations prescribed for such district or part thereof, it shall be the duty of the Commission to vote upon said petition only during the period

beginning on the first day of January and ending on the thirtieth day of April, both inclusive, of that year. The Board of Estimate may approve, disapprove or modify such resolution. Approval or modification shall be effective on the date of such approval or modification. Disapproval or modification must be by three-fourths vote within sixty days from the time of filing. In case the Board of Estimate shall fail to act on such resolution, it shall be deemed approved on the sixty-first day after the date of filing. In case a protest against a proposed resolution shall have been presented to the Secretary of the Board of Estimate within thirty days from the date of such filing, duly signed and acknowledged by the owners of twenty per centum or more of the area of the land included in such proposed change, or by the owners of twenty per centum or more of the area of the land immediately adjacent extending one hundred feet therefrom, or by the owners of twenty per centum or more of the area of land directly opposite thereto extending one hundred feet from the street frontage of such opposite land, such resolution shall not be effective unless approved by the Board of Estimate by unanimous vote of the entire board within one hundred eighty days after the filing of said resolution with the Secretary of the Board of Estimate; the effective day of such resolution, if approved, shall be the date of such approval. A protest duly filed as herein provided may be withdrawn any time within sixty days commencing from the date of the filing of such resolution. If any area is hereafter transferred to another district by a change in district boundaries by an amendment, as above provided, the provisions of this resolution in regard to buildings or premises existing at the time of the passage of this resolution shall apply to buildings or premises existing at the time of passage of such amendment in such transferred area.

§25. **RESTORATION OF EXISTING BUILDINGS.** Nothing in this resolution shall prevent the restoration of a building wholly or partly destroyed by fire, explosion, act of God or act of the public enemy or prevent the continuance of the use of such building or part thereof as such use existed at the time of such destruction of such building or part thereof.

§26. **WHEN EFFECTIVE.** The zoning resolution of July 25, 1916, and all amendments thereto are hereby declared superseded by this resolution, which shall take effect immediately.

APPENDIX

MAP DESIGNATIONS AND MAP DESIGNATION RULES ACCOMPANYING ZONING RESOLUTION OF THE CITY OF NEW YORK.

HEIGHT DISTRICT MAP DESIGNATIONS.

— — — — — indicates the boundary of a Height District.

($\frac{1}{4}$) ($\frac{1}{2}$) ($\frac{3}{4}$) (1) ($1\frac{1}{4}$) ($1\frac{1}{2}$) (2) ($2\frac{1}{2}$) (S) are symbols for district classifications as defined in the zoning resolution.

HEIGHT DISTRICT MAP DESIGNATION RULES

1. An area surrounded by a district boundary line shall be in the Height District designated therein.
2. The boundaries of Height Districts shall be the limiting line to which the height regulations provided in any given district may be availed of.
3. The precise location of a boundary line is to be interpreted as follows:
 - (a) In cases where the district boundary is within a block and extends in the direction of the length of the block and no fixtures are shown, said boundary shall be deemed to be located 100 feet from the bounding street lying within the less restrictive district.
 - (b) In cases where the district boundary is within a block and extends in the direction of the width of the block and no fixtures are shown, said boundary shall be deemed to be located 100 feet from the nearest street.
 - (c) In cases where the boundary line is shown by fixture as being located a specific distance from the street line, this distance shall control.
 - (d) In cases where the boundary line is given a position within the street, it shall be deemed to be in the center of the street.
 - (e) In cases where a boundary line is shown as adjoining a railroad, unless otherwise fixed, it shall be deemed to coincide with the boundary line of the railroad right-of-way.
 - (f) In cases of parks, cemeteries and navigable waters, the boundary line, unless otherwise fixed, shall be deemed to coincide with the boundary line of the park, or the cemetery, or the pierhead line, except in cases

where no pierhead line has been established, when the shore line shall control.

- (g) Any island outside of the shore or pierhead lines, unless otherwise designated, shall be deemed to be in a Class 2 Height District.

AREA DISTRICT MAP DESIGNATIONS

— — — — — indicates the boundary of an Area District.

(A) (B) (C) (D) (DD) (D-1) (E) (E-1) (E-2) (F) (FF) (F-1) (F-2) (G) (G-1) are symbols for district classifications as defined in the zoning resolution.


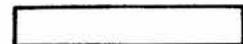

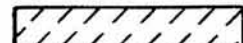


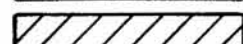
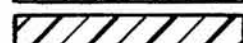
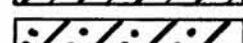

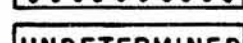
AREA DISTRICT MAP DESIGNATION RULES

1. An area surrounded by a district boundary line shall be in the Area District designated therein.
2. The boundaries of Area Districts shall be the limiting line to which the area regulations provided in any given district may be availed of.
3. The precise location of a boundary line is to be interpreted as follows:
 - (a) In cases where the district boundary is within a block and extends in the direction of the length of the block and no fixtures are shown, said boundary shall be deemed to be located 100 feet from the bounding street lying within the less restrictive district.
 - (b) In cases where the district boundary is within a block and extends in the direction of the width of the block and no fixtures are shown, said boundary shall be deemed to be located 100 feet from the nearest street.
 - (c) In cases where the boundary line is shown by fixture as being located a specific distance from a street line, this distance shall control.
 - (d) In cases where the boundary line is a given position within a street, it shall be deemed to be the center of the street.
 - (e) In cases where a boundary line is shown as adjoining a railroad, unless otherwise fixed, it shall be deemed to coincide with the boundary line of the railroad right-of-way.
 - (f) In cases of parks, cemeteries and navigable waters, the boundary line, unless otherwise fixed, shall be deemed to coincide with the boundary line of the park, or the cemetery, or the pierhead line, except in cases

where no pierhead line has been established, when the shore line shall control.

- (g) Any island outside of the shore or pierhead lines, unless otherwise designated, shall be deemed to be in an A district.

USE DISTRICT MAP DESIGNATIONS

	indicates the boundary of a Use District.
	indicates Residence District.
	indicates Local Retail District.
	indicates Restricted Retail District.
	indicates Retail District.
	indicates Retail-1 District.
	indicates Business District.
	indicates Business-1 District.
	indicates Manufacturing District.
	indicates Unrestricted District.
	indicates Undetermined area for which no restriction or regulation as to Use has been established.

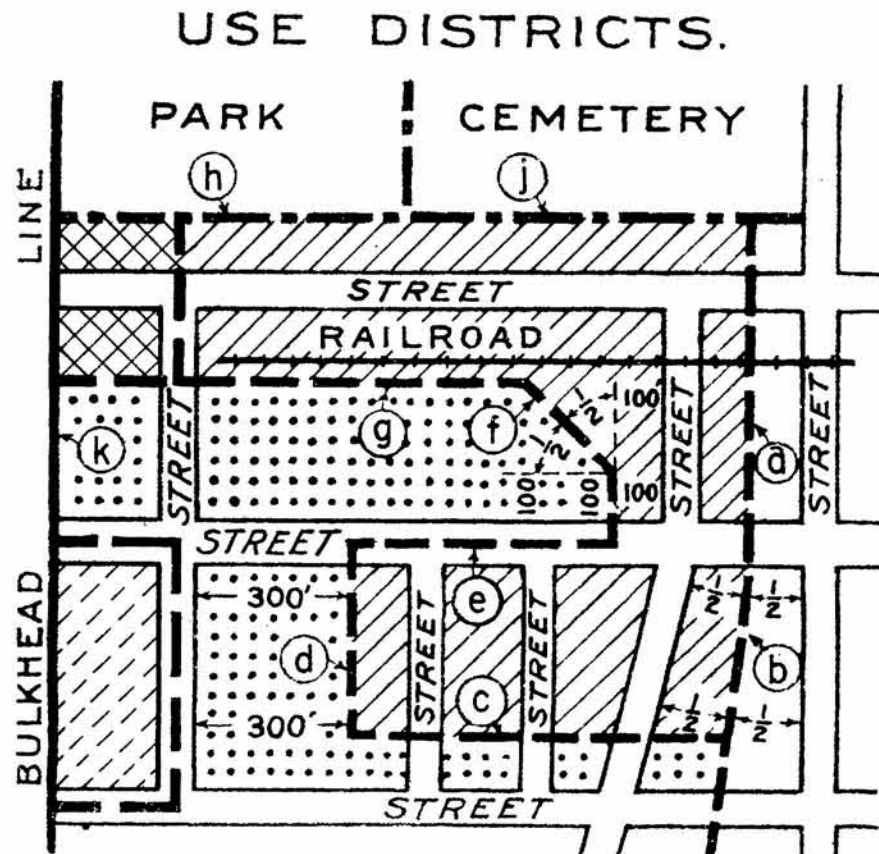
USE DISTRICT MAP DESIGNATION RULES

1. An area surrounded by a district boundary line shall be in the Use District designated therein.
2. The boundaries of Use Districts shall be the limiting line to which the use regulations permissible in any given district may be availed of.
3. In general, Use Districts are intended to have a depth of 100 feet.
4. The precise location of a boundary line is to be interpreted as follows:
 - (a) In case of parallel streets, unless otherwise fixed, the Use District boundary line shall coincide with the centre line of the block, except that when

block widths are less than 200 feet and no fixtures are shown, the district boundary shall be deemed to be 100 feet from the street to which the less restrictive designation relates.

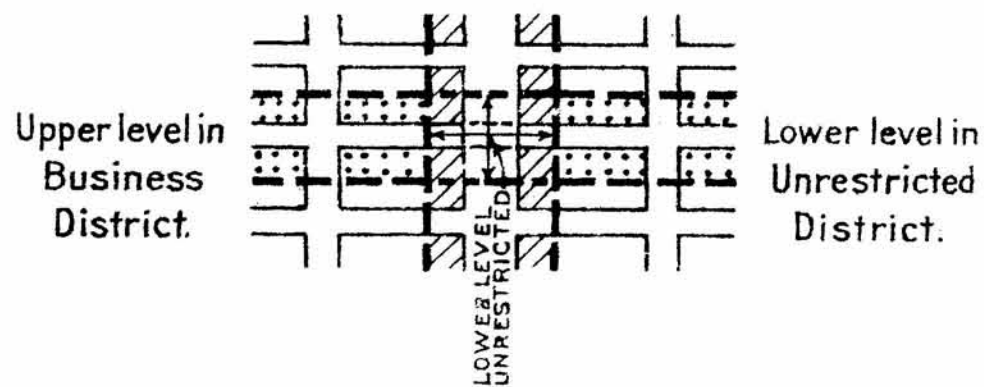
- (b) In case of streets which are not parallel, the Use District boundary, unless otherwise fixed, shall be construed as the bisector of the angle formed by prolonging the street lines to an intersection.
- (c) In cases where a block has a length in excess of 200 feet and the boundary line extends in the direction of the width of the block and no fixtures are shown, its position shall be deemed to be located 100 feet from the nearest street.
- (d) In cases where the boundary line is shown by fixture as being located a specific distance from a street line, this distance shall control.
- (e) 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.
- (f) In cases where a boundary line is shown as having a position oblique to the streets bounding the block in which it is located, unless otherwise fixed it shall be deemed to be the bisector of the angle formed by intersecting lines 100 feet from and parallel with the bounding streets, the said distance being measured at right angles or normal to the street lines.
- (g) In cases where a boundary line is shown as adjoining a railroad, unless otherwise fixed, it shall be deemed to coincide with the boundary line of the railroad right-of-way.
- (h-j-k) In cases of parks, cemeteries and navigable waters, the boundary line, unless otherwise fixed, shall be deemed to coincide with the boundary line of the park, or the cemetery, or the pierhead line, except in cases where no pierhead line has been established, when the shore line shall control.
- (l) Any island outside of the shore or pierhead lines, unless otherwise designated, shall be deemed to be in an undetermined area.

Diagram Illustrating Methods Used in Fixing Boundaries of Use Districts



5. Where two street cross at different levels, the use designation of the lower street shall control, except that when the use designation of the lower street is less restrictive it shall control only to the curb level of the higher street. Above the curb level of the higher street the more restrictive designation shall apply for a distance of 100 feet measured along the intersecting streets from each street corner.

Diagram Illustrating Two Level Streets



ADDENDA

ZONING EXCERPTS FROM NEW YORK CITY CHARTER

(Adopted November 3, 1936; Effective January 1, 1938)

Zoning Regulations.

(Amended March 28, 1957, effective July 1, 1957; Chap. 195, Laws of 1957)

(Amended April 21, 1959, effective April 21, 1959; Chap. 652, Laws of 1959)

§200. Any existing resolution or regulation of the board of estimate to regulate and limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces, to regulate density of population or to regulate and restrict the locations of trades and industries and the location of buildings designed for specific uses or creating districts for any such purpose, including any such regulation which provides that the board of standards and appeals may determine and vary the application of such resolutions or regulations in harmony with their general purpose and intent and in accordance with general or specific rules contained in such regulations, may be amended, repealed or added to only in the following manner: the commission may upon its own initiative at any time or upon application as provided in section two hundred one, adopt a resolution for any such purpose subject to the limitations provided by law. Before adopting any such resolution, the commission shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published in the City Record for the ten days of publication of the City Record immediately prior thereto. Any such resolution shall be filed with the secretary of the board of estimate within five days from the date of its adoption. The board of estimate may approve, disapprove or modify such resolution. Approval or

modification shall be effective on the date of such approval or modification. Disapproval or modification must be by three-fourths vote within sixty days from the time of filing. In case the board of estimate shall fail to act on such resolution, it shall be deemed approved on the sixty-first day after the date of filing. In case a protest against a proposed resolution shall have been presented to the secretary of the board of estimate within thirty days from the date of such filing, duly signed and acknowledged by the owners of twenty per centum or more of the area of the land included in such proposed change, or by the owners of twenty per centum or more of the area of the land immediately adjacent extending one hundred feet therefrom, or by the owners of twenty per centum or more of the area of land directly opposite thereto extending one hundred feet from the street frontage of such opposite land, such resolution shall not be effective unless approved by the board of estimate by unanimous vote of the entire board within one hundred eighty days after the filing of said resolution with the secretary of the board of estimate; the effective date of such resolution, if approved, shall be the date of such approval. A protest duly filed as herein provided may be withdrawn any time within sixty days commencing from the date of filing of such resolution.

Applications.

(Amended April 9, 1957, effective July 1, 1957; Chap. 127, Laws of 1957)

§201. Applications for changes in resolutions or regulations referred to in the preceding section may be filed by any taxpayer with the commission only during the period from the first day of January to the thirty-first day of January, both inclusive, in any year. The commission may consider and act upon such applications only during the period beginning on the first day of January and ending on the thirtieth day of April, both inclusive, of each year and may during such period hold public hearings thereon, notice of which shall be given in the same manner as provided in the preceding section.

**ZONING EXCERPTS
FROM
ADMINISTRATIVE CODE OF THE CITY OF NEW YORK**

(Effective January 1, 1938)

(Amended April 21, 1959, effective April 21, 1959; Chap. 652, Laws of 1959)

§200-1.0. City planning commission to regulate the height and bulk of buildings, areas of yards, courts and open spaces and density of population.—The commission, subject to the provisions of sections two hundred and two hundred one of the charter,

shall have power to regulate and limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces and to regulate density of population. The commission, subject to the same limitations, may divide the city into districts of such number, shape and area as it may deem best suited to carry out such purposes. The regulations as to height and bulk of buildings, the area of yards, courts and other open spaces and density of population shall be uniform for each class of buildings throughout each district. The regulations in one or more districts may differ from those in other districts. Such regulations shall be designed to secure safety from fire and other dangers and to promote the public health and welfare, including, so far as conditions may permit, provisions for adequate light, air and convenience of access. The commission shall pay reasonable regard to the character of buildings erected in each district, the value of the land and the use to which it may be put, to the end that such regulations may promote public health, safety and welfare and the most desirable use for which the land of each district may be adapted and may tend to conserve the value of the buildings and may enhance the value of land throughout the city.

§200-2.0. City planning commission to regulate location of trades and industries and of buildings designed for specific uses.—The commission, subject to the provisions of sections two hundred and two hundred one of the charter, may regulate and restrict the location of trades and industries and the location of buildings designed for specific uses, and may divide the city into districts of such number, shape and area as it may deem best suited to carry out such purposes. For each such district regulations may be imposed designating the trades and industries that shall be excluded or subjected to special regulations and designating the uses for which buildings may not be erected or altered. Such regulations shall be designed to promote the public health, safety and general welfare. The commission shall give reasonable consideration, among other things, to the character of the district, its peculiar suitability for particular uses, the conservation of property values, and the direction of building development in accord with a well-considered plan.

**EXCERPTS FROM RULES OF PROCEDURE FOR THE CONDUCT
OF THE BUSINESS OF THE CITY PLANNING COMMISSION**

A—GENERAL RULES

101. The regular public meetings of the Commission shall be held twice monthly on Wednesdays at 10 a.m. in Room 16, City Hall, Manhattan, unless otherwise ordered.

102. Special public meetings may be called by the Chairman or by four members.

103. A quorum shall consist of four members.

104. Final action by the Commission shall be by the affirmative vote of not less than four members at a meeting open to the public.

105. Except by unanimous consent, matters upon which public hearings are required by law shall lie over until a regular meeting following the public hearing.

106. The order of business at regular public meeting shall be as follows:

- (a) Roll call.
- (b) Approval of minutes of previous meetings.
- (c) Adoption of reports.
- (d) Fixing dates for future hearings.
- (e) Hearings.

107. Matters not on the calendar shall be considered only by unanimous consent.

108. The Chair shall direct a roll call upon every proposition to be acted upon, and all votes shall be taken by the ayes and nays.

109. The vote upon every proposition voted upon shall be recorded in the minutes.

110. At public hearings those opposed to a proposition shall be heard first and then those in favor thereof, unless otherwise ordered.

111. City employees designated by the Commission shall be the only persons assigned within the guard rail of the dais during the public meetings.

112. All reports, whether from members of the Commission or staff of the Department of City Planning, shall be incorporated in the record.

113. All proposals scheduled for public hearings shall be duly advertised in accordance with Charter provisions.

B—THE SECRETARY TO THE COMMISSION NOTICES, CALENDARS, MINUTES AND COMMUNICATIONS

201. Notice of all special meetings shall be given to each member by the Secretary.

202. The Secretary shall prepare a calendar of the business to be presented and considered at each public meeting. The matters thereon shall be arranged in the order prescribed by the order of business (Rule 106), and shall be properly classified. The Secretary shall also keep a record of undetermined matters, which have been laid over.

203. The Secretary shall close the calendar at 4 p.m. on the Thursday before each Wednesday meeting.

204. The Secretary shall cause the minutes of each public meeting to be printed in THE CITY RECORD and shall thereafter cause the same to be printed and bound in volumes of convenient size, with an index thereto.

205. At the request of any member, minutes and a record of votes at executive meetings shall be taken.

206. All communications, petitions and reports intended for consideration shall be addressed to the Commission and delivered at or mailed to the Secretary's office and shall consist of an original accompanied by fourteen copies.

207. The Secretary shall transmit to the Board of Estimate and other City departments affected thereby true copies of all reports and resolutions adopted.

F—PETITIONS REQUESTING A CHANGE OF ZONE PURSUANT TO SECTION 201 OF THE CHARTER

601. A petition requesting a change of a zoning map shall be addressed to the Commission, and must contain the original signatures of the petitioners, and shall state clearly and concisely:

- (a) The change desired.
- (b) The reasons therefor.
- (c) A precise description of the boundaries of the property requested to be changed, with limits or boundary lines referenced to mapped street lines and to block and lot numbers.
- (d) The name and address of each petitioner and a description of the property of each petitioner by block and lot number, street address, if any, and width of plot frontage.
- (e) Each signed sheet shall contain the same heading.

602. All signatures to a petition shall be duly acknowledged before a notary public. Individual acknowledgments may be taken or a subscribing witness may witness and acknowledge the signatures of one or more petitioners. In the case of corporate petitioners, the corporate name shall be signed by an officer thereunto duly authorized, the corporate seal shall be affixed and a corporate form of acknowledgment executed. A subscribing witness cannot acknowledge the signature for a corporation. A sworn statement shall not be considered an acceptable acknowledgment.

603. The following shall be submitted with the petition and shall be filed in the office of the Secretary to the Commission:

1. Original and fourteen copies of the petition as outlined under Rule 601.
2. Fifteen copies of a diagram, drawn to a suitable scale, showing block and lot numbers, house numbers, if any, dimensions of streets and all property lines within the area proposed to be rezoned, as well as that immediately adjacent and directly opposite thereto for distances of 100 feet.
3. A copy of the poster as required under Rule 604.
4. A copy of the notice sent to property owners under Rule 605.
5. Return receipt cards (see Rule 605).
6. A list containing the names of all owners to whom notices are sent, together with information concerning the location and extent of their property by house number, block and lot number and width of frontage.
7. A sworn statement (proof of service) from the petitioner or his representative, stating that posters have been exhibited and notices sent by registered mail to affected property owners, as required by these rules.

604. At least three identical posters, not less than 8½ by 11 inches in sizes, describing the proposed change and stating that all persons interested in the change will be notified of the date fixed by the Commission for a public hearing on the matter, provided they file written requests for such notice with the Secretary to the Commission, must be conspicuously exhibited for at least one week within a period of thirty days immediately preceding the date of filing of the petition. These posters must be placed not more than 200 feet apart, and at least three in number, along the entire length of the frontages sought to be changed and on any streets in the rear less than 300 feet distant therefrom.

605. A notice containing information similar to that contained in the poster must be sent by registered mail, return receipt requested, to every property owner within the area sought to be changed who has not joined the petition and to every property owner within the area immediately adjacent thereto for a distance of 100 feet, and the area directly opposite thereto for a distance of 100 feet from such opposite frontage.

606. Petitions containing the duly acknowledged signatures of the owners of at least 50 per cent of the area sought to be changed will be noticed for hearing. Petitions containing the duly acknowledged signatures of the owners of less than 50 per cent of the area sought to be changed will be considered to determine whether the public interest requires the initiation by the Commission of a proceeding for such change in zone. In

computing the area of property covered by a zoning petition, the area occupied by streets is excluded from the computation.

607. Persons planning to request a change of zoning should consult the office of the Commission sufficiently in advance of the time of filing their petition to insure compliance with these Rules of Procedure.

608. Forms for the sworn statement (proof of service), posters and notices are available at the office of the Commission where they may be purchased, or the petitioner may prepare and use similar forms of his own.

G—SUSPENSION OF RULES

701. The suspension of any of these rules may be ordered by unanimous vote.

I—APPLICATIONS FOR APPROVAL OF PROJECTS PURSUANT TO SECTION 21-C OF THE ZONING RESOLUTION

901. (a) Prior to the submission of a formal application under Section 21-C, the applicant shall submit to the City Planning Commission for preliminary consideration three (3) copies of a communication together with three (3) sets of preliminary plans giving essential details of the project as may be required by the Commission.

(b) An application for approval of a project pursuant to Section 21-C shall be addressed to the City Planning Commission, and filed in the office of the Secretary of the Commission, Room 1500, 2 Lafayette Street, Manhattan, N. Y. C. (The original and 16 conformed copies of the application and of all required material must be filed.) The original shall be dated and signed at the end thereof by the applicant if an individual; if a corporation by a duly authorized officer of the corporation, and shall have affixed thereto a notarized verification. (See sample forms on page 72 of the Zoning Resolution.)

(c) In the event that the Commission determines to advance such application to public hearing, a date of such hearing will be fixed, subject to compliance by the applicant with the following requirements, and notice of such date will be sent to the applicant by the Commission.

- (1) Immediately upon receipt of notice from the Commission of the date fixed for public hearing, the applicant shall give notice of the date and purpose of such hearing by certified or registered mail, postmarked at least 30 days prior to the date of such hearing, return receipt requested, to every property owner within 400 feet of any part of the project site. If the proposed project is to be erected in accordance with an existing

statute the application and notice shall state under what legislation the project is to be erected.

- (2) Identical posters, as approved by the Commission, not less than 8½ by 11 inches in size, describing the proposed project and stating the date fixed for a public hearing on the matter, must be conspicuously exhibited for at least thirty (30) days immediately preceding the date of hearing. These posters must be placed not more than 200 feet apart, and at least two in number along the entire length of the frontages of the project site. Where the project site has no street frontage the posters shall be placed along the nearest street provided it is less than 400 feet from the project perimeter.
- (3) An affidavit by the applicant, or his representative, stating that posters have been conspicuously displayed and that notices have been sent by certified or registered mail, as required, to affected property owners, and a list containing the names and addresses of all property owners of record to whom notices were sent together with return receipt cards, and a diagram showing the location and extent of their property, by Block and Lot Number, shall be filed in the office of the Secretary of the Commission within twenty (20) days of the date of the notice to the applicant of the date of hearing. A copy of the notice of public hearing sent by the applicant to property owners and a copy of the poster shall be filed with the affidavit.

THE APPLICATION SHALL CONTAIN THE FOLLOWING INFORMATION:

902. THE APPLICANT.

- (a) Name, address and telephone number of the applicant. If a corporation, the names and addresses of its officers and directors.
- (b) Name, address and telephone number of the applicant's architect, engineer, attorney or other authorized representative.
- (c) Names, mailing addresses and telephone numbers of present owners of record of site.
- (d) A statement of applicant's interest in the site and in the proposed project. If applicant is not the owner, he must submit notarized statement of owner's or owners' consent to the application.
- (e) Names, address and telephone number of all persons other than applicant who have any interest, direct or indirect, in this project. If a corporation, the names and addresses of its officers and directors.

(f) A statement indicating who is to operate or lease the project; if a lessee, give the name, address and telephone number of the proposed lessee. One copy of the lease shall be submitted as part of the application.

- (g) A financial statement, duly acknowledged, together with three bank or business references.
- (h) A statement as to the manner of financing the project.

903. THE SITE.

- (a) State whether approval of an application for an exception or variance on this site has previously been sought through the City Planning Commission or any other agency and by whom. (Give details).
- (b) Describe site fully, giving street address, if any, block and lot numbers, borough in which situated, and include street diagram showing location of property and development of surrounding property located within 1,000 feet of any part of the project site. Orient diagram so that north arrow points to top of sheet.
- (c) Give dimensions of the site and relation to the mapped street system.
- (d) State whether the site is vacant or improved. If improved, describe existing structures and indicate same on street diagram.
- (e) Locate on diagram and separately list and describe briefly all existing public facilities, such as schools, churches, hospitals, parks, transit facilities, playgrounds, etc., within 1,000 feet from any part of the site.
- (f) Indicate on street diagram the widths of all mapped streets and the direction of flow of vehicular traffic on such streets.
- (g) Indicate on plans the development of grounds, including landscape treatment.

904. THE PHYSICAL STRUCTURE.

- (a) Give lot coverage, aggregate floor area, number of floors, and ceiling heights.
- (b) Describe type of construction of all structures.
- (c) Describe locations and give dimensions of all entrance and exit facilities.
- (d) Describe auxiliary services proposed to be provided, if any.
- (e) State the estimated time required to construct project and to place in operation.
- (f) Set forth any additional pertinent facts in support of, or which may have a bearing on, this application.
- (g) Include the statement that "attached hereto and made a part of this application are the site and floor plans of the project" proposed to be erected on the site described above.

905. **ADDITIONAL REQUIREMENTS.**

(a) Attached as part of this application, submit 16 copies of site and floor plans, drawn to a suitable and readable scale, together with typical sections, plans and elevations. These plans shall show clearly the details concerning the project as described in the application.

(b) The proposed project must comply with all applicable laws, rules and regulations of all city, state and federal departments and agencies.

906. **SPECIFIC REQUIREMENTS.**

A. Residential projects including related retail facilities.

(a) State total numbers of dwelling units, rooms and parking spaces and loading berths provided in entire project.

(b) State average number of square feet of floor area per dwelling unit.

(c) If retail facilities are included, state total ground area so occupied and state also the number of parking spaces provided for this purpose. In general, the area devoted to retail facilities and their accessory parking space should be not greater than ten per cent of the total area of the project.

(d) In addition, the project should conform to the following standards:

(1) The minimum distance between any two buildings shall be not less than six inches per foot of height and in no case less than 20 feet.

(2) For the duration of the project, there shall be set aside for the joint recreational use of the residents, areas deemed sufficient to meet the requirement of the project.

B. Structures other than dwellings, which are permitted in residence districts.

(a) State total square feet of floor area.

(b) State number of parking spaces and loading berths provided.

C. Retail Facilities.

(a) List the various types of shops which will be included in the project and the total floor area provided for each.

(b) State the number of parking spaces provided for use of employees and customers, together with the number of loading berths.

(c) On the request of the Commission, a market-analysis study shall be submitted.

(d) On request of the Commission, a report concerning the effect of the project on traffic in the vicinity shall be submitted.

D. Office Buildings.

State the total lot area and total floor area, and list separately the floor area of offices and of uses other than offices, together with the number of parking spaces and loading berths provided.

E. Commercial and industrial projects.

(a) No manufacturing project shall be permitted that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise.

(b) State the number of parking spaces provided for use of employees and customers, together with the number of loading berths.

(c) On request of the Commission, a report concerning the effect of the project on traffic in the vicinity shall be submitted.

F. Combination of any two or more of the projects included in paragraphs (1) through (6) of subsection (a) of section 21-C.

(a) State the number of projects proposed to be included in the combination.

(b) Include such information for each of the projects so combined as is required for such project under the appropriate Rules of Procedure.

SUGGESTED FORM OF PETITION REQUESTING A CHANGE OF ZONE

To the City Planning Commission, 2 Lafayette Steet, N. Y. C.:

We, the undersigned, owners of the property set opposite our names, hereby request a change of zone by changing from a District to a District the property (State precise description; See Rule 601) in the Borough of

The reasons for this request are

Name of Owner	Description of Property	Witness
1.
2.
3. etc.

FORMS OF ACKNOWLEDGMENTS
Individual

STATE OF NEW YORK }
COUNTY OF } SS.

On the day of, 19....., before me personally appeared, to me known and known to me to be the individual described in and who executed the foregoing petition, and declared to me that is the owner of

(define property)

and acknowledged to me that executed the said petition.

.....
Notary Public or Commissioner of Deeds

Corporation

STATE OF NEW YORK }
COUNTY OF } SS.

On the day of, 19....., before me personally appeared to me known who being by me first duly sworn, did depose and say: That resides in that is the of the the corporation described in and which executed the foregoing petition; that knows the seal of said corporation; that the seal so affixed to said petition is said corporate seal; that it was affixed thereto by order of the Board of Directors; that signed name thereto by like order, and that the said corporation is the owner of

(describe property)

.....
Notary Public or Commissioner of Deeds

Subscribing Witness

STATE OF NEW YORK }
COUNTY OF } SS.

On the day of, 19....., before me personally appeared the subscribing witness to the foregoing petition, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides in that he knows to be the individuals described in and who executed the foregoing petition; that, said subscribing witness, was present and saw execute the same, that each one, separately and severally, stated that he or she was the owner, at the time of executing the foregoing petition, of the property described opposite his or her respective name; and that said witness, at the same time subscribed name as witness thereto.

.....
Notary Public or Commissioner of Deeds

Form A
★ (Notice To Be Posted)
NOTICE OF PROPOSED APPLICATION FOR
CHANGE IN ZONING

To Whom It May Concern:—

Please Take Notice that the undersigned (residing) (doing business) at and others, will make an application to the City Planning Commission of The City of New York, by filing a petition in writing during the month of January 19....., pursuant to Section 201 of the New York City Charter, requesting an amendment of the ZONING RESOLUTION by changing from a District to a District, the following property

Borough of

All persons interested in the proposed change will be notified of the date fixed by the Commission for a public hearing on this matter provided they file written requests for such notice with the Secretary to the City Planning Commission, Room 1500, 2 Lafayette Street, New York 7, N. Y., on or before February 10, 19.....

This notice is posted by the undersigned in accordance with law.

Dated, 19.....
Applicant

★ Size of poster required to be 8½ by 11 inches.

Form B
(Notice To Be Served By Registered Mail)
NOTICE OF PROPOSED APPLICATION FOR
CHANGE IN ZONING

PLEASE TAKE NOTICE:

The undersigned (residing) (doing business) at and others, will make an application to the City Planning Commission of The City of New York, by filing a petition in writing during the month of January 19....., pursuant to Section 201, of the New York City Charter, requesting an amendment of the Zoning Resolution by changing from a District to a District, the following property

Borough of

All persons interested in the proposed change will be notified of the date fixed by the Commission for a public hearing on this matter provided they file written requests for such notice with the Secretary to the City Planning Commission, Room 1500, 2 Lafayette Street, New York 7, N. Y., on or before February 10, 19.....

This notice is sent to you by the undersigned in accordance with law.

Dated, 19.....
Applicant

Form C
AFFIDAVIT AND PROOF OF SERVICE
Concerning Application To The City Planning Commission
For Amendment Of The Zoning Resolution

STATE OF NEW YORK
CITY OF NEW YORK
COUNTY OF

SS.:

....., being duly sworn,
deposes and says: that he is over twenty-one years of age and resides at

Borough of in the City of New York;
that he is one of the Petitioners (representative of the Petitioners) mentioned in the
annexed Petition to the City Planning Commission requesting an amendment of the
Zoning Resolution by changing from a District to a District,
the following premises:

Borough of

That in accordance with the Rules of Procedure for the Conduct of Business of the
City Planning Commission, he caused to be conspicuously exhibited for a period of
one week within one month prior to the submission of the Petition to the City Planning
Commission, namely from 19..... to 19....., at least three
identical posters not less than 8½ by 11 inches in size, describing the proposed change
and stating that all persons interested in the change will be notified of the date fixed
by the Commission for a public hearing on the matter, provided they file written requests
for such notice with the Secretary to the Commission on or before February 10, 19.....
These posters, a copy of which is submitted with the Petition herewith, were placed not
more than 200 feet apart along the entire length of the frontages sought to be changed
and on streets in the rear less than 300 feet distant therefrom.

That a notice containing information similar to that contained in the poster was
sent by registered mail, return receipt requested, to every property owner within the
area sought to be changed, the area immediately adjacent thereto for a distance of 100
feet, and the area directly opposite thereto for a distance of 100 feet from such opposite
frontage. A copy of said notice together with the Post Office Return receipt cards for
such registered mail are submitted with the Petition herewith.

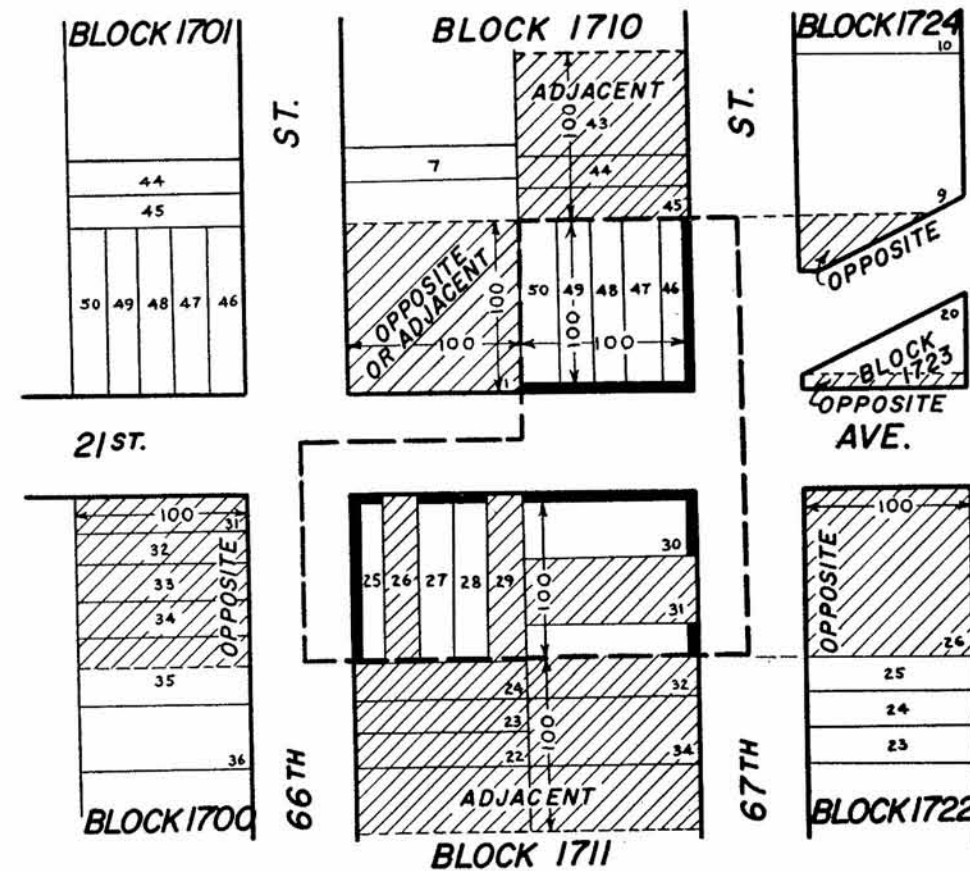
That also submitted with the Petition is a list containing the names and addresses of
all such property owners to whom such registered mail notices were sent, together with
information concerning the location and extent of their property.

That this affidavit is made and submitted with the Petition in accordance with the
Rules of Procedure for the Conduct of Business of the City Planning Commission.

(Sign here)

Sworn to before me this
Day of, 19.....

SKETCH SHOWING
PROPERTY OWNERS DIRECTLY AFFECTED
BY A PROPOSED ZONING AMENDMENT



NOTE:

- Indicates petitioner's property
- Indicates property the owners of which must be notified
- Indicates the boundary of proposed amendment

DEPT. OF CITY PLANNING

**DESIGNATION OF ARTERIAL HIGHWAYS TO WHICH
SECTION 21-B SHALL APPLY**

Pursuant to Article V, Section 21-B, of the Zoning Resolution of The City of New York, the City Planning Commission has designated as arterial highways to which the provisions of Section 21-B of the said Zoning Resolution shall apply, all those arterial highways which appear on the City Map and which are also indicated as Principal Routes, Parkways, and Toll Crossings on the duly adopted Master Plan of Arterial Highways and Major Streets, as follows:

ARTERIAL HIGHWAYS

PRINCIPAL ROUTES

Adams Street—Sands Street to Fulton Street.
 Arthur V. Sheridan Expressway—Bruckner Expressway (Boulevard) to Cross Bronx Expressway.
 Battery Park Underpass and Approaches—Coenties Slip East to Miller Highway.
 Boston Road—Bronx and Pelham Parkway to Westchester County Line.
 Broadway—Van Cortlandt Park South to West 246th Street.
 Brooklyn Bridge and Approaches.
 Brooklyn-Queens Expressway—Hamilton Avenue, Borough of Brooklyn to Grand Central Parkway, Borough of Queens.
 Bruckner Expressway (Boulevard)—Triborough Bridge Approach to New England Thruway.
 Clearview Expressway—Throgs Neck Bridge Approach to 73rd Avenue.
 Clove Lakes Expressway—Narrows Bridge Approach to Goethals Bridge Approach.
 Conduit Boulevard—Atlantic Avenue, Borough of Brooklyn to Intersection of Shore Parkway and Southern Parkway, Borough of Queens.
 Cross Bay Boulevard—Liberty Avenue to Cross Bay Parkway Bridge Approach.
 Cross Bronx Expressway—Washington Bridge and proposed Harlem River Crossing approaches to Throgs Neck Bridge Approach.
 Franklin D. Roosevelt Drive—Montgomery Street to East 125th Street.
 Gowanus Expressway (Third Avenue)—Prospect Expressway to Narrows Bridge Approach.
 Grand Boulevard and Concourse—Major Deegan Expressway to Mosholu Parkway.
 Harlem River Crossing (proposed) and Approaches.
 Harlem River Drive—East 125th Street to Harlem River Driveway.
 Harlem River Driveway—West 155th Street to Dyckman Street.
 Lily Pond Avenue—Narrows Bridge Approach to Seaside Boulevard.
 Long Island Expressway (Queens Midtown Expressway, Horace Harding Expressway)—Queens Midtown Tunnel Approach to Nassau County Line.
 Major Deegan Expressway (Boulevard)—Triborough Bridge Approach to Westchester County Line.
 Manhattan Bridge and Approaches.
 Miller Highway—West 72nd Street to Brooklyn-Battery Tunnel Approach.
 New England Thruway—Bruckner Expressway to Westchester County Line.
 Northern Boulevard—Grand Central Parkway to Whitestone Parkway.
 Park Row—Broadway to Chatham Square.
 Prospect Expressway—Gowanus Parkway to Fort Hamilton Parkway.
 Queensborough Bridge and Approaches.
 Queens Boulevard—Queensborough Bridge Approach to Van Wyck Expressway.
 Robert F. Wagner, Sr., Place—South Street Elevated Highway to Pearl Street.
 Seagirt Boulevard—Beach 35th Street to Nassau County Line.
 Seaside Boulevard—Lily Pond Avenue to Miller Field.

South Street Elevated Highway—Montgomery Street to Whitehall Street.
 Sunrise Highway—Southern Parkway to Nassau County Line.
 Throgs Neck Expressway—Bruckner Expressway to Throgs Neck Bridge Approach.
 Trans-Manhattan Expressway—George Washington Bridge Approach to Proposed Harlem River Crossing Approach.
 Van Wyck Expressway—Grand Central Parkway to New York International Airport.
 Washington Bridge and Approaches.
 West Shore Expressway—Clove Lakes Expressway to Outerbridge Crossing Approach.
 Williamsburg Bridge and Approaches.
 Woodhaven Boulevard—Queens Boulevard to Liberty Avenue.

PARKWAYS

Bronx and Pelham Parkway—Bronx River Parkway to Bruckner Expressway.
 Bronx River Parkway—Soundview Park to Westchester County Line.
 Cross Island Parkway—Bronx-Whitestone Bridge Approach to Southern Parkway.
 Eastern Parkway—Grand Army Plaza to Bushwick Avenue.
 Gowanus Parkway—Shore Parkway to Brooklyn-Battery Tunnel Approach.
 Grand Central Parkway—Triborough Bridge Approach to Nassau County Line.
 Henry Hudson Parkway—West 72nd Street to Westchester County Line.
 Hutchinson River Parkway—Bronx-Whitestone Bridge Approach to Westchester County Line.
 Interborough Parkway—Bushwick Avenue, Borough of Brooklyn, to Grand Central Parkway, Borough of Queens.
 Mosholu Parkway—Van Cortlandt Park to Bronx Park.
 Ocean Parkway—Fort Hamilton Parkway to Surf Avenue.
 Richmond Parkway—Arthur Kill Road to Cliffwood Avenue.
 Shore Parkway—Southern Parkway, Borough of Queens, to Gowanus Parkway, Borough of Brooklyn.
 Southern Parkway—Cross Island Parkway to Conduit Blvd.
 Whitestone Parkway—Northern Boulevard to Bronx-Whitestone Bridge Approach.
 Willowbrook Parkway—Bayonne Bridge Approach to Marine Park at Great Kill.

TOLL CROSSINGS

Bayonne Bridge and Approaches.
 Bronx-Whitestone Bridge and Approaches.
 Brooklyn-Battery Tunnel and Approaches.
 Cross Bay Parkway Bridge and Approaches.
 George Washington Bridge and Approaches.
 Goethals Bridge and Approaches.
 Henry Hudson Bridge.
 Holland Tunnel and Approaches.
 Lincoln Tunnel and Approaches.
 Marine Parkway Bridge and Approaches.
 Narrows Bridge and Approaches.
 Outerbridge Crossing and Approaches.
 Queens Midtown Tunnel and Approaches.
 Throgs Neck Bridge and Approaches.
 Triborough Bridge and Approaches.

DESIGNATION OF AIRPORTS TO WHICH SECTION 9-A SHALL APPLY

Pursuant to Article III, Section 9-A, of the Zoning Resolution of The City of New York, the City Planning Commission has designated airports to which the provisions of Section 9-A of the said Zoning Resolution shall apply, as follows:

New York International Airport (Idlewild), Borough of Queens.
 Municipal Airport—LaGuardia Field, Borough of Queens.
 Naval Air Station—Floyd Bennet Field, Borough of Brooklyn.

TABLE OF AMENDMENTS

TO THE (Building Zone Resolution) ZONING RESOLUTION of THE CITY OF NEW YORK

July 25, 1916 to December 3, 1959

Numbers in () following dates prior to January 1, 1938 refer to Board of Estimate Calendar Numbers.

CP numbers relate to amendments adopted after January 1, 1938.

Amendments dated June 28, 1940 refer to modifications or additions incorporated in the Zoning Resolution which replaced the Building Zone Resolution on that date.

Article	Section	Effective Date
I 1(a)	Text	Modified 6/28/40
I 1(c)	Street width definition	Modified 7/12/45 (CP-3644)
I 1(d, f, h, k and l)	Text	Modified 6/28/40
I 1(o)	Family definition	Added 7/6/38 (CP-312)
I 1(o)	Family definition	Modified 6/28/40
I 1(p to z)	Additional definitions	Added 6/28/40
I 1(aa)	Bus station definition	Added 10/29/45 (CP-3824)
I 1(bb)	Required Open Spaces	Added 7/20/50 (CP-7255A)
I 1(cc)	Dry cleaning	Added 2/24/53 (CP-8922B)
I 1(dd)	Show window	Added 5/4/53 (CP-9719)
I 1(ee)	Motel	Added 4/29/54 (CP-10542)
I 1(ff)	Garage	Added 5/27/54 (CP-10549A)
I 1(gg)	Parking Space	Added 5/27/54 (CP-10549A)
I 1(hh)	Cabaret	Added 12/29/55 (CP-12031)
II 2	Text	Modified 6/28/40
II 2	Map dated 6/3/47	Modified 1/12/53 (CP-9483)
II 2	Map dated 5/27/53	Modified 12/14/53 (CP-10351)
II 2(3)	Retail Districts	Added 4/18/29 (8-C)
II 2(4)	Restricted Retail Districts	Added 6/4/37 (35)
II 3	Relating to private garages	Modified 3/24/33 (20) and Eliminated 6/28/40
II 3	Text	Modified 6/28/40 and 7/31/43 (CP-2975)
II 3(1)	Text	Added 7/6/38 (CP-312)
II 3(1)	Text	Modified 6/28/40
II 3(1)	Text	Modified 6/2/47 (CP-4748A)
II 3(1)	"but shall not include motels"	Added 4/29/54 (CP-10623)
II 3(1)	Text	Modified 8/25/55 (CP-11761)
II 3(4)	Court Houses	Added 6/16/27 (55)
II 3(4)	Electric pumping stations	Added 12/20/28 (28)
II 3(6)	Hospitals, etc.	Modified 12/21/48 (CP-5890)
II 3(6-a and 6-b)	Doctors' offices, including group medical centers	Modified 12/21/48 (CP-5890)
II 3(6) (a)	first story	Modified 10/6/55 (CP-11791)
II 3(8)	Text	Modified 7/22/54 (CP-10889)
II 3(9), (9-a and 9-b)	Accessory Uses	Added 6/28/40
II 3(9)	Accessory Uses	Modified 5/8/43 (CP-2774)
II 3(9-b)	Rental of private garage space	Modified 1/23/50 (CP-6958)
II 3(9-a and 9-b)	Text	Modified 5/27/54 (CP-10549A)
II 3(9-c)	Practice of a profession	Added 6/28/40
II 3(9-c)	Practice of a profession	Modified 5/8/43 (CP-2774)

Article	Section	Effective Date
II 3(9-d)	Signs	Added 6/28/40
II 3(9-e)	Sale of sod, etc.	Added 6/28/40
II 3(9-c and 9-d)	Text	Added 5/27/54 (CP-10549A)
II 3(9-e)	Practice of a profession — formerly 3(9-c)	Relettered 5/27/54 (CP-10549A)
II 3(9-f)	Signs — formerly 3(9-d)	Relettered 5/27/54 (CP-10549A)
II 3(9-g)	Sale of sod — formerly 3(9-e)	Relettered 5/27/54 (CP-10549A)
II 3(10)	Administrative offices, etc.	Added 7/31/43 (CP-2975)
II 3(10)	Landscaped Administrative Offices, etc.	Modified 10/30/50 (CP-7669)
II 3(10) (old)	Eliminated	Eliminated 2/14/57 (CP-12814)
II 3(10)	Text	Added 2/14/57 (CP-12814)
II 3(11)	Airport, etc.	Added 10/1/49 (CP-6667)
II 3(12)	Public Garages	Added 8/15/49 (CP-6623)
II 3(13) (a to d)	Public utility electric substations	Added 2/7/52 (CP-8286A)
II 3(13)	Gas Substation	Added 2/23/56 (CP-12117)
II 3(14)	Open-air drive-in theatres, etc.	Added 4/26/56 (CP-12307)
II 4(a)	Prohibited Uses numbered	Added 12/21/17 (17)
II 4(a-4)	Welding	Added 6/28/40
II 4(a-7)	Text	Modified 3/8/56 (CP-12203)
II 4(a-11)	Dyeing, etc.	Modified 6/28/40
II 4(a-11)	Dyeing establishments	Modified 2/24/53 (CP-8922B)
II 4(a-15)	Garage, etc.	Modified 3/1/28 (19)
II 4(a-15)	Parking	Added 6/28/35 (7)
II 4(a-15)	Garage space	Modified 6/28/40
II 4(a-15)	Storage, parking, no fee charged	Eliminated 5/13/48 (CP-5505)
II 4(a-15)	Garage or Parking Facility	Modified 8/15/49 (CP-6623)
II 4(a-15)	"Outdoor sales lot"	Added 1/13/55 (CP-11250)
II 4(a-25)	Pigment	Added 6/28/40
II 4(a-29)	Repair shop for motor vehicles	Modified 6/28/40
II 4(a-31)	Lumber yard	Added 6/28/40
II 4(a-33)	Fowl	Added 6/28/40
II 4(a-39)	Manufacture of cement blocks	Added 3/15/29 (21)
II 4(a-45)	Refrigerating plants	Added 5/26/24 (3)
II 4(a-45)	Coal yards and coal pockets	Added 11/24/24 (2)
II 4(a-46)	Gasoline service stations	Added 6/12/25 (22)
II 4(a-46)	Gasoline service stations	Modified 6/28/40
II 4(a-46)	Gasoline service stations	Modified 8/15/49 (CP-6623)
II 4(a-47)	Bus station	Added 6/28/40
II 4(a-47)	Bus station	Modified 10/29/45 (CP-3824)
II 4(a-48)	Trailer camp	Added 6/28/40
II 4(a-49 a, b, c)	Signs	Added 6/28/40
II 4(a-49d)	Signs—unimproved premises	Added 5/21/51 (CP-8139)
II 4(a-50)	Automobile wrecking yard	Added 6/28/40
II 4(a-51)	Steam or wet wash laundry	Added 6/28/40
II 4(a-51)	As an accessory use	Added 1/12/53 (CP-9464)
II 4(a-52)	Automobile laundries	Added 11/1/48 (CP-5846)
II 4(a-53 a, b, c)	Dry cleaning establishments	Added 2/24/53 (CP-8922B)
II 4(b)	Garages formerly car barns	Modified 12/2/44 (CP-3320)

Article	Section	Effective Date
II 4(c)	Residence uses permitted in Business District	Eliminated 6/28/40
II 4(c)	Residence uses permitted in Business District	Restored 12/18/40 (CP-1704A)
II 4(c)	Sect. 3(10) Uses permitted in Business District	Added 7/31/43 (CP-2975)
II 4(c)	Sect. 3(10) Uses eliminated; Sect. 21-C Uses added	Modified 2/14/57 (CP-12814)
II 4(d)	Text	Added 5/10/56 (CP-12306)
II 4-A	Retail Districts	Added 4/18/29 (43-c)
II 4-A	Uses authorized by § 3(10)	Added 7/31/43 (CP-2975)
II 4-A	Dry cleaning establishments	Added 2/24/53 (CP-8922B)
II 4-A(a)	Paragraph letter (a)	Added 1/25/54 (CP-10380)
II 4-A(b-1, 2, 3)	Paragraph (b) and Prohibited Uses 1, 2, 3	Added 1/25/54 (CP-10380)
II 4-A(a-b)	Sect. 3(10) Uses eliminated; Sect. 21-C Uses added	Modified 2/14/57 (CP-12814)
II 4-A(b-4)	Motel	Added 4/29/54 (CP-10542)
II 4-A(b-5)	Auction room, etc.	Added 5/13/54 (CP-10652)
II 4-A(b-6, 7, 8, 9)	Various uses	Added 1/13/55 (CP-11183)
II 4-A(b-10)	Carpet cleaning	Added 3/8/56 (CP-12203)
II 4-B	Restricted Retail Districts	Added 6/4/37 (35)
II 4-B	Excepting Sect. 21-C Uses	Modified 2/14/57 (CP-12814)
II 4-B(a to k)	Restricted Retail Districts	Modified 6/28/40
II 4-B(k)	Warehouse, except as authorized under Sect. 3(10)	Added 7/31/43 (CP-2975)
II 4-B(l)	Storage or parking	Added 5/13/48 (CP-5505)
II 4-B(l)	Storage or parking	Modified 8/15/49 (CP-6623)
II 4-B(m)	Dry cleaning establishments	Added 2/24/53 (CP-8922B)
II 4-B(old a, d, and i)	Prohibited uses transferred to §4-A (b-1, 2, 3)	Transferred 1/25/54 (CP-10380)
II 4-B(new a to k)	Prohibited Uses; (e) Open front stores, etc.; (k) Auction room, etc.	Relettering } Modified } 1/25/54 (CP-10380) Added }
II 4-B(h)	Eliminating Sect. 3(10) exception	Modified 2/14/57 (CP-12814)
II 4-B(k) (old)	Auction room, etc.	Eliminated 5/13/54 (CP-10652)
II 4-B(k) (new)	Outdoor Sales Lot, etc.	Added 1/13/55 (CP-11250)
II 4-C	Local Retail Districts	Added 6/28/40
II 4-C	Uses authorized by § 3(10)	Added 7/31/43 (CP-2975)
II 4-C	Dry cleaning establishments	Added 2/24/53 (CP-8922B)
II 4-C	Reference to Sect. 4-B(j)	Modified 9/23/54 (CP-11059)
II 4-C	Section 3(10) uses eliminated; Sect. 21-C uses added	Modified 2/14/57 (CP-12814)
II 4-D	Business-1 Districts	Added 6/28/40
II 4-E	Retail-1 Districts	Added 6/28/40
II 4-E(a, b, c)	Prohibited Uses	Added 1/25/54 (CP-10380)
II 4-E(b)	Auction room	Eliminated 5/13/54 (CP-10652)
II 4-E(b)	Undertaking Estab. etc. (formerly 4-E(c))	Relettered 5/13/54 (CP-10652)
II 4-F	Manufacturing Districts	Added 6/28/40
II 4-F	Text	Modified 11/1/48 (CP-5846)
II 4-F	Total floor space for manufacturing instead of 75%	Modified 6/19/51 (CP-8206)
II 5	Exception of Sect. 7-B	Added 5/10/56 (CP-12306)
II 6	Text expanded	Modified 12/21/17 (18)

Article	Section	Effective Date
II 6	Date July 25, 1916	Added 10/3/24 (3)
II 6	Text	Modified 6/28/40
II 6	Non-conforming uses	Added 12/18/40 (CP-1704A)
II 6(b)	Non-conforming uses	Modified 10/29/45 (CP-3824)
II 6(a-b)	Exception of Sect. 7-B	Added 5/10/56 (CP-12306)
II 7	Use District Exceptions	Modified 6/28/40
II 7(c)	Extension of existing building	Modified 3/23/17 (6)
II 7(c)	Extension of existing building	Added 6/28/40
II 7(e)	Text	Modified 12/21/17 (19)
II 7(e)	Parking	Added 6/28/35 (7)
II 7(e)(g)	Retail District	Added 4/18/29 (43-c)
II 7(e)(g)	Restricted Retail	Added 6/4/37 (35)
II 7(e)	Text	Eliminated 6/28/40
II 7(e)	Conditional permits	Added 6/28/40
II 7(e)	Conditional permits	Modified 6/28/45 (CP-3636)
II 7(f)	Conditional permits	Eliminated 6/28/40
II 7(f)	Permit for gasoline station	Added 6/28/40
II 7(f)	Storage or parking	Eliminated 5/13/48 (CP-5505)
II 7(f)	Text	Modified 8/15/49 (CP-6623)
II 7(g)	Erection of garage with 80% consents	Added 9/21/17 (30)
II 7(g)	Text	Modified 6/28/40
II 7(g)	Text	Modified 8/15/49 (CP-6623)
II 7(h)	Parking	Added 6/28/35 (7)
II 7(h)	Text	Modified 6/28/40
II 7(h)	Text	Modified 5/13/48 (CP-5505)
II 7(h)	Text	Modified 8/15/49 (CP-6623)
II 7(i, j and k)	Text	Added 6/28/40
II 7(j)	Bus station permit	Eliminated 10/29/45 (CP-3824)
II 7-A	Transition from Non-Residential to Residential Use on side streets	Added 3/1/43 (CP-2774)
II 7-A	Text	Modified 2/15/45 (CP-3395)
II 7-A(a to d)	75 feet from residence district	Modified 11/17/52 (CP-9312)
II 7-A(e)	Sect. 21-C Uses	Added 2/14/57 (CP-12814)
II 7-A(f)	Non-applicability	Added 5/28/59 (CP-14813)
II 7-B	Text	Added 5/10/56 (CP-12306)
III 8	Height Districts	Modified 6/28/40
III 8	Class S Districts	Added 7/21/52 (CP-9098)
III 8	Map dated 6/3/47	Modified 1/12/53 (CP-9483)
III 8	Map dated 5/27/53	Modified 12/14/53 (CP-10351)
III 8(a)	One-Quarter times	Added 3/23/23 (21)
III 8(b)	One-half times	Added 3/23/23 (21)
III 8(c)	Three-quarter times	Added 11/25/21 (19A)
III 8(a to h)	Height Districts	Modified 12/2/44 (CP-3320)
III 8(i)	Class S district	Added 7/21/52 (CP-9098)
III 9(b)	100 feet substituted for 150 feet	Modified 6/28/40
III 9(b)	Wider to narrower street	Modified 12/2/44 (CP-3320)
III 9(d)	Text	Modified 7/12/45 (CP-3644)
III 9(d)	Conveyance for Public Park purposes	Added 8/20/59 (CP-14921)
III 9(d)	Building permits issued before Oct. 14, 1959	Added 12/3/59 (CP-15138)
III 9(e)	Excess height	Modified 2/25/46 (CP-4016)

Article	Section	Effective Date
III 9(j)	Open space between buildings	Added 7/22/54 (CP-10828A)
III 9(k)	Sect. 21-C Uses	Added 2/14/57 (CP-12814)
III 9-A	Airports	Added 6/28/40
III 9-A	Airports	Modified 11/15/45 (CP-3823)
III 9-A	Airport Areas	Modified 10/1/49 (CP-6667)
III 9-A(a)(b)(c)	Airport Areas	Added 10/1/49 (CP-6667)
IV 10	F Districts	Added 7/19/22 (17)
IV 10	G Districts	Added 7/6/38 (CP-312)
IV 10	D-1, E-1 and F-1 Districts	Added 6/28/40
IV 10	Area Districts	Modified 12/2/44 (CP-3320)
IV 10	Exception added	Modified 2/25/46 (CP-4017)
IV 10	DD, G-1 Districts	Added 1/12/53 (CP-9483)
IV 10	Map dated 6/3/47	Modified 1/12/53 (CP-9483)
IV 10	Map dated 5/27/53	Modified 12/14/53 (CP-10351)
IV 10	FF and F-2 Districts	Added 3/25/54 (CP-10551)
IV 10	E-2 Districts	Added 8/25/55 (CP-11761)
IV 10	Conveyance to City	Added 8/20/59 (CP-14921)
IV 11(a)	Court dimension	Modified 12/2/44 (CP-3320)
IV 11(b)	Lot coverage	Added 12/2/44 (CP-3320)
IV 11(b)	"Lawful" to "Accessory" garages	Modified 9/23/54 (CP-10995)
IV 12(a)	Yards and courts	Modified 1/22/44 (CP-3320)
IV 12(b)	Lot coverage	Added 12/2/44 (CP-3320)
IV 12(b)	Lot coverage	Modified 3/1/45 (CP-3487)
IV 12(b)	Various Retail Districts eliminated	Revised pursuant to Court of Appeals decision of 7/23/46
IV 12(b)	"Lawful" to "Accessory" garages	Modified 9/23/54 (CP-10995)
IV 13(a)	Yards and courts	Modified 12/2/44 (CP-3320)
IV 13(b)	Lot coverage	Added 12/2/44 (CP-3320)
IV 13(b)	"Lawful" to "Accessory" garages and lot coverage restrictions	Modified 7/22/54 (CP-10960)
IV 13(c)	Formerly 13(b)	No change (CP-3320)
IV 14(a)	Word "Amended"	Eliminated 6/28/40
IV 14(c)	Garages excluded	Added 1/9/41 (CP-1792)
IV 14(c)	"Lawful" to "Accessory" garages	Modified 9/23/54 (CP-10995)
IV 14(a to c)	D Districts	Modified 12/2/44 (CP-3320)
IV 14-A(a to e)	D-1 Districts	Added 6/28/40
IV 14-A(a)	"Groups not exceeding ten dwellings"	Added 10/6/55 (CP-11790)
IV 14-A(a)	Occupancy "by two families"	Added 11/21/57 (CP-13503)
IV 14-A(a, b, c)	Text	Modified 10/6/55 (CP-11790)
IV 14-A(e)	Text	Modified 6/22/53 (CP-9816)
IV 14-A(e)	Lot coverage	Added 3/25/54 (CP-10550)
IV 14-A(e)	Coverage exceptions	Added 4/21/55 (CP-11363A)
IV 14-A(e)	Coverage change	Modified 11/21/57 (CP-13503)
IV 14-A(f)	Text (formerly(e))	Relettered 3/25/54 (CP-10550)
IV 14-B(a-d)	DD Districts	Added 7/21/49 (CP-6493)
IV 14-B(c)	"Lawful" to "Accessory" garages	Modified 9/23/54 (CP-10995)
IV 14-B(c)	Coverage exceptions	Added 4/21/55 (CP-11363A)
IV 15(a)	Text	Modified 12/16/54 (CP-11184)
IV 15(a)	"More than three families"	Added 5/12/55 (CP-11507)
IV 15(c)	Lot coverage	Modified 3/25/54 (CP-10550)

Article	Section	Effective Date
IV 15(c)	Coverage for all buildings	Modified 12/16/54 (CP-11184)
IV 15(c)	Coverage exceptions	Added 4/21/55 (CP-11363A)
IV 15(d)	10 foot setback	Added 1/18/24 (21)
IV 15(a to d)	E Districts	Modified 6/28/40
IV 15(d)	15 foot setback	Modified 6/24/54 (CP-10826)
IV 15(d)	"More than three families"	Added 5/12/55 (CP-11507)
IV 15(e)	Ratio of floor to lot area	Added 6/28/40
IV 15-A(a to d)	E-1 Districts	Added 6/28/40
IV 15-A(a and b)	2-family dwellings	Modified 3/1/43 (CP-2774)
IV 15-A(a)	Attached two-family dwellings	Modified 6/10/55 (CP-11429A)
IV 15-A(b)	Side yard requirement	Modified 6/10/55 (CP-11429A)
IV 15-A(c)	Street on which it fronts	Modified 10/15/52 (CP-9279)
IV 15-A(d)	Text	Modified 6/22/53 (CP-9816)
IV 15-A(d)	Lot coverage	Added 3/25/54 (CP-10550)
IV 15-A(d)	Coverage for all buildings	Modified 12/16/54 (CP-11184)
IV 15-A(d)	Coverage exceptions	Added 4/21/55 (CP-11363A)
IV 15-A(e)	Text (formerly (d))	Relettered 3/25/54 (CP-10550)
IV 15-B(a to e)	E-2 Districts	Added 8/25/55 (CP-11761)
IV 16(a to d)	F Districts	Added 7/19/22 (17)
IV 16(a to d)	Text	Modified 6/28/40
IV 16(a)	"More than 6 stories"	Added 6/24/54 (CP-10826)
IV 16(d)	Lot coverage	Modified 3/25/54 (CP-10550)
IV 16(d)	Coverage exceptions	Added 4/21/55 (CP-11363A)
IV 16(e)	Ratio of floor to lot area	Added 6/28/40
IV 16-1(a and b)	FF Districts	Added 3/25/54 (CP-10550)
IV 16-A(a and b)	F-1 Districts	Added 6/28/40
IV 16-A(b)	Text	Modified 6/22/53 (CP-9816)
IV 16-A-1(a and b)	F-2 Districts	Added 3/25/54 (CP-10551)
IV 16-B	G Districts (formerly 16-A)	Added 7/6/38 (CP-312)
IV 16-B(a to e)	Text	Modified 6/28/40
IV 16-B(e)	Lot coverage	Modified 3/25/54 (CP-10550)
IV 16-B(e)	Coverage exceptions	Added 4/21/55 (CP-11363A)
IV 16-B(f)	Text	Modified 6/22/53 (CP-9816)
IV 16-C	G-1 Districts	Added 6/2/47 (CP-4748A)
IV 16-C(b,c,f)	Text	Modified 6/22/53 (CP-9816)
IV 16-C(e)	Lot coverage	Modified 3/25/54 (CP-10550)
IV 16-C(e)	Coverage exceptions	Added 4/21/55 (CP-11363A)
IV 17(a)	Rear Yards, Except in F Districts	Added 7/19/22 (17)
IV 17(a and b)	Rear Yards	Modified 6/28/40
IV 17(a and b)	Rear Yards	Modified 12/2/44 (CP-3320)
IV 17(a and b)	G-1 Districts	Added 1/12/53 (CP-9483)
IV 17(a and b)	FF, F-2 Districts	Added 3/25/54 (CP-10551)
IV 17(a and b)	E-2 District	Added 8/25/55 (CP-11761)
IV 17(f)	Rear Yards	Added 7/20/50 (CP-7255A)
IV 18(b)	Courts	Modified 7/19/22 (17)
IV 18(b) (4)	Words "or a G"	Added 7/6/38 (CP-312)
IV 18(b-1 to 5)	Text	Modified 6/28/40
IV 18(b-3 and 4)	Text	Modified 3/1/43 (CP-2774)
IV 18(b) (4)	G-1 District	Added 1/12/53 (CP-9483)
IV 18(b) (4)	FF, F-2 Districts	Added 3/25/54 (CP-10551)
IV 18(b)	Text	Modified 8/25/55 (CP-11761)
IV 18(d)	Court space	Added 6/28/40
IV 18(d)	FF and F-2 Districts	Added 8/25/55 (CP-11761)
IV 19(a)	E Districts	Added 9/21/17 (27)
IV 19(a)	F Districts	Added 7/19/22 (17)
IV 19(a)	G Districts	Added 7/6/38 (CP-312)

Article	Section	Effective Date
IV 19(a)	Area District Exceptions	Modified 6/28/40
IV 19(a)	G-1 District	Added 1/12/53 (CP-9483)
IV 19(a)	FF, F-2 Districts	Added 3/25/54 (CP-10551)
IV 19(a)	E-2 District	Added 8/25/55 (CP-11761)
IV 19(e)	Buildings on one lot	Modified 7/19/22 (17)
IV 19(e)	Coverage buildings on one lot	Modified 2/25/46 (CP-4017)
IV 19(g and h)	Business entrances	Added 6/28/40
IV 19(g and h)	Text	Eliminated 3/1/43 (CP-2774)
IV 19(g)	Extra space for parking	Added 12/2/44 (CP-3396)
IV 19(g)	Alterations	Added 12/14/53 (CP-10302)
IV 19(h)	Text (formerly (g))	Relettered 12/14/53 (CP-10302)
IV 19(i)	Sect. 21-C Uses	Added 2/14/57 (CP-12814)
IV 19-A(a to d)	Loading space	Added 6/28/40
IV 19-A(a to d)	Text	Eliminated 6/30/52 (CP-8433A)
IV 19-A(a to j)	Loading Berths for New Construction, etc.	Added 6/30/52 (CP-8433A)
IV 19-A(e)	Text	Modified 7/20/53 (CP-9952)
IV 19-A	Introductory Text	Modified 5/27/54 (CP-10747)
IV 19-A(g, h, i)	Text	Modified 5/27/54 (CP-10747)
IV 19-B(a to e)	Parking Facilities for Dwellings	Added 7/20/50 (CP-7255A)
IV 19-B(a to e)	Text	Modified 3/11/54 (CP-10548)
IV 19-B(a) (4)	FF, F-2 Districts	Added 3/25/54 (CP-10551)
IV 19-B(d)	Text	Added 5/28/59 (CP-14813)
IV 19-B(e)	formerly 19-B(d)	Relettered 5/28/59 (CP-14813)
IV 19-B(f)	formerly 19-B(e)	Relettered 5/28/59 (CP-14813)
V 20	New Text	Modified 6/28/40
V 21	Schools	Added 6/6/19 (15)
V 21	Hospitals	Added 6/20/19 (8)
V 21	Parking	Added 6/28/35 (7)
V 21	Gasoline Stations	Added 5/22/25 (29)
V 21	Text	Modified 6/28/40
V 21-A	From former Sect. 21	Added 6/28/40
V 21-A	Schools and Parking	Modified 1/9/41 (CP-1792)
V 21-A	Text	Modified 8/15/49 (CP-6623)
V 21-A	Text	Modified 1/23/50 (CP-6958)
V 21-A	Garages omitted	Modified 5/27/54 (CP-10549A)
V 21-B	Signs near parks	Added 6/28/40
V 21-B	Signs near parks	Modified 6/28/45 (CP-3606)
V 21-C	Site Plans for large Residential Developments	Added 6/28/40
V 21-C	Old Sect. 21-C replaced	Added 2/14/57 (CP-12814)
V 21-D	Bus stations	Added 10/29/45 (CP-3824)
V 21-E(a-d)	Airports	Added 10/1/49 (CP-6667)
V 21-F(a) (b) (c)	Public Garages (200 cars)	Added 8/15/49 (CP-6623)
V 21-F(a) (b) (c)	Public Garages (150 cars)	Modified 8/15/50 (CP-7502)
V 21-G(a) (b)	Open Air Drive-in Theatres	Added 5/16/50 (CP-7257)
V 21-G	Horse-racing tracks	Added 4/26/56 (CP-12307)
V 22	Certificate of Occupancy	Modified 6/28/40
V 22-A	Lapse of Variance	Added 6/28/40
V 22-B	Effect of Zoning Change after Construction has been started	Added 4/7/52 (CP-8923)
V 23	Enforcement	Modified 5/29/25 (10)
V 23	Text	Modified 6/28/40
V 23	Text	Modified 5/13/48 (CP-5505)
V 23	Outdoor sales lots	Added 1/13/55 (CP-11250)
V 24	Basis for protests	Modified 12/8/33 (14)

Article	Section	Effective Date
V 24	Text	Modified 6/28/40
V 24	Text	Modified 2/27/58 (CP-13529)
V 25	Restoration of Buildings	Modified 12/15/16 (3)
V 25	Building permits, time limit	Modified 10/19/17 (20)
V 25	Building permits, time limit	Modified 4/25/19 (9)
V 25	Building permits, time limit	Eliminated 10/3/24 (3)
V 25	Restoration of Buildings	Modified 6/28/40
Appendix	Height Map Designations	Modified 6/28/40
Appendix	Height Map Designation "S"	Added 1/12/53 (CP-9483)
Appendix Rules 1, 2, 3 (a, b, c, e and f)	Height Map Designation	Modified 6/28/40
Appendix Rule 3(f)	Height Map Designation	Modified 7/20/53 (CP-10014)
Appendix	Area Map Designation "F"	Added 7/19/22 (17)
Appendix	Area Map Designation "G"	Added 7/6/38 (CP-312)
Appendix	Area Map Designations	Modified 6/28/40
Appendix	Area Map Designations "DD" and "G-1"	Added 1/12/53 (CP-9483)
Appendix	Area Map Designations "FF" and "F-2"	Added 3/25/54 (CP-10551)
Appendix	Area Map Designation "E-2"	Added 8/25/55 (CP-11761)
Appendix Rules 1, 2, 3 (a, b, c, f and g)	Area Map Designation	Modified 6/28/40
Appendix Rule 3(f)	Area Map Designation	Modified 7/20/53 (CP-10014)
Appendix	Use Map Designation for Retail	Added 4/18/29 (43-c)
Appendix	Restricted Retail	Added 6/4/37 (35)
Appendix	Local Retail, Retail-1, Business-1 and Manufacturing	Added 6/28/40
Appendix Rules 1, 2, 3, 4 (a, b, c, d and h-j-k)	Use Map Designation	Modified 6/28/40
Appendix Rule 4(1)	Use Map Designation	Added 6/28/40
Appendix	Diagram Illustrating Methods Used in Fixing Boundaries of Use Districts	Modified 6/28/40
Addenda	Section 200	Amended 3/28/57; Eff. 7/1/57
Addenda	Section 200	Amended 4/21/59; Eff. 4/21/59
Addenda	Section 201	Amended 4/9/57; Eff. 7/1/57
Addenda	Section 200-1.0	Amended 4/21/59; Eff. 4/21/59
Addenda	Arterial Highways to which Sect. 21-B shall apply	Adopted 1/22/41 Modified 4/11/45; 6/27/45; 3/6/46; 6/30/48; 4/26/50; 8/13/52; 7/13/55; 2/5/58; 12/9/59
Addenda	Airports to which Section 9-A shall apply	Adopted 12/19/45

NOTE: Prior to October 3, 1924, present Section 16 was designated as Section 15-A and present Sections 17 to 26 inclusive were designated as Sections 16 to 25 inclusive.